

United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:96-cv-00633-CG

IN RE: CEPHALON, INC, et al v. , et al
Assigned to: JUDGE CLIFFORD SCOTT GREEN
Demand: \$0
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/29/1996
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

DAVID STEINBERG
*ON BEHALF OF HIMSELF AND ALL
OTHERS SIMILARLY SITUATED*
TERMINATED: 07/01/1996

represented by **DAVID STEINBERG**
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Plaintiff

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V.

Defendant

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TERMINATED: 07/01/1996

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Defendant

FRANK BALDINO, JR.
TERMINATED: 07/01/1996

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Defendant

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TERMINATED: 07/01/1996

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V.

Movant

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TERMINATED: 03/24/1998

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Movant

UNITED STATES OF AMERICA

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IN RE:

**IN RE: CEPHALON, INC.
SECURITIES LITIGATION**

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Movant**DR. MICHAEL F. MURPHY**represented by **ELEANOR ILLOWAY**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***JOHN G. HARKINS, JR.**

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Date Filed	#	Docket Text
01/29/1996	1	Complaint. filing fee \$120 receipt #580278. (tj) (Entered: 01/30/1996)
01/29/1996		Summons(es) issued Forwarded to: counsel 1/30/96. (tj) (Entered: 01/30/1996)
01/29/1996		Demand for jury trial by PLAINTIFF DAVID STEINBERG. (tj) (Entered: 01/30/1996)
01/29/1996		Special Case Management Track. (tj) (Entered: 01/30/1996)
03/06/1996	2	Appearance of ELEANOR MORRIS ILLOWAY for DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., DEFENDANT BRUCE A. PEACOCK, Certificate of Service. (fe) (Entered: 03/06/1996)
03/08/1996	3	STIPULATION AND ORDER THAT EACH OF THE DEFENDANTS CEPHALON, INC., FRANK BALDINO, JR. AND BRUCE A PEACOCK IS DEEMED TO HAVE ACCEPTED SERVICE OF THE COMPLAINTS IN THESE ACTIONS AS OF THE DATE SET FORTH ABOVE; THESE ACTIONS SHALL BE CONSOLIDATED PURSUANT TO FRCP 42(a); PLAINTIFFS HOOSHMAND AND KEARNEY MAY FILE A CONSOLIDATED AMENDED COMPLAINT WITH RESPECT TO THESE ACTIONS; DEFENDANTS SHALL NOT BE REQUIRED TO RESPOND TO THE COMPLAINTS OR TO ANY CONSOLIDATED AMENDED COMPLAINT BY ANSWER OR MOTION UNTIL 5 BUSINESS DAYS AFTER THE COURT SHALL HAVE APPROVED CLASS COUNSEL, AND THEIR TIME TO MOVE OR ANSWER IS EXTENDED TO AND INCLUDING SUCH DATE OR 5/3/96, WHICHEVER IS SOONER; THESE ACTIONS ARE CONFIRMED AS ACTIONS TO BE MANAGED UNDER THE PLAN AS A SPECIAL MANAGEMENT TRACK ACTION AND THE COURT SHALL SCHEDULE SUCH CONFERENCE OR CONFERENCES AND TAKE ANY OTHER ACTION AS IT DEEMS APPROPRIATE UNDER THE PLAN AS APPLIED TO A SPECIAL MANAGEMENT TRACK ACTION ETC (SIGNED BY JUDGE CLIFFORD S. GREEN) 3/11/96 ENTERED AND COPIES MAILED. (ph) (Entered: 03/11/1996)
03/08/1996		Consolidated Lead Case (ph) (Entered: 03/11/1996)
03/27/1996	5	MOTION BY MOVANT SANDS POINT PARTNERS FOR CONSOLIDATION

		AND APPOINTMENT OF SANDS POINT PARTNERS, L.P. AS LEAD PLAINTIFF , MEMORANDUM, CERTIFICATE OF SERVICE. (fe) (Entered: 03/28/1996)
03/27/1996	4	Consolidated Complaint by PLAINTIFF DAVID STEINBERG, NOTICE ONLY MATTHEW HOOSHMAND, NOTICE ONLY FRANK KEARNEY. (fe) (Entered: 03/28/1996)
03/29/1996	6	MOTION BY NOTICE ONLY MATTHEW HOOSHMAND, NOTICE ONLY FRANK KEARNEY TO CONSOLIDATE ACTIONS , FOR CLASS CERTIFICATION AND FOR APPOINTMENT OF LEAD PLAINTIFF , MEMORANDUM, CERTIFICATE OF SERVICE. (fe) (Entered: 04/01/1996)
05/22/1996	7	Memorandum of Law by SANDS POINT PARTNERS L.P. in further support of MOTION FOR APPOINTMENT AS LEAD PLAINTIFF, affidavits. (jw) (Entered: 05/22/1996)
05/31/1996	8	Affidavit of Martin Rudolph Re: stock transactions. (fe) (Entered: 06/03/1996)
06/24/1996	9	Supplemental Memorandum by MOVANT SANDS POINT PARTNERS in further support of MOTION FOR APPOINTMENT OF LEAD PLAINTIFF. (fe) (Entered: 06/25/1996)
06/24/1996	10	Report of Pretrial Conference held on 6/24/96. (fe) (Entered: 06/25/1996)
07/01/1996	11	ORDER THAT THE LETTERS FROM COUNSEL BE FILED AND DOCKETED; THE STIPULATION REGARDING CONSOLIDATION, APPT. OF LEAD PLFF, APPROVAL OF CLASS COUNSEL, AMENDED CONSOLIDATION COMPLAINT, CLASS CERTIFICATION AND CONDUCT OF DISCOVERY IS APPROVED; COUNSEL FOR ANY PARTY MAY FILE BY 7/10/96 ANY APPROPRIATE MOTION IN REGARD TO THE APPT OF LEAD PLFF AND LEAD COUNSEL AND PLFF SANDS POINT PARTNERS' REQUEST FOR AUTHORIZATION TO FILE A CORRECTED AMENDED COMPLAINT IS CONSIDERED AS A MOTION AND SAID MOTION IS GRANTED. (SIGNED BY JUDGE CLIFFORD S. GREEN) 7/2/96 ENTERED AND COPIES MAILED. (fe) (Entered: 07/02/1996)
07/01/1996	12	Stipulation regarding Consolidation, Appt of Lead Plff, Approval of Class Counsel, Amended Consolidated Complaint, Defts' response thereto, Class Certification and Conduct of Discovery; C.A. 96-967, 96-2135, 96-2213, 96-2522 shall be consolidated under the caption In re: Cephalon, Inc. Securities Litigation, C.A. 96-633; the claims of plff Steinberg against defts Cephalon, Baldino and Peacock shall be voluntarily dismissed without prejudice pursuant to Rule 41(a), etc. (fe) Modified on 07/02/1996 (Entered: 07/02/1996)
07/01/1996	13	Letter dated 6/26/96 from Mark C. Rifkin to Judge Green re: the amended class action complaints filed 6/24/96 by Plff Sands Point Partners, L.P. (fe) (Entered: 07/02/1996)
07/01/1996	14	Letter dated 6/27/96 from Sherri R. Savett and Marian P. Rosner, counsel for Sands Point Partners in response to Mr. Rifkin's letter. (fe) (Entered: 07/02/1996)
07/01/1996	15	Letter dated 6/27/96 from Stuart H. Savett to Judge Green re: Mr. Klein does not seek to represent class, etc. (fe) (Entered: 07/02/1996)

07/11/1996	16	ORDER THAT THE ABOVE MENTIONED LETTERS BE FILED AND DOCKETED. (SIGNED BY JUDGE CLIFFORD S. GREEN) 7/12/96 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 07/12/1996)
07/11/1996	17	Letter from John G. harkins, Jr. to Judge Green dated 7/10/96 re: paragraph 6 of order of 7/1/96. (fe) (Entered: 07/12/1996)
07/11/1996	18	Letter from Mark C. Rifkin to Judge Green dated 7/10/96 re: reply to the supplemental memorandum. (fe) (Entered: 07/12/1996)
07/11/1996	19	Letter from Sherrie R. Savett to Judge Green dated 7/10/96 re: requests for discovery and for delay of the court's rulings on the motions for appointment of lead plaintiff should be denied. (fe) (Entered: 07/12/1996)
07/12/1996	20	MOTION BY NOTICE ONLY MATTHEW HOOSHMAND, NOTICE ONLY FRANK KEARNEY FOR LEAVE TO TAKE DISCOVERY , MEMORANDUM, CERTIFICATE OF SERVICE. (fe) (Entered: 07/15/1996)
07/18/1996	21	Memorandum by MOVANT SANDS POINT PARTNERS in opposition to plaintiffs' MOTION FOR LEAVE TO TAKE DISCOVERY, Certificate of Service. (fe) (Entered: 07/19/1996)
07/18/1996	22	MEMORANDUM AND ORDER THAT ANY PLAINTIFF IN THIS MATTER IS GRANTED LEAVE TO TAKE DISCOVERY OF ANY OTHER PLAINTIFF IN THIS MATTER ON THE ISSUE OF THE APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL. DISCOVERY ON THE ISSUE OF THE APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL IS TO BE COMPLETED WITHIN 20 DAYS OF THE DATE OF THIS ORDER. THE PARTIES SHALL SUBMIT ALL MOTIONS, SUPPORTING MEMORANDA AND BRIEFS ON THE ISSUE OF APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL WITHIN 30 DAYS OF THE DATE OF THIS ORDER. (SIGNED BY JUDGE CLIFFORD S. GREEN) 7/19/96 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 07/19/1996)
07/25/1996	23	MOTION BY MOVANT SANDS POINT PARTNERS FOR RECONSIDERATION OR MODIFICATION OF THE COURT'S 7/18/96 ORDER , MEMORANDUM, CERTIFICATE OF SERVICE. (fe) (Entered: 07/25/1996)
08/08/1996	24	JOINT MOTION BY PLAINTIFFS DAVID STEINBERG, ET AL. FOR APPOINTMENT OF LEAD PLAINTIFFS AND LEAD COUNSEL , MEMORANDUM, CERTIFICATE OF SERVICE. (fe) (Entered: 08/09/1996)
08/27/1996	25	MEMORANDUM AND ORDER THAT PLAINTIFFS' JOINT MOTION FOR APPOINTMENT OF LEAD PLAINTIFFS AND LEAD COUNSEL IS GRANTED. PLAINTIFFS SANDS POINT, KEARNEY AND GUIDA ARE HEREBY APPOINTED LEAD PLAINTIFFS PURUSANT TO SECTION 21D(a)(3)(B) OF THE ACT, BECAUSE THEY COLLECTIVELY HAVE THE LARGEST FINANCIAL INTEREST IN THE RELIEF SOUGHT BY THE CLASS AND OTHERWISE SATISFY THE REQUIREMENTS OF RULE 23 OF THE FEDERAL RULES OF CIVIL PROCEDURE, ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/28/96 ENTERED AND COPIES MAILED AND FAXED. (fe) Modified on 08/28/1996 (Entered: 08/28/1996)

08/27/1996	26	ORDER THAT PLAINTIFF'S MOTION FOR RECONSIDERATION, MOTION FOR MODIFICATION OF THE COURT'S ORDER IS DISMISSED AS MOOT. FURTHER ORDERED THAT ALL OTHER OUTSTANDING MOTIONS IN THIS MATTER ARE DISMISSED AS MOOT. (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/28/96 ENTERED AND COPIES MAILED AND FAXED. (fe) Modified on 08/28/1996 (Entered: 08/28/1996)
09/11/1996	27	STIPULATION AND ORDER THAT THE TIME FOR THE SAID PLAINTIFFS TO FILE AND SERVE THEIR CONSOLIDATED AMENDED COMPLAINT IS EXTENDED TO 10/18/96 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 9/12/96 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 09/12/1996)
10/18/1996	28	Amended complaint by PLAINTIFF DAVID STEINBERG , amending [4-1] complaint against CEPHALON, INC, Certificate of service (ph) (Entered: 10/21/1996)
11/12/1996	29	STIPULATION AND ORDER THAT THE TIME FOR THE SAID DEFENDANTS TO ANSWER, MOVE OR OTHERWISE RESPOND TO THE CONSOLIDATED CLASS ACTION COMPLAINT IS EXTENDED UNTIL 12/30/96 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 11/13/96 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 11/13/1996)
11/15/1996	30	Notice of change of affiliation of counsel by Kevin M. Prongay on behalf of plaintiff. (fe) (Entered: 11/18/1996)
12/30/1996	31	MOTION BY DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT , MEMORANDUM, APPENDIX, CERTIFICATE OF SERVICE. (td) (Entered: 01/03/1997)
01/22/1997	32	Certification of named Plaintiff Rose M. Guida pursuant to federal securities laws, certificate of service. (jw) (Entered: 01/23/1997)
02/07/1997	33	STIPULATION AND ORDER THAT THE TIME FOR THE SAID PLAINTIFFS TO RESPOND TO DEFENDANTS' MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT IS EXTENDED UNTIL 3/3/97 AND THAT TIME FOR THE SAID DEFENDANTS TO REPLY TO PLAINTIFFS' RESPONSE IS EXTENDED UNTIL 4/14/97 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 2/7/97 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 02/07/1997)
03/05/1997	34	STIPULATION AND ORDER THAT THE TIME FOR THE FILING OF PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO DISMISS BE EXTENDED TO 3/5/97 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 3/6/97 ENTERED AND COPIES MAILED; 3/5/97 COPIES FAXED. (fe) (Entered: 03/06/1997)
03/05/1997	35	Memorandum by CEPHALON, INC in opposition to defendants' MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT, Certificate of Service. (fe) (Entered: 03/06/1997)
04/16/1997	36	Reply Memorandum by DEFENDANT FRANK BALDINO JR., CEPHALON,

		INC, MOVANT MICHAEL F. MURPHY in further support of defendants' MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT, Certificate of Service. (fe) (Entered: 04/17/1997)
06/26/1997	37	Surreply Memorandum by PLAINTIFF DAVID STEINBERG in opposition to defendants' MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT, Exhibits, Certificate of Service. (fe) (Entered: 06/27/1997)
08/29/1997	38	MEMORANDUM AND ORDER THAT DEFENDANTS' MOTION FOR DISMISSAL IS DENIED. FURTHER ORDERED THAT DEFENDANTS FILE AN ANSWER TO PLAINTIFFS' COMPLAINT WITHIN 20 DAYS OF THE DATE OF THIS ORDER. (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/29/97 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 08/29/1997)
09/18/1997	39	Answer to Complaint by DEFENDANT FRANK BALDINO JR., DEFENDANT BRUCE A. PEACOCK, MOVANT MICHAEL F. MURPHY, Certificate of Service. (fe) (Entered: 09/19/1997)
10/09/1997	40	Notice of change of address by LAWRENCE E. FELDMAN, Certificate of Service. (fe) (Entered: 10/09/1997)
10/16/1997	41	STIPULATION AND ORDER REGARDING CASE MANAGEMENT PLAN. PLAINTIFFS' CONSOLIDATED MOTION FOR CLASS CERTIFICATION SHALL BE SERVED AND FILED NO LATER THAN 10/31/97. ALL FACT DISCOVERY MUST BE COMPLETED ON OR BEFORE 12/31/98. ALL EXPERT DISCOVERY MUST BE COMPLETED ON OR BEFORE 3/3/98 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/16/97 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 10/16/1997)
10/23/1997	42	Notice of change of address by STUART H. SAVETT, Certificate of Service. (fe) (Entered: 10/23/1997)
10/29/1997	43	MOTION by PLAINTIFF DAVID STEINBERG FOR CLASS CERTIFICATION , MEMORANDUM, CERTIFICATE OF SERVICE. (jl) (Entered: 10/30/1997)
11/04/1997	44	STIPULATION AND ORDER THAT THE TIME FOR SUBMISSION OF A PROPOSED ORDER REGARDING CONFIDENTIALITY SHOULD BE EXTENDED TO AND INCLUDING 11/10/97. (SIGNED BY JUDGE CLIFFORD S. GREEN) 11/4/97 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 11/04/1997)
11/12/1997	45	Praeceptum by PLAINTIFF DAVID STEINBERG, DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR. to append exhibit. (fe) (Entered: 11/13/1997)
11/14/1997	46	CONFIDENTIALITY STIPULATION AND ORDER THAT THE PROVISIONS OF THIS CONFIDENTIALITY STIPULATION AND ORDER SHALL APPLY TO DISCOVERY IN THIS LITIGATION, ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 11/14/97 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 11/14/1997)
11/14/1997		Certain documents governed by Protective Order. (fe) (Entered: 11/14/1997)

12/09/1997	47	ORDER GRANTING PLAINTIFF'S MOTION FOR CLASS CERTIFICATION. THIS ACTION IS CERTIFIED AS A CLASS ACTION PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23, ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 12/9/97 ENTERED AND COPIES MAILED AND FAXED. (fe) Modified on 12/09/1997 (Entered: 12/09/1997)
12/10/1997	48	ORDER THAT THIS COURT'S ORDER DATED DECEMBER 8, 1997 IS VACATED AS BEING PREMATURE. PURSUANT TO THE STIPULATION OF THE PARTIES FILED OCTOBER 16, 1997, DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION, IF ANY, SHALL BE FILED AND SERVED NO LATER THAN JANUARY 30, 1998. (SIGNED BY JUDGE CLIFFORD S. GREEN) 12/11/97 ENTERED AND COPIES MAILED AND FAXED. (dt) (Entered: 12/11/1997)
01/27/1998	49	STIPULATION AND ORDER THAT THE TIME FOR THE SAID DEFENDANTS TO RESPOND TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION IS EXTENDED UNTIL 3/31/98 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/28/98 ENTERED AND COPIES MAILED; 1/27/98 COPIES FAXED. (fe) (Entered: 01/28/1998)
02/09/1998	50	MOTION by MOVANT ROSE GUIDA FOR PROTECTIVE ORDER , MEMORANDUM, CERTIFICATE OF SERVICE. (jl) (Entered: 02/09/1998)
02/20/1998	51	Memorandum by DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY in opposition to MOTION FOR PROTECTIVE ORDER, Certificate of Service. (fe) (Entered: 02/23/1998)
03/03/1998	52	AMENDED MOTION by PLAINTIFF DAVID STEINBERG FOR CLASS CERTIFICATION , CERTIFICATE OF SERVICE. (jl) (Entered: 03/03/1998)
03/10/1998	53	ORDER THAT PLAINTIFF'S MOTION FOR PROTECTIVE ORDER IS DENIED AND THE DEPOSITION OF PLAINTIFF ROSE GUIDA SHALL BE HELD AT THE OFFICES OF HARKINS CUNNINGHAM, 1800 ONE COMMERCE SQUARE, 2005 MARKET STREET, PHILADELPHIA, PA AT A DATE AND TIME TO DE DETERMINED BY THE PARTIES. FURTHER ORDERED THAT PURSUANT TO RULE 37(a)(4) THE DEFENDANTS MAY FILE A MOTION FOR ATTORNEY'S FEES INCURRED IN RELATION TO PLAINTIFF'S MOTION FOR PROTECTIVE ORDER. (SIGNED BY JUDGE CLIFFORD S. GREEN) 3/11/98 ENTERED AND COPIES MAILED; 3/10/98 COPIES FAXED. (fe) (Entered: 03/11/1998)
03/24/1998	54	Letter from John G. Harkins, Jr. to Judge Green dated 3/20/98 re: stipulation of voluntary dismissal without prejudice. (fe) (Entered: 03/24/1998)
03/24/1998	55	STIPULATION AND ORDER THAT PLAINTIFF GUIDA SHALL DISMISS HER INDIVIDUAL CLAIMS WITHOUT PREJUDICE AND PURSUANT TO RULE 41(a)(1) AND SHALL BE WITHDRAWN AS A LEAD PLAINTIFF AND AS A PROPOSED CLASS REPRESENTATIVE. EACH SIDE SHALL BEAR ITS OWN COSTS. (SIGNED BY JUDGE CLIFFORD S. GREEN) 3/24/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 03/24/1998)
04/02/1998	56	STIPULATION AND ORDER THAT THE TIME FOR THE SAID DEFENDANTS TO RESPOND TO PLAINTIFFS' MOTION FOR CLASS

		CERTIFICATION IS EXTENDED UNTIL 4/3/98 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/2/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 04/02/1998)
04/03/1998	57	Memorandum by DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY in opposition to plaintiffs' MOTION FOR CLASS CERTIFICATION, Certificate of Service. (fe) (Entered: 04/03/1998)
05/11/1998	58	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE A REPLY MEMORANDUM IN SUPPORT OF THIER MOTION FOR CLASS CERTIFICATION ON OR BEFORE 5/11/98 . (SIGNED BY JUDGE CLIFFORD S. GREEN) 5/12/98 ENTERED AND COPIES MAILED AND FAXED; 5/11/98 COPIES FAXED. (fe) Modified on 05/12/1998 (Entered: 05/12/1998)
05/14/1998	59	STIPULATION AND ORDER THAT TIME FOR FILING OF PLAINTIFFS REPLY MEMORANDUM IN SUPPORT OF THEIR MOTION FOR CLASS CERTIFICATION IS EXTENDED TO 5/22/98. (SIGNED BY JUDGE CLIFFORD S. GREEN) 5/15/98 ENTERED AND COPIES MAILED; 5/14/98 COPIES FAXED. (fe) (Entered: 05/15/1998)
05/22/1998	60	Reply Memorandum by PLAINTIFF DAVID STEINBERG in further support of their MOTION FOR CLASS CERTIFICATION, Certificate of Service. (fe) (Entered: 05/26/1998)
08/12/1998	61	MEMORANDUM AND ORDER THAT MOTION FOR CLASS CERTIFICATION IS GRANTED AS TO THEIR CLAIMS UNDER THE FEDERAL SECURITIES LAWS AND THE NEGLIGENT MISREPRESENTATION CLAIM; PLAINTIFF JOSEPH GEORGE IS NAMED AND APPOINTED AS AN ADDITIONAL LEAD PLAINTIFF, ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 08/12/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 08/12/1998)
08/19/1998	62	MOTION by DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY FOR LEAVE TO FILE MOTION FOR PROTECTIVE ORDER UNDER SEAL , CERTIFICATE OF SERVICE. (fe) (Entered: 08/20/1998)
08/19/1998	63	MOTION by DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY FOR PROTECTIVE ORDER . (UNSEALED PURSUANT TO ORDER DATED 11/3/98) (td) Modified on 11/04/1998 (Entered: 08/20/1998)
09/03/1998	64	Memorandum by PLAINTIFF JOSEPH GEORGE in opposition to MOTION FOR PROTECTIVE ORDER , Certificate of Service. (Unsealed pursuant to order dated 11/3/98) (fe) Modified on 11/04/1998 (Entered: 09/04/1998)
09/16/1998	65	ORDER THAT MOTION FOR LEAVE TO FILE MOTION FOR PROTECTIVE ORDER UNDER SEAL IS GRANTED; CLERK OF THE COURT IS DIRECTED TO MAINTAIN DEFENDANTS' MOTION FOR PROTECTIVE ORDER, MEMORANDUM OF LAW IN SUPPORT AND ACCOMPANYING EXHIBITS UNDER SEAL UNTIL FURTHER ORDER OF THIS COURT. (SIGNED BY JUDGE CLIFFORD S. GREEN) 09/17/98 ENTERED AND COPIES MAILED

		AND FAXED 09/16/98. (fe) (Entered: 09/17/1998)
09/17/1998	68	ORDER THAT PLAINTIFFS AND DEFENDANTS WILL DIVIDE EQUALLY THE COSTS ASSOCIATED WITH THE COPYING OF THE 100 BOXES OF DOCUMENTS IN QUESTION (SIGNED BY JUDGE CLIFFORD S. GREEN) 09/18/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 09/18/1998)
09/18/1998	66	Letter from John G. Harkins, Jr. to Judge Green dated 09/10/98, re: production of documents to plaintiffs. (fe) Modified on 09/18/1998 (Entered: 09/18/1998)
09/18/1998	67	Letter from Sherrie R. Savett to Judge Green dated 09/09/98, re: defendnats' refusal to produce documents. (fe) (Entered: 09/18/1998)
09/22/1998	69	Reply Memorandum by DEFENDANT FRANK BALDINO JR., CEPHALON, INC, MOVANT MICHAEL F. MURPHY in support of MOTION FOR PROTECTIVE ORDER , Certificate of Service. (Unsealed pursuant to order dated 11/3/98) (fe) Modified on 11/04/1998 (Entered: 09/22/1998)
09/22/1998	70	STIPULATION AND ORDER THAT DEFENDANTS SHALL HAVE LEAVE TO FILE A REPLY MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION FOR PROTECTIVE ORDER; PLAINTIFFS' SURREPLY SHALL BE DUE ON OR BEFORE 09/29/98. (SIGNED BY JUDGE CLIFFORD S. GREEN) 09/23/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 09/23/1998)
09/25/1998	71	MOTION BY PLAINTIFF JOSEPH GEORGE TO COMPEL PRODUCTION OF DOCUMENTS , AND FOR SANCTIONS , MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (mc) (Entered: 09/28/1998)
09/29/1998	72	Plffs' Surreply Memorandum in opposition to defts' motion for protective order, Certificate of Service. (Unsealed pursuant to order dated 11/3/98) (td) Modified on 11/04/1998 (Entered: 09/30/1998)
10/06/1998	73	ORDER THAT HEARING FOR MOTION FOR PROTECTIVE ORDER IS SET FOR 10/14/98 AT 4:00 (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/07/98 ENTERED AND COPIES MAILED AND FAXED. (fe) (Entered: 10/07/1998)
10/09/1998	74	Memorandum by DEFENDANT CEPHALON, INC., DEFENDANT FRANK BALDINO JR., MOVANT MICHAEL F. MURPHY in opposition to MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND MOTION FOR SANCTIONS , Certificate of Service. (fe) (Entered: 10/09/1998)
10/09/1998	75	Praecipe by DEFENDANT FRANK BALDINO JR., CEPHALON, INC, MOVANT MICHAEL F. MURPHY to append exhibit, cert. of service. (cb) (Entered: 10/13/1998)
10/19/1998	76	ORDER GRANTING PLFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND DEFTS SHALL PRODUCE ALL DOCUMENTS RESPONSIVE TO REQUEST NO. 19 OF PLFFS' FIRST REQUEST FOR PRODUCTION OF DOUMENTS, INCLUDING THE DATA DISKS IN QUESTION, WITHIN 20 DAYS; PLFFS' MOTION FOR SANCTIONS IS DENIED. (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/19/98 ENTERED AND COPIES MAILED AND FAXED 10/19/98. (sc) (Entered: 10/19/1998)

10/22/1998	77	MEMORANDUM-ORDER DENYING DEFT'S MOTION FOR PROTECTIVE ORDER, ETC., WITH RESPECT TO THE FDA BRIEFING DOCUMENT, DEFTS' MOTION IS DENIED WITHOUT PREJUDICE TO FILE A NEW MOTION WITHIN 10 DAYS, ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/23/98 ENTERED AND COPIES MAILED AND FAXED 10/22/98. (sc) (Entered: 10/23/1998)
10/26/1998	78	Report of Pretrial Conference held on 10/14/98. (jl) (Entered: 10/26/1998)
11/03/1998	79	ORDER THAT THE PAPERS FILED UNDER SEAL BY BOTH PARTIES REGARDING DEFTS' MOTION FOR PROTECTIVE ORDER ARE NO LONGER UNSER THE PROTECTION OF THE COURT FOR CONFIDENTIALITY PURPOSES, AND THE CLERK OF THE COURT IS DIRECTED TO UNSEAL DOCKET ENTRIES 63, 64, 69 AND 72. (SIGNED BY JUDGE CLIFFORD S. GREEN) 11/4/98 ENTERED AND COPIES MAILED AND FAXED. (gn) (Entered: 11/04/1998)
01/04/1999	80	STIPULATION AND ORDER THAT THE DATE FOR COMPLETION OF ALL EXPERT DISCOVERY IS EXTENDED UNTIL 8/31/99; AND THAT THE DATE OF DEFTS' COMPLIANCE WITH THE COURT'S ORDER OF 10/19/98 IS EXTENDED UNTIL 12/18/98. (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/4/99 ENTERED AND COPIES MAILED AND FAXED. (gn) (Entered: 01/04/1999)
01/20/1999	81	Notice of change of address by MARK C. RIFKIN, Certificate of Service. (fdc) (Entered: 01/20/1999)
04/01/1999	82	ORDER THAT A STATUS CONFERENCE WILL BE HELD ON 4/22/99 AT 3:00PM IN CHAMBERS. (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/2/99 ENTERED AND COPIES MAILED AND FAXED. (gn) (Entered: 04/02/1999)
04/23/1999	83	Report of Status Conference held on 4/22/99, case settles, hearing scheduled on 7/29/99. (jl) (Entered: 04/23/1999)
06/07/1999	84	PRELIMINARY APPROVAL ORDER WITH COURT APPROVAL THAT A HEARING SHALL BE HELD ON 7/29/99 AT 11:00AM IN COURTROOM 15613. (PROPOSED SETTLEMENT AGREEMENT ATTACHED) (SIGNED BY JUDGE CLIFFORD S. GREEN) 6/7/99 ENTERED AND COPIES MAILED AND FAXED. (gn) Modified on 06/07/1999 (Entered: 06/07/1999)
07/22/1999	85	MOTION by NOTICE ONLY FRANK KEARNEY, MOVANT SANDS POINT PARTNERS, PLAINTIFF JOSEPH GEORGE FOR ENTRY OF FINAL JUDGMENT OF DISMISSAL WITH PREJUDICE ,and FOR AWARD OF ATTORNEY FEES AND EXPENSES , MEMORANDUM, DECLARATION, AFFIDAVITS. (jl) (Entered: 07/23/1999)
07/22/1999	86	Memorandum of law by NOTICE ONLY FRANK KEARNEY, MOVANT SANDS POINT PARTNERS, PLAINTIFF JOSEPH GEORGE in support of proposed class action settlement. (jl) (Entered: 07/23/1999)
07/22/1999	87	Affidavit Re: ACS FINANCIAL & SECURITIES SERVICES REGARDING MAILING OF THE CLASS NOTICE, AND PROOF OF CLAIM AND RELEASE FORMS, AND RECEIPT OF OBJECTIONS AND REQUESTS FOR

		EXCLUSION. (jl) (Entered: 07/23/1999)
07/29/1999	88	ORDER THAT FINAL JUDGMENT OF DISMISSAL WITH PREJUDICE THAT THE COURTS THAT NO JUST REASON EXISTS FOR DELAY IN ENTERING FINAL JUDGMENT PURSUANT TO RULE 54 (b) OF THE FEDERAL RULES OF CIVIL PROCEDURE IN ACCORDANCE WITH STIPULATION. ACCORDINGLY, THE CLERK IS HEREBY DIRECTED TO ENTER THIS JUDGMENT FORTHWITH PURSUANT TO RULE 54 (b). THE COURT AWARDS TO PLAINTIFFS' COUNSEL THE SUM OF \$ 5,100,000 IN ATTORNEY FEES AND THE SUM OF \$388,176 AS REIMBURSEMENT OF EXPENSES, TOGETHER WITH INTEREST OF BOTH AMOUNTS FOR THE SAME TIME PERIOD AND THE SAME RATE AS EARNED ON THE SETTLEMENT FUND. THE FEES AND EXPENSES SHALL BE DISTRIBUTED AMONG PLAINTIFFS' COUNSEL AS PROVIDED IN THE STIPULATION, SPECIFICALLY BY PLAINTIFFS' LEAD COUNSEL WHO SHALL AT THEIR DISCRETION ALLOCATE THE FEES AND EXPENSES SO AWARD AMONG ALL PLAINTIFFS' COUNSEL IN SUCH A MANNER AS THEY DETERMINE APPROPRIATE TO REFLECT THE CONTRIBUTIONS OF EACH OF PLAINTIFFS' COUNSEL TO THE SUCCESSFUL PROSECUTION OF THE ACTION (SIGNED BY JUDGE CLIFFORD S. GREEN) 7/30/99 ENTERED AND COPIES MAILED AND FAXED. (jl) (Entered: 07/30/1999)
07/29/1999		Case closed (jmp) (Entered: 07/30/1999)
08/05/1999	89	Supplement of PLAINTIFF JOSEPH GEORGE affidavit in support of payment of expert expense, certificate of service. (jl) (Entered: 08/05/1999)
08/27/1999	90	ORDER THAT A CONFERENCE WILL BE HELD IN THE ABOVE CAPTIONED CASE ON 9/9/99 AT 3:00 P.M. IN CHAMBERS . (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/27/99 ENTERED AND COPIES MAILED AND FAXED. (fb) (Entered: 08/27/1999)
08/27/1999	91	ORDER THAT THIS COURT AUTHORIZES THE PAYMENT OF \$11,000 TO ROBERT MAKUCH, PH.D. FOR THE BALANCE OWED TO HIM FOR HIS SERVICES AS AN EXPERT IN THIS LITIGATION, ETC.. (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/27/99 ENTERED AND COPIES MAILED AND FAXED. (fb) (Entered: 08/27/1999)
12/23/1999	92	MOTION by MOVANT UNITED STATES TO SEAL , (filed under seal). (jl) Modified on 01/03/2000 (Entered: 12/23/1999)
01/03/2000	93	ORDER THAT THE MOTION OF THE UNITED STATES FILED ON 12/23/99 IS PLACED UNDER SEAL (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/3/00 ENTERED AND COPIES MAILED. (jl) (Entered: 01/03/2000)
01/03/2000	94	ORDER THAT, SINCE THE DUTIES IMPOSED ON SANDS POINT PARTNERS, L.P. BY THE CONFIDENTIALITY AGREEMENT AND ORDER IN THIS CASE ARE PREEMPTED BY THE GRAND JURY SUBPOENA SERVED UPON IT, SAND POINT PARTNERS, L.P. MAY COMPLY WITH THE GRAND JURY SUBPOENA WITHOUT DISCLOSURE TO OR THE APPROVAL OF THE OTHER PARTIES TO THIS ACTION (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/3/00 ENTERED AND COPIES MAILED. (jl)

		(Entered: 01/03/2000)
01/03/2000	95	MOTION by MOVANT UNITED STATES FOR RELIEF FROM CONFIDENTIALITY AGREEMENT AND ORDER (filed under seal). (jl) (Entered: 01/03/2000)
09/27/2000	96	MOTION by MOVANT SANDS POINT PARTNERS, PLAINTIFF JOSEPH GEORGE TO APPROVE DISTRIBUTION OF THE NET SETTLEMENT FUND AND TO AWARD FEES AND EXPENSES TO THE SETTLEMENT ADMINISTRATOR , AFFIDAVIT IN SUPPORT, CERTIFICATE OF SERVICE. (Affidavit Attached) (fh) (Entered: 09/27/2000)
10/03/2000	97	Corrected Affidavit of Stuart Dym, Certificate of Service. (fh) (Entered: 10/04/2000)
10/13/2000	98	Affidavit of STUART DYM in Further Support of MOTION TO APPROVE DISTRIBUTION OF THE NET SETTLEMENT FUND, Certificate of Service. (fh) (Entered: 10/13/2000)
10/24/2000	99	ORDER THAT THE NET SETTLEMENT FUND, AS DEFINED IN THE STIPULATION OF SETTLEMENT, BE DISTRIBUTED TO THE AUTHORIZED CLAIMANTS WHO TIMELY FILED THEIR CLAIMS AND TO THOSE CLAIMANTS WHOSE CLAIMS WERE FILED LATE BUT WHO, IN EVERY OTHER RESPECT HAVE FILED VALID CLAIMS, AND WHOSE DISTRIBUTIVE SHARE OF THE NET SETTLEMENT FUND IS IN EXCESS OF 410.00, AS SET FORTH IN EXHIBIT G TO THE CORR. DYM AFF.; AND IT IS FURTHER ORDERED THAT THE CLAIMS SET FORTH IN EXHIBIT F TO THE CORR. DYM AFF. ARE REJECTED AND THAT ANY FUTURE CLAIMS ARE HEREBY REJECTED AS UNTIMELY; AND IT IS FURTHER ORDERED THAT FEES AND REIMBURSEMENT OF EXPENSES OF \$100,985.67 ARE APPROVED FOR PAYMENT TO ACS FINANCIAL & SECURITIES SERVICES, THE CLAIMS ADMINISTRATOR, OUT OF THE NET SETTLEMENT FUND, AS REQUESTED IN PARAGRAPH 13 OF THE CORR. DYM AFF.; AND IT IS FURTHER ORDERED THAT AFTER THE SETTLEMENT ADMINISTRATOR HAS MADE REASONABLE AND DILIGENT EFFORTS TO DISTRIBUTE THE CASH PORTION OF THE NET SETTLEMENT FUND TO THOSE AUTHORIZED CLAIMANTS LISTED IN EXHIBIT G TO THE DYM AFF., ANY BALANCE REMAINING IN THE CASH PORTION OF THE NET SETTLEMENT FUND ONE (1) YEAR AFTER THE INITIAL DISTRIBUTION SHALL BE CONTRIBUTED TO NON-SECTARIAN, NOT-FOR-PROFIT, 501(c)(3) ORGANIZATION(S) DESIGNATED BY LEAD COUNSEL AND DISTRIBUTED PURSUANT TO FURTHER ORDER OF THIS COURT; ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/25/00 ENTERED AND COPIES MAILED AND FAXED. (fh) (Entered: 10/25/2000)
01/18/2005	100	PLAINTIFFS MOTION TO APPROVE DISTRIBUTION OF THE REMAINSER OF THE NET SETTLEMENT FUND, AFFIDAVIT, CERTIFICATE OF SERVICE.(jpd). (Entered: 01/19/2005)
02/16/2005	101	PLAINTIFF JOSEPH GEORGE'S AMENDED MOTION TO APPROVE DISTRIBUTION OF THE REMAINDER OF THE NET SETTLEMENT FUND,

		AMENDED AND CORRECTED AFFIDAVIT OF MICHAEL SCHWARTZ. (jpd) (Entered: 02/17/2005)
02/17/2005	102	ORDER THAT THE \$5,227.55 OF THE BALANCE OF THE NET SETTLEMENT FUND BE DEPOSITED WITH THE REGISTRY OF THE COURT, UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF PENNSYLVANIA, TO BE HELD UNTIL CLAIMED BY THE CLAIMANTS IDENTIFIED ON THE EXHIBIT HERETO, OR UNTIL FURTHER ORDER OF THE COURT; AND IT IS FURTHER ORDERED THAT THE REMAINING \$18,092.60 BALANCE IN THE NET SETTLEMENT FUND BE CONTRIBUTED IN EQUAL SHARES TO THE PHILADELPHIA BAR FOUNDATION, NEW YORK UNIVERSITY AND THE OSBORNE ASSOCIATION; AND IT IS FURTHER ORDERED THAT THIS COURT RETAIN JURISDICTION OVER ANY FURTHER APPLICATION OR MATTER WHICH MAY ARISE IN CONNECTION WITH THIS ACTION. SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 2/17/05. 2/17/05 ENTERED AND COPIES MAILED AND FAXED. (jpd) (Entered: 02/17/2005)
03/04/2005		The sum of \$ 5227.55 deposited into the Registry of the Court. (ac,) (Entered: 03/07/2005)

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