

**U.S. District Court**  
**District of South Carolina**  
**(Greenville)**

CIVIL DOCKET FOR CASE #: 6:99-cv-00088-GRA

Neely v. Datastream Systems, et al  
Assigned to: Judge G Ross Anderson, Jr  
Demand: \$0  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/11/1999  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**Priscilla Neely**  
*Individually and on behalf of all others  
similarly situated*

represented by **L Joel Chastain**  
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V.

**Defendant**

**Datastream Systems Inc**

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**Defendant**

**Larry Blackwell**

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**J Theodore Gentry**  
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**Michael J Giese**  
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**Geoffrey S Stewart**  
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**Defendant**

**Daniel Christie**

represented by **David L Freeman**  
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**Geoffrey S Stewart**  
(See above for address)

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/11/1999	1	COMPLAINT with jury demand; FILING FEE \$ 150.00 RECEIPT # 300 23275; Scheduling order due by 4/21/99; Service due by 5/11/99 for Daniel Christie, for Larry Blackwell, for Datastream Systems (mdea) (Entered: 01/12/1999)
01/11/1999		** Added JURY Flag indicating jury demand request. (mdea) (Entered: 01/12/1999)
01/11/1999	2	AFFIDAVIT of Priscilla J. Neely by plaintiff Priscilla Neely Re: [1-1] complaint (mdea) (Entered: 01/12/1999)
01/11/1999	3	SUMMONS(ES) issued for defendant Datastream Systems (mdea) (Entered: 01/12/1999)
01/11/1999	4	SUMMONS(ES) issued for defendant Larry Blackwell (mdea) (Entered: 01/12/1999)
01/11/1999	5	SUMMONS(ES) issued for defendant Daniel Christie (mdea) (Entered: 01/12/1999)
01/11/1999	6	Answers to 16B Interrogatories by plaintiff Priscilla Neely; jury demand (mdea) (Entered: 01/12/1999)
01/11/1999	7	MOTION by plaintiff Priscilla Neely for Kurt Olsen to appear pro hac vice filing fee paid receipt #300-23278 (mdea) (Entered: 01/12/1999)
01/11/1999	8	AFFIDAVIT of Kurt Olsen by plaintiff Priscilla Neely in support of [7-1] motion for Kurt Olsen to appear pro hac vice (mdea) (Entered: 01/12/1999)
01/11/1999	9	MOTION by plaintiff Priscilla Neely for Todd S Collins, Arthur Stock to appear pro hac vice (mdea) (Entered: 01/12/1999)
01/11/1999	10	AFFIDAVIT of Arthur Stock by plaintiff Priscilla Neely in support of [9-1] motion for Todd S Collins, Arthur Stock to appear pro hac vice (mdea) (Entered: 01/12/1999)
01/11/1999	11	AFFIDAVIT of Todd S. Collins by plaintiff Priscilla Neely in support of [9-1] motion for Todd S Collins, Arthur Stock to appear pro hac vice (mdea) (Entered: 01/12/1999)
01/15/1999	12	SCHEDULING ORDER setting Plaintiff's ID of Experts set for 2/16/99 ;

		Defendant's ID of Experts set for 3/15/99 ; Deadline for filing of all motions 3/15/99 ; Discovery cutoff 3/31/99 ; Jury Trial set for 4/1/99 ; ( signed by Magistrate Judge William M. Catoe Jr. ) EOD: 1/15/99 mld. (former empl) (Entered: 01/15/1999)
01/19/1999	<a href="#">13</a>	ORDER granting [9-1] motion for Todd S Collins, Arthur Stock to appear pro hac vice, granting [7-1] motion for Kurt Olsen to appear pro hac vice ( signed by Judge G. R. Anderson Jr. ) MLD EOD 1/19/99 (kric) (Entered: 01/19/1999)
01/25/1999	14	AFFIDAVIT OF SERVICE executed as to defendant Larry Blackwell 1/13/99 Dft Answers to 16B Interrogatories due by 3/4/99 for Larry Blackwell Answer due on 2/2/99 for Larry Blackwell (kric) (Entered: 01/25/1999)
01/25/1999	15	AFFIDAVIT OF SERVICE executed as to defendant Daniel Christie 1/13/99 Dft Answers to 16B Interrogatories due by 3/4/99 for Daniel Christie Answer due on 2/2/99 for Daniel Christie (kric) (Entered: 01/25/1999)
01/25/1999	16	AFFIDAVIT OF SERVICE executed as to defendant Datastream Systems 1/13/99 Dft Answers to 16B Interrogatories due by 3/4/99 for Datastream Systems Answer due on 2/2/99 for Datastream Systems (kric) (Entered: 01/25/1999)
01/27/1999	17	Supplemental Answers to 16B Interrogatories by plaintiff Priscilla Neely (mdea) (Entered: 01/28/1999)
03/01/1999	<a href="#">18</a>	ORDER instructing the defendant's they will not be required to respond to complaint or any superseding complaint until the Court appoints lead plaintiffs and lead plaintiffs counsel. Plaintiff shall have 45 days after appointments to file a consolidated amended complaint, defendants will have 30 days to respond to amended complaint. Plaintiffs will have 30 days to respond to any dispositive motions and defendants will have 15 days to reply to response ( signed by Judge G. R. Anderson Jr. )MLD EOD 3/2/99 (kric) (Entered: 03/02/1999)
03/12/1999	19	MOTION by plaintiff Priscilla Neely to consolidate cases (mdea) (Entered: 03/15/1999)
03/12/1999	20	MEMORANDUM by plaintiff Priscilla Neely in support of [19-1] motion to consolidate cases (mdea) (Entered: 03/15/1999)
03/12/1999	21	MOTION by plaintiff Priscilla Neely for appointment of lead plaintiffs and approval of lead plaintiffs' selection of co-lead counsel (mdea) (Entered: 03/15/1999)
03/12/1999	22	MEMORANDUM by plaintiff Priscilla Neely in support of [21-1] motion for appointment of lead plaintiffs and approval of lead plaintiffs' selection of co-lead counsel (mdea) (Entered: 03/15/1999)
03/12/1999	23	AFFIDAVIT of William J. Cook by plaintiff Priscilla Neely in support of [21-1] motion for appointment of lead plaintiffs and approval of lead plaintiffs' selection of co-lead counsel with tabbed exhibits A-H attached (mdea) Modified on 03/15/1999 (Entered: 03/15/1999)
06/22/1999	<a href="#">24</a>	ORDER admitting Geoffrey S Stewart pro hac vice for defendants ( signed by Judge G. R. Anderson Jr. ) MLD EOD 6/22/99 (kric) (Entered: 06/22/1999)

06/29/1999	<a href="#">25</a>	CONSENT ORDER, for joinder with motions filed by plaintiff's by Valeta Megehee and Emmet White ( signed by Judge G. R. Anderson Jr. ) MLD EOD 6/29/99 (kric) (Entered: 06/29/1999)
08/12/1999	<a href="#">26</a>	ORDER, consolidating cases as outlined with 6:99-88 being lead case ( signed by Judge G. R. Anderson Jr. ) MLD EOD 8/12/99 (kric) Modified on 08/17/1999 (Entered: 08/12/1999)
08/13/1999	27	CONSOLIDATED AMENDED CLASS ACTION COMPLAINT for violations of the Securities Exchange Act of 1934 by plaintiff Priscilla Neely , (Answer due 9/13/99 for Daniel Christie, for Larry Blackwell, for Datastream Systems ) Service due by 12/13/99 for Daniel Christie, for Larry Blackwell, for Datastream Systems amending [1-1] complaint; jury demand (former empl) (Entered: 08/17/1999)
08/13/1999	28	AMENDED SUMMONS(ES) issued for defendant Larry Blackwell (former empl) (Entered: 08/17/1999)
08/13/1999	29	AMENDED SUMMONS(ES) issued for defendant Datastream Systems (former empl) (Entered: 08/17/1999)
08/13/1999	30	AMENDED SUMMONS(ES) issued for defendant Daniel Christie (former empl) (Entered: 08/17/1999)
08/13/1999	31	MOTION with Attachment A by plaintiff Priscilla Neely for Kenneth J. Vianale to appear pro hac vice ; proposed order submitted; FEE STATUS: Paid 300 27528 (former empl) Modified on 08/17/1999 (Entered: 08/17/1999)
08/13/1999	32	AFFIDAVIT of Kenneth J. Vianale by plaintiff Priscilla Neely Re: [31-1] motion for Kenneth J. Vianale to appear pro hac vice (former empl) (Entered: 08/17/1999)
08/13/1999	33	MOTION with Attachment A by plaintiff Priscilla Neely for Bruce G. Murphy to appear pro hac vice ; proposed order submitted; FEE STATUS: Paid 300 27528 (former empl) (Entered: 08/17/1999)
08/20/1999	<a href="#">34</a>	ORDER granting [31-1] motion for Kenneth J. Vianale to appear pro hac vice ( signed by Judge G. R. Anderson Jr. ) MLD EOD 8/20/99 (kric) (Entered: 08/20/1999)
08/20/1999	<a href="#">35</a>	ORDER granting [33-1] motion for Bruce G. Murphy to appear pro hac vice ( signed by Judge G. R. Anderson Jr. ) MLD EOD 8/20/99 (kric) (Entered: 08/20/1999)
08/20/1999	36	AFFIDAVIT OF SERVICE of AMENDED summons and complaint executed as to defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie 8/16/99 Dft Answers to 16B Interrogatories due by 10/5/99 for Daniel Christie, for Larry Blackwell, for Datastream Systems Answer due on 9/15/99 for Daniel Christie, for Larry Blackwell, for Datastream Systems executed by certified mail upon David L. Freeman (Attorney) (former empl) (Entered: 08/23/1999)
09/13/1999	37	MOTION by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie to dismiss with memorandum and appendix (kric) (Entered: 09/14/1999)
09/13/1999	38	MEMORANDUM by defendant Datastream Systems, defendant Larry Blackwell,

		defendant Daniel Christie in support of [37-1] motion to dismiss with memorandum and appendix (kric) (Entered: 09/14/1999)
09/13/1999	39	AFFIDAVIT of J. Theodore Gentry by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie Re: [38-1] support memorandum (kric) (Entered: 09/14/1999)
10/13/1999	40	MEMORANDUM with Appendix by plaintiff Priscilla Neely in opposition to [37-1] motion to dismiss with memorandum and appendix (former empl) (Entered: 10/14/1999)
10/13/1999	41	DECLARATION with tabbed exhibits 1-5 of William J. Cook by plaintiff Priscilla Neely Re: [40-1] opposition memorandum (former empl) (Entered: 10/14/1999)
10/28/1999	42	REPLY by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie to [40-1] opposition memorandum (kric) (Entered: 10/29/1999)
11/22/1999	43	NOTICE of address change from attorney Geoffrey Stewart by defendant Datastream Systems (pbri) (Entered: 11/22/1999)
11/23/1999	44	SUPPLEMENTAL AFFIDAVIT of J. Theodore Gentry by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie Re: [42-1] reply (sfet) (Entered: 11/24/1999)
11/29/1999		Motion hearing re: [37-1] motion to dismiss with memorandum and appendix before Judge G. R. Anderson Jr. HEARD AND UNDER ADVISEMENT; Court to issue order; Court reporter: Geri Kirkley. (former empl) (Entered: 11/29/1999)
11/29/1999		Minute entry: [37-1] motion to dismiss with memorandum and appendix taken under advisement (former empl) (Entered: 11/29/1999)
12/03/1999	45	MOTION by plaintiff Priscilla Neely for leave to file supplemental brief and declaration ; brief and declaration attached (former empl) (Entered: 12/06/1999)
12/03/1999	46	MEMORANDUM by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie in support of [37-1] motion to dismiss with memorandum and appendix (former empl) (Entered: 12/06/1999)
01/11/2000	47	NOTICE of Hearing for motion on 1/25/00 at 11:30 am (kric) (Entered: 01/11/2000)
01/25/2000		HEARING CANCELLED - Leave to File (former empl) (Entered: 01/26/2000)
01/31/2000	<a href="#">48</a>	ORDER denying [37-1] motion to dismiss with memorandum and appendix ( signed by Judge G. R. Anderson Jr. ) mld eod 1/31/00 (kric) (Entered: 01/31/2000)
02/24/2000	49	ANSWER by defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie (Attorney J. Theodore Gentry) to amended complaint (kric) (Entered: 02/25/2000)
03/15/2000	50	RETURN OF SERVICE executed 2/28/00 for subpoena served on KPMG (kric) (Entered: 03/15/2000)
05/12/2000	<a href="#">51</a>	ORDER that this action is dismissed without prejudice. If settlement not consummated within 60 days, either party may petition the court to reopen/restore

		the calendar. ( signed by Judge G. R. Anderson Jr. ) mld eod 5/12/00 (kric) (Entered: 05/12/2000)
05/12/2000		Case closed (kric) (Entered: 05/12/2000)
07/07/2000	<a href="#">52</a>	STIPULATED PROTECTIVE ORDER ( signed by Judge G. R. Anderson Jr. ) mld eod 7/7/00 (kric) (Entered: 07/07/2000)
07/10/2000	53	MOTION by plaintiff Priscilla Neely to substitute attorney (former empl) (Entered: 07/11/2000)
07/12/2000	<a href="#">54</a>	ORDER granting [53-1] motion to substitute attorney terminated attorney William J Cook for Priscilla Neely Added L. Joel Chastain ( signed by Judge G. R. Anderson Jr. ) mld eod 7/12/00 (kric) (Entered: 07/12/2000)
09/22/2000	55	Stipulation and agreement of settlement by plaintiff Priscilla Neely, defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie (pbri) (Entered: 09/22/2000)
09/26/2000	<a href="#">56</a>	ORDER certifying class action for the purposes of settlement Settlement Fairness Hearing to be held on 12/6/00 at 9:30 ( signed by Judge G. R. Anderson Jr. ) EOD 9/26/00 SVD (pbri) (Entered: 09/26/2000)
11/30/2000	57	MEMORANDUM by plaintiff Priscilla Neely in support of final approval of settlement (fbos) (Entered: 12/01/2000)
11/30/2000	60	AFFIDAVIT of Michael E Hamer by plaintiff Priscilla Neely Re: [56-1] relief certifying class action for the purposes of settlement (fbos) (Entered: 12/01/2000)
12/01/2000	58	BRIEF by plaintiff Priscilla Neely in support of Joint Application for award of attorneys' fees and reimbursement of expenses (fbos) (Entered: 12/01/2000)
12/01/2000	59	AFFIDAVIT of Arthur Stock by plaintiff Priscilla Neely Re: [58-1] brief, [57-1] support memorandum (fbos) (Entered: 12/01/2000)
12/06/2000	61	Settlement conference held before Judge G. R. Anderson Jr. Five million dollar settlement approved and court approves 30% of settlement and costs of 97,770.00 for attorneys fees. Court Reporter: Jean Cole. (pbri) (Entered: 12/07/2000)
12/06/2000	62	Supplement to expense affidavits (pbri) (Entered: 12/07/2000)
12/06/2000	63	AFFIDAVIT of Jeffrey Krinsk by plaintiff Priscilla Neely Re: [61-1] settlement conference (pbri) (Entered: 12/07/2000)
12/06/2000	<a href="#">64</a>	ORDER for settlement and final judgment ( signed by Judge G. R. Anderson Jr. ) (pbri) (Entered: 12/07/2000)
12/19/2000	65	TRANSCRIPT OF SETTLEMENT FAIRNESS HEARING filed by plaintiff Priscilla Neely, defendant Datastream Systems, defendant Larry Blackwell, defendant Daniel Christie for dates of 12/6/00 before Judge G. R. Anderson Jr. held in Greenville Court Reporter: Jean L Cole (fbos) (Entered: 12/19/2000)
02/01/2002	66	MOTION by plaintiff Priscilla Neely for release of funds (dnap) (Entered: 02/01/2002)
03/04/2002	<a href="#">67</a>	ORDER granting [66-1] motion for release of funds ( signed by Judge G. R.

		Anderson Jr )eod 3/4/02 (fbos) (Entered: 03/04/2002)
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