

US District Court for the
Southern District of Florida

1:96cv2021

Bakalor, et al v. Integrated Network, et al

Date Filed: 07/24/1996	Class Code: DKTLD WCT
Assigned To: Judge James Lawrence King	CLOSED
Referred To:	Closed: Yes
Nature of suit: Securities (850)	Statute: 15:0077
Cause: Securities Fraud	Jury Demand:
Lead Docket: None	Demand
Other Docket: None	Amount: \$0
Jurisdiction: Federal Question	

Litigants

Attorneys

Donald Bakalor
PLAINTIFF

Emily Cornelia Komlossy
[COR LD NTC]
Goodkind Labaton Rudoff & Sucharow
2455 E Sunrise Boulevard
Suite 813
Fort Lauderdale , FL 33304
USA
954-630-1000
FTS 565-1312
954-630-1000

Jonathan M Plasse
[COR LD NTC]
Goodkind Labaton Rudoff & Sucharow
2455 E Sunrise Boulevard
Suite 813
Fort Lauderdale , FL 33304
USA
954-630-1000
Address Terminated On 8/ 25/ 98

Stanley Bernstein
[COR LD NTC RET]
Bernstein Liebhard & Lifshitz
10 East 40TH Street
New York , NY 10016
USA
212-779-1414

FTS 779-3218

Wykagyl Agency Inc Employee Money Purchase
Pension Plan DTD 9/1/67
PLAINTIFF

Emily Cornelia Komlossy
[COR LD NTC]
Goodkind Labaton Rudoff & Sucharow
2455 E Sunrise Boulevard
Suite 813
Fort Lauderdale , FL 33304
USA
954-630-1000
FTS 565-1312
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2455 E Sunrise Boulevard
Suite 813
Fort Lauderdale , FL 33304
USA
954-630-1000
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Stanley Bernstein
[COR LD NTC RET]
Bernstein Liebhard & Lifshitz
10 East 40TH Street
New York , NY 10016
USA
212-779-1414
FTS 779-3218

Robert Kahn
PLAINTIFF

Emily Cornelia Komlossy
[COR LD NTC]
Goodkind Labaton Rudoff & Sucharow
2455 E Sunrise Boulevard
Suite 813
Fort Lauderdale , FL 33304
USA
954-630-1000
FTS 565-1312
954-630-1000

v.

Integrated Communication Network, Inc
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner

1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

David F Greenberg
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

Donald F Mann
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

Rosario Moreno
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

Mario Beguiristain
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036

USA
202-452-0900

Regina T Montoya
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

C Thomas McMillen
DEFENDANT

Richard S Kraut
[COR LD NTC RET]
[Term: 03/10/1997]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

Hampshire Securities Corporation
DEFENDANT
[Term: 10/18/1996]

William Jay Blechman
[COR LD NTC]
[Term: 10/18/1996]
Kenny Nachwalter Seymour Arnold Critchlow &
Spector
Miami Center
201 S Biscayne Boulevard
Suite 1100
Miami , FL 33131-4327
USA
305-373-1000
FTS 372-1861

Richard S Kraut
[COR LD NTC RET]
[Term: 10/18/1996]
Storch & Brenner
1001 Connecticut Avenue
Northwest
Suite 1100
Washington , DC 20036
USA
202-452-0900

Richard Eugene Brodsky
[COR LD NTC]
[Term: 10/18/1996]
25 SE Second Avenue
Suite 919
Miami , FL 33131
USA
305-755-9470
FTS 381-7708

Date	#	Proceeding Text
07/24/1996	1	CLASS ACTION COMPLAINT filed; A-3; WCT; FILING FEE \$ 120.00 RECEIPT # 665408 (lk) [Entry date 07/30/96]
07/24/1996	--	Magistrate identification: Magistrate Judge Turnoff (lk) [Entry date 07/30/96]
07/24/1996	2	SUMMONS(ES) issued for Regina T. Montoya (lk) [Entry date 07/30/96]
07/24/1996	3	SUMMONS(ES) issued for Rosario Moreno (lk) [Entry date 07/30/96]
07/24/1996	4	SUMMONS(ES) issued for Donald F. Mann (lk) [Entry date 07/30/96]
07/24/1996	5	SUMMONS(ES) issued for Integrated Network (lk) [Entry date 07/30/96]
07/24/1996	6	SUMMONS(ES) issued for Hampshire Securities (lk) [Entry date 07/30/96]
07/24/1996	7	SUMMONS(ES) issued for David F. Greenberg (lk) [Entry date 07/30/96]
07/24/1996	8	SUMMONS(ES) issued for Mario Beguiristain (lk) [Entry date 07/30/96]
07/24/1996	9	SUMMONS(ES) issued for C. Thomas McMillen (lk) [Entry date 07/30/96]
07/26/1996	10	MOTION AND ORDER Appointing Special Process Server. Appointee: TC Mann and Associates (lk) [Entry date 08/01/96]
07/30/1996	11	SUMMONS(ES) issued for David F. Greenberg (lk) [Entry date 08/05/96]
07/30/1996	12	RETURN OF SERVICE executed for Integrated Network on 7/25/96 Answer due on 8/14/96 for Integrated Network (lk) [Entry date 08/05/96]
07/30/1996	13	RETURN OF SERVICE executed for Hampshire Securities on 7/26/96 Answer due on 8/15/96 for Hampshire Securities (lk) [Entry date 08/05/96]
07/30/1996	14	Return of service unexecuted as to Regina T. Montoya (lk) [Entry date 08/05/96]
07/30/1996	15	Return of service unexecuted as to C. Thomas McMillen (lk) [Entry date 08/05/96]
07/30/1996	16	Return of service unexecuted as to Mario Beguiristain (lk) [Entry date 08/29/96]
07/31/1996	17	Return of service unexecuted as to David F. Greenberg (lk) [Entry date 08/29/96]
08/05/1996	19	Return of service unexecuted as to David F. Greenberg (lk) [Entry date 08/12/96]
08/05/1996	20	Return of service unexecuted as to Donald F. Mann (lk) [Entry date 08/12/96]
08/08/1996	18	Return of service unexecuted as to Rosario Moreno (lk) [Entry date 08/12/96]
08/12/1996	21	MOTION AND ORDER Appointing Special Process Server. Appointee: Firm services and/or its agent (lk) [Entry date 08/19/96]
08/19/1996	22	FIRST REQUEST for Production of Documents by Donald Bakalor, WYKAGYL Agency Inc. (lk) [Entry date 08/26/96]

08/26/1996 23 JOINT MOTION by Donald Bakalor, WYKAGYL Agency Inc., Integrated Network, David F. Greenberg, Donald F. Mann, Rosario Moreno, Mario Beguiristain, Regina T. Montoya, C. Thomas McMillen to extend time to respond to complaint (cp) [Entry date 09/05/96]

08/26/1996 24 Alias SUMMONS(ES) issued for David F. Greenberg (cp) [Entry date 09/05/96]

08/26/1996 25 Alias SUMMONS(ES) issued for Rosario Moreno (cp) [Entry date 09/05/96]

08/26/1996 26 Alias SUMMONS(ES) issued for Donald F. Mann (cp) [Entry date 09/05/96]

08/27/1996 27 ORDER granting [23-1] joint motion to extend time to respond to complaint resetting answer due for 9/30/96 for Hampshire Securities, for Integrated Network (signed by Judge James L. King on 8/27/96) CCAP (dr) [Entry date 09/05/96]

08/27/1996 28 ALIAS SUMMONS issued for Mario Beguiristain (dr) [Entry date 09/05/96]

08/28/1996 29 MOTION with memorandum in support by Donald Bakalor, WYKAGYL Agency Inc. for Stanley Bernstein to appear pro hac vice (wc) [Entry date 09/06/96]

08/29/1996 30 RETURN OF SERVICE executed for Regina T. Montoya on 8/13/96 Answer due on 9/2/96 for Regina T. Montoya (hr) [Entry date 09/10/96]

08/29/1996 31 RETURN OF SERVICE executed for C. Thomas McMillen on 8/13/96 Answer due on 9/2/96 for C. Thomas McMillen (hr) [Entry date 09/10/96]

08/29/1996 32 MOTION by Hampshire Securities to extend time respond to complaint (hr) [Entry date 09/10/96]

08/29/1996 33 MOTION with memorandum in support by Donald Bakalor, WYKAGYL Agency Inc. for Jonathan M. Plasse to appear pro hac vice Filing fee paid \$50.00 #666825 (hr) [Entry date 09/10/96]

08/30/1996 34 ORDER granting [32-1] motion to extend time respond to complaint resetting answer due for 9/30/96 for Hampshire Securities (signed by Judge James L. King on 8/30/96) CCAP (lk) [Entry date 09/10/96]

08/30/1996 35 ORDER granting [33-1] motion for Jonathan M. Plasse to appear pro hac vice (signed by Judge James L. King on 8/30/96) CCAP (lk) [Entry date 09/10/96]

09/04/1996 36 RETURN OF SERVICE executed for David F. Greenberg on 8/31/96 Answer due on 9/20/96 for David F. Greenberg (lk) [Entry date 09/12/96]

09/04/1996 37 RETURN OF SERVICE executed for Donald F. Mann on 8/30/96 Answer due on 9/19/96 for Donald F. Mann (lk) [Entry date 09/12/96]

09/04/1996 38 RETURN OF SERVICE executed for Rosario Moreno on 8/30/96 Answer due on 9/19/96 for Rosario Moreno (lk) [Entry date 09/12/96]

09/05/1996 39 MOTION with memorandum in support by Integrated Communication, David Greenberg, Donald Mann, Rosario Moreno, Mario Beguiristain, Regina T. Montoya and Thomas McMillen for Richard s. Kraut to appear pro hac vice (lk) [Entry date 09/13/96] [Edit date 09/30/96]

09/06/1996 40 MOTION by Hampshire Securities for Clifford Thau, Esq. and Lance Croffoot-Suede, Esq. to appear pro hac vice fee not paid (lk) [Entry date 09/16/96] [Edit date 09/16/96]

09/11/1996 41 ORDER granting [39-1] motion for Richard s. Kraut to appear pro hac vice (signed by Judge James L. King on 9/9/96) CCAP (lk) [Entry date 09/18/96]

09/11/1996 42 ORDER granting [40-1] motion for Clifford Thau, Esq. and Lance Croffoot-Suede, Esq. to appear pro hac vice (signed by Judge James L. King on 9/9/96) CCAP (lk)

[Entry date 09/18/96]

09/11/1996 43 Return of service unexecuted as to Mario Beguiristain (lk) [Entry date 09/18/96]

09/18/1996 44 NOTICE of attorney appearance for Hampshire Securities by William Jay Blechman (lk) [Entry date 09/24/96]

09/18/1996 45 AGREED MOTION by All Defendants to extend time to respond to document request (lk) [Entry date 09/24/96]

09/20/1996 46 MOTION by Donald Bakalor, WYKAGYL Agency Inc. to extend time for parties to comply with Local rule 16.1 (lk) [Entry date 09/27/96]

09/20/1996 47 UNOPPOSED MOTION by Hampshire Securities to extend time to respond to the complaint (lk) [Entry date 09/27/96]

09/23/1996 48 ORDER Motion hearing before Judge James L. King set for 11:00 9/27/96 for [47-1] motion to extend time to respond to the complaint, set for 11:00 9/27/96 for [46-1] motion to extend time for parties to comply with Local rule 16.1 (signed by Judge James L. King on 9/23/96) CCAP (lk) [Entry date 09/30/96]

09/23/1996 49 ORDER granting [45-1] motion to extend time to respond to document request; response shall be due no later than 10/18/96. (signed by Judge James L. King on 9/20/96) CCAP (lk) [Entry date 09/30/96]

09/24/1996 50 NOTICE of Pendency of Other Action. by Donald Bakalor, WYKAGYL Agency Inc. (lk) [Entry date 10/01/96]

09/30/1996 39 Clerk's receipt. Number: 667087 in the amount of \$ 50.00 for Richard S. Kraut by Integrated Network, David F. Greenberg, Donald F. Mann, Rosario Moreno, Mario Beguiristain, Regina T. Montoya, C. Thomas McMillen (dh)

09/30/1996 51 Minutes of motion hearing held before Judge James L. King on 9/27/96; granting [47-1] motion to extend time to respond to the complaint, an setting answer due for 10/14/96 for Hampshire Securities, for C. Thomas McMillen, for Regina T. Montoya, for Mario Beguiristain, for Rosario Moreno, for Donald F. Mann, for David F. Greenberg, for Integrated Network Court Reporter Name: Belsvik (lk) [Entry date 10/07/96]

09/30/1996 52 MOTION with memorandum in support by Donald Bakalor, WYKAGYL Agency Inc. for appointment as lead counsel, and for approval of lead plaintiffs' choice of counsel (lk) [Entry date 10/07/96]

10/02/1996 53 ORDER consolidating cases with 96-cv-2639 (signed by Judge James L. King on 10/1/96) CCAP (lk) [Entry date 10/08/96]

10/02/1996 -- DOCKET pleadings in LEAD case only (lk) [Entry date 10/08/96]

10/11/1996 54 MOTION with memorandum in support by All Defendants to dismiss complaint (lk) [Entry date 10/22/96]

10/18/1996 55 STIPULATION by Hampshire Securities, Donald Bakalor, WYKAGYL Agency Inc. In Re: dismissal without prejudice and tolling agreement (lk) [Entry date 10/29/96]

10/18/1996 55 ORDER granting [55-1] stipulation (signed by Judge James L. King on 10/10/96) CCAP (lk) [Entry date 10/29/96]

10/22/1996 56 ORDER granting [52-1] motion for appointment as lead counsel, and granting [52-2] motion for approval of lead plaintiffs' choice of counsel. (signed by Judge James L. King on 10/22/96) CCAP (lk) [Entry date 10/30/96]

10/23/1996 57 MOTION with memorandum in support by All Defendants to dismiss complaint (lk) [Entry date 11/04/96]

10/23/1996 58 MOTION by Donald Bakalor, WYKAGYL Agency Inc. for class action certification pursuant to Rule 23 of the Federal Rules (lk) [Entry date 11/04/96]

10/23/1996 59 MEMORANDUM by Donald Bakalor, WYKAGYL Agency Inc. in support of [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (lk) [Entry date 11/04/96]

10/28/1996 60 MEMORANDUM by Donald Bakalor, WYKAGYL Agency Inc. in opposition to [57-1] motion to dismiss complaint (lk) [Entry date 11/07/96]

10/28/1996 61 REQUEST by Donald Bakalor, WYKAGYL Agency Inc. for Hearing on motion to dismiss (lk) [Entry date 11/07/96]

10/28/1996 62 AFFIDAVIT of Emily C. Komlossy by Donald Bakalor, WYKAGYL Agency Inc. Re: [60-1] opposition memorandum (lk) [Entry date 11/07/96]

10/31/1996 63 NOTICE of adoption of [57-1] motion to dismiss complaint and memo in support by David F. Greenberg, Donald F. Mann, Rosario Moreno, Mario Beguiristain (aa) [Entry date 11/14/96]

10/31/1996 64 JOINT MOTION by All Defendants, Donald Bakalor, WYKAGYL Agency Inc. to defer proceedings on class certification motion (aa) [Entry date 11/14/96]

11/06/1996 65 ORDER on joint motion to defer proceedings on class certification until motion to dismiss is ruled on (signed by Judge James L. King on 11/4/96) CCAP (mg) [Entry date 11/16/96]

11/08/1996 67 MEMORANDUM REPLY by All Defendants to response to [57-1] motion to dismiss complaint, [54-1] motion to dismiss complaint (mg) [Entry date 11/16/96]

11/12/1996 66 MEMORANDUM in opposition by Plaintiff Robert Kahn to motion to dismiss (mg) [Entry date 11/16/96]

11/20/1996 68 ORDER denying [57-1] motion to dismiss complaint, denying [54-1] motion to dismiss complaint (signed by Judge James L. King on 11/19/96) CCAP (lk) [Entry date 11/25/96]

12/02/1996 69 ORDER Response to motion reset to 12/23/96 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge James L. King on 12/2/96) CCAP (lk) [Entry date 12/09/96]

12/09/1996 70 ANSWER to Bakalor Complaint by All Defendants (Attorney Richard Eugene Brodsky), (lk) [Entry date 12/12/96] [Edit date 12/12/96]

12/17/1996 71 JOINT MOTION by Donald Bakalor, WYKAGYL Agency Inc. to extend time to respond to class certification motion (lk) [Entry date 12/20/96]

12/23/1996 72 ORDER granting [71-1] motion to extend time to respond to class certification motion Response to motion reset to 1/17/97 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge James L. King on 12/18/96) CCAP (lk) [Entry date 12/27/96]

01/17/1997 73 JOINT MOTION by Donald Bakalor, WYKAGYL Agency Inc. to extend time for company defendants to respond to class certification motion (lk) [Entry date 01/23/97]

01/21/1997 74 ORDER granting [73-1] motion to extend time for company defendants to respond to class certification motion Response to motion reset to 1/31/97 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge

James L. King on 1/21/97) CCAP (lk) [Entry date 01/24/97]

- 01/21/1997 75 ORDER granting [64-1] joint motion to defer proceedings on class certification motion Response to motion granting [73-1] motion to extend time for company defendants to respond to class certification motion, Response to motion reset to 1/31/97 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge James L. King on 1/27/97) CCAP (lk) [Entry date 01/31/97]
- 01/31/1997 76 RESPONSE by All Defendants to [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (lk) [Entry date 02/04/97]
- 01/31/1997 77 NOTICE of filing the original deposition of Donald Bakalor by All Defendants (lk) [Entry date 02/04/97]
- 01/31/1997 78 DEPOSITION of Donald Bakalor (lk) [Entry date 02/04/97]
- 02/06/1997 79 UNOPPOSED MOTION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn to extend time for plaintiffs' reply to motion for class certification (lk) [Entry date 02/11/97]
- 02/13/1997 80 ORDER granting [79-1] motion to extend time for plaintiffs' reply to motion for class certification Response to motion reset to 2/21/97 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge James L. King on 2/11/97) CCAP (hd) [Entry date 02/19/97]
- 02/14/1997 81 NOTICE of change of firm name from Abbey & Ellis to Abbey, Gardy & Squitieri, LLP (hd) [Entry date 02/21/97]
- 02/20/1997 82 REPLY by Donald Bakalor, WYKAGYL Agency Inc. to response to [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (hd) [Entry date 02/24/97]
- 02/21/1997 83 ORDER granting [29-1] motion for Stanley Bernstein to appear pro hac vice (signed by Judge James L. King on 2/20/97) CCAP (hd) [Entry date 02/27/97]
- 02/26/1997 84 MOTION by All Defendants for Storch & Brenner and Richard S. Kraut to withdraw as attorneys (hd) [Entry date 02/28/97]
- 03/10/1997 85 ORDER granting [84-1] motion for Storch & Brenner and Richard S. Kraut to withdraw as attorneys (Terminated attorney Richard S. Kraut for C. Thomas McMillen, attorney Richard S. Kraut for Regina T. Montoya, attorney Richard S. Kraut for Mario Beguiristain, attorney Richard S. Kraut for Rosario Moreno, attorney Richard S. Kraut for Donald F. Mann, attorney Richard S. Kraut for David F. Greenberg, attorney Richard S. Kraut for Integrated Network (signed by Judge James L. King on 3/7/97) CCAP (hd) [Entry date 03/14/97]
- 04/02/1997 86 ORDER Motion hearing before Judge James L. King set for 10:00 4/29/97 for [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules (signed by Judge James L. King on 4/1/97) CCAP (hd) [Entry date 04/07/97]
- 04/23/1997 87 Unopposed MOTION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn to adjourn hearing date on motion for class certification (hd) [Entry date 04/25/97]
- 04/25/1997 88 ORDER granting [87-1] motion to adjourn hearing date on motion for class certification (signed by Judge James L. King on 4/25/97) CCAP (hd) [Entry date 05/01/97]
- 05/16/1997 89 FIRST AMENDED CLASS ACTION COMPLAINT with jury demand by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn , (Answer due 5/26/97 for C. Thomas McMillen, for Regina T. Montoya, for Mario Beguiristain, for Rosario Moreno, for

Donald F. Mann, for David F. Greenberg, for Integrated Network, for Hampshire Securities) amending [1-1] complaint (hd) [Entry date 05/23/97]

- 05/23/1997 90 AMENDED MOTION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn for class action certification pursuant to Rule 23 of the Federal Rules of civil procedure (lk) [Entry date 06/03/97]
- 05/23/1997 91 MEMORANDUM by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn in support of [90-1] motion for class action certification pursuant to Rule 23 of the Federal Rules of civil procedure (lk) [Entry date 06/03/97]
- 05/29/1997 92 MOTION by Integrated Network, David F. Greenberg, Donald F. Mann, Rosario Moreno, Mario Beguiristain, Regina T. Montoya, C. Thomas McMillen to dismiss first amended complaint (hd) [Entry date 06/06/97]
- 05/29/1997 93 MEMORANDUM by Integrated Network, David F. Greenberg, Donald F. Mann, Rosario Moreno, Mario Beguiristain, Regina T. Montoya, C. Thomas McMillen in support of [92-1] motion to dismiss first amended complaint (hd) [Entry date 06/06/97]
- 06/10/1997 94 UNOPPOSED MOTION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn to extend time to file opposition to defendants' motion to dismiss (hd) [Entry date 06/17/97]
- 06/10/1997 95 NOTICE of filing attached corrected caption by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn (hd) [Entry date 06/17/97]
- 06/18/1997 96 ORDER granting [94-1] motion to extend time to file opposition to defendants' motion to dismiss Response to motion reset to 7/7/97 for [92-1] motion to dismiss first amended complaint (signed by Judge James L. King on 6/18/97) CCAP (hd) [Entry date 06/24/97]
- 07/01/1997 97 JOINT MOTION by All Defendants, Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn to stay all proceedings (hd) [Entry date 07/10/97]
- 07/02/1997 98 ORDER granting [97-1] motion to stay all proceedings, all proceedings stayed for 15 days pending determination by court of proposed settlement of this matter (signed by Judge James L. King on 7/2/97) CCAP (hd) [Entry date 07/11/97]
- 07/17/1997 99 SECOND JOINT MOTION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn, All Defendants to stay all proceedings (sk) [Entry date 07/25/97]
- 07/18/1997 100 ORDER granting [99-1] joint motion to stay all proceedings set Memo of Law stayed until 7/31/97 (signed by Judge James L. King on 7/18/97) CCAP (go) [Entry date 07/25/97]
- 08/20/1997 101 STIPULATION by Donald Bakalor, WYKAGYL Agency Inc., Robert Kahn for settlement (ls) [Entry date 08/22/97]
- 09/19/1997 102 ORDER denying [58-1] motion for class action certification pursuant to Rule 23 of the Federal Rules, denying [54-1] motion to dismiss complaint, denying [61-1] motion for Hearing on motion to dismiss (signed by Judge James L. King on 9/18/97) CCAP (ls) [Entry date 09/29/97]
- 09/26/1997 103 ORDER APPROVING NOTICE granting [101-1] motion for settlement (signed by Judge James L. King on 9/26/97) CCAP (ls) [Entry date 10/02/97]
- 12/04/1997 104 MOTION by Robert Kahn, Donald Bakalor, WYKAGYL Agency Inc. for enlargement of page limitation of memorandum of law in support of settlement and attorney's fees (ls) [Entry date 12/08/97]

- 12/08/1997 105 AFFIDAVITS by Robert Kahn in support of settlement and of joint petition for attorneys' fees and disbursements (not filed) (ls) [Entry date 12/10/97]
- 12/08/1997 106 RESPONSE by Robert Kahn in support of proposed settlement and PLaintiffs' counsel's petition for an award of attorneys' fees and reimbursement of expenses (not docketed) (ls) [Entry date 12/10/97]
- 12/09/1997 107 ORDER granting [104-1] motion for enlargement of page limitation of memorandum of law in support of settlement and attorney's fees (signed by Judge James L. King on) CCAP (ls) [Entry date 12/12/97]
- 12/15/1997 108 FINAL JUDGMENT for Robert Kahn, Donald Bakalor, WYKAGYL Agency Inc. against All Defendants approving [101-1] motion for settlement; Plaintiff's counsel are awarded the sum of \$166,667.67 as legal fees and \$23,640.00 as reimbursement of their costs and out-of-pocket expensnses to date. The Escrow Agent is authorized to disburse said funds in accordance with the stipulation (signed by Judge James L. King on 12/15/97) CCAP/M (ls) [Entry date 01/05/98]
- 12/15/1997 -- Case closed per [108-1] Final Judgment (ls) [Entry date 01/05/98]
- 03/18/1999 109 AFFIDAVIT of Stanley D. Bernstein by Robert Kahn, Donald Bakalor, WYKAGYL Agency Inc. Re: (ls) [Entry date 03/22/99]
- 03/18/1999 110 AFFIDAVIT of G. Peter Buchband by Robert Kahn (ls) [Entry date 03/22/99]
- 04/27/1999 111 ORDER authorizing distribution of Class Settlement funds and other relief (signed by Judge James Lawrence King on 4/27/99) CCAP (ls) [Entry date 04/29/99]