

Docket as of June 02, 1998

US District Court Civil Docket  
US District Court for the Southern District of Florida (West Palm Beach)  
9:97cv8068  
Levine v. US Diagnostic Inc, et al

Date Filed: 01/30/1997	Class Code: AEV
Assigned To: Judge Kenneth L Ryskamp	CLOSED
Referred To:	Closed: Yes
Nature of suit: Securities (850)	Statute: <u>15:0078</u>
Cause: Securities Exchange Act	Jury Demand: Both
Lead Docket: None	Demand
Other Docket: None	Amount: \$0
Jurisdiction: Federal Question	

**Litigants**

Ira Levine, on Behalf of Himself and All  
Others Similarly Situated  
PLAINTIFF

**Attorneys**

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[COR LD NTC]  
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Suite 813  
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USA  
954-630-1000  
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954-630-1000

v.

US Diagnostic Inc  
DEFENDANT

Jeffrey A Goffman  
DEFENDANT

Keith G Greenberg  
DEFENDANT

Joseph A Paul

Robert C Owens

DEFENDANT

[COR LD NTC]  
Stearns Weaver Miller Weissler Alhadeff &  
Sitterson  
Museum Tower  
150 W Flagler Street  
Suite 2200  
Miami , FL 33130  
USA  
305-789-3200

Robert D Burke  
DEFENDANT

Amos F Almand, III  
DEFENDANT

Thomas H Seymour  
[COR LD NTC]  
Kenny Nachwalter Seymour Arnold Critchlow  
& Spector  
Miami Center  
201 S Biscayne Boulevard  
Suite 1100  
Miami , FL 33131-4327  
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305-373-1000  
FTS 372-1861

Harry Richard Schafer  
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USA  
305-373-1000  
FTS 372-1861

<b>Date</b>	<b>#</b>	<b>Proceeding Text</b>
01/30/1997	<u>1</u>	COMPLAINT filed; FILING FEE \$150.00 RECEIPT # 672172; A-3; AEV (rn) [Entry date 02/03/97]
01/30/1997	<u>=</u>	Magistrate identification: Magistrate Judge Vitunac (rn) [Entry date 02/03/97]
01/30/1997	<u>2</u>	MOTION Appointing Process Server. Appointee: TC Mann and Associates

(rn) [Entry date 02/03/97]

01/30/1997 3 SUMMONS(ES) issued for Keith G. Greenberg (rn) [Entry date 02/03/97]

01/30/1997 4 SUMMONS(ES) issued for Amos F. Almand III (rn) [Entry date 02/03/97]

01/30/1997 5 SUMMONS(ES) issued for Robert D. Burke (rn) [Entry date 02/03/97]

01/30/1997 6 SUMMONS(ES) issued for Joseph A. Paul (rn) [Entry date 02/03/97]

01/30/1997 7 SUMMONS(ES) issued for Jeffrey A. Goffman (rn) [Entry date 02/03/97]

01/30/1997 8 SUMMONS(ES) issued for U.S. Diagnostic Inc. by serving Prentice Hall Corp. Systems Inc. (rn) [Entry date 02/03/97] [Edit date 02/03/97]

02/05/1997 9 ORDER OF PRETRIAL PROCEDURES (signed by Judge Kenneth L. Ryskamp on 02/05/97) CCAP (kz) [Entry date 02/06/97]

02/13/1997 10 NOTICE of Appearance of Kenny Nachwalter Seymour Arnold Critchlow & Spector, P.A. by Thomas H. Seymour, Esq. and Harry R. Schafer, Esq. for Amos F. Almand III (kz) [Entry date 02/14/97]

02/13/1997 11 RETURN OF SERVICE executed for Jeffrey A. Goffman on 2/6/97 Answer due on 2/26/97 for Jeffrey A. Goffman (kz) [Entry date 02/14/97]

02/18/1997 12 RETURN OF SERVICE executed for U.S. Diagnostic Inc. on 2/10/97 Answer due on 3/2/97 for U.S. Diagnostic Inc. (kz)

02/18/1997 13 MOTION with memorandum in support by Ira Levine for Jeffrey G. Smith to appear pro hac vice (kz) [Entry date 02/19/97]

02/18/1997 13 Clerk's receipt. Number: 706029 in the amount of \$ 75.00 for Pro Hac Vice admission fee for Jeffrey G. Smith by Ira Levine (kz) [Entry date 02/19/97]

02/18/1997 14 MOTION with memorandum in support by Ira Levine for Neil L. Zola to appear pro hac vice (kz) [Entry date 02/19/97]

02/18/1997 14 Clerk's receipt. Number: 706030 in the amount of \$ 75.00 for Pro Hac Vice Admission fee for Neil L. Zola by Ira Levine (kz) [Entry date 02/19/97]

02/19/1997 15 MOTION with memorandum in support by Ira Levine for Charles J. Pivin to appear pro hac vice (kz) [Entry date 02/20/97] [Edit date 02/20/97]

02/19/1997 15 Clerk's receipt. Number: 706034 in the amount of \$ 75.00 for Pro Hac Vice Admission Fee for Charles J. Piven by Ira Levine (kz) [Entry date 02/20/97]

02/20/1997 16 RETURN OF SERVICE executed for Joseph A. Paul on 2/7/97 (kz)

02/20/1997 17 RETURN OF SERVICE executed for Keith G. Greenberg on 2/11/97 Answer due on 3/3/97 for Keith G. Greenberg (kz)

02/20/1997 18 ORDER granting [13-1] motion for Jeffrey G. Smith to appear pro hac vice (signed by Judge Kenneth L. Ryskamp on 02/20/97) CCAP (kz) [Entry date 02/21/97]

02/20/1997 19 ORDER granting [14-1] motion for Neil L. Zola to appear pro hac vice

(signed by Judge Kenneth L. Ryskamp on 02/20/97) CCAP (kz) [Entry date 02/21/97]

02/21/1997    20    ORDER granting [15-1] motion for Charles J. Pivin to appear pro hac vice (signed by Judge Kenneth L. Ryskamp on 02/21/97) CCAP (kz) [Entry date 02/24/97]

02/24/1997    21    RETURN OF SERVICE executed for Robert D. Burke on 2/19/97 Answer due on 3/11/97 for Robert D. Burke (kz) [Entry date 02/25/97]

02/25/1997    22    Agreed MOTION by Jeffrey A. Goffman to extend time to Respond to Complaint (kz) [Entry date 02/26/97]

02/27/1997    23    Unopposed MOTION by U.S. Diagnostic Inc. to extend time to Respond to Complaint (kz) [Entry date 03/03/97]

02/28/1997    24    ORDER granting [22-1] motion to extend time to Respond to Complaint reset answer due for 3/14/97 for Jeffrey A. Goffman (signed by Judge Kenneth L. Ryskamp on 02/27/97) CCAP (kz) [Entry date 03/04/97]

02/28/1997    25    ORDER granting [23-1] motion to extend time to Respond to Complaint reset answer due for 4/14/97 for U.S. Diagnostic Inc. (signed by Judge Kenneth L. Ryskamp on 02/28/97) CCAP (kz) [Entry date 03/04/97]

02/28/1997    26    Answer and affirmative defenses by Joseph A. Paul (Attorney Robert C. Owens); jury demand (kz) [Entry date 03/04/97]

02/28/1997    27    MOTION by Keith G. Greenberg to extend time to Respond to Complaint (kz) [Entry date 03/04/97]

03/03/1997    28    ORDER granting [27-1] motion to extend time to Respond to Complaint reset answer due for 4/15/97 for Keith G. Greenberg (signed by Judge Kenneth L. Ryskamp on 02/28/97) CCAP (kz) [Entry date 03/05/97]

03/04/1997    29    NOTICE of Pendency of Other Action by Ira Levine (kz) [Entry date 03/06/97]

03/05/1997    30    MOTION by Amos F. Almand III to extend time to Respond to Plaintiff's Complaint (kz) [Entry date 03/06/97]

03/05/1997    31    ORDER granting [30-1] motion to extend time to Respond to Plaintiff's Complaint reset answer due for 4/14/97 for Amos F. Almand III (signed by Judge Kenneth L. Ryskamp on 03/05/97) CCAP (kz) [Entry date 03/06/97]

03/06/1997    32    MOTION by Ira Levine for Appointment of Lead Plaintiffs and Approval of Co-Lead Counsel (kz) [Entry date 03/10/97]

03/06/1997    33    MEMORANDUM by Ira Levine in support of [32-1] motion for Appointment of Lead Plaintiffs and Approval of Co-Lead Counsel (kz) [Entry date 03/10/97]

03/06/1997    34    AFFIDAVIT of Mark Smilow by Ira Levine Re: [32-1] motion for Appointment of Lead Plaintiffs and Approval of Co-Lead Counsel (kz) [Entry date 03/10/97]

03/06/1997 35 DECLARATIONS of U.S. Diagnostic, Inc. Class Members by Ira Levine Re: [32-1] motion for Appointment of Lead Plaintiffs and Approval of Co-Lead Counsel (kz) [Entry date 03/10/97]

03/06/1997 36 MOTION by Ira Levine for Entry of Pretrial Order No. 1, and for Consolidation and Coordination of all Actions (kz) [Entry date 03/10/97]

03/06/1997 37 MEMORANDUM by Ira Levine in support of [36-1] motion for Entry of Pretrial Order No. 1, [36-2] motion for Consolidation and Coordination of all Actions (kz) [Entry date 03/10/97]

03/06/1997 38 AFFIDAVIT of Mark Smilow by Ira Levine Re: [36-1] motion for Entry of Pretrial Order No. 1, [36-2] motion for Consolidation and Coordination of all Actions (kz) [Entry date 03/10/97]

03/06/1997 39 CERTIFICATE OF SERVICE by Ira Levine (kz) [Entry date 03/10/97]

03/06/1997 40 NOTICE of Filing Corrected Certificate of Service by Ira Levine (kz) [Entry date 03/10/97]

03/10/1997 41 Agreed MOTION by Jeffrey A. Goffman for additional extension of time to Respond to Complaint (kz) [Entry date 03/13/97]

03/10/1997 42 NOTICE of Filing Second Corrected Certificate of Service by Ira Levine (kz) [Entry date 03/13/97]

03/11/1997 43 ORDER granting [41-1] motion for additional extension of time to Respond to Complaint reset answer due for 4/14/97 for Jeffrey A. Goffman (signed by Judge Kenneth L. Ryskamp on 03/10/97) CCAP (kz) [Entry date 03/13/97]

03/12/1997 44 RETURN OF SERVICE executed for Amos F. Almand III on 3/3/97 (kz) [Entry date 03/14/97]

03/12/1997 45 NOTICE of Filing Stipulations for Substitution of Counsel in 97-8017-CIV-HURLEY and 97-8054-CIV-RYSKAMP by Ira Levine (kz) [Entry date 03/14/97]

03/25/1997 46 Omnibus RESPONSE by U.S. Diagnostic Inc., Jeffrey A. Goffman, Joseph A. Paul, Robert D. Burke, Amos F. Almand III to [36-1] motion for Entry of Pretrial Order No. 1, [36-2] motion for Consolidation and Coordination of all Actions, [32-1] for Appointment of Lead Plaintiffs and Approval of Co-Lead Counsel (kz) [Entry date 03/27/97]

03/25/1997 46 MOTION by U.S. Diagnostic Inc., Jeffrey A. Goffman, Joseph A. Paul, Robert D. Burke, Amos F. Almand III to extend time to Comply with Local Rule 16.1 (kz) [Entry date 03/27/97]

04/01/1997 47 REPLY by Ira Levine to response to [36-2] motion for Consolidation and Coordination of all Actions (kw) [Entry date 04/04/97]

04/08/1997 48 MOTION by Amos F. Almand III to extend time to Respond to Plaintiff's Complaint (kz) [Entry date 04/09/97]

04/10/1997 49 ORDER granting [48-1] motion to extend time to Respond to Plaintiff's

Complaint reset answer due for 5/14/97 for Amos F. Almand III (signed by Judge Kenneth L. Ryskamp on 04/10/97) CCAP (kz) [Entry date 04/14/97]

04/10/1997 50 MOTION by U.S. Diagnostic Inc., Jeffrey A. Goffman, Joseph A. Paul, Robert D. Burke, Amos F. Almand III to extend time to Comply with Schedule set forth in Court's Order of Pretrial Procedures (kz) [Entry date 04/14/97]

04/11/1997 51 ORDER granting [50-1] motion to extend time to Comply with Schedule set forth in Court's Order of Pretrial Procedures: extension until June 2, 1997 (signed by Judge Kenneth L. Ryskamp on 04/11/97) CCAP (kz) [Entry date 04/15/97]

04/15/1997 52 MOTION by U.S. Diagnostic Inc., Jeffrey A. Goffman to extend time to serve Responses to Complaint (kz) [Entry date 04/17/97]

04/17/1997 53 ORDER granting [52-1] motion to extend time to serve Responses to Complaint reset answer due for 5/14/97 for Jeffrey A. Goffman, for U.S. Diagnostic Inc. (signed by Judge James C. Paine on 04/16/97) CCAP (kz) [Entry date 04/21/97]

04/21/1997 54 MOTION by Keith G. Greenberg to extend time to Comply with Schedule set forth in Court's Order of Pretrial Procedures (kz) [Entry date 04/24/97]

04/21/1997 55 MOTION by Keith G. Greenberg to extend time to Respond to Complaint (kz) [Entry date 04/24/97]

04/21/1997 56 MOTION by Robert D. Burke to extend time to Respond to Plaintiff's Complaint (kz) [Entry date 04/24/97]

04/21/1997 57 Notice of compliance: by U.S. Diagnostic Inc. with Local Rule 7.1(A)(3) (kz) [Entry date 04/24/97]

04/22/1997 58 ORDER granting [54-1] motion to extend time to Comply with Schedule set forth in Court's Order of Pretrial Procedures signed by Judge Kenneth L. Ryskamp on 04/22/97) CCAP (kz) [Entry date 04/25/97]

04/22/1997 59 ORDER granting [55-1] motion to extend time to Respond to Complaint reset answer due for 5/14/97 for Keith G. Greenberg (signed by Judge Kenneth L. Ryskamp on 04/22/97) CCAP (kz) [Entry date 04/25/97]

04/22/1997 60 ORDER granting [56-1] motion to extend time to Respond to Plaintiff's Complaint reset answer due for 5/14/97 for Robert D. Burke (signed by Judge Kenneth L. Ryskamp on 04/22/97) CCAP (kz) [Entry date 04/25/97]

04/30/1997 61 MOTION by Ira Levine to extend time to comply with local rule 23.1 (pa) [Entry date 05/02/97]

05/01/1997 62 SUPPLEMENT by Ira Levine to: [61-1] motion to extend time to comply with local rule 23.1 (kz) [Entry date 05/06/97]

05/01/1997 63 ORDER granting [61-1] motion to extend time to comply with local rule 23.1 and plaintiff has up to and including 05/30/97 to move for class

certification (signed by Judge Kenneth L. Ryskamp on 05/01/97) CCAP (kz) [Entry date 05/06/97]

05/13/1997 64 MOTION by Amos F. Almand III to extend time to Respond to Plaintiff's Complaint (kz) [Entry date 05/15/97]

05/14/1997 65 ORDER granting [64-1] motion to extend time to Respond to Plaintiff's Complaint reset answer due for 6/16/97 for Amos F. Almand III (signed by Judge Kenneth L. Ryskamp on 05/14/97) CCAP (kz) [Entry date 05/16/97]

05/14/1997 66 MOTION by U.S. Diagnostic Inc., Jeffrey A. Goffman, Robert D. Burke to extend time to Serve Responses to Plaintiff's Complaint (kz) [Entry date 05/16/97]

05/15/1997 67 MOTION by Keith G. Greenberg to extend time to Respond to Complaint (kz) [Entry date 05/19/97]

05/16/1997 68 ORDER granting [66-1] motion to extend time to Serve Responses to Plaintiff's Complaint reset answer due for 6/16/97 for Robert D. Burke, for Keith G. Greenberg, for Jeffrey A. Goffman (signed by Judge Kenneth L. Ryskamp on 05/15/97) CCAP (kz) [Entry date 05/20/97]

05/16/1997 69 ORDER granting [67-1] motion to extend time to Respond to Complaint reset answer due for 6/16/97 for Keith G. Greenberg (signed by Judge Kenneth L. Ryskamp on 05/15/97) CCAP (kz) [Entry date 05/20/97]

05/21/1997 70 STIPULATION of dismissal by Ira Levine, U.S. Diagnostic Inc., Jeffrey A. Goffman, Keith G. Greenberg, Joseph A. Paul, Robert D. Burke, Amos F. Almand III (kz) [Entry date 05/23/97]

05/22/1997 71 ORDER and JUDGMENT OF DISMISSAL dismissing this action without prejudice the Clerk of the Court shall close this case and deny all pending motions as moot (signed by Judge Kenneth L. Ryskamp on 05/22/97) CCAP (kz) [Entry date 05/28/97]

05/22/1997 == Case closed (kz) [Entry date 05/28/97]

03/09/1998 72 NOTICE of change of attorney's address (lh) [Entry date 03/11/98]

06/02/1998 73 NOTICE of Change of Firm Name from Anderson, Moss, Sherouse & Petros, P.A. to Shook, Hardy & Bacon, L.L.P. by Robert D. Burke (kz) [Entry date 06/04/98]