

General Docket
US Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 00-16089

Filed: 6/14/00

Nsuit: 3850 SEC (Fed)

Zeid, et al v. Kimberley, et al

Appeal from: Northern District of California (San Jose)

Case type information:

- 1) civil
- 2) private
- 3) (null)

Lower court information:

District: 0971-5 : CV-96-20136-SW
court reporter: Debbie Ramirez, Court Reporter
court reporter: Judith Dudeck
court reporter: Lee-Ann Shortridge, Court Reporter
presiding judge: Spencer M. Williams, Senior Judge
Date Filed: 2/23/96
Date order/judgment: 5/24/00
Date NOA filed: 6/5/00

Fee status: paid

Prior cases:

97-16070 WCC AJK SPG
Date filed: 6/18/97 Date disposed: 11/1/99 Disposition: rmd/mem

Current cases:

None

Docket as of March 1, 2002 11:19 pm

Page 1

00-16089 Zeid, et al v. Kimberley, et al

RICHARD ZEID, on behalf of
themselves and all others
similarly situated
Plaintiff - Appellant

Leonard B. Simon, Esq.
[COR LD NTC ret]
Eric A. Isaacson
619/231-1058
Suite 1800
[COR LD NTC ret]
Joseph D. Daley, Esq.
619/231-1058
Suite 1800
[COR LD NTC ret]
MILBERG, WEISS, BERSHAD, HYNES
AND LERACH LLP
One American Plaza
600 West Broadway
San Diego, CA 92101

SIOM MISRAHI, on behalf of

Leonard B. Simon, Esq.

themselves and all others (See above)
similarly situated [COR LD NTC ret]
Plaintiff - Appellant Eric A. Isaacson
(See above)
[COR LD NTC ret]
Joseph D. Daley, Esq.
(See above)
[COR LD NTC ret]

v.

JOHN A. KIMBERLEY Shirli F. Weiss
Defendant - Appellee 619/838-6950
Suite 1100
[COR LD NTC ret]
GRAY CARY WARE & FREIDENRICH
4365 Executive Dr.
San Diego, CA 92121-2133

FRANK M. RICHARDSON Shirli F. Weiss
Defendant - Appellee (See above)
[COR LD NTC ret]

MARK A. ROWLINSON Shirli F. Weiss
Defendant - Appellee (See above)
[COR LD NTC ret]

FIREFOX COMMUNICATIONS INC. Shirli F. Weiss
Defendant - Appellee (See above)
[COR LD NTC ret]

Docket as of March 1, 2002 11:19 pm Page 2

00-16089 Zeid, et al v. Kimberley, et al

RICHARD ZEID, on behalf of themselves and all others
similarly situated; SIOM MISRAHI, on behalf of themselves
and all others similarly situated

Plaintiffs - Appellants

v.

JOHN A. KIMBERLEY; FRANK M. RICHARDSON; MARK A. ROWLINSON;
FIREFOX COMMUNICATIONS INC.

Defendants - Appellees

Docket as of March 1, 2002 11:19 pm Page 3

00-16089 Zeid, et al v. Kimberley, et al

6/14/00 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. CADS
SENT (Y/N): NO. setting schedule as follows: appellant's
designation of RT is due 6/15/00, ; appellee's designation
of RT is due 6/26/00; appellant shall order transcript by
7/5/00; court reporter shall file transcript in DC by
8/7/00; certificate of record shall be filed by 8/14/00 ;
appellant's opening brief is due 9/21/00, ; appellees'

brief is due 10/23/00; appellants' reply brief is due 11/6/00, ; [00-16089] (crw)

6/14/00 Filed Joseph Daley for aplts Civil Appeals Docketing Statement served on 6/2/00 (to CONFATT) [00-16089] [00-16089] (crw)

7/5/00 Received copy of transcript designation and ordering form filed in DC (sent to case file) (em)

7/12/00 Case rejected from Circuit Mediation Program. (sa)

8/1/00 Appeal package re-sent to aplt counsel per request. [00-16089] (em)

9/20/00 14 day oral extension by phone of time to file Appellant Richard Zeid, Appellant Siom Misrahi brief. [00-16089] appellants' brief due 10/5/00, ; appellees' brief due 11/6/00,, ; appellants' reply brief due 14 days . . . (jlc)

10/11/00 Filed original and 15 copies Appellant Richard Zeid, Appellant Siom Misrahi opening brief (Informal: n) 47 pages and five excerpts of record in 1volumes; served on 10/5/00 [00-16089] (em)

11/2/00 Filed motion and deputy clerk order :(Deputy Clerk: LKK) granting aples' motion & order to extend time to file appellee's brief [4024402-1] appellees' brief due 12/6/00; optional reply brief due 14 days from service of answering brief. Aplt shall monitor issuance of the certificate of record. (Motion recvd 10/30/00) [00-16089] (em)

12/7/00 Filed original and 15 copies appellee John A. Kimberley, Frank M. Richardson, Mark A. Rowlinson, Firefox Communicatio's 60 pages brief, 5 Exc. in 1 vol.: ; served on 12/6/00 [00-16089] (gar)

12/15/00 Filed motion & clerk order Promo: (Deputy Clerk: lkk) granting aplt motion to ex.tm.f rpy br. Brief now due 1/23/01 subject to 9th Cir. R. 27-7. (mtn rcvd 12/15/00) [4054436-1] [00-16089] (gva)

1/10/01 Filed certificate of record on appeal RT filed in DC 12/19/00 [00-16089] (gar)

Docket as of March 1, 2002 11:19 pm

Page 4

00-16089 Zeid, et al v. Kimberley, et al

1/26/01 Filed original and 15 copies Richard Zeid, Siom Misrahi reply brief, (Informal: n) 23 pages; served on 1/23/01 [00-16089] (gar)

2/7/01 Filed Appellants' motion to assign the comeback case to original panel; [00-16089] served on 2/6/01 [4091176] (PANEL IN 97-16070) [00-16089] (em)

2/12/01 Filed Appellees' (faxed) response to aplts' motion to assign this comeback case to the original panel;(opposing); served 2/12/01 FAXED TO PANEL IN 97-16070 [00-16089] (em)

2/14/01 Calendar check performed [00-16089] (mw)

2/27/01 CALENDARED: SAN FRAN Mar 20 2001 4:00 pm Courtroom 3
[00-16089] (aw)

2/28/01 Filed order (William C. CANBY, Andrew J. KLEINFELD, Susan
P. GRABER,): Pltf-aplts' Motion to Assign this "Comeback
Case" to the original panel is granted. Oral arguments on
the merits will be held on Tuesday, 3/20/01 at 4:00 pm in
SF, CA. The parties will be allowed 15 minutes per side to
present their arguments. (phoned out) [00-16089] (em)

3/20/01 ARGUED AND SUBMITTED TO William C. CANBY, Andrew J.
KLEINFELD, Susan P. GRABER [00-16089] (aw)

4/9/01 FILED MEMORANDUM DISPOSITION: AFFIRMED (Terminated on the
Merits after Oral Hearing; Affirmed; Written, Unsigned,
Unpublished. William C. CANBY, Andrew J. KLEINFELD,
Susan P. GRABER) FILED AND ENTERED JUDGMENT. [00-16089] (em)

5/1/01 MANDATE ISSUED [00-16089] (em)

3/1/02 RECORD RETURNED. (See control card for details.) (jay)

Note: Links in this docket are stored in the PACER system (**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords). PACER is a service of United States Judiciary. To view and retrieve the linked documents from PACER you must be a registered user. To register, fill out one of the [registration forms](#) available on the PACER site. The United States Congress has given the Judicial Conference of the United States, the judicial governing body of the U.S. Federal Courts, authority to impose user fees for electronic access to case information. For more information visit the PACER site at <http://pacer.psc.uscourts.gov/pacerdesc.html>