

**General Docket**  
US Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 98-16339

Filed: 7/23/98

Nsuit: 3385 Property damage prod liab(Fed)

Hockey, et al v. Medhekar, et al

Appeal from: Northern District of California (San Francisco)

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Case type information:

- 1) civil
- 2) private
- 3)

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Lower court information:

District: 0971-3 : CV-96-00815-MHP

presiding judge: Marilyn H. Patel, District Judge

Date Filed: 3/4/96

Date order/judgment: 6/23/98

Date NOA filed: 7/17/98

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Fee status: paid

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Prior cases:

None

Current cases:

None

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ROBERT HOCKEY, on behalf of  
himself and all others  
similarly situated  
Plaintiff - Appellant

Richard S. Schiffrin, Esq.  
610-667-7706  
Suite 400  
[COR LD NTC ret]  
SCHIFFRIN AND CRAIG, LTD.  
Three Bala Plaza East  
Bala Cynwyd, PA 19004

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

v.

AJIT K. MEDHEKAR  
Defendant - Appellee

Norman J. Blears, Esq.  
415/324-7000  
Suite 1100  
[COR LD NTC ret]  
HELLER, EHRMAN, WHITE &  
McAULIFFE  
525 University Avenue  
Suite 1100  
Palo Alto, CA 94301

Gregory E. Barton, Esq.  
408-383-4900  
[COR LD NTC ret]  
ALLIANCE SEMICONDUCTOR  
3099 North First Street  
San Jose, CA 95134

SID AGRAWAL  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

C. N. REDDY  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

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Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

C.N. REDDY INVESTMENTS, INC.  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

N. DAMODAR REDDY  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

N.D.R. INVESTMENTS INC.  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)

[COR LD NTC ret]

RONALD K. SHELTON  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

ALLIANCE SEMICONDUCTOR  
CORPORATION  
Defendant - Appellee

Norman J. Blears, Esq.  
(See above)  
[COR LD NTC ret]

Gregory E. Barton, Esq.  
(See above)  
[COR LD NTC ret]

v.

BRIAN PARK  
Plaintiff-intervenor

Kirk B. Hulett, Esq.  
619-231-1058  
Suite 1800  
[COR LD NTC ret]  
MILBERG, WEISS, BERSHAD, HYNES  
AND LERACH LLP  
One American Plaza

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600 West Broadway  
San Diego, CA 92101

ARLEEN STERN  
Plaintiff-intervenor

Kirk B. Hulett, Esq.  
(See above)  
[COR LD NTC ret]

EDWARD FONG  
Plaintiff-intervenor

Kirk B. Hulett, Esq.  
(See above)  
[COR LD NTC ret]

LIU-HUA PAN  
Plaintiff-intervenor

Kirk B. Hulett, Esq.  
(See above)  
[COR LD NTC ret]

TRACY LUK  
Plaintiff-intervenor

Kirk B. Hulett, Esq.  
(See above)  
[COR LD NTC ret]

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98-16339 Hockey, et al v. Medhekar, et al

ROBERT HOCKEY, on behalf of himself and all others similarly  
situated

Plaintiff - Appellant

v.

AJIT K. MEDHEKAR; SID AGRAWAL; C. N. REDDY; C.N. REDDY  
INVESTMENTS, INC.; N. DAMODAR REDDY; N.D.R. INVESTMENTS  
INC.; RONALD K. SHELTON; ALLIANCE SEMICONDUCTOR CORPORATION

Defendants - Appellees

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BRIAN PARK; ARLEEN STERN; EDWARD FONG; LIU-HUA PAN; TRACY  
LUK

Plaintiff-Intervenors

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7/23/98 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. CADS  
SENT (Y/N): NO. Setting schedule as follows: appellant's  
designation of RT is due 7/27/98; appellee's designation of  
RT is due 8/6/98; appellant shall order transcript by  
8/17/98; court reporter shall file transcript in DC by  
9/16/98; certificate of record shall be filed by 9/23/98;  
appellant's opening brief is due 11/2/98; appellees' brief  
is due 12/2/98; appellants' reply brief is due 12/16/98;  
[98-16339] (sm)

7/23/98 Filed Joseph D. Daley for Appellant Robert Hockey Civil  
Appeals Docketing Statement served on 7/16/98 (to CONFATT)  
[98-16339] [98-16339] (sm)

7/23/98 Filed Appellant's Representation Statement, served on  
07/16/98 (CASEFILE) [98-16339] (sm)

8/26/98 Received copy of transcript designation and ordering form  
filed in DC (sent to case file) (em)

8/31/98 Received Appellant Robert Hockey letter dated 8/28/98 re:  
error in filling out cads; served 8/28/98 CONFAT  
[98-16339] (em)

9/21/98 Filed order CONFATT ( BLS) Case referred to Confatt for  
assessment conference only. Conference to be on 10/14/98 at  
11:00 am pacific by phone. [98-16339] (em)

10/5/98 Filed Appellant Robert Hockey's motion to vacate previously  
established time schedule, served on 10/5/98 [3546925]  
(CONFATT) [98-16339] (sm)

10/20/98 Filed order CONFATT (MAC) On 10/14/98, a telephone  
conference was held with Circuit Mediator Margaret A.  
Corrigan. The briefing schedule previously set by the court  
is VACATED. Counsel for appellants shall contact the  
Circuit Mediator within 10 days of the filing date of this  
court's decision in Janas v. McCracken, Silicon Graphics,

Inc., et al., Appeal No. 97-16204. A further assessment conference will be scheduled by the Circuit Mediator after she has been notified of the Silicon Graphics decision. Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant further settlement discussions prior to the next scheduled conference. [3546925-1] [98-16339] (sm)

10/29/98 Filed certificate of record on appeal RT filed in DC  
3/4/98 [98-16339] (em)

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7/23/99 Filed order CONFATT ( MAC) Counsel for aplts shall contact the Circuit Mediator within 10 days of this court's ruling on aplt's P/R en banc decision in Janas v. McCracken, Silicon Graphics, Inc. et al., appeal no. 97-16204 filed 7/2/99. A further pre-briefing will be scheduled by Circuit Mediator after she has been notified of the ruling on the Silicon Graphics P/R en banc. [98-16339] (em)

12/10/99 Filed order CONFATT ( MAC) Case not selected for program. Counsel interested in obtaining settlement assistance or program information should contact mediation office in SF. Counsel are requested to serve copies of this order on their clients. Briefing schedule is amended as follows: appellants' brief, excerpts of record are due 2/4/00; appellees' brief due 3/31/00; optional reply brief due 14 days from service of answering brief. Further ext of time for filing either of these briefs shall require a written motion and a showing of "extraordinary and compelling circumstances." [98-16339] (em)

12/22/99 Filed Appellant Robert Hockey's motion to remand case to lower court. [98-16339] served on 12/21/99 [3815979] MOATT [98-16339] (em)

1/3/00 Filed Appellees' response opposing appellant's motion remand case to lower court [3815979-1] served on 1/3/00 MOATT [98-16339] (em)

1/13/00 Filed Appellant Robert Hockey reply to aples' opposition to appellant's motion to remand case to lower court [3815979-1] ;served on 1/13/00 MOATT [98-16339] (em)

1/13/00 Filed Appellant Robert Hockey's motion to stay further action/vacate briefing schedule [98-16339] served on 1/13/00 [3828407] MOATT [98-16339] (em)

1/18/00 Filed Appellees' response opposing appellant's motion staying further action [3828407-1] served on 1/18/00 MOATT [98-16339] (em)

1/20/00 Filed order ( Robert R. BEEZER, Diarmuid F. O'SCANNLAIN, Sidney R. THOMAS, ): Aplt's motion to vacate the DC's judgment and to remand this case to the DC for reconsideration is denied. aplt's motion to vacate the briefing schedule is denied. The briefing schedule established on 12/10/99 shall remain in effect. (phoned by

Moatt) [3815979-1] [98-16339] (em)

2/14/00 Filed original and 15 copies Appellant Robert Hockey opening brief ( Informal: n) 47 pages and five excerpts of record in 1volumes; served on 2/4/00 [98-16339] (em)

3/30/00 Filed original and 15 copies appellees' 59 pages brief ; 5 supp excerpts in one vol.;served on 3/30/00 [98-16339] (em)

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4/12/00 Filed motion and deputy clerk order :(Deputy Clerk: CB) Aplt's motion for an ext of time to file the reply brief is granted. The reply brief is due 5/12/00. Aplt is reminded that a copy of all submissions to this court must be provided to opposing counsel; all submissions must include a statement that aplt has done so. A copy of the motions shall be provided to aples along with this order. ( Motion recvd 4/7/00) [98-16339] (em)

4/25/00 Filed Appellant Robert Hockey's motion to extend time to file reply brief [98-16339] served on 4/24/00 [NAN per PROMO) [98-16339] (mhf)

5/15/00 Filed original and 15 copies Robert Hockey reply brief, (Informal: NO) 22 pages; served on 5/12/00 [98-16339] (sm)

5/23/00 Filed aplt's req and deputy clerk order :(Deputy Clerk: jlc) Aplt's req for judicial notice, any opposition & any related filings shall be referred for disposition to the panel that considers the merits of the case ( Motion recvd 5/15/00) [98-16339] (mhf)

5/24/00 Calendar check performed [98-16339] (rei)

6/6/00 Calendar materials being prepared. [98-16339] [98-16339] (rei)

6/12/00 CALENDARED: SAN FRAN Aug 9 2000 9:00 am Courtroom 1 [98-16339] (aw)

6/26/00 Filed Appellees' response opposing appellant's request for jurdicial notice [3914963-1] served on 6/26/00 (PANEL) [98-16339] (sm)

7/3/00 Filed order (Deputy Clerk: jc) There being no opposition and good cause appearing, pltf-aplts request for judl ntc, filed 5/15/00 is granted. [98-16339] (crw)

7/7/00 Filed pltf/aplt's reply to aples' opposition to aplt's request for judicial notice; [3914963-1] ;served on 7/6/00 FAXED PANEL) [98-16339] (em)

7/10/00 Filed deft-aples motion to reconsider order of the Court granting pltf-aplt's request for judicial notice; [98-16339] served on 7/10/00 [3947305] FAXED PANEL (em)

7/11/00 Filed order (Deputy Clerk: GB) On 7/3/00 this court issued an order granting aplt's Request for Judicial Notice, and

indicated that the request was unopposed. It appears, however, that an opposition was indeed filed with this court on 6/26/00. This opposition was untimely under FRAP 27()(3)(A). In any event, the order granting the request for Judicial Notice is affirmed. [98-16339] (em)

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8/3/00 Filed Robert Hockey additional citations, served on 8/1/00  
FEDEX PANEL [98-16339] (em)

8/4/00 [3964976] Filed faxed stipulation for voluntary dismissal of  
case pursuant to FRAP 42(b). FAXED PANEL [98-16339] (Hard  
copy received 8/7/00) (em)

8/8/00 Order filed granting dispositive motion dismissing case  
pursuant to FRAP 42(b). Pursuant to parties' stipulation,  
this appeal is dismissed with prejudice as to all  
plaintiffs and defendants. Each side is to bear its own  
costs on appeal. [3964976-1] ( Procedurally Terminated  
After Other Judicial Action; F.R.A.P. 42. David R.  
THOMPSON, Thomas G. NELSON, Barry G. SILVERMAN )  
[98-16339] (em)

8/30/00 MANDATE ISSUED [98-16339] (em)

2/9/01 RECORD RETURNED. (See control card for details.) (jk)

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