

US District Court Civil Docket as of 12/16/1999

Retrieved from the court on Thursday, April 4, 2002

US District Court for the
Eastern District of Virginia
(Alexandria)

1:97cv264

Orman, et al v. America Online, Inc, et al

Date Filed: 02/24/1997
Assigned To: Judge Unassigned
Referred To:
Nature of suit: Securities (850)
Cause: Securities Exchange Act
Lead Docket: None
Other Docket: None
Jurisdiction: Federal Question

Class Code: CLOSED JURY
PROTO
Closed: Yes
Statute: 15:78m(a)
Jury Demand: Plaintiff
Demand
Amount: \$0

Litigants

Attorneys

David Orman, Trustee
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershady Hynes & Lerach LLP
One Pennsylvania Plaza

New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Gary D Walter
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****

(212) 594-5300

Scott D Walter
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Jason Raffenaud
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan

[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Barbara Y Walter
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP

One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Tadric Page
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA

****na****
(212) 594-5300

Bernard Goldsmith
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Gina Florens
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
*****na*****
(212) 594-5300

Miklos Wechter
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]

Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Timothy D Baker
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165

USA
****na****
(212) 594-5300

Lee Ross
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Edward Cohen
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers LN
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Jerry Weinberg
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman

[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Donna Moran
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza

New York , NY 10119-0165
USA
****na****
(212) 594-5300

Tim Moran
PLAINTIFF

Craig Crandall Reilly
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
225 Reinekers Lane
Suite 700
Alexandria , VA 22314
USA
(703) 549-5353

Michael McGettigan
[COR LD NTC]
Richards, McGettigan, Reilly & West, PC
Suite 700
King Street Station
225 Reinekers Lane
Alexandria , VA 22314-2822
USA
(703) 549-5353

Keith M Fleischman
[COR LD NTC]
Miberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

Ariana J Tadler
[COR LD NTC]
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York , NY 10119-0165
USA
****na****
(212) 594-5300

v.

America Online, Inc
DEFENDANT

Gregory R Firehock
[COR LD NTC]
[Term: 09/16/1998]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave NW

#900
Washington , DC 20004
USA
(202) 434-7300

Jennifer Carie Holmes
[COR LD NTC]
Slevin & Hart, PC
1625 Massachusetts Ave, NW
Suite 450
Washington , DC 20036
USA
(202) 797-8700

James G Andress
DEFENDANT
[Term: 11/14/1997]

Alice Stevens Fisher
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Thomas L Patten
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 1300
Washington DC, 20004-2505
(202) 637-2200

Janice Brandt
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Frank J Caufield
DEFENDANT
[Term: 11/14/1997]

Alice Stevens Fisher
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins

1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Thomas L Patten
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 1300
Washington DC, 20004-2505
(202) 637-2200

David Cole
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Michael M Connors
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

John L Davies
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Miles Gilburne

Gregory R Firehock

DEFENDANT
[Term: 11/14/1997]

[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Stephen M Case
DEFENDANT

Alice Stevens Fisher
[COR LD NTC]
Latham & Watkins
1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Gregory R Firehock
[COR LD NTC]
[Term: 09/16/1998]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Jennifer Carrie Holmes
[COR LD NTC]
Slevin & Hart, PC
1625 Massachusetts Ave, NW
Suite 450
Washington , DC 20036
USA
(202) 797-8700

Alexander M Haig, Jr
DEFENDANT
[Term: 11/14/1997]

Alice Stevens Fisher
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Thomas L Patten
[COR LD NTC]

[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 1300
Washington DC, 20004-2505
(202) 637-2200

Richard E Hanlon
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

James V Kimsey
DEFENDANT
[Term: 11/14/1997]

Alice Stevens Fisher
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Thomas L Patten
[COR LD NTC]
[Term: 11/14/1997]
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 1300
Washington DC, 20004-2505
(202) 637-2200

Ellen M Kirsh
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Matthew Korn
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Lennert J Leader
DEFENDANT

Alice Stevens Fisher
[COR LD NTC]
Latham & Watkins
1001 Pennsylvania Ave NW
Suite 1300
Washington , DC 20004-2505
USA
(202) 637-2200

Gregory R Firehock
[COR LD NTC]
[Term: 09/16/1998]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Jennifer Carrie Holmes
[COR LD NTC]
Slevin & Hart, PC
1625 Massachusetts Ave, NW
Suite 450
Washington , DC 20036
USA
(202) 797-8700

Theodore Leonsis
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Marc S Seriff
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Jean N Villanueva
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Audrey Y Well
DEFENDANT
[Term: 11/14/1997]

Gregory R Firehock
[COR LD NTC]
[Term: 11/14/1997]
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC
701 Pennsylvania Ave, NW
#900
Washington , DC 20004
USA
(202) 434-7300

Ernst & Young, LLP
DEFENDANT
[Term: 11/14/1997]

David John Gogal
[COR LD NTC]
[Term: 11/14/1997]
Blankingship & Keith
4020 University Dr
Suite 312
Fairfax , VA 22030
USA
(703) 691-1235

Luke Paul Levasseur
[COR LD NTC]
[Term: 10/22/1997]
Mayer, Brown & Platt
1100 L Street, N.W.Venue, NW
Room 12030
Washington , DC 20005
USA

(202) 616-0464

Robert Lawrence Bronston
[COR LD NTC]
[Term: 11/14/1997]
Mayer, Brown & Platt
1909 K St, NW
Washington , DC 20006
USA
(202) 263-3000

Date	#	Proceeding Text
02/24/1997	1	COMPLAINT Filing Fee \$ 150.00 Receipt # 113065; jury demand (Large Pleading) (bsee) [Entry date 03/03/97]
02/24/1997	--	Jury Trial Flag (bsee) [Entry date 03/03/97]
02/24/1997	--	SUMMONS(ES) (Orig. & 15) issued and given to atty for service by SPS as to America Online, Inc., Janice Brandt, David Cole, Michael M. Connors, John L. Davies, Stephen M. Case, Alexander M. Haig Jr., Richard E. Hanlon, James V. Kimsey, Matthew Korn, Lennert J. Leader, Theodore Leonsis, Jean N. Villanueva, Audrey Y. Well, Ernst & Young, LLP; (5) to be served by the Secretary of the Commonwealth of Virginia as to Ellen Kirsch, Miles Gilburne, James Andress, Marc Seriff and Frank Caufield. (bsee) [Entry date 03/04/97]
02/26/1997	2	PRAECIPE filed by plaintiff Tadric Page, plaintiff Timothy D. Baker, Certification of Named pltf s pursuant to Federal Securities Law (bsee) [Entry date 03/04/97]
03/03/1997	3	SUMMONS Returned Executed as to Ernst & Young, LLP 2/25/97 Answer due on 3/17/97 for Ernst & Young, LLP (mcke) [Entry date 03/06/97]
03/03/1997	4	SUMMONS Returned Executed as to Stephen M. Case 2/25/97 Answer due on 3/17/97 for Stephen M. Case (mcke) [Entry date 03/06/97]
03/03/1997	5	SUMMONS Returned Executed as to David Cole 2/25/97 Answer due on 3/17/97 for David Cole (mcke) [Entry date 03/06/97]
03/03/1997	6	SUMMONS Returned Executed as to Michael M. Connors 2/25/97 Answer due on 3/17/97 for Michael M. Connors (mcke) [Entry date 03/06/97]
03/03/1997	7	SUMMONS Returned Executed as to Theodore Leonsis 2/25/97 Answer due on 3/17/97 for Theodore Leonsis (mcke) [Entry date 03/06/97]
03/03/1997	8	SUMMONS Returned Executed as to Janice Brandt 2/25/97 Answer due on 3/17/97 for Janice Brandt (mcke) [Entry date 03/06/97]
03/03/1997	9	SUMMONS Returned Executed as to Richard E. Hanlon 2/25/97 Answer due on 3/17/97 for Richard E. Hanlon (mcke) [Entry date 03/06/97]
03/03/1997	10	SUMMONS Returned Executed as to John L. Davies 2/25/97 Answer due on 3/17/97 for John L. Davies (mcke) [Entry date 03/06/97]
03/03/1997	11	SUMMONS Returned Executed as to Alexander M. Haig Jr. 2/25/97 Answer due on 3/17/97 for Alexander M. Haig Jr. (mcke) [Entry date 03/06/97]

03/03/1997 12 SUMMONS Returned Executed as to James V. Kimsey 2/25/97 Answer due on 3/17/97 for James V. Kimsey (mcke) [Entry date 03/06/97]

03/03/1997 13 SUMMONS Returned Executed as to Matthew Korn 2/24/97 Answer due on 3/17/97 for Matthew Korn (mcke) [Entry date 03/06/97]

03/03/1997 14 SUMMONS Returned Executed as to Lennert J. Leader 2/24/97 Answer due on 3/17/97 for Lennert J. Leader (mcke) [Entry date 03/06/97]

03/03/1997 15 SUMMONS Returned Executed as to Audrey Y. Well 2/24/97 Answer due on 3/17/97 for Audrey Y. Well (mcke) [Entry date 03/06/97]

03/03/1997 16 SUMMONS Returned Executed as to America Online, Inc. 2/25/97 Answer due on 3/17/97 for America Online, Inc. (mcke) [Entry date 03/06/97]

03/05/1997 17 Certificate of Compliance of the Secretary of the Commonwealth as to James G. Andress Answer due 3/26/97 for James G. Andress (mcke) [Entry date 03/06/97]

03/05/1997 18 Certificate of Compliance of the Secretary of the Commonwealth as to Frank J. Caufield Answer due 3/26/97 for Frank J. Caufield (mcke) [Entry date 03/06/97]

03/05/1997 19 Certificate of Compliance of the Secretary of the Commonwealth as to Miles Gilburne Answer due 3/26/97 for Miles Gilburne (mcke) [Entry date 03/06/97]

03/05/1997 20 Certificate of Compliance of the Secretary of the Commonwealth as to Ellen M. Kirsh Answer due 3/26/97 for Ellen M. Kirsh (mcke) [Entry date 03/06/97]

03/05/1997 21 Certificate of Compliance of the Secretary of the Commonwealth as to Marc S. Seriff Answer due 3/26/97 for Marc S. Seriff (mcke) [Entry date 03/06/97]

03/07/1997 22 NOTICE of Attorney Appearance for America Online, Inc. by Gregory R. Firehock (mcke) [Entry date 03/11/97]

03/11/1997 23 CONSENT ORDER to extend time for all of the depts' to respond to the complaint until 4/18/97 - ent & filed (signed by Judge T. S. Ellis III) Copies Mailed: yes (mcke) [Entry date 03/13/97]

03/19/1997 -- PAPERS returned by the Secretary of the Commonwealth as no such number in Potomac as to Marc S. Sheriff (mcke) [Entry date 03/20/97]

03/31/1997 24 SUMMONS Returned Executed as to Jean N. Villanueva 3/17/97 Answer due on 4/6/97 for Jean N. Villanueva (jsol)

04/01/1997 25 SCHEDULING ORDER setting Discovery cutoff 7/25/97 ; Pretrial Conference for 1:45 8/21/97 ; (signed by Judge Albert V. Bryan Jr.) Copies Mailed: yes (lhar)

04/02/1997 26 Consent Order to establish briefing schedule for motion to dismiss and initial discovery, depts' file and serve their motion to dismiss on 4/18/97, pltf's file their opposition on 5/19/97, depts file and serve their reply memoranda by 5/26/97, hearing on the motions to dismiss on 5/30/97, (see order for more details) - ent & filed(signed by Judge James C. Cacheris) Copies mailed: yes (mcke) [Entry date 04/04/97]

04/07/1997 27 AGREED MOTION by defendants for leave to exceed page limitation (spoo) [Entry date 04/10/97]

04/07/1997 28 BRIEF by America Online, Inc., James G. Andress, Janice Brandt, Frank J. Caufield, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Stephen M. Case, Alexander M. Haig Jr., Richard E. Hanlon, James V. Kimsey, Ellen M. Kirsh, Matthew Korn, Lennert J. Leader. Theodore Leonsis. Marc S. Seriff. Jean N. Villanueva.

Audrey Y. Well, Ernst & Young, LLP in support of [27-1] motion by defendants by defendantssssssssssssssss (spoo) [Entry date 04/10/97]

04/07/1997 29 NOTICE of Hearing: returnable 4-11-97 for hearing defts. agreed motion to exceed page limitation (not calendared as agreed order submitted and entered) (spoo) [Entry date 04/10/97]

04/08/1997 30 ORDER granting [27-1] motion by defendants to exceed page limitation (signed by Judge T. S. Ellis III) Copies Mailed: yes. (spoo) [Entry date 04/10/97]

04/09/1997 31 RESPONSE by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to [27-1] motion by defendants to exceed page limitation (do not offer any opposition and would not object) (spoo) [Entry date 04/10/97]

04/18/1997 32 MOTION by Ernst & Young, LLP to Dismiss (jwil)

04/18/1997 33 MEMORANDUM by Ernst & Young, LLP in support of [32-1] motion by Ernst & Young, LLP to Dismiss by Ernst & Young, LLP (w/ attached Exhibits) (jwil)

04/18/1997 34 NOTICE of Hearing: Motion Hearing set for 10:00 5/30/97 for [32-1] motion by Ernst & Young, LLP to Dismiss (jwil)

04/18/1997 35 MOTION by defendantssssssssssss to Dismiss (jwil)

04/18/1997 36 MEMORANDUM by Janice Brandt, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Stephen M. Case, Richard E. Hanlon, Ellen M. Kirsh, Matthew Korn, Lennert J. Leader, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, Audrey Y. Well in support of [35-1] motion by defendantssssssssssss to Dismiss (1 small bound volume) (jwil)

04/18/1997 -- Appendix of Exhibits received by Janice Brandt, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Stephen M. Case, Richard E. Hanlon, Ellen M. Kirsh, Matthew Korn, Lennert J. Leader, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, Audrey Y. Well (jwil)

04/18/1997 37 MOTION by James V. Kimsey, Alexander M. Haig Jr., Frank J. Caufield, James G. Andress to Dismiss (jwil) [Entry date 04/22/97]

04/18/1997 38 MEMORANDUM by James G. Andress, Frank J. Caufield, Alexander M. Haig Jr., James V. Kimsey in support of [37-1] motion by James V. Kimsey, Alexander M. Haig Jr., Frank J. Caufield, James G. Andress to Dismiss by James V. Kimsey, Alexander M. Haig Jr., Frank J. Caufield, James G. Andress (jwil) [Entry date 04/22/97]

04/18/1997 39 DECLARATION of Curtis P. Lu by James G. Andress, Frank J. Caufield, Alexander M. Haig Jr., James V. Kimsey Re: (jwil) [Entry date 04/22/97]

04/21/1997 40 NOTICE of Hearing: Motion Hearing set for 10:00 5/30/97 for [37-1] motion by James V. Kimsey, Alexander M. Haig Jr., Frank J. Caufield, James G. Andress to Dismiss (jwil) [Entry date 04/22/97]

04/25/1997 41 MOTION by plaintiffssssssssss to be Appointed Lead Plaintiffs pursuant to 21d(A)(3)(b) of the Securities Exchange Act of 1934 and for Appointment of Lead Pltfs' Co- Lead Counsel (jwil) [Entry date 04/30/97]

04/25/1997 42 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter. Timothy D. Baker. Lee Ross in support of [41-1] motion by

plaintiffssssssss to be Appointed Lead Plaintiffs pursuant to 21d(A)(3)(b) of the Securities Exchange Act of 1934 and for Appointment of Lead Pltfs' Co- Lead Counsel by plaintiffssssssss (jwil) [Entry date 04/30/97]

- 04/25/1997 43 NOTICE of Hearing: Motion Hearing set for 10:00 5/30/97 for [41-1] motion by plaintiffssssssss to be Appointed Lead Plaintiffs pursuant to 21d(A)(3)(b) of the Securities Exchange Act of 1934 and for Appointment of Lead Pltfs' Co- Lead Counsel (jwil) [Entry date 04/30/97]
- 05/09/1997 47 Response by America Online, Inc., James G. Andress, Janice Brandt, Frank J. Caufield, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Stephen M. Case, Alexander M. Haig Jr., Richard E. Hanlon, James V. Kimsey, Ellen M. Kirsh, Matthew Korn, Lennert J. Leader, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, Audrey Y. Well, Ernst & Young, LLP [41-1] to motion by plaintiffs to be Appointed Lead Plaintiffs pursuant to 21d(A)(3)(b) of the Securities Exchange Act of 1934 and for Appointment of Lead Pltfs' Co- Lead Counsel by plaintiffs (mcke) [Entry date 05/13/97]
- 05/12/1997 44 MOTION by plaintiffssssssss for Leave to Exceed Page Limitation (jwil)
- 05/12/1997 45 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in support of [44-1] motion by plaintiffssssssss for Leave to Exceed Page Limitation (jwil)
- 05/12/1997 46 NOTICE of Hearing: Motion Hearing set for 10:00 5/16/97 for [44-1] motion by plaintiffssssssss for Leave to Exceed Page Limitation (jwil)
- 05/15/1997 48 CONSENT ORDER, that pltfs. may file a responsive brief to deft's motions to dismiss in excess of thirty pages, not to exceed seventy pages - ent. & filed (signed by Magistrate Judge Theresa C. Buchanan) Copies Mailed: yes (lhar) [Entry date 05/20/97]
- 05/19/1997 49 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross together with exhibits in opposition to [35-1] motion by defendants' to Dismiss (large pleading) (mcke) [Entry date 05/22/97] [Edit date 05/22/97]
- 05/23/1997 50 UNOPPOSED ORDER to allow defts to file a reply brief exceeding page limitation of twenty (20) pages, but not exceeding the page limitation, in the aggregate, for all three briefs, by more than ten (10) pages. - ent & filed (signed by Magistrate Judge Barry R. Poretz) Copies Mailed: yes (mcke)
- 05/27/1997 51 REPLY by America Online, Inc. in Further Support of Motion to Dismiss of Deft America Online, Inc. and 14 of the 18 Individual Defts (1 small bound volume) (jwil)
- 05/27/1997 52 DECLARATION by America Online, Inc. of William C. Miles, Jr. (jwil)
- 05/27/1997 53 REPLY by James G. Andress, Frank J. Caufield, Alexander M. Haig and James V. Kimsey's to response to their motion to Dismiss (jwil)
- 05/27/1997 54 REPLY by Ernst & Young, LLP in Support of its motion to Dismiss the Complaint (jwil)
- 05/27/1997 55 REPLY by David Orman to Deft's response to pltf's motion to be appointed lead counsel (jwil)

05/30/1997 -- Minute entry: (CMH) r: Linnell. Appearances: counsel. On for hearing on defts' motions to dismiss - motions argued and under advisement. (jsol)

06/05/1997 56 TRANSCRIPT for dates of 5/30/97 (CMH) (spoo)

07/11/1997 57 MEMORANDUM OPINION - filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (mcke)

07/11/1997 58 ORDER for reasons stated in the accompanying memorandum opinion, granting [35-1] motion by defendants to Dismiss, granting [32-1] motion by Ernst & Young, LLP to Dismiss, granting [37-1] motion by James V. Kimsey, Alexander M. Haig Jr., Frank J. Caufield, James G. Andress to Dismiss, and that pltfs shall have fourteen (14) days to file an amended complaint, denying without prejudice [41-1] motion by plaintiffs to be Appointed Lead Plaintiffs pursuant to 21d(A)(3)(b) of Securities Exchange Act of 1934 and for Appointment of Lead counsel - ent & filed) Copies Mailed: yes (mcke)

07/22/1997 59 UNOPPOSED MOTION by plaintiffs' for an enlargement of time to file an amended complaint (mcke) [Entry date 07/23/97]

07/24/1997 60 ORDER granting [59-1] motion by plaintiffs' for an enlargement of time to file an amended complaint up to and including August 8, 1997 - ent & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (mcke)

08/08/1997 61 AMENDED COMPLAINT by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross amending [1-1] complaint ;; jury demand (mcke)

08/14/1997 62 UNOPOSED MOTION by defendants for Enlargemnet of Time to respond to amended complaint (mcke) [Entry date 08/15/97]

08/15/1997 63 ORDER granting [62-1] motion by defendants for Enlargemnet of Time to respond to amended complaint on or before 9/22/97 - ent & filed (signed by Judge T. S. Ellis III) Copies Mailed: yes (mcke) [Entry date 08/19/97]

08/22/1997 -- NOTE: no appearances of counsel at pretrial conf. 8-22. Follow-up call to counsel for pltf. Spoke with Kathy Holmes who stated that SEC case; no discovery to be conducted until all motions to dismiss decided. I suggested an agreed order be submitted regarding vacating scheduling order of 4-1, cont. discovery and pretrial..... (spoo)

09/16/1997 64 CORRECTED AMENDED CLASS ACTION COMPLAINT by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross amending [61-1] amended complaint by plaintiffs' ;; jury demand (mcke) [Entry date 09/19/97]

09/19/1997 65 Consent Order to vacate scheduling order of April 1, 1997 and to establish brefig schedule, that defts AOL, case and leader file and serve their motion to dismiss by 9/22/97, pltfs file and serve their memoranda in opposition by 10/3/97, AOL, case and leader file their reply by 10/8/97, Hearing on motion to dismiss be held on 10/17/97. That the scheduling order of 4/1/97 is VACATED, and the clerk is directed to issue a new scheduling order, setting November 28, 1997 as the discovery cutoff and December 18, 1997 at 1:00 p.m. for the pretrial conference. That the parties shall comply with the brefiging and discovery schedulies set forth herein - ent & filed (signed by Judge Leonie M. Brinkema) Copies mailed: yes (mcke) [Entry date 09/22/97]

- 09/19/1997 66 SCHEDULING ORDER setting Discovery cutoff 11/28/97 ; Pretrial Conference for 1:00 12/18/97 ; (signed by Judge Leonie M. Brinkema) Copies Mailed: yes (mcke) [Entry date 09/22/97]
- 09/22/1997 67 MOTION by defendants' named in the original complaint, but not named in the amended complaint, Address, Brandt, Caulfield, Cole, Connors, Davies, Gilburne, Haig, Hanlon, Kimsey, Kirsch, Korn, Leonsis, Seriff, Villanueva, Weil and Ernst & Young to Dismiss with prejudice (mcke) [Entry date 09/23/97] [Edit date 09/23/97]
- 09/22/1997 68 MEMORANDUM by James G. Address, Janice Brandt, Frank J. Caufield, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Alexander M. Haig Jr., Richard E. Hanlon, James V. Kimsey, Ellen M. Kirsh, Matthew Korn, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, Audrey Y. Well, Ernst & Young, LLP in support of [67-1] motion by defendants' named in the original complaint, but not named in the amended complaint, Address, Brandt, Caulfield, Cole, Connors, Davies, Gilburne, Haig, Hanlon, Kimsey, Kirsch, Korn, Leonsis, Seriff, Villanueva, Weil and Ernst & Young to Dismiss with prejudice (mcke) [Entry date 09/23/97]
- 09/22/1997 69 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [67-1] motion by defendants' named in the original complaint, but not named in the amended complaint, Address, Brandt, Caulfield, Cole, Connors, Davies, Gilburne, Haig, Hanlon, Kimsey, Kirsch, Korn, Leonsis, Seriff, Villanueva, Weil and Ernst & Young to Dismiss with prejudice (mcke) [Entry date 09/23/97]
- 09/22/1997 70 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended class action complaint (mcke) [Entry date 09/23/97]
- 09/22/1997 71 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [70-1] motion to Dismiss corrected amended class action complaint (large pleading) (mcke) [Entry date 09/23/97]
- 09/22/1997 -- APPENDIX OF Exhibits received by America Online, Inc., Stephen M. Case, Lennert J. Leader in support in support of their motion to dismiss (large pleading) (mcke) [Entry date 09/23/97]
- 09/22/1997 72 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [70-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended class action complaint (mcke) [Entry date 09/23/97]
- 09/22/1997 73 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of, and the exhibits to,, by Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint (mcke) [Entry date 09/23/97]
- 09/22/1997 74 MEMORANDUM of law by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [73-1] motion to Strike certain allegations of, and the exhibits to, [73-2] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint (mcke) [Entry date 09/24/97]
- 09/22/1997 75 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [73-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of, and the exhibits to,, set for 10:00 11/21/97 for [73-2] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint (mcke) [Entry date 09/24/97]

- 09/26/1997 76 UNOPPOSED MOTION by plaintiffs to modify briefing order (copy forwarded to Judge Brinkema) (bsha)
- 09/26/1997 77 ORDER granting [76-1] motion by plaintiffs to modify briefing order of 9/19/97, and the following dates shall apply for briefing and oral argument on depts' motion to dismiss: October 10, 1997 pltf's file and serve by hand delivery their memoranda in opposition, October 17, 1997 AOL, case and leader file and serve by hand-delivery their reply memoranda, November 7, 1997 hearing on motion to dismiss and other responses - ent & filed (signed by Judge Leonie M. Brinkema) Copies Mailed: yes (mcke) [Entry date 09/29/97]
- 09/26/1997 -- Deadline updated; Motion Hearing set for 10:00 11/7/97 for [73-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of, and the exhibits to,, set for 10:00 11/7/97 for [73-2] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint, set for 10:00 11/7/97 for [70-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended class action complaint, set for 10:00 11/7/97 for [67-1] motion by defendants' named in the original complaint, but not named in the amended complaint, Andress, Brandt, Caulfield, Cole, Connors, Davies, Gilburne, Haig, Hanlon, Kimsey, Kirsch, Korn, Leonsis, Seriff, Villanueva, Weil and Ernst & Young to Dismiss with prejudice (mcke) [Entry date 09/29/97]
- 10/10/1997 78 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [73-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of, and the exhibits to, by Lennert J. Leader, Stephen M. Case, America Online, Inc., [73-2] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint by Lennert J. Leader, Stephen M. Case, America Online, Inc., [70-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended class action complaint by Lennert J. Leader, Stephen M. Case, America Online, Inc. (spoo) [Entry date 10/13/97]
- 10/10/1997 79 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [70-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended class action complaint by Lennert J. Leader, Stephen M. Case, America Online, Inc. (spoo) [Entry date 10/13/97]
- 10/17/1997 80 Reply brief in support of motion for entry of order dismissing complaint with prejudice by Janice Brandt, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Richard E. Hanlon, Ellen M. Kirsh, Matthew Korn, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, Audrey Y. Well [67-1] motion by defendants' named in the original complaint, but not named in the amended complaint, Andress, Brandt, Caulfield, Cole, Connors, Davies, Gilburne, Haig, Hanlon, Kimsey, Kirsch, Korn, Leonsis, Seriff, Villanueva, Weil and Ernst & Young to Dismiss with prejudice (mcke) [Entry date 10/20/97]
- 10/17/1997 81 Reply memorandum of law in support by America Online, Inc., Stephen M. Case, Lennert J. Leader to [73-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of. and the exhibits to. . [73-2] motion by

Lennert J. Leader, Stephen M. Case, America Online, Inc. to restate the caption of the corrected amended class action complaint together with exhibits (mcke) [Entry date 10/20/97]

- 10/17/1997 82 Reply memorandum in further support by America Online, Inc., Stephen M. Case, Lennert J. Leader of their motion to dismiss (mcke) [Entry date 10/21/97]
- 11/07/1997 83 ORDER for reasons stated from the bench, denying [70-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Dismiss corrected amended complaint, granting [73-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Strike certain allegations of paragraph 83 and paragraph 83 is stricken. Pltfs have ten days in which to file a corrected amended complaint to include all parties to this action in the caption. In light of the court's above rulings, depts officers and directors of AOL and Ernst & Young's motion to dismiss is moot - ent & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (mcke) [Entry date 11/10/97]
- 11/07/1997 -- Minute entry: Judge Hilton. Reporter: Linnell. Appearance of counsel. Motion by Leader, Case, AOL to dismiss corrected amended class action complaint - denied; motion by Leader, Case, AOL to strike - granted. Pltfs given 10 days to file amended complaint. Dfts (those named in the orig. complaint, but not the amended complaint) motion to dismiss - moot. (psid) [Entry date 11/12/97]
- 11/13/1997 84 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Certification and for a Stay of Discovery (jwil) [Entry date 11/14/97]
- 11/13/1997 85 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [84-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Certification and for a Stay of Discovery by Lennert J. Leader, Stephen M. Case, America Online, Inc. (jwil) [Entry date 11/14/97]
- 11/13/1997 86 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [84-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Certification and for a Stay of Discovery (jwil) [Entry date 11/14/97]
- 11/14/1997 87 TRANSCRIPT of proceedings of 11/07/97 (CMH) (bonn)
- 11/14/1997 88 MOTION by plaintiffsssssssss to be appointed lead pltfs pursuant to 21d(A)(3)(b) of the securities exchange act of 1934 and for appointment of Lead Pltfs Co-Lead Counsel (jwil) [Entry date 11/17/97]
- 11/14/1997 89 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in support of [88-1] motion by plaintiffsssssssss to be appointed lead pltfs pursuant to 21d(A)(3)(b) of the securities exchange act of 1934 and for appointment of Lead Pltfs Co-Lead Counsel by plaintiffsssssssss (jwil) [Entry date 11/17/97]
- 11/14/1997 90 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [88-1] motion by plaintiffsssssssss to be appointed lead pltfs pursuant to 21d(A)(3)(b) of the securities exchange act of 1934 and for appointment of Lead Pltfs Co-Lead Counsel (jwil) [Entry date 11/17/97]
- 11/14/1997 91 MOTION by plaintiffsssssssss to Vacate scheduling order and to set pretrial schedule (jwil) [Entry date 11/17/97]
- 11/14/1997 92 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud

Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in support of [91-1] motion by plaintiffssssssss to Vacate scheduling order and to set pretrial schedule by plaintiffssssssss (jwil) [Entry date 11/17/97]

- 11/14/1997 93 NOTICE of Hearing: Motion Hearing set for 10:00 11/21/97 for [91-1] motion by plaintiffssssssss to Vacate scheduling order and to set pretrial schedule (jwil) [Entry date 11/17/97]
- 11/14/1997 94 SECOND AMENDED COMPLAINT by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross amending [64-1] amended complaint by plaintiffs; jury demand (ltun) [Entry date 11/18/97]
- 11/19/1997 95 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to Defts' motion for certification and stay (jwil) [Entry date 11/20/97]
- 11/20/1997 96 RESPONSE by America Online, Inc. to Pltf's motion to vacate scheduling order and to set pretrial schedule (Large pleading) (jwil)
- 11/20/1997 97 REPLY by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to response to [88-1] motion by plaintiffssssssss to be appointed lead pltf's pursuant to 21d(A)(3)(b) of the securities exchange act of 1934 and for appointment of Lead Pltf's Co-Lead Counsel by plaintiffssssssss (jwil)
- 11/20/1997 109 Response to by America Online, Inc., Stephen M. Case, Lennert J. Leader [100-2] motion by Stephen M. Case, America Online, Inc. for appointment of lead pltf's co-lead counsel (ltun) [Entry date 12/05/97]
- 11/21/1997 98 REPLY by America Online, Inc., Miles Gilburne, Lennert J. Leader to response to [84-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Certification and for a Stay of Discovery (ltun)
- 11/21/1997 99 ORDER denying [84-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Certification and for a Stay of Discovery - ent. & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (ltun) [Entry date 11/24/97]
- 12/01/1997 103 ANSWER by America Online, Inc., Stephen M. Case, Lennert J. Leader to Second Corrected amended complaint (ltun) [Entry date 12/03/97]
- 12/02/1997 100 MOTION by Stephen M. Case, America Online, Inc. for Leave to File Supplemental Response to Pltf's motino to be appointed lead pltf's, and by Stephen M. Case, America Online, Inc. for appointment of lead pltf's co-lead counsel (jwil)
- 12/02/1997 101 SUPPLEMENTAL RESPONSE by America Online, Inc., Stephen M. Case to Pltf's' motion to be appointed lead pltf's and for appointment of lead pltf's co-lead counsel (jwil)
- 12/02/1997 102 NOTICE of Hearing: Motion Hearing set for 10:00 12/12/97 for [100-1] motion by Stephen M. Case, America Online, Inc. for Leave to File Supplemental Response to Pltf's motino to be appointed lead pltf's (jwil)
- 12/04/1997 104 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Reconsider denial of motion to dismiss the corrected amended class action complaint (jwil)

- 12/04/1997 105 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [104-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Reconsider denial of motion to dismiss the corrected amended class action complaint by Lennert J. Leader, Stephen M. Case, America Online, Inc. (jwil)
- 12/04/1997 106 NOTICE of Hearing: Motion Hearing set for 10:00 12/12/97 for [104-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Reconsider denial of motion to dismiss the corrected amended class action complaint (jwil)
- 12/04/1997 107 ORDER granting [88-1] motion by plaintiffs to be appointed lead pltfs pursuant to 21d(A)(3)(b) of the securities exchange act of 1934 and for appointment of Lead Pltfs Co-Lead Counsel; This Order does not affect any right defts. may have to contest class certification or any element thereof. Counsel are directed, within 7 days, to submit to the Court a proposed order setting forth with particularity the identity of lead pltfs. and co-lead counsel. The Court hereby vacates the original Scheduling Order of 9/19/97, and issue herein a new Scheduling Order in place thereof. Necessarily, the "Agreed Scheduling Order" is denied (see order for details) - ent. & filed (signed by Magistrate Judge Barry R. Poretz) Copies Mailed: yes (ltun)
- 12/04/1997 108 SCHEDULING ORDER setting Discovery cutoff 3/27/98 ; Pretrial Conference for 12:40 4/16/98 ; (signed by Magistrate Judge Barry R. Poretz) Copies Mailed: yes (ltun) [Entry date 12/05/97]
- 12/05/1997 110 MOTION by America Online, Inc. for Reconsideration of the 12/4/97 order granting pltfs' motion to be appointed lead counsel and for appointment of lead pltfs' co-lead counsel (jwil) [Entry date 12/08/97]
- 12/05/1997 111 NOTICE of Hearing: Motion Hearing set for 10:00 12/12/97 for [110-1] motion by America Online, Inc. for Reconsideration of the 12/4/97 order granting pltfs' motion to be appointed lead counsel and for appointment of lead pltfs' co-lead counsel (jwil) [Entry date 12/08/97]
- 12/05/1997 112 MOTION by plaintiffssssssss for Protective Order (jwil) [Entry date 12/08/97]
- 12/05/1997 113 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in support of [112-1] motion by plaintiffssssssss for Protective Order by plaintiffssssssss (jwil) [Entry date 12/08/97]
- 12/05/1997 114 NOTICE of Hearing: Motion Hearing set for 10:00 12/12/97 for [112-1] motion by plaintiffssssssss for Protective Order (jwil) [Entry date 12/08/97]
- 12/10/1997 115 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in opposition to Pltf's proposed paragraph 8(b) of the protective order and in SUPPORT of Defts' proposed paragraph 8(b) of the protective order (jwil)
- 12/10/1997 116 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to Defts' motion for reconsideration of 11/7/97 order (jwil)
- 12/10/1997 117 CONSOLIDATED MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to defts' motion for leave to file a supplemental resonse and defts' motion for reconsideration of 12/4/97 order (jwil)

- 12/11/1997 119 WUTHDRAWAK of Motion for Reconsideration of 11/7/97 Order - filed by deft AOL (jsol) [Entry date 12/15/97]
- 12/11/1997 120 REPLY by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to response to [112-1] motion by plaintiffs for Protective Order (psid) [Entry date 12/16/97]
- 12/12/1997 118 Reply to by America Online, Inc., Stephen M. Case, Lennert J. Leader [112-1] motion by plaintiffs for Protective Order (ltun)
- 12/12/1997 -- Minute entry: Magistrate Judge Jones. Reporter: Rudiger & Green. Appearance of counsel. Counsel indicated that motion had been resolved. Consent order to enter. (psid) [Entry date 12/16/97]
- 12/12/1997 -- Minute entry: Magistrate Judge Poretz. Reporter: Casamo & Assoc. appearances: Counsel for Pltf. & Deft. This matter came on for Deft's. Motion to reconsider the Order entered on 12/4/97 - Matter argued and Granted. Order to be entered. (jsch) [Entry date 12/17/97]
- 12/12/1997 121 ORDERED, America Online, Inc.'s Motion for Reconsideration of the Magistrate Judge's Order of December 4, 1997 is Granted. The Court reaffirms the ruling of December 4, 1997, granting Plaintiffs' Motion for Appointment of Lead Plaintiffs and for Appointment of Lead Plaintiffs' Co-Lead Counsel (signed by Magistrate Judge Barry R. Poretz) Copies y (jsch) [Entry date 12/17/97]
- 12/12/1997 122 ORDERED that the following individuals are appointed as co-Lead Plaintiffs: David Orman, Trustee, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Miklos Wechter, Bernard Goldsmith, Gina Florens, Timothy Baker, Lee Ross, Herbert Londoner, Edward Cohen, Jerry Weinberg, Donna Moran and Tim Moran It is further Ordered that the following lawyers and law firms are approved as co-Lead Counsel for Plaintiffs: Richards McGettigan Reilly & West, P.C. Michael McGettigan (VSB #13426), Craig C. Reilly (VSB) #20942), Kathleen J. L. Holmes (VSB #35219) 225 Reinekers Lane Suite 700 Alexandria, VA 22314. Millberg Weiss Bershad Hynes & Lerach LLP Keith M. Fleischman and Ariana J. Tadler One Pennsylvania Plaza New York, NY 10119-0165, William S. Lerach 600 West Broadway, Suite 1800 San Diego, CA 92101 and Morris and Morris Karen L. Morris and Abraham Rappaport 1105 North Market Street #1600 Wilmington, DE 19801 (signed by Magistrate Judge Barry R. Poretz) Copies Mailed: y (jsch) [Entry date 12/17/97]
- 12/16/1997 123 STIPULATED ORDER, for Protective Order re: handling and labeling of confidential material - ent. & filed (signed by Magistrate Judge Thomas R. Jones Jr.) Copies Mailed: yes (ltun) [Entry date 12/18/97]
- 12/16/1997 -- **Set Protective Order Flag. (ltun) [Entry date 12/18/97]
- 12/18/1997 124 TRANSCRIPT for dates of 12/12/97 (BRP) - filed. (ltun)
- 12/19/1997 125 OBJECTIONS by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Magistrate Judge Barry R. Poretz's Order of 12/12/97 Granting Pltf's Motion to be Appointed Lead Counsel and for Appointment of Lead Pltfs' Co-Lead Counsel together with Exhibits (LARGE PLEADING) (WILL NOTICE) (ltun) [Entry date 12/22/97]
- 12/19/1997 126 PRAECIPE waiving oral argument of the Objections to the Magistrate Judge's Ruling of 12/12/97 filed by defendant America Online, Inc., defendant Stephen M. Case, defendant Lennert J. Leader (ltun) [Entry date 12/22/97]

- 12/29/1997 127 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories (bsha)
- 12/29/1997 128 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [127-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories by Lennert J. Leader, Stephen M. Case, America Online, Inc. (LARGE PLEADING) (bsha)
- 12/29/1997 129 NOTICE of Hearing: Motion Hearing set for 10:00 1/9/98 for [127-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories (bsha)
- 12/29/1997 130 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [125-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Magistrate Judge Barry R. Poretz's Order of 12/12/97 Granting Pltf's Motion to be Appointed Lead Counsel and for Appointment of Lead Pltfs' Co-Lead Counsel together with Exhibits by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 12/30/97]
- 12/31/1997 131 REPLY BRIEF by America Online, Inc., Stephen M. Case, Lennert J. Leader in Further support of [125-1] OBJECTIONS by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Magistrate Judge Barry R. Poretz's Order of 12/12/97 Granting Pltf's Motion to be Appointed Lead Counsel and for Appointment of Lead Pltfs' Co-Lead Counsel together with Exhibits by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 01/02/98]
- 01/05/1998 132 AGREED ORDER that defts' Objections to Magistrate Judge Barry R. Poretz's Order of 12/12/97, granting Pltfs' Motion to be Appointed Lead Counsel for Appointment of Lead Pltfs' Co-Lead Counsel will be decided on the papers - ent. & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (ltun)
- 01/07/1998 133 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [127-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 01/08/98]
- 01/08/1998 134 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [127-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories by Lennert J. Leader, Stephen M. Case, America Online, Inc. (clar) [Entry date 01/09/98]
- 01/09/1998 -- Minute entry: Judge Poretz. Reporter Casamo (Joyce Sparks). Matter on for Dfts motion to compel production of documents and responses to interrogatories - Order will reflect all other matters are resolved as noted by counsel. - taken under advisement. (tthu)
- 01/09/1998 135 MOTION by plaintiffs to Extend Time to Make Expert Disclosures (bsha) [Entry date 01/11/98]
- 01/09/1998 136 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in support of [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures by plaintiffssssssss (bsha) [Entry date 01/11/98]

01/09/1998 137 DECLARATION OF ABRAHAM RAPPAPORT Re: [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures by plaintiffssssssss (bsha) [Entry date 01/11/98]

01/09/1998 138 NOTICE of Hearing: Motion Hearing set for 10:00 1/16/98 for [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures (bsha) [Entry date 01/11/98]

01/14/1998 139 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in opposition to [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures by plaintiffssssssss (bsha) [Entry date 01/15/98]

01/14/1998 140 ORDER granting [127-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel Production of Documents and Responses to Interrogatories to Case and Leader's Interrogatory No. 2; American Oline, Inc's First Set of Interrogatories Nos. 2 and 7; depts' Motion to Compel Responses to Case and Leader's First Request for Production of Documents No. 6 is granted in part (see order for details) - ent. & filed (signed by Magistrate Judge Barry R. Poretz) Copies Mailed: yes (ltun) [Entry date 01/15/98]

01/15/1998 141 REPLY by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to deft's opposition to [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures (clar) [Entry date 01/16/98]

01/16/1998 -- Minute entry: Judge Sewell. Report: Casamo. Appearance: counsel. Matter heard as to pltf's motion to extend time - argued & granted. Order to be entered. (lbac)

01/16/1998 142 ORDER granting [135-1] motion by plaintiffs to Extend Time to Make Expert Disclosures. Pltf's expert disclosurs due by 2/27/98; Defts' expert disclosurs by 3/25/98; Pltf's expert rebuttal disclosurs due by 4/12/98; all expert discovery due by 4/30/98; Pretrial Conference remains on 4/30/98 (signed by Magistrate Judge W. C. Sewell) Copies Mailed: yes (lbac)

01/22/1998 143 TRANSCRIPT for dates of 1/9/98 (BRP) - filed. (ltun)

01/23/1998 144 MOTION by plaintiffs to Compel Discovery (bsha) [Entry date 01/26/98]

01/23/1998 145 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [144-1] motion by plaintiffs to Compel Discovery by plaintiffs (SEALED DOCUMENT) (bsha) [Entry date 01/26/98]

01/23/1998 146 NOTICE of Hearing: Motion Hearing set for 10:00 1/30/98 for [144-1] motion by plaintiffs to Compel Discovery (bsha) [Entry date 01/26/98]

01/23/1998 147 MOTION by Donna Moran, Edward Cohen to Withdraw as Lead Pltfs (bsha) [Entry date 01/26/98]

01/23/1998 148 MEMORANDUM by Edward Cohen, Donna Moran in support of [147-1] motion by Donna Moran, Edward Cohen to Withdraw as Lead Pltfs by Donna Moran, Edward Cohen (bsha) [Entry date 01/26/98]

01/23/1998 149 NOTICE of Hearing: Motion Hearing set for 10:00 1/30/98 for [147-1] motion by Donna Moran, Edward Cohen to Withdraw as Lead Pltfs (bsha) [Entry date 01/26/98]

01/28/1998 150 MEMORANDUM by America Online. Inc.. Stephen M. Case. Lennert J. Leader in

- opposition to [144-1] motion by plaintiffs to Compel Discovery by plaintiffs (bsha)
- 01/29/1998 151 RESPONSE by America Online, Inc., Stephen M. Case, Lennert J. Leader to [147-1] motion by Donna Moran, Edward Cohen to Withdraw as Lead Pltfs by Donna Moran, Edward Cohen (bsha)
- 01/29/1998 152 Reply Brief to by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran [150-1] opposition memorandum by Lennert J. Leader, Stephen M. Case, America Online, Inc. (SEALED DOCUMENT) (bsha) [Entry date 01/30/98] [Edit date 01/30/98]
- 01/30/1998 -- Minute entry: Judge W. Curtis Sewell. Tape #41. Reporter; Rudiger and Green. Appearances; of counsel. Matter came on as pltfs motion to compel discovry-argued and grantd in part. pltfs Donna Moran and Edward Cohen to withdraw as lead pltfs is granted. ORder to follow. (ntho) [Entry date 02/02/98]
- 01/30/1998 153 ORDER granting [147-1] motion by Donna Moran, Edward Cohen to Withdraw as Lead Pltfs. granting in part in accord with rulings from the bench.[144-1] motion by plaintiffs to Compel Discovery. The parties are admonished to meet and confer on outstanding discovery matters. Those portions of Plaintiff's MOTion to compel which weere denied or deferred by the Court are without prejudice to be renewed after consultation with counsel and a good faith effort for resolution. (signed by Magistrate W. C. Sewell) Copies Mailed: y. (ntho) [Entry date 02/02/98]
- 01/30/1998 154 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel (a) the Production of Surreptitiously recorded tapes of face to face and telephone interviews of AOL's former employees conducted by pltfs' investigators and attys and (b) a further response to case and leader interrogatory no. 2 (bsha) [Entry date 02/02/98]
- 01/30/1998 155 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [154-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel (a) the Production of Surreptitiously recorded tapes of face to face and telephone interviews of AOL's former employees conducted by pltfs' investigators and attys and (b) a further response to case and leader interrogatory no. 2 by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 02/02/98]
- 01/30/1998 156 NOTICE of Hearing: Motion Hearing set for 10:00 2/6/98 for [154-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel (a) the Production of Surreptitiously recorded tapes of face to face and telephone interviews of AOL's former employees conducted by pltfs' investigators and attys and (b) a further response to case and leader interrogatory no. 2 (bsha) [Entry date 02/02/98]
- 02/03/1998 157 TRANSCRIPT for dates of 1/30/98 (WCS) - filed. (ltun)
- 02/04/1998 158 Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [154-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel (a) the Production of Surreptitiously recorded tapes of face to face and telephone interviews of AOL's former employees conducted by pltfs' investigators and attys and (b) a further response to case and leader interrogatory no. 2 (bsha)
- 02/05/1998 159 REPLY MEMORANDUM by America Online. Inc.. Stephen M. Case. Lennert J. Leader

in support of [154-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel (a) the Production of Surreptitiously recorded tapes of face to face and telephone interviews of AOL's former employees conducted by pltfs' investigators and attys and (b) a further response to case and leader interrogatory no. 2 (ltun)

- 02/09/1998 160 ORDER denying [154-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Compel the Production of tape recordings - ent & filed (signed by Magistrate Judge W. C. Sewell) Copies Mailed: yes (mcke)
- 02/10/1998 161 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order (bsha) [Entry date 02/11/98]
- 02/10/1998 162 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [161-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 02/11/98]
- 02/10/1998 163 DECLARATION of Raldall J. Boe, Esq. (bsha) [Entry date 02/11/98]
- 02/10/1998 164 NOTICE of Hearing: Motion Hearing set for 10:00 2/20/98 for [161-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order (bsha) [Entry date 02/11/98]
- 02/13/1998 165 ORDER, this matter came before the Court on defts' Objections to Magistrate Judge Poretz's Order. As the Court does not find that the decision of Magistrate Judge Poretz of 12/12/97 was clearly erroneous, it is hereby ORDERED that the decision of the Magistrate Judge is Affirmed - ent. & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (ltun) [Entry date 02/17/98]
- 02/13/1998 166 MOTION by plaintiffs to Certify Class (ltun) [Entry date 02/17/98]
- 02/13/1998 167 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [166-1] motion by plaintiffs to Certify Class (ltun) [Entry date 02/17/98]
- 02/13/1998 168 NOTICE of Hearing: Motion Hearing set for 10:00 3/6/98 for [166-1] motion by plaintiffs to Certify Class (ltun) [Entry date 02/17/98]
- 02/18/1998 169 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in opposition to [161-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha)
- 02/18/1998 171 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel (bsha) [Entry date 02/20/98]
- 02/18/1998 172 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [171-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 02/20/98]
- 02/18/1998 173 NOTICE of Hearing: Motion Hearing set for 10:00 2/27/98 for [171-1] motion by

Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel (bsha) [Entry date 02/20/98]

02/19/1998 170 REPLY BRIEF in support by America Online, Inc., Stephen M. Case, Lennert J. Leader of [161-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha)

02/20/1998 -- Minute entry: Mag. Judge Jones. Rpt. Casamo. Appearance of counsel. Matter argued and the deft's motion for an addition protective order- denied. (dana)

02/20/1998 174 ORDER denying [161-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for an Additional Protective Order (signed by Magistrate Judge Thomas R. Jones Jr.) Copies Mailed: y (dana)

02/24/1998 175 Plaintiffs' Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [171-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel by Lennert J. Leader, Stephen M. Case, America Online, Inc. (tthu)

02/24/1998 176 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission (ltun)

02/24/1998 177 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission (ltun)

02/24/1998 178 NOTICE of Hearing: Motion Hearing set for 10:00 3/6/98 for [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission (ltun)

02/24/1998 179 Opposition by America Online, Inc., Stephen M. Case, Lennert J. Leader to [166-1] motion by plaintiffs to Certify Class (bsha)

02/25/1998 180 Reply Brief by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [171-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel (clar)

02/26/1998 181 TRANSCRIPT (WCS) for dates of 1/16/98 (Reporter Casamo & Associates) (tthu)

02/26/1998 182 TRANSCRIPT (TRJ) for dates of 2/20/98 (Reporter Casamo & Associates) (tthu)

02/27/1998 -- Minute entry: Judge W. Curtis Sewell. Tapes #50 and 81. Reporter; Casamo and assoc. Appearances; of counsel. Matter came on as defts. motion for reconsideration of order dated 2-9-98 -Argued and denied. Order to follow. (ntho)

02/27/1998 183 ORDER denying [171-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Reconsideration of [160-1] order dated 2/9/98 denying defts motion to compel (signed by Magistrate Judge W. C. Sewell) Copies Mailed: y. (ntho) [Entry date 03/02/98]

02/27/1998 184 ORDER ordering that all fact discovery must be completed by May 29, 1998. The pretrial conference will be conducd June 18, 1998, at 10:00 am. See specific order for details (signed by Magistrate Judge W. C. Sewell) Copies Mailed: y. (ntho) [Entry date

03/02/98] [Edit date 03/02/98]

- 02/27/1998 -- Deadline updated; reset Pretrial Conference for 10:00 6/18/98, Motion Hearing set for 10:00 3/20/98 for [166-1] motion by plaintiffs to Certify Class (ltun) [Entry date 03/02/98]
- 03/04/1998 185 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in opposition to [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 03/05/98]
- 03/05/1998 186 REPLY MEMORANDUM in support by America Online, Inc., Stephen M. Case, Lennert J. Leader of [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha) [Entry date 03/06/98]
- 03/06/1998 -- Minute entry: Judge W. Curtis Sewell. Tapes 84 and 83. Reporter; Casamo and assoc. Appearances; of counsel. Matter came on as defts motion to modify pltfs subpoena-argued and denied. Order to follow. (ntho) [Entry date 03/09/98]
- 03/06/1998 187 ORDER denying [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission (signed by Magistrate Judge W. C. Sewell) Copies Mailed: y. (ntho) [Entry date 03/09/98] [Edit date 04/17/98]
- 03/06/1998 188 MOTION by plaintiffs for Clarification of 2/20/98 order (bsha) [Entry date 03/09/98]
- 03/06/1998 189 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [188-1] motion by plaintiffs for Clarification of 2/20/98 order by plaintiffssssssssssss (bsha) [Entry date 03/09/98]
- 03/06/1998 190 NOTICE of Hearing: Motion Hearing set for 10:00 3/13/98 for [188-1] motion by plaintiffs for Clarification of 2/20/98 order (bsha) [Entry date 03/09/98]
- 03/06/1998 191 MOTION by Miklos Wechter for leave to Withdraw as lead pltf (mcke) [Entry date 03/09/98] [Edit date 03/09/98]
- 03/06/1998 192 MEMORANDUM in opposition by non party The Securities and Exchange Commission to [176-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. to Modify Pltfs' Subpoena dated 2/18/98 served on the Securities and Exchange Commission (mcke) [Entry date 03/09/98]
- 03/06/1998 193 REPLY MEMORANDUM in support by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, America Online, Inc., Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran of [166-1] motion by plaintiffs to Certify Class by plaintiffssssssssssss (bsha) [Entry date 03/10/98]
- 03/09/1998 194 TRANSCRIPT for dates of 2/27/98 (WCS) - filed. (ltun) [Entry date 03/10/98]
- 03/10/1998 195 CONSENT ORDER granting [191-1] motion by Miklos Wechter for leave to Withdraw

as co-lead pltf - ent. & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes
(ltun) [Entry date 03/11/98]

- 03/11/1998 196 MOTION by plaintiffs for Protective Order regarding tape recorded interviews of witnesses (bsha) [Entry date 03/13/98]
- 03/11/1998 197 MEMORANDUM by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses by plaintiffssssssssssss (bsha) [Entry date 03/13/98]
- 03/11/1998 198 NOTICE of Hearing: Motion Hearing set for 10:00 3/20/98 for [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses (bsha) [Entry date 03/13/98]
- 03/12/1998 199 SUPPLEMENTAL BRIEF AND SUBMISSION by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses by plaintiffssssssssssss (bsha) [Entry date 03/13/98]
- 03/16/1998 200 SURREPLY by America Online, Inc., Stephen M. Case, Lennert J. Leader in opposition to [166-1] motion by plaintiffs to Certify Class by plaintiffs (bsha) [Entry date 03/17/98] [Edit date 03/25/98]
- 03/18/1998 201 Opposition by America Online, Inc., Stephen M. Case, Lennert J. Leader to [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses (clar)
- 03/18/1998 202 Brief by America Online, Inc., Stephen M. Case, Lennert J. Leader in opposition to [188-1] motion by plaintiffs for Clarification of 2/20/98 order (clar) [Entry date 03/19/98]
- 03/19/1998 203 REPLY Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to response to [166-1] motion by plaintiffs to Certify Class (clar) [Entry date 03/20/98]
- 03/19/1998 204 REPLY Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadic Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross to response to [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses (clar) [Entry date 03/20/98]
- 03/20/1998 -- Minute entry: Mag. Judge Jones. Rpt. Rudiger and Green. Appearance of counsel. Matter argued and pltf's motion for clarification treated as a motion to reconsider - granted, and the pltf's motion for a protective order- granted. Order to be entered. (dana)
- 03/20/1998 205 ORDER granting [196-1] motion by plaintiffs for Protective Order regarding tape recorded interviews of witnesses, granting [188-1] motion by plaintiffs for Clarification of 2/20/98 order, which is treated as a motion to reconsider (signed by Magistrate Judge Thomas R. Jones Jr.) Copies Mailed: y (dana)
- 03/24/1998 206 TRANSCRIPT for dates of 3/20/98 before Mag. Judge Jones (rwar) [Entry date 03/25/98]
- 03/27/1998 207 CONSENT ORDER. that the date for pltf's expert disclosure for Prof. Donna L.

Hoffman is extended to and including 5/1/98; and it is further Ordered that the date for defts' expert disclosure of an expert, if any, who will respond to Prof. Hoffman's disclosure is Extended to and including 7/3/98 - ent. & filed (signed by Magistrate Judge W. C. Sewell) Copies Mailed: yes (ltun) [Entry date 03/30/98]

- 04/03/1998 208 MOTION by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Clarification and Reconsideration of [205-1] order dated 3/20/98 by Magistrate Judge Jones (bsha)
- 04/03/1998 209 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [208-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Clarification and Reconsideration of [205-1] order dated 3/20/98 by Magistrate Judge Jones by Lennert J. Leader, Stephen M. Case, America Online, Inc. (LARGE PLEADING) (bsha)
- 04/03/1998 210 NOTICE of Hearing: Motion Hearing set for 10:00 4/10/98 for [208-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Clarification and Reconsideration of [205-1] order dated 3/20/98 by Magistrate Judge Jones (bsha)
- 04/08/1998 211 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in opposition to [208-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Clarification and Reconsideration of [205-1] order dated 3/20/98 by Magistrate Judge Jones by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha)
- 04/09/1998 212 REPLY BRIEF in support by America Online, Inc., Stephen M. Case, Lennert J. Leader of [208-1] motion by Lennert J. Leader, Stephen M. Case, America Online, Inc. for Clarification and Reconsideration of [205-1] order dated 3/20/98 by Magistrate Judge Jones by Lennert J. Leader, Stephen M. Case, America Online, Inc. (bsha)
- 04/10/1998 -- Minute entry: Magistrate Judge Jones. Reporter: Rudiger & Green. Appearances: Counsel for Pltf. & Deft. This matter came on for Deft's. Motion for reconsideration - Matter argued & Denied. Order to be entered. (jsch) [Entry date 04/13/98]
- 04/10/1998 213 ORDERED, that the defendant's motion for reconsideration is denied. (signed by Magistrate Judge Thomas R. Jones Jr.) Copies Mailed: y (jsch) [Entry date 04/13/98]
- 04/10/1998 -- Minute entry: Judge Hilton. Reporter: Linnell. Appearance of counsel. Pltf's motion to certify class - granted. Order to enter. (psid) [Entry date 04/22/98]
- 04/15/1998 214 TRANSCRIPT filed for dates of 4/10/98 (CMH) (Reporter Linnell) (tthu)
- 04/15/1998 215 TRANSCRIPT - filed for dates of 4/10/98 (TRJ) (Reporter Rudiger & Green Reporting Service) (tthu)
- 04/15/1998 216 MOTION by Lennert J. Leader, Stephen M. Case, and America Online, Inc. for Summary Judgment (bsee) [Entry date 04/17/98]
- 04/15/1998 217 MEMORANDUM by America Online, Inc., Stephen M. Case, Lennert J. Leader in support of [216-1] motion by Lennert J. Leader, Stephen M. Case, and America Online, Inc. for Summary Judgment (bsee) [Entry date 04/17/98]
- 04/15/1998 218 (VOLUME I) APPENDIX OF EXHIBITS TO MEMORANDUM OF LAW IN SUPPORT OF DEFT'S MOTION FOR SUMMARY JUDGMENT filed by defendants America Online, Inc., Stephen M. Case, and Lennert J. Leader (bsee) [Entry date 04/17/98] [Edit date 04/17/98]

- 04/15/1998 219 (VOLUME II) APPENDIX OF EXHIBITS TO MEMORANDUM OF LAW IN SUPPORT OF DEFT'S MOTION FOR SUMMARY JUDGMENT filed by defendants America Online, Inc., Stephen M. Case, and Lennert J. Leader (Large Pleading) (bsee) [Entry date 04/17/98]
- 04/15/1998 220 NOTICE of Hearing: Motion Hearing set for 10:00 5/8/98 for [216-1] motion by Lennert J. Leader, Stephen M. Case, and America Online, Inc. for Summary Judgment (bsee) [Entry date 04/17/98]
- 04/17/1998 221 MOTION by plaintiffs for relief under rule 56(f) (bsha) [Entry date 04/20/98]
- 04/17/1998 222 BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [221-1] motion by plaintiffs for relief under rule 56(f) by plaintiffssssssssssss (bsha) [Entry date 04/20/98]
- 04/17/1998 223 Declaration of Craig C. Reilly. (bsha) [Entry date 04/20/98]
- 04/17/1998 224 NOTICE of Hearing: Motion Hearing set for 10:00 4/24/98 for [221-1] motion by plaintiffs for relief under rule 56(f) (bsha) [Entry date 04/20/98]
- 04/21/1998 225 ORDER that pltfs' motion for class certification is granted and that this action be maintained as a class action pursuant to Rule 23(a) and d(b)(3) on behalf of all persons who purchased the common stock of AOL during the period from 8/10/95 to 10/29/96. Excluded from the class are AOL, Stephen M. Case, Lennert J. Leader, James G. Andress, Janice Brandt, Frank K. Caufield, David Cole, Michael M. Connors, John L. Davies, Miles Gilburne, Alexander M. Haig, Jr., Richard E. Hanlon, James V. Kimsey, Ellen M. Kirsh, Matthew Korn, Theodore Leonsis, Marc S. Seriff, Jean N. Villanueva, and Audry Y. Weil, members of their immediate families, and any entity in which any of them has a controlling interest. (signed by Judge Claude M. Hilton) Copies Mailed: yes (psid) [Entry date 04/22/98]
- 04/22/1998 226 RESPONSE by America Online, Inc., Stephen M. Case, Lennert J. Leader in opposition to [221-1] motion by plaintiffs for relief under rule 56(f) by plaintiffssssssssssss (bsha)
- 04/22/1998 232 NOTICE of Attorney Appearance of Fred Isquith, Curtis Trinko, Marc S. Henzel (foreign counsel) for David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross (clar) [Entry date 04/29/98]
- 04/24/1998 227 MOTION by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 (bsha) [Entry date 04/27/98]
- 04/24/1998 228 MEMORANDUM by Stephen M. Case, Lennert J. Leader in support of [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 by Lennert J. Leader, Stephen M. Case (LARGE PLEADING) (bsha) [Entry date 04/27/98]
- 04/24/1998 229 NOTICE of Hearing: Motion Hearing set for 10:00 5/1/98 for [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 (bsha) [Entry date 04/27/98]
- 04/24/1998 230 NOTICE of Attorney Appearance for Stephen M. Case, Lennert J. Leader by Alice Stevens Fisher (bsha) [Entry date 04/27/98]
- 04/27/1998 231 ORDER. that def't's motion for summary judgment is removed from the docket on

5/8/98, and may be renoticed to be heard at the end of discovery; terminated deadlines ent. & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (clar) [Entry date 04/29/98]

- 04/29/1998 -- Deadline updated; Motion Hearing set for 10:00 5/15/98 for [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 (bsha)
- 05/01/1998 233 Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross in opposition to [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 by Lennert J. Leader, Stephen M. Case (clar) [Entry date 05/06/98]
- 05/06/1998 234 Brief by Stephen M. Case, Lennert J. Leader in support of [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 (clar) [Entry date 05/08/98]
- 05/13/1998 235 SURREPLY BRIEF by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in opposition to [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 by Lennert J. Leader, Stephen M. Case (bsha) [Entry date 05/14/98]
- 05/14/1998 237 Amended Stipulated Protective Order of Confidentiality re: handling and labeling of confidential materials (see order for details) (signed by Magistrate Judge Thomas R. Jones Jr.) Copies Mailed: yes (clar) [Entry date 05/19/98]
- 05/15/1998 236 ORDER denying [227-1] motion by Lennert J. Leader, Stephen M. Case for Reconsideration of [83-1] order dated 11/7/97 (signed by Judge Claude M. Hilton) Copies Mailed: y (rwar) [Entry date 05/19/98]
- 05/21/1998 -- Case settled per CMH Chambers - taken off pretrial docket this date (jsol)
- 06/01/1998 238 JOINT MOTION by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, America Online, Inc., Stephen M. Case, Lennert J. Leader, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran to suspend pretrial proceedings pending approval of settlement filed by plaintiffs, defendant, plaintiff (clar) [Entry date 06/05/98]
- 06/03/1998 -- So Ordered: granting [238-1] joint motion to suspend pretrial proceedings pending approval of settlement filed by plaintiffs, defendant, plaintiff (signed by Judge Claude M. Hilton) Copies Mailed: yes (clar) [Entry date 06/05/98]
- 09/16/1998 239 NOTICE of Attorney Appearance for America Online, Inc., Stephen M. Case, Lennert J. Leader by Jennifer Carrie Holmes (clar) [Entry date 09/25/98]
- 10/16/1998 240 Stipulation and Agreement of Settlement by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Timothy D. Baker, Lee Ross, America Online, Inc., Stephen M. Case, Lennert J. Leader, Jerry Weinberg, Tim Moran (large pleading) (clar) [Entry date 10/21/98] [Edit date 10/21/98]
- 10/20/1998 241 Preliminary ORDER in Connection with Settlement Proceedings whereas, on 10/16/98, the parties to the above entitled Litigation entered into a Stipulation and Agreement of

Settlement (the "Stipulation") which is subject to review under Rule 23 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") and which, together with the exhibits thereto, sets forth the terms and conditions for the proposed Settlement of the claims alleged in the Second Corrected Amended Class Action Complaint for Violation of The Securities and Exchange Act of 1934 (the "Amended Complaint"), all preceding versions of the Amended Complaint, and the original Complaint, on the merits and with prejudice, upon the terms and conditions set forth in the Stipulation; and the Court having read and considered the Stipulation and the accompanying documents; and the Parties to the Stipulation having consented to the entry of this Order; and all capitalized terms used herein having the meanings defined in the Stipulation; Now, Therefore, it is hereby ORDERED, that a hearing (the "Settlement Fairness Hearing") pursuant to Fed. R. Civ. P. 23(e) is hereby scheduled to be held before the court on 12/14/98 @ 9:00 am. The Court will consider comments and/or objections to the Settlement or the award of attorneys' fees and reimbursement of expenses only if such comments or objections and any supporting papers are filed in writing with the clerk of the court and copies of all such papers are received, on or before 12/7/98. Attendance at the hearing is not necessary; however, persons wishing to be heard orally in opposition to the approval of the Settlement are required to indicate in their written objections their intention to appear at the hearing. Persons who intend to object to the Settlement and/or counsel's application for an award of attorneys' fees and expenses and desire to present evidence at the Settlement Fairness Hearing must include in their written objections the identity of witnesses they intend to call to testify and exhibits they intend to introduce into evidence at the Settlement Fairness Hearing. Class Members who have no comments or objections do not need to appear at the hearing or take any other action to indicate their approval. In the event the Stipulation is terminated, then, within 5 days after the termination, the Parties shall jointly seek a hearing before the Court to re-schedule pre-trial proceedings. (see order for details) (signed by Judge Claude M. Hilton Copies Mailed: yes (large pleading) (clar) [Entry date 10/21/98] [Edit date 10/21/98]

- 10/20/1998 -- Deadline updated; set Settlement Fairness Hearing for 9:00 12/14/98 (clar) [Entry date 10/21/98]
- 12/07/1998 242 Brief by David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran in support of [240-1] approval of Stipulation of Settlement and Award of Fees and Expenses by plaintiffs, defendant (clar) [Entry date 12/09/98]
- 12/07/1998 243 Compendium of AFFIDAVITS in support of the proposed settlement and the joint application for an award of attorneys' fees and reimbursement of expenses Re: [240-1] (large pleading) (clar) [Entry date 12/09/98]
- 12/07/1998 244 Compendium of AFFIDAVITS in support of the Proposed Settlement and the Joint Application for and Award of Attorneys' Fees and Reimbursement of Expenses Re: [240-1] (large pleading) (clar) [Entry date 12/09/98]
- 12/11/1998 245 Declaration of Craig C. Reilly (clar)
- 12/14/1998 246 ORDER and FINAL JUDGMENT for David Orman, Gary D. Walter, Scott D. Walter, Jason Raffenaud, Barbara Y. Walter, Tadric Page, Bernard Goldsmith, Gina Florens, Miklos Wechter, Timothy D. Baker, Lee Ross, Edward Cohen, Jerry Weinberg, Donna Moran, Tim Moran are hereby awarded the sum of \$10,500,000.00 in fees, which sum the Court finds to be fair and reasonable. and \$1,558,079.21 in reimbursement of expenses.

which shall be paid to Plaintiffs' Counsel from the Gross Settlement Fund with interest from the date such Gross Settlement Fund was funded to the date of payment at the same rate that the Cash Settlement Amount earns. The award of attorneys' fees shall be allocated among counsel for plaintiffs and the Class in a fashion which, in the opinion of Plaintiffs' Co-Lead counsel, fairly compensates counsel for the Plaintiffs and the Class for their respective contributions in the prosecution of the litigation against America Online, Inc., Stephen M. Case, Lennert J. Leader (see order for details) - ent & filed (signed by Judge Claude M. Hilton) Copies Mailed: yes (clar) [Entry date 12/17/98]

- 12/14/1998 -- Case closed (clar) [Entry date 12/17/98]
- 11/24/1999 247 MOTION by plaintiffs for Distribution of Class Funds (cbru) [Entry date 11/26/99]
- 11/24/1999 248 AFFIDAVIT of George A. Bauer III In Support of [247-1] motion by plaintiffs for Distribution of Case Settlement Funds and other relief (cbru) [Entry date 11/26/99]
- 11/24/1999 249 AFFIDAVIT of D. Lee Janvrin In Support of [247-1] motion by plaintiffs for Distribution of Class Funds (Large Pleading) (cbru) [Entry date 11/26/99] [Edit date 11/26/99]
- 11/24/1999 250 AFFIDAVIT of Craig C. Reilly In Support of Award of Settlement Administration Fees and Expenses Filed on Behalf of Richards McGettigan Reilly & West, P.C. (cbru) [Entry date 11/26/99]
- 11/24/1999 251 NOTICE of Hearing: Motion Hearing set for 10:00 12/17/99 for [247-1] motion by plaintiffs for Distribution of Class Funds (cbru) [Entry date 11/26/99]
- 12/15/1999 252 ORDERED that, re:[247-1] motion by plaintiffs for Distribution of Class Funds, Gilardi & Co.LLC be paid the sum of \$559,525 from the Settlement Fund; Milberg Weiss Bershad Hynes & Lerach LLP be paid the sum of \$19,408.60 from the Settlement Fund; that Richards McGettigan Reilly & West, P.C. be paid the sum of \$3,799.40 from the Settlement Fund; the balance of the Settlement Fund after deducting the payments previously allowed and set forth herein shall be distributed to the authorized claimants (see Order for details) (signed by Judge Claude M. Hilton) Mailed: yes [EOD Date: 12/16/99] (cbru) [Entry date 12/16/99]
- 12/16/1999 -- Per CMH chambers motions set for 12/17/99 on papers (bsha)