

**United States District Court**  
**Northern District of Illinois (Chicago)**  
CIVIL DOCKET FOR CASE #: 1:97-cv-03456

Antell v. Arthur Andersen LLP  
Assigned to: Hon. Wayne R. Andersen  
Demand: \$0  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 05/09/1997  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

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V.

**Defendant**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/09/1997	1	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of Salvatore J. Graziano, Richard H Weiss, Todd Collins, Jill Abrams, Sherrie R. Savett, Jennifer Winter Sprengel, A. Wexler, Marvin Alan Miller as attorney(s) for plaintiff James B Antell III ( no summons(es) issued.) ( Documents: 1-1 through 1-3) (meg) Modified on 05/12/1997 (Entered: 05/12/1997)
05/09/1997		RECEIPT regarding payment of filing fee paid; on 5/9/97 in the amount of \$ 150.00, receipt # 493022. (meg) (Entered: 05/12/1997)
06/02/1997	2	REFERRAL ORDER of 5/30/97: Case referred from Hon. Wayne R. Andersen to Hon. Martin C. Ashman pursuant to General Rule 2.41(b) to conduct hearings and enter appropriate orders to conduct necessary proceedings and enter order on report and recommendation on all nondispositive motions through filing of pretrial materials including final pretrial order. (For further detail see order.) Mailed notice (yap) (Entered: 06/03/1997)
06/06/1997		SCHEDULE set on 6/6/97 by Hon. Martin C. Ashman : Status hearing set to 10:00 a.m. on 7/21/97 in courtroom 2214. Mailed notice (is) (Entered: 06/06/1997)
07/11/1997	3	ATTORNEY APPEARANCE for Arthur Andersen LLP by William F. Lloyd, Jeffrey R. Tone, Jeffrey Charles Sharer (cdh) (Entered: 07/14/1997)
07/14/1997	5	MINUTE ORDER of 7/14/97 by Hon. Wayne R. Andersen: By agreement of the parties, defendant is extended to 7/21/97 to answer or otherwise plead to plaintiff's complaint. Mailed notice (yap) (Entered: 07/16/1997)
07/15/1997	4	WAIVER of service of summons as to defendant sent on 5/12/97 (yap) (Entered: 07/15/1997)

		07/15/1997)
07/17/1997		MOTION by defendant for finding of relatedness and reassignment (Attachments); Notice of motion (Original in case file 94 C 7089) (yap) (Entered: 07/30/1997)
07/21/1997		SCHEDULE set on 7/21/97 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 9/11/97. No notice (is) (Entered: 07/21/1997)
07/21/1997	6	MOTION by defendant to dismiss class action complaint ; Notice of motion (yap) (Entered: 07/29/1997)
07/21/1997	7	MEMORANDUM by defendant in support of his motion to dismiss class action complaint [6-1] (Attachment) (yap) (Entered: 07/29/1997)
07/21/1997	8	APPENDIX filed by defendant in support of his motion to dismiss class action complaint [7-1] (yap) (Entered: 07/29/1997)
07/21/1997	10	MOTION by applicants Nick Pino Jr, Anthony DiCamillo and Ralph Corigliano for appointment of lead plaintiffs and for the approval of their selection of lead counsel ; Notice of motion. (Temporarily unavailable for docketing.) (ar) Modified on 08/07/1997 (Entered: 08/07/1997)
08/04/1997	9	MINUTE ORDER of 8/4/97 by Hon. Wayne R. Andersen : Defendant's motion to dismiss class action complaint [6-1] is briefed as follows: Plaintiff to respond on or before 9/12/97. Defendant to reply on or before 10/3/97. No ruling date set. This motion is referred to Magistrate Judge Ashman for a Report and Recommendation. Nunc pro tunc 7/29/97. No notice (yap) (Entered: 08/06/1997)
08/06/1997	11	MINUTE ORDER of 8/6/97 by Hon. Martin C. Ashman : Class members Nick Pino, Jr., Anthony DiCamillo and Ralph Corigliano's motion for the appointment of lead plaintiffs [10-1] and for the approval of their selection of lead counsel [10-2] is granted. Mailed notice (ar) (Entered: 08/07/1997)
08/12/1997	12	REFERRAL ORDER of 8/6/97: Referring to Hon. Martin C. Ashman from Hon. Wayne R. Andersen pursuant to General Rule 2.41(b) to conduct hearings and enter appropriate orders on the following pretrial motion/matter: Defendant's motion to dismiss class action complaint [6-1]. (For further detail see order.) Mailed notice (yap) (Entered: 08/13/1997)
08/13/1997	13	MINUTE ORDER of 8/13/97 by Hon. Martin C. Ashman: On motion of class members Nick Pino, Jr, Anthony Dicamillo and Ralph Corigliano's for the appointment of lead plaintiffs [10-1] and for the approval of their selection of lead counsel, [10-2] the motion is granted. (See reverse of minute order.) Mailed notice (yap) Modified on 08/14/1997 (Entered: 08/14/1997)
09/05/1997	14	MOTION by plaintiff to file Exhibit A to complaint, instanter (Exhibit); Notice of motion (yap) (Entered: 09/10/1997)
09/09/1997	15	MINUTE ORDER of 9/9/97 by Hon. Martin C. Ashman: Plaintiff's motion to file Exhibit A to complaint, instanter [14-1] is granted. Telephoned notice (yap) (Entered: 09/10/1997)
09/11/1997	16	MINUTE ORDER of 9/11/97 by Hon. Martin C. Ashman : Status hearing held; continued to 10/17/97 at 10:00 a.m. Plaintiff's are given an extension of time to file

		their response to defendant's motion to dismiss class action complaint to 9/19/97 [6-1]. Reply due 10/10/97. Oral argument on defendant's motion to dismiss class action complaint [6-1] set for 10/17/97 at 10:00 a.m. Mailed notice (yap) (Entered: 09/12/1997)
09/19/1997	17	RESPONSE by defendants Nick Pino Jr, Anthony DiCamillo and Ralph Corigliano to defendants' motion to dismiss class action complaint [6-1]; Notice of filing (yap) (Entered: 09/22/1997)
09/19/1997	18	AFFIDAVIT of Todd S. Collins (Exhibits) (yap) (Entered: 09/22/1997)
10/10/1997	19	REPLY memorandum by defendant in support of defendant's motion to dismiss class action complaint [6-1] (Exhibits) (meg) (Entered: 10/14/1997)
10/17/1997	20	MINUTE ORDER of 10/17/97 by Hon. Martin C. Ashman : Status hearing held. Oral argument held. Defendant's motion to dismiss class action complaint [6-1] is taken under advisement. Ruling to be made by mail No notice (yap) (Entered: 10/21/1997)
11/13/1997	21	MOTION by plaintiff for leave to file supplemental memorandum in opposition to motion to dismiss (Exhibit); Notice of motion. (Temporarily unavailable for docketing.) (dmkf) (Entered: 11/19/1997)
11/18/1997	22	MINUTE ORDER of 11/18/97 by Hon. Martin C. Ashman: Plaintiff's motion for leave to file supplemental memorandum in opposition to motion to dismiss is denied as stated in open court [21-1]. Matter is still under advisement. Mailed notice (dmkf) (Entered: 11/19/1997)
01/28/1998	23	NOTICE by plaintiff of name change; Notice of filing. (dmkf) (Entered: 01/29/1998)
02/20/1998	24	REPORT AND RECOMMENDATION concerning motion to dismiss class action complaint [6-1] (dmkf) (Entered: 02/24/1998)
02/20/1998	25	MINUTE ORDER of 2/20/98 by Hon. Martin C. Ashman : Status hearing set for 4/6/98 at 10:00 a.m. Report and recommendation regarding defendant's motion to dismiss is hereby submitted to Judge Andersen re [6-1]. Mailed notice (dmkf) (Entered: 02/24/1998)
03/05/1998	26	OBJECTIONS by defendant to Magistrate's report and recommendation on defendant's motion to dismiss class action complaint [24-1]. (dmkf) (Entered: 03/06/1998)
03/05/1998	27	MEMORANDUM by defendant in support of defendant's objections to Magistrate's report and recommendation of defendants' motion to dismiss class action complaint [26-1] (Attachments). (dmkf) (Entered: 03/06/1998)
03/10/1998	28	OBJECTIONS by defendant to Magistrate's report and recommendation [24-1] (Exhibits); Notice of filing. (dmkf) (Entered: 03/10/1998)
03/10/1998	29	MINUTE ORDER of 3/10/98 by Hon. Wayne R. Andersen: Defendant's motion to dismiss class action complaint is withdrawn without prejudice [6-1]. Mailed notice (dmkf) (Entered: 03/24/1998)
03/23/1998	30	MEMORANDUM by defendant in opposition to plaintiffs' objections to magistrate

		report and recommendation (Attachment). (dmkf) (Entered: 03/24/1998)
03/26/1998	31	RENEWED MOTION by defendant to dismiss class action complaint ; Notice of motion. (dmkf) (Entered: 03/27/1998)
04/01/1998	32	MINUTE ORDER of 4/1/98 by Hon. Wayne R. Andersen : The minute order dated 03/10/98 is vacated. Defendant's motion to dismiss shall be reinstated [31-1]. Mailed notice (dmkf) (Entered: 04/03/1998)
04/06/1998		SCHEDULE set on 4/6/98 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 5/22/98. Parties to note that date is different from the one given in open court. Mailed notice (is) (Entered: 04/08/1998)
04/09/1998	33	TRANSCRIPT of proceedings for the following date(s): 10/17/98 before Honorable Martin C. Ashman (dmkf) (Entered: 04/10/1998)
04/30/1998	34	MEMORANDUM, OPINION, AND ORDER (dmkf) (Entered: 05/04/1998)
04/30/1998	35	MINUTE ORDER of 4/30/98 by Hon. Wayne R. Andersen: Enter memorandum, opinion and order: For the foregoing reasons, we adopt Magistrate Judge Ashman's report and recommendation [24-1]. Arthur Andersen's motion to dismiss the complaint pursuant to F.R.C.P. 12(b)(6) based on the one-year statute of limitations is denied [31-1]. The motion to dismissed based on the three-year statute of repose is granted in part and denied in part. Arthur Andersen's motion to dismiss is denied as to plaintiff's DeCamillo and Pino. The objections [26-1], [28-1] to the report and recommendation are hereby overruled. Mailed notice (dmkf) (Entered: 05/04/1998)
05/15/1998	36	MOTION by defendant motion for extension of time to answer complaint ; Notice of motion. (dmkf) (Entered: 05/20/1998)
05/19/1998	37	MINUTE ORDER of 5/19/98 by Hon. Martin C. Ashman: Defendant's motion for extension of time to answer complaint is granted [36-1]. Defendant's time to answer the complaint is extended until 05/22/98. Telephoned notice (dmkf) (Entered: 05/20/1998)
05/20/1998		SCHEDULE set on 5/20/98 by Hon. Martin C. Ashman : Status hearing reset to 10:00 6/3/98. Mailed notice (is) (Entered: 05/20/1998)
05/20/1998	38	ANSWER to class action complaint by defendant (dmkf) (Entered: 05/22/1998)
06/03/1998		SCHEDULE set on 6/3/98 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 8/31/98. Discovery ordered closed on 12/31/98. Mailed notice (is) (Entered: 06/03/1998)
07/01/1998		EXECUTIVE committee order of 07/01/98: (Terminating the case referral to Hon. Martin C. Ashman). The case is referred to Hon. Nan R. Nolan. Mailed notice. (nlf) (Entered: 07/06/1998)
07/16/1998		SCHEDULE set on 7/16/98 by Hon. Nan R. Nolan : Status hearing set for 8/31/98 is stricken. Initial status hearing before Magistrate Judge Nolan set for 7/29/98 at 11:00 a.m. in courtroom 1858. For further details see attached standing order. Mailed notice (fce) (Entered: 07/16/1998)
07/16/1998	39	ATTORNEY APPEARANCE for plaintiff by Jeffrey C. Zwerling, Esther Berkowitz-Caballero (dmkf) (Entered: 07/22/1998)

07/20/1998	40	MINUTE ORDER of 7/20/98 by Hon. Wayne R. Andersen : Jeffrey C. Zwerling and Esther Berkowitz-Caballero are given leave to file their additional appearances on behalf of plaintiff. Mailed notice (dmkf) (Entered: 07/22/1998)
07/23/1998	43	MOTION by lead plaintiffs Nick Pino Jr, Anthony DiCamillo class certification ; Notice of motion. (dmkf) (Entered: 07/30/1998)
07/23/1998	44	MEMORANDUM by lead plaintiffs Nick Pino, Anthony Dicamillo in support of their motion for class certification [43-1] (Exhibits). (dmkf) (Entered: 07/30/1998)
07/27/1998	41	STATUS REPORT by defendant (Attachments). (dmkf) (Entered: 07/28/1998)
07/27/1998	42	STATUS REPORT by plaintiff (Exhibits); Notice of filing. (dmkf) (Entered: 07/28/1998)
07/28/1998	45	MINUTE ORDER of 7/28/98 by Hon. Wayne R. Andersen: Leade plaintiffs Pino and DiCamillos' motion for class certification is referred to Magistrate Judge Nan R. Nolan re [43-1]. No notice (dmkf) (Entered: 07/30/1998)
07/29/1998		SCHEDULE set on 7/29/98 by Hon. Nan R. Nolan : Status hearing held; continued to 10:00 a.m. 10/13/98. Parties to file joint status report prior to 10/13/98 status. Mailed notice (fce) (Entered: 07/29/1998)
08/03/1998	46	REFERRAL ORDER of 07/30/98: Referring to Honorable Nan R. Nolan from Honorable Wayne R. Andersen pursuant to local general rule 2.41(b) to conduct hearings and enter appropriate orders on the following pretrial motion/matter: Lead plaintiff's Pino and DiCamillos' motion class certification [43-1]. (For further detail see order.) Mailed notice (dmkf) (Entered: 08/04/1998)
08/10/1998	47	NOTICE by David Haller with Howard,Smith & Levin LLP of change of law firm name. (fce) (Entered: 08/11/1998)
08/17/1998	48	MINUTE ORDER of 8/17/98 by Hon. Nan R. Nolan: Defendant's response to plaintiffs' motion class certification [43-1] due 09/21/98; plaintiffs' reply due 10/1/98. Mailed notice (dmkf) (Entered: 08/18/1998)
09/15/1998	49	MINUTE ORDER of 9/15/98 by Hon. Nan R. Nolan: Pursuant to status hearing held 07/29/98 where it was agreed defendant would be granted time to take depositions before responding to plaintiffs' class certification motion and by agreement of the parties, defendant's response to plaintiffs' motion for class certification now due 11/05/98; plaintiff's reply now due 11/20/98. No further continuances will be granted. As per order of 06/03/98, discovery cut off date is 12/31/98 [43-1]. Status hearing set for 10/13/98 is reset to 12/2/98 at 10:00 a.m. Mailed notice (dmkf) (Entered: 09/16/1998)
09/17/1998	50	LETTER dated 09/16/98 to Karen from Jeffrey C. Sharer (dmkf) (Entered: 09/21/1998)
11/05/1998	51	MEMORANDUM by defendant in opposition to plaintiff's motion class certification [43-1] (Attachments). (dmkf) (Entered: 11/06/1998)
11/12/1998	52	UNOPPOSED MOTION by plaintiff for extension of time to file reply in further support of motion for class certification ; Notice of motion. (dmkf) (Entered: 11/17/1998)

11/16/1998	53	MINUTE ORDER of 11/16/98 by Hon. Nan R. Nolan: Plaintiffs' unopposed motion for extension of time to file reply in further support of for class certification is granted [52-1]. Plaintiff's reply in further support of their motion class certification [43-1] is due 12/04/98. The court will rule by mail on plaintiffs' motion for class certification. Status hearing set for 12/02/98 is reset to 1/6/99 at 10:00 a.m. for a report on discovery. Mailed notice (dmkf) (Entered: 11/17/1998)
12/03/1998	54	MINUTE ORDER of 12/3/98 by Hon. Nan R. Nolan : At plaintiffs' request and by agreement of defendant, plaintiffs' reply in further support of their motion class certification [43-1] is now due 12/9/98. The court will rule by mail on plaintiffs' motion for class certification. Status hearing set for 01/06/99 at 10:00 a.m. for a report on discovery to stand. Mailed notice (dmkf) (Entered: 12/08/1998)
12/09/1998	55	REPLY memorandum by Nick Pino Jr, Anthony Dicamillo in support of their motion for class certification [43-1] (Exhibits); Notice of filing. (dmkf) (Entered: 12/10/1998)
12/23/1998	56	MOTION by plaintiff to withdraw attorneys from the firm of Howard, Smith & Levin ; Notice of motion. (dmkf) (Entered: 01/11/1999)
01/05/1999	57	MINUTE ORDER of 1/5/99 by Hon. Wayne R. Andersen: Plaintiff's motion to withdraw appearance of Aaron R. Marcu, J. Jay Lobell and David W. Haller is granted [56-1]. Aaron R. Marcu, J. Jay Lobell and David W. Haller are given leave to withdraw their appearances. Mailed notice (dmkf) (Entered: 01/11/1999)
01/06/1999		SCHEDULE set on 1/6/99 by Hon. Nan R. Nolan : Status hearing held. Parties appear and report settlement. Status hearing continued to 10:00 2/10/99. Mailed notice (fce) (Entered: 01/06/1999)
02/10/1999	58	MINUTE ORDER of 2/10/99 by Hon. Nan R. Nolan : Plaintiffs' motion class certification is withdrawn without prejudice [43-1]. No notice (dmkf) (Entered: 02/11/1999)
03/09/1999		SCHEDULE set on 3/9/99 by Hon. Nan R. Nolan : Status hearing reset to 10:00 3/23/99. Mailed notice (fce) (Entered: 03/09/1999)
03/23/1999		SCHEDULE set on 3/23/99 by Hon. Nan R. Nolan : Status hearing held; continued to 10:00 4/22/99. Plaintiffs to file motion for preliminary approval of settlement. Mailed notice (fce) (Entered: 03/23/1999)
04/22/1999	59	PROPOSED order preliminarily approving settlement (dmkf) (Entered: 04/26/1999)
04/22/1999	60	MOTION by plaintiff for preliminary approval of the proposed settlement . (dmkf) (Entered: 04/26/1999)
04/22/1999	61	MEMORANDUM by plaintiff in support of class plaintiffs' motion for preliminary approval of the proposed settlement [60-1] (dmkf) (Entered: 04/26/1999)
04/22/1999	62	STIPULATION of settlement (Exhibits). (dmkf) (Entered: 04/26/1999)
04/22/1999	63	MINUTE ORDER of 4/22/99 by Hon. Nan R. Nolan : Status hearing held. Parties tendered their (Proposed) order preliminarily approving settlement. Fairness hearing set for 9/8/99 at 1:30p.m. No notice (dmkf) (Entered: 04/26/1999)

04/29/1999	64	[PROPOSED] ORDER preliminary approving settlement (dmkf) Modified on 05/03/1999 (Entered: 05/03/1999)
04/29/1999	65	MINUTE ORDER of 4/29/99 by Hon. Nan R. Nolan: Class plaintiff's motion for preliminary approval of the proposed settlement is granted [60-1]. Enter order preliminary approving settlement. Mailed notice (dmkf) (Entered: 05/03/1999)
08/30/1999	66	JOINT petition by plaintiff for award of attorneys fees and reimbursement of expenses (Attachments); Notice of filing. (dmkf) (Entered: 08/31/1999)
08/30/1999	67	MEMORANDUM by plaintiff in support of final approval of the proposed settlement (dmkf) (Entered: 08/31/1999)
08/30/1999	68	MEMORANDUM by plaintiff in support of joint petition for award of attorneys fees and litigation costs and expenses [66-1] (Attachment). (dmkf) (Entered: 08/31/1999)
08/30/1999	69	AFFIDAVIT of Edward J. Sincavage, CPA regarding dissemination of notice of the class (Attachments). (dmkf) (Entered: 08/31/1999)
09/09/1999	70	MINUTE ORDER of 9/9/99 by Hon. Nan R. Nolan: Fairness hearing held. Notice was sent to the class and there was no opposition to the proposed settlement. For the reasons stated in open court and all of the findings in the proposed order of final judgment of dismissal, this court recommends to Judge Andersen that he enter the order of final judgment of dismissal in the form proposed by the parties. All matters relating to the referral of this action having been resolve, the case is returned to the assigned judge. Mailed notice (dmkf) (Entered: 09/14/1999)
10/01/1999	71	MINUTE ORDER of 10/1/99 by Hon. Wayne R. Andersen: (Enter order of final judgment and dismissal.) This Court has jurisdiction over the subject matter of the lawsuit and over all parties to the lawsuit, including all members of the settlement class. This Court hereby dismisses the lawsuit in its entirety, with prejudice and without costs (except as otherwise provided in the stipulation). The Court hereby authorized payments from the Gross Settlement Fund of Class Counsel in the amounts of \$300,000.00 for attorneys' fees and \$86,987.86 for costs and expenses, plus interest and \$31,155.76 for all costs associated with notice and settlement administration through 08/30/99 terminating case . Mailed notice (dmkf) (Entered: 10/04/1999)
05/16/2000	72	LETTER from Michael W. Hoffman to Claims Administrator, dated 05/08/00 (Attachment) (ar) (Entered: 05/17/2000)
10/03/2001	<a href="#">73</a>	MINUTE ORDER of 10/3/01 by Hon. Wayne R. Andersen : (Entered order approving distribution of settlement funds to valid claimants, allowing late-filed claims, disallowing rejected claims, and allowing payment of additional settlement administration costs.) Mailed notice (yp) (Entered: 10/11/2001)

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