

US District Court for the District of Nevada

2:97cv791

Stanley Peltz v. Polyphase Corp, et al

Date Filed: 06/27/1997
Assigned To:
Referred To:
Nature of suit: Securities (850)
Cause: 15 USC 78j(b)
Lead Docket:
Other Docket: None
Jurisdiction: Federal Question

Class Code: CLOSED
Closed: Yes
Statute:
Jury Demand: p
Demand Amount: \$0

Litigants

Attorneys

Peltz, Stanley
PLAINTIFF

Daniel Polsenberg
[COR LD NTC]
Beckley Singleton, CHTD
530 Las Vegas Blvd South
Las Vegas , NV 87101
USA
702-385-3373

Kaaran Thomas
[COR LD NTC]
Beckley Singleton, CHTD
530 Las Vegas Blvd South
Las Vegas , NV 87101
USA
702-385-3373

Alan Plutzik
[COR LD NTC]
Farrow Bramson Baskin & Plutzik
2125 Oak Grove Rd
Walnut Creek , CA 94598
USA
000-000-0000

Daniel Osborn
[COR LD NTC]
Beatie & Osborn
521 Fifth Ave
New York , NY 10075

USA
(212) 888-9000

Gregory Moore
[COR LD NTC]
Farrow Bramson Baskin & Plutzik
2125 Oak Grove Rd
Walnut Creek , CA 94598
USA
000-000-0000

Russel Beatie
[COR LD NTC]
Beatie & Osborn
521 5TH Ave, #3400
New York , NY 10175-3499
USA
(212) 888-9000

v.

PLY Stadium Partners, Inc
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Polyphase Corporation
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy

Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Pyrenees Group
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Rudis, James
DEFENDANT

Patrick Rose
[COR LD NTC]
Jones Vargas
3773 Howard Hughes Pkwy
Las Vegas , NV 89109

USA
702-734-2220

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Albert Greco
[COR LD NTC]
Albert B Greco, Jr
16901 N Dallas Pkwy, Ste 230
Addison , TX 75001
USA
(972) 818-7333

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Schrader, George R
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA

(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Shatley, William E
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Tanner, Paul A
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Buck, Michael F
DEFENDANT

Thomas Kummer
[COR LD NTC]
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Pkwy
Las Vegas , NV 89109
USA
702-792-7000

Drew Heard
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Stephen Dollar
[COR LD NTC]
Jenkins & Gilchrist
1445 Ross Avenue
Dallas , TX 75200
USA
(000)

Date	#	Proceeding Text
07/29/2002	--	EVENT RECEIVED cert copy of decree of the Ct fr C/As
02/28/2003	--	EVENT RECEIVED jnt pto - RLH
05/19/2000	--	EVENT SEE HARD DOCKET FOR ENTRIES #1 THROUGH 108.
05/30/2003	--	EVENT RECEIVED stip to dismiss - RLH
10/31/2002	--	EVENT RECEIVED stip to substitute resident attny obo D James Rudis to KC
10/11/2002	--	EVENT RECEIVED stip/ord ext time to reply to mtn to compel - RJJ
11/25/2002	--	EVENT RECEIVED SUBMISSION OF AGREED ORD - RLH
09/11/2002	--	EVENT RECEIVED vp/desig obo Albert Greco - RLH
04/18/2000	108	ORDER MINUTE ORD crt has considered Ds Emerg Mtn to Quash Subp (#99) & Ps Resp (#105) & Supplmnt thereto (#106). Ds Mtn to Quash (#99) is GRANTED w/out

prej. Ps may enew modified discov reqsts restricted to matters related to the Overhill Farm loan situation. Cps dist.

04/24/2000 109 RESPONSE REPLY to Mtn to Dism (#100) obo Ds. (m)

04/25/2000 110 ERRATA to #109 obo Ds. (m)

05/08/2000 111 TRANSCRIPT OF PROCEEDINGS Re Mtn. to Dism (#61) & Mtn to Stay Proc (#70) before HDM on 3/3/00. (C/R Kathryn French)

05/26/2000 112 MOTION/TIME Emergency Motion for extn of time to complete discv obo Ps. (m) jr (DISPO:oppo #113 REPLY #114

06/02/2000 113 RESPONSE OBJECTIONS to Ps emergency mtn for extn of time to complete discv (#112) obo Ds. (m)

06/13/2000 114 NOT USED

06/13/2000 114 RESPONSE REPLY to emergency mtn for ext of time (#112) obo Ps. (m) (FLD SEP DUE TO SIZE)

06/16/2000 115 MOTION/DISPOSITIVE SUMMARY JUDGMENT D's polyphase corp. (m) DISPO: memo (#116) afdt (#139) stmt (#140) memo (#141) afdt (#143) reply (#146) errata (#151); GRANTED #161

06/16/2000 116 MEMORANDUM in supt of D's Polyphase corps mtn for S/J (m)

06/16/2000 117 MOTION/DISPOSITIVE SUMMARY JUDGMENT deft Michael f. Buck (m) (DISPO:n supt of #118 affdvt #139 #140 #141 #143 reply #150 errata #151; GRANTED #161

06/16/2000 118 AFFIDAVIT aff'd of Deft. Michael F. Buck in supt of mtn for S/J. (m) (DISPO: affdvt in oppo 139 #140 #141 #143 reply #150 errata #151

06/16/2000 119 MOTION/DISPOSITIVE SUMMARY JUDGMENT Deft. George R. Schrader's (m) (DISPO: in supt #120 in oppo affdvt #139 #140 #141 #143 reply #148 errata #151 reply #154; GRANTED #161

06/16/2000 120 AFFIDAVIT Deft's George r. Schraders in supt of mtn for S/J (m)

06/16/2000 121 MOTION/DISPOSITIVE SUMMARY JUDGMENT Deft Paul A. Tanner's (m) (DISPO:in supt of #122 affdvt in oppo #139 140 #141 #143 reply #149 errata #151; GRANTED #161

06/16/2000 122 AFFIDAVIT of Deft. Paul A. Tanner in supt of mtn for S/J (m)

06/20/2000 123 ORDER MINUTE (HDM) ORD that this actn is reassigned to the Honorable Roger L. Hunt for all fur proc. FUR ORD that all fur docs shall bear the correct case number of CV-S-97-791-RLH(RJJ). Clk of the crt is directed to change the fl & docket to reflect this assignmnt. (Cps dst)

06/16/2000 124 MOTION/DISPOSITIVE SUMMARY JUDGMENT by Dfts Ply Stadium Partners & Pyreness Group. (m) DISPO: afdt (#139) stmt (#140) memo (#141) afdt (#143) reply (#147) errata (#151); GRANTED #161

06/16/2000 125 MOTION/DISPOSITIVE SUMMARY JUDGMENT obo D. James Rudis (m) DISPO: afdt (#139) stmt (#140) memo (#141) afdt (#143) reply (#145) errata (#151); GRANTED #161

06/16/2000 126 AFFIDAVIT of D. James Rudis in supt of mtn for S/J #125 (m) FILD SEP

06/27/2000 127 ORDER that Ps emergency mtn for ext of time to complete disc #112 is GRANTED> FUR ORD that disc in this case is ext to 7/31/00.

06/27/2000 128 MOTION/TIME (DISPO: MOOT per #161

06/30/2000 129 MOTION/TIME for ext of time to resp to mtns for S/J Emergency resolution req obo P. (m)

07/10/2000 130 ORDER TIME mtn for ext of time to resp to mtns for S/J emergency resolution req ext 10 days. (cps dist)

07/25/2000 131 MOTION/NON DISPOSITIVE QUASH emergency mtn to quash Ps new Disc obo Ds. (m) (DISPO: GRANTED #137

07/21/2000 132 MOTION/NON DISPOSITIVE RECONSIDER of Mag RJJ's Ord ext disc per purs to LR IB 3-1(a). (m) (DISPO: reply #134; DENIED as MOOT #161

07/26/2000 133 CERTIFICATE OF SERVICE re Ds emergency mtn to quash Ps new disc obo Ds. (m)

07/27/2000 134 RESPONSE REPLY to Ds mtn for recnsdrtn of Mag RJJ's ord ext disc period purs to LR IB 3-1(a). (s)

07/31/2000 135 SUPPLEMENT to emergency mtn to quash Ps new Disc obo Ds. (m)

08/01/2000 136 MOTION/NON DISPOSITIVE for leave to file consoldtd resp to Ds 6 mtns for S/J which exceeds 20pgs. (DISPO: resp #144; GRANTED #161

08/07/2000 137 ORDER that Ds mtn to quash Ps new disc #131 is GRANTED. (cps dist)

08/04/2000 138 RESPONSE REPLY to Ds emergency mtn to quash Ps new disc obo Ps. (m)

08/10/2000 139 AFFIDAVIT of Eduard Korsinsky in oppo to Ds mtns for S/J obo P.

08/10/2000 140 STATEMENT of disputed issues in oppo to mtn for s/j obo P. (m)

08/10/2000 141 MEMORANDUM in oppo to Ds mtns for S/J obo P. (m)

08/10/2000 142 MOTION/NON DISPOSITIVE REQUEST for judicial notc obo Ps. (m) (DISPO: DENIED #161

08/10/2000 143 AFFIDAVIT of Wanda L. Lorenz in oppo to Ds mtns for S/J obo Ps.

08/15/2000 144 RESPONSE to Ps mtn for leave to file consolidated resp to Ds (6) mtns for S/J obo P. (m)

08/17/2000 145 RESPONSE REPLY by Dft James Rudis in support of Dft's mtn for sum jgm (#125). (m)

08/17/2000 146 RESPONSE REPLY by Dft Pol.yphase Corp in support of Dft's mtn for sum jgm (#115). (m)

08/17/2000 147 RESPONSE REPLY by Dfts Ply Stadium Partners Inc & Pyrenees Group in support of Dfts' mtn for sum jgm (#124). (m)

08/17/2000 148 RESPONSE REPLY brief in suppt of mtn for S/J obo D Tanner. (m)

08/17/2000 149 RESPONSE REPLY in suppt of mtn for S/J obo D Bucks. (m)

08/24/2000 150 ERRATA notc of errata re affdvt of James P. Wilson in oppo to Ds mtns for S/J obo P. (m)(fld sep due to size)

08/17/2000 151 MOTION/NON DISPOSITIVE STRIKE Ps S/J resp obo Ds. (m) (DISPO: reply #153

oppo #155 Sur-reply #159; DENIED #161

- 08/22/2000 152 ORDER MINUTE the trial date of 9/18/00 is VACATED. FUR ORD that a proposed jt pto in full complaine /LR 16-4 shl be due 45 days following the entry of the ords on the pending mtns. (cps dist)
- 09/12/2000 153 RESPONSE REPLY in suppt of mtn to strike Ps S/J resp obo D. (m)
- 08/17/2000 154 RESPONSE REPLY brief in suppt of mtn for S/J obo D Schrader. (m)
- 09/28/2000 155 RESPONSE OPPOSITION to Ds mtn to strike Ps oppo to S/J obo P. (m)
- 10/06/2000 156 VERIFIED PETITION obo Alan R. Plutzik cnsl for Ps in CV-S-97-1129-RLH. (CPS DIST)
- 10/10/2000 157 DESIGNATION OF RESIDENT COUNSEL Alan R. Plutzik desig Kaaran Thomas as lcl cnsl for Ps in CV-S-97-1129-RLH. (CPS DIST)
- 08/24/2000 158 CERTIFICATE OF SERVICE re Vp/Desig obo P. (m)
- 10/13/2000 159 RESPONSE REPLY to Ps oppo to Ds mtn to strike Ps S/J resps obo P. (m)
- 11/02/2000 160 CALENDARING NOTICE a procdng has been set for 11/9/00 re Mtn to Dism (#100), Mtms for S/J (#115,117,119,121,124 & 125), Mtn to reconsider RJJ's ord ext disc (#132), mtn to consolidate resps (#136), Mtn to take Judicial note (#142), Mtn to Strike (#151), & mtn to ext time (#112). (cps dist)
- 11/13/2000 161 MINUTES OF PROCEEDINGS HEARING ORD Ply Stadiums & Pyrenees Mtn to Dism (#100) is DENIED. Mtn for Oral hrng (#128) is MOOT. FUR ORD mtn to consolidate (#136) is GRANTED. FUR ORD the Mtn to take judicial note (#142) & Mtn to Strike (#151) are DENIED. FUR ORD the mtn to reconsider (3132) is denied as moot. FUR ORD Ds Buck (#117), Schrader (#119), Ply Stadium (#124), & Rudis' Mtn for S/J (#125) are GRANTED. FUR ORD Ds Tanner, Polyphase, Ply Stadium & Pyrenees' Mtms for S/J (#121, #115, #124) are GRANTED. (cps dist)
- 11/13/2000 162 JUDGMENT D Shatleys Mtn to dism is GRANTED. Ds Polyphase, Tanner, Ply Stadium, Pyrenees Group, Rudis, Buck & Schraders Mtms for /J are GRANTED. Judgmnt is ent in favor of Ds & against P. (cps dist)
- 11/15/2000 163 NOTICE of letter req for delay in Judicial Ruling obo Ps. (m) (DENIED #171)
- 11/17/2000 164 TRANSCRIPT OF PROCEEDINGS on 11/9/00 re Mtn to Dism, S/J, Reconsider RJJ's ord ext disc, consolidate resps, take judicial notc strike & ext time. (ct reprtr Lucille Litsheim)
- 11/17/2000 165 TRANSCRIPT OF PROCEEDINGS re mtms to dism, S/J, etc Ct reporter Lucille Litsheim
- 11/21/2000 166 MOTION/NON DISPOSITIVE in suppt of mtn for reargumnt purs to rule 59 of FRCP obo P. (m) (DISPO: oppo #167, final reply in suppt #169, DENIED #175)
- 12/11/2000 167 RESPONSE to Ps mtn for reargument obo Ds. (m)
- 12/11/2000 168 MOTION/NON DISPOSITIVE for sanctns obo Ds. (m) (DISPO: oppo #169 (also sub #166), reply #170, DENIED #174)
- 12/26/2000 169 RESPONSE OPPOSITION to Ds Mtn for sanctns & in fur suppt of Ps Mtn for reargumnt purs to Rule 59 of the FRCP obo P. (m)
- 01/09/2001 170 RESPONSE REPLY in suppt of Mtn for sanctns obo Ds. (m)

01/11/2001 171 ORDER that Ps req for Delay (#163) is DENIED. (cps dist)

01/24/2001 172 NOTICE REQUEST by Plf for hrg re Plfs' mtn for rehrg and Dfts' mtn for sanctions (#168). DISPO: resp #173, DENIED as MOOT #175

02/21/2001 173 RESPONSE to Ps notc of req for oral hrng re mtn for re-hrng #172 & Ds mtn for sanctns #168. obo D. (m)

03/06/2001 174 ORDER Ds Mtn for sanctns #168 is DENIED. Ps req for oral hrng #172 is DENIED as moot. (cps dist)

03/06/2001 175 ORDER Ps memo #166 is DENIED. Ps req #172 is DENIED as moot. (cps dist)

04/02/2001 176 NOTICE OF APPEAL obo P. (m) (receipt #47655)

04/13/2001 177 TRANSMITTAL to C/A frm D/C re notc of appl; dkt fee notfctn; cpy of dkt sht. (cps dist)

04/23/2001 178 TRANSMITTAL fr the C/A assigning case #01-15732

05/14/2001 179 OTHER Representation stmt obo Ps (m)

05/14/2001 180 TRANSCRIPT DESIGNATION obo P re hrng ll/9/00 Doc #164 hrng on Ds mtns for S/J mtn to reconsier, mtn to take judicial notc, mtn to consolidate, mtn for oral hrng mtn to disp..

05/30/2001 181 TRANSMITTAL cert of recrd mld to C/A.

07/19/2001 182 TRANSCRIPT DESIGNATION #165 Mtn for S/J obo Appellant.

07/25/2001 183 TRANSMITTAL cert of recrd mld to C/A.

09/27/2001 184 MOTION/NON DISPOSITIVE ex parte app for TRO obo Ps. (m) (DISPO: memo #186, affdvt #187, #188, ord #192, resp #193)

09/27/2001 185 MOTION/NON DISPOSITIVE PRELIMINARY INJUNCTION enjoining D Polyphase, Pendente lite, from spinning off or otherwise transferring stock of it's subsidiary Overhill Farms & for other relief obo Ps. (m) (DISPO: memo #186, affdvt #187, #188, resp #193, affdvt #194 & #195)

09/27/2001 186 MEMORANDUM in suppt of #184 & #185 obo Ps. (m)

09/27/2001 187 AFFIDAVIT of Kathryn A. Schofeld in suppt of #184 & #185 (part 1 of 2) obo Ps. (m) (fld sep due to size)

09/27/2001 188 AFFIDAVIT of Kathryn A. Schofeld in suppt of #184 & #185 (part 2 of 2) obo Ps. (m)

09/27/2001 189 MOTION/NON DISPOSITIVE REQUEST for judicial notc in suppt of Ps app for TRO & prelim injunc obo P. (m) (fld sep due to size) (DISPO: ord #198)

09/27/2001 190 CERTIFICATE OF SERVICE re #184-#189 obo P.

09/27/2001 191 LETTER from P re #182-190

09/28/2001 192 ORDER that a TRO is hereby issd, w/o necessity of a bond, until the hrng on the prelim injunc. Hrng on the prelim shl be held on 10/11/01 @ 8:30 am. Ps shl serv Ds & their cnsl w/cpy of this ord. (cps dist)

10/04/2001 193 RESPONSE to Ps ex parte app for TRO & prelim injunc #184 & #185 obo Ds. (m)

10/04/2001 194 AFFIDAVIT of James Rudis supportng Ds resp (#193) to Ps mtn (#184 & #185) obo Ds. (m)

10/04/2001 195 AFFIDAVIT of Thomas F. Kummer supporting Ds resp (#193) to Ps mtn (#184 & #185) obo Ds. (m) (fld sep due to size)

10/04/2001 196 NOTICE of entry of ord re (#192) obo Ps.

10/04/2001 197 OTHER proof of service re TRO obo P.

10/09/2001 198 RETURN MAIL #192 mld to Beatie, marked, return to sender. (re-mld 10/15/01)

10/11/2001 199 MINUTES OF PROCEEDINGS HEARING Ps mtn for prelim injunc is denied. The TRO the Ct issd prior to this hrng is dissolved. (cps dist) (Ct Reporter Lucille Litsheim)

10/19/2001 200 TRANSCRIPT OF PROCEEDINGS re Prelim Injunc on 10/11/01. (Ct Reporter Lucille Litsheim)

07/29/2002 201 ORDER (cc) fr C/As ORD that the judgmnt is AFFIRMED IN PART, REVERSED IN PART AND REMANDED.

07/29/2002 202 ORDER AMENDED (cc) the petn for rehrg is DENIED.

07/29/2002 203 MEMORANDUM (cc) fr C/As

07/31/2002 204 LETTER fr Drew Heard re emrgncy app to Dist Ct.

08/07/2002 205 ORDER MANDATE the judgmnt is affirmed in part, reversed in part & remanded. The mandate be spread upon the rcdrds of the Ct. A status hrng is set for 8/21/02 @ 10:00 am. (cps dist)

08/22/2002 206 MINUTES OF PROCEEDINGS HEARING dtd 8/21/02 Ct Reporter Joy Hinck re: status on remand. This case is placed on the trial stack of 3/10/03. Calendar Call shl be 3/5/03 @ 8:45 am. (cps dist)

09/05/2002 207 MOTION/NON DISPOSITIVE PRELIMINARY INJUNCTION obo plntfs. (m) (fld sep) (DISPO: oppo #212, affdvt #213, #214, objctns #215, reply #221, affdvt #222, objctns #223, resp #224, DENIED ORD #217, #228)

09/12/2002 208 MOTION/NON DISPOSITIVE COMPEL disclosure by plntfs, for sanctns, & for entry of sched ord obo dfts. (m) (DISPO: oppo #218; affdvt #234; reply #235, ext #237, DENIED ord #264)

09/16/2002 209 VERIFIED PETITION obo Albert Greco out of st cnsl for James Rudis. (cps dist)

09/17/2002 210 DESIGNATION OF RESIDENT COUNSEL Albert Greco hereby desig Thomas Kummer as local cnsl for James Rudis. (cps dist)

09/23/2002 211 MOTION/NON DISPOSITIVE TEMPORARY RESTRAINING ex parte app for TRO or, ITA for hrng on mtn for prelim injunc obo plntf. (DISPO: DENIED ord #217,

09/23/2002 212 RESPONSE OPPOSITION to app for prelim injunc (#207) obo dfts. (m)

09/23/2002 213 AFFIDAVIT of James Rudis in oppo to plntfs 2nd app for prelim injunc (#207) obo dfts. (m)

09/23/2002 214 AFFIDAVIT of William E. Shatley in oppo to plntfs 2nd app for prelim injunc (#207) obo dfts. (m)

09/23/2002 215 RESPONSE OBJECTIONS to plntfs evidence submitted w/(#207) obo dfts. (m)

09/24/2002 216 CALENDARING NOTICE re: app for TRO (#211) on 9/26/02 @ 9:00 am. (cps dist)

09/26/2002 217 MINUTES OF PROCEEDINGS HEARING dtd 9/26/02 re: app for TRO (#211) (Ct

Reporter Lucille Litsheim) The vp of Daniel Osborn is approved. The app for TRO (#211) is DENIED. (cps dist)

09/26/2002 218 RESPONSE OPPOSITION to dfts mtn to compel disclosure (#208) obo pltfs. (m)

09/27/2002 219 VERIFIED PETITION obo Daniel Osborn out of st cnsl for pltf. (cps dist)

09/27/2002 220 DESIGNATION OF RESIDENT COUNSEL Daniel Osborn hereby desig Daniel Polsenberg as lcl cnsl for pltf. (cps dist)

09/27/2002 221 RESPONSE REPLY in suppt of pltfs mtn for prelim injunc (#207) & app for TRO (#211) obo pltfs. (m)

09/27/2002 222 AFFIDAVIT of Wanda Lorenz in suppt reply (#221) to app for prelim (#207) obo pltf. (m)

09/27/2002 223 RESPONSE OBJECTIONS to dfts evidence re: pltfs mtn for prelim injunc (#207) obo pltf. (m)

09/27/2002 224 RESPONSE to dfts objctns to mtn for prelim (#207) obo pltf. (m)

09/27/2002 225 CERTIFICATE OF SERVICE re (#218) obo pltf.

09/27/2002 226 CERTIFICATE OF SERVICE re: #223, 221 & 224 obo pltf.

09/30/2002 227 NOTICE of change of firm name fr Farrow, Bramson, Baskin & Plutzik to Farrow, Bramson & Plutzik address & phone remain the same obo pltfs. (m)

10/01/2002 228 MINUTES OF PROCEEDINGS HEARING dtd 7/26/02 amended re: app for TRO or, ITA for prelim injunc (#211) & mtn for prelim (#207) (Ct Reporter Lucille Litsheim) The vp of Daniel Osborn is approved. The app for TRO (#211) & mtn for prelim (#207) are DENIED. (cps dist)

10/03/2002 229 MOTION/NON DISPOSITIVE COMPEL obo pltf. (m) (DISPO: memo #230, declrtn #231, oppo #236, reply #240, declrtn #241, sur-reply #247, resp #250, GRANTED IN PART, DENIED IN PART ORD #264

10/03/2002 230 MEMORANDUM of P/As in suppt of mtn to compel (#229) obo pltfs. (m)

10/03/2002 231 DECLARATION of Alan R. Plutzik in suppt of mtn to compel (#229) obo pltf. (fld se)

10/03/2002 232 CERTIFICATE OF SERVICE re (#229-231) obo pltf.

10/07/2002 233 TRANSCRIPT OF PROCEEDINGS of hrng held 9/26/02 re Appl for TRO or alternatively, Mtn for Prel Injunc (c/r L. Litsheim)

10/15/2002 234 AFFIDAVIT of Drew Heard in supt of Ds mtn to cml (#208) obo D. (m)

10/15/2002 235 RESPONSE REPLY in supt of mtn to compel etc #208 obo Ds (m)

10/21/2002 236 RESPONSE OPPOSITION to mtn to compel (#229) obo dfts. (m)

10/22/2002 237 ORDER STIPULATION dfts shl have up to & incldng 10/14/02 to file & serv their reply to mtn to compel (#208). (cps dist)

11/05/2002 238 ORDER STIPULATION to sub atty Patrick Rose as cnsl of record for dft Rudis in place of & in stead of Thomas F. Kummer. (cps dist)

11/01/2002 239 STATUS REPORT INTERIM obo pltfs. (m)

11/04/2002 240 RESPONSE REPLY in suppt of mtn to compel (#229) obo pltfs. (m)

11/04/2002 241 DECLARATION reply declaration in suppt of (#229) obo pltf. (m)

11/04/2002 242 CERTIFICATE OF SERVICE proof of service re #240-242 obo pltf.

11/06/2002 243 MOTION/NON DISPOSITIVE mtn for ord certifying class obo pltf. (m) (DISPO: oppo #253 (fld sep), reply #263, DENIED ORD #298)

11/22/2002 244 ORDER MINUTE that a hrng is sched for 12/5/02 @ 8:30 am on dfts mtn to compel (#208) & Pltf's mtn to compel (#229). (cps dist)

11/15/2002 245 MOTION/NON DISPOSITIVE STRIKE pltf's experts, ita, mtn for ext of time to desig rebuttal eperts obo dfts. (m) (DISPO: oppo #258, DENIED IN PART, GRANTED IN PART ORD #264)

11/15/2002 246 STATUS REPORT INTERIM obo dfts. (m)

11/15/2002 247 RESPONSE REPLY sur-reply in resp to pltf's mtn to compel (#229) obo dfts. (m)

11/21/2002 248 MOTION/NON DISPOSITIVE REQUEST req for expedited hrng as to their mtn to strike (#245) obo dfts. (m) (DISPO: GRANTED ord #264)

11/26/2002 249 MOTION/NON DISPOSITIVE STRIKE dfts sur-reply (#247) obo pltf. (m) (DISPO:

11/26/2002 250 RESPONSE to dfts sur-reply (#247) obo pltf. (m)

11/26/2002 251 MOTION/NON DISPOSITIVE COMPEL obo pltf. (m) (DISPO: ord #285 DENIED as MOOT)

11/26/2002 252 CERTIFICATE OF SERVICE re (#249-251) obo pltf.

11/27/2002 253 RESPONSE OPPOSITION to pltf's mtn for class cert (#243) obo dfts. (m) (fld sep)

11/26/2002 254 ORDER that the ddl for dfts to file a resp to pltf's mtn is ext until 11/27/02. (cps dist)

12/02/2002 255 MOTION/NON DISPOSITIVE PROTECTIVE ORDER req pltf's depo to be taken in St. Louis obo pltf. (m) (fld sep) (DISPO: oppo #259, denied ORD #264)

12/02/2002 256 MOTION/NON DISPOSITIVE APPLICATION for order shortening time obo pltf. (m) (DISPO: GRANTED ord #264)

12/02/2002 257 CERTIFICATE OF SERVICE re (#255, 256) obo pltf.

12/03/2002 258 RESPONSE OPPOSITION of P/As in oppo to dfts mtn to strike pltf's experts (#245). (m)

12/04/2002 259 RESPONSE OPPOSITION to mtn for protctv ord (#255) obo dfts. (m)

12/04/2002 260 CERTIFICATE OF SERVICE re Pltf's expert report of Wanda Lorenz obo pltf.

11/04/2002 261 CERTIFICATE OF SERVICE re expert report of Wanda Lorenz obo pltf.

12/09/2002 262 CERTIFICATE OF SERVICE re serv of Wanda Lorenz's expert report obo pltf.

12/11/2002 263 RESPONSE REPLY to mtn for class certification (#243) obo pltf. (m)

12/12/2002 264 MINUTES OF PROCEEDINGS HEARING dtdt 12/5/02 (Tape #02-4-86 & 87) Mtn for pto (#255) is DENIED. Pltf's app for ord (#256) is GRANTED. Dfts mtn to strike (#245) is DENIED in part & GRANTED in part. Lenz depo shl go forward. Pltf's shl pay the costs for the expert's time at the depo. The Marek report shl be provided to dfts cnsl on or before 12/13/02. Marek's depo shl be taken in LV, on 12/18/02. Pltf shl pay the cost for the Marek's time of depo. Dfts req for expedited hrng (#248) is GRANTED. Pltf's mtn to compel (#229) is GRANTED in part, DENIED in part. Dfts mtn to compel (#208) is DENIED as moot. Mtn in limine due 2/20/03; jnt pto due 2/20/03. (cps dist)

12/13/2002 265 RESPONSE OBJECTIONS to Mag Judge's ord #264 obo dfts. (m) (DISPO: supplmnt #267; obj. #268,269, oppo #264, oppo #275

12/18/2002 266 MOTION/NON DISPOSITIVE (emergency) to strike pltfs expert obo dfts. (m) (DISPO: oppo #275, reply #280, GRANTED ORD #291

12/18/2002 267 SUPPLEMENT to dfts objctn to Mag Judge's order obo dfts. (m)

12/26/2002 268 RESPONSE OBJECTIONS to Mag Judge's ord denying Prot. Ord obo Ps re #264 (m) (DISPO: oppo #276, reply #279, ORD #300

12/26/2002 269 OTHER Declaration of Daniel Osborn in supt of Ps obj. to Mag Judges Order re #268

12/26/2002 270 CERTIFICATE OF SERVICE re #268,269 obo P (m)

12/16/2002 271 TRANSCRIPT OF PROCEEDINGS of Ds' mtn to compel disclosure by P & P's mtn to compel before RJJ 12/5/02 (Vol. 1) FILED SEPARATELY DUE TO SIZE

12/20/2002 272 ANSWER obo Ds. Polyphase Corp, n/k/a Trecon Corp. James Rudis , Paul Tanner; Michael F. Buck and George Schrader. (m)

12/30/2002 273 RESPONSE OPPOSITION to Ds' obj. to Mag Judge's Order obo Ps (m)

12/26/2002 274 DECLARATION of Martin Walsh, MD

01/06/2003 275 RESPONSE OPPOSITION to dfts emrgncy mtn to strike pltfs expert (#266) & dfts supplmntl objctn (#267) obo pltfs. (m)

01/13/2003 276 RESPONSE OPPOSITION to pltfs objctns (#268) obo dfts. (m)

01/21/2003 277 MOTION/NON DISPOSITIVE APPLICATION (emergency) for leave to depose 3rd party after 1/31/03 disc cut-off obo pltfs. (m) (DISPO: declrtn #278, oppo #287, granted #293

01/21/2003 278 DECLARATION of Kathryn A. Schofield in suppt of pltfs emrgncy app (#277) obo pltfs. (m)

01/17/2003 279 RESPONSE REPLY supporting objctns (#268) obo pltfs.

01/21/2003 280 RESPONSE REPLY in suppt of emergency mtn to strike (#266) obo dfts. (m)

01/21/2003 281 NOTICE change of firm name fr Farrow, Bramson & Plutzik to Bramson, Mahler & Birkhaeuser obo pltfs cnsl.

01/24/2003 282 MOTION/NON DISPOSITIVE COMPEL (2nd) mtn to compel prodctn of docs obo pltf. (m) (DISPO: declrtn #283, oppo #290, reply #295, DENIED ORD #316

01/24/2003 283 DECLARATION of Kathryn A. Schofield in suppt of mtn to compel (#282) obo pltf. (m)

01/24/2003 284 CERTIFICATE OF SERVICE re (#282 & #283) obo pltf.

02/05/2003 285 ORDER ORD: P's amnd'd mtn to compel is DENIED as MOOT based on Cts ruling on the mtn to compel #229 at the hrng held 12-5-03. cps dis

02/07/2003 286 MOTION/NON DISPOSITIVE IN LIMINE obo dfts. (m) (DISPO: objctns #314, DENIED ORD #316

02/10/2003 287 RESPONSE OPPOSITION to pltfs emrgncy mtn for leave (#277) obo dfts. (m)

02/10/2003 288 MOTION/NON DISPOSITIVE to contu trial until resolution of mtn for class certification obo pltfs. (m) (DISPO: oppo #294, DENIED ord #298

02/10/2003 289 CERTIFICATE OF SERVICE re (#288) obo pltf.

02/10/2003 290 RESPONSE OPPOSITION to (2nd) mtn to compel (#282) obo dfts. (m)

02/11/2003 291 ORDER dfts emrgncy mtn (#266) is GRANTED. (cps dist)

02/14/2003 292 ORDER REGARDING TRIAL ORD Trial is sched on stacked trial for 3/10/03 in Ctrm #6C. Cal call on 3/5/03, etc (see doc). cpys dist

02/19/2003 293 ORDER ORDER emerg app (#277) grntd; depositn to go forward on 2/21/03. cpys dist.

02/25/2003 294 RESPONSE OPPOSITION to mtn to contu trial (#288) obo dfts. (m)

02/25/2003 295 RESPONSE REPLY in support of 2nd mtn to compel (#282) obo pltfs. (m)

02/25/2003 296 CERTIFICATE OF SERVICE re (#295) obo pltfs.

02/28/2003 297 CERTIFICATE OF SERVICE re jnt pto mld to cnsl obo pltfs.

03/03/2003 298 ORDER pltf's mtn for class certification (#243) is DENIED. Pltfs mtn to contu trial (#288) is DENIED as moot. (cps dist)

03/04/2003 299 ORDER PRETRIAL (joint) trial date sched for 3/10/03 w/calendar on 3/5/03. (cps dist)

03/04/2003 300 ORDER pltfs objctn to Magistrate Judge's ord (#268) is OVERRULED.

03/04/2003 301 ORDER dfts objctn to Magistrate Judge's Order & Memo (#265) is OVERRULED. Dfts emrgncy renewed mtn to strike (#266) is DENIED. (cps dist)

03/05/2003 302 ORDER that ord (#301) is w/drawn as to the denial of dfts emrgncy mtn (#266). (cps dist)

03/05/2003 303 PROPOSED VOIR DIRE by dft. (m)

03/05/2003 304 WITNESS LIST by dft.

03/05/2003 305 JURY INSTRUCTIONS by dft. (m)

03/05/2003 306 STATEMENT joint

03/05/2003 307 OTHER receipt of re jury instruction & voir dire obo pltf.

03/06/2003 308 JURY INSTRUCTIONS by pltfs. (m)

03/06/2003 309 VERDICT verdict form

03/06/2003 310 JURY INSTRUCTIONS joint

03/06/2003 311 PROPOSED VOIR DIRE by pltf. (m)

03/06/2003 312 CERTIFICATE OF SERVICE re (#310, #311) obo pltf.

03/07/2003 313 WITNESS LIST obo pltfs. (s)

03/07/2003 314 MEMORANDUM of law objecting to dfts mtn in limine (#286) obo pltfs. (s)

03/07/2003 315 OTHER re #313, & #314 & exhibit list obo pltf.

03/10/2003 316 MINUTES OF PROCEEDINGS CALENDAR CALL dtd 3/5/03 (Ct Reporter Lucille Litsheim) Pltfs 2nd mtn to compel (#282) is DENIED. Mtn in limine (#286) is DENIED w/o prej. Jury trial in this matter shl commence 3/13/03 @ 8:30 am. Jury instructions, etc shl be fld ntl 4:00 3/5/03. (cps dist)

03/11/2003 317 TRIAL BRIEF by pltfs. (s)

03/11/2003 318 OTHER receipt of copy re (#317) obo pltfs.

03/13/2003 319 MINUTES OF PROCEEDINGS HEARING dtd 3/13/03 (Ct Reporter Lucille Litsheim)
The parties shl sub disml papers nlt (60) days. (cps dist)

05/09/2003 320 MOTION/NON DISPOSITIVE REQUEST by pltfs for enlargement of time combined
w/proof of service. (m) (DISPO: GRANTED ORD #321

05/13/2003 321 ORDER Pltfs req for time (#320) is GRANTED. (cps dist)

06/02/2003 322 ORDER STIPULATION that pltfs claims are dismissed w/prej, parties to bear their own
costs. (cps dist)