

U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:00-cv-00172-GAP

In Re: Sunstar Healthcare, et al v. , et al
Assigned to: Judge Gregory A. Presnell
Demand: \$0
Cause: 15:0078m(a) Securities Exchange Act

Date Filed: 02/08/2000
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

In Re

Sunstar Healthcare Securities Litigation

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*on behalf of herself and all others
similarly situated*

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Date Filed	#	Docket Text
02/08/2000	<u>1</u>	COMPLAINT and demand for jury trial filed pursuant to the Securities Exchange Act of 1934. (djd) (Entered: 02/08/2000)
02/08/2000		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: James G. Glazebrook (djd) (Entered: 02/08/2000)
02/08/2000		FILING FEE PAID. (Filing Fee \$ 150.00 Receipt # 70104) (djd) (Entered: 02/08/2000)
02/08/2000		SUMMONS(ES) issued for National Home Health, Steven Fialkow, Frederick H. Fialkow, Warren D. Stowell, Bernard Levine . (djd) (Entered: 02/08/2000)
02/08/2000	<u>2</u>	ORDER directing plaintiff's counsel to review and certify compliance with Local Rule 1.04(c) within 10 days. (Signed by Judge Patricia C. Fawsett, G. Kendall Sharp and Anne C. Conway) ctc (djd) (Entered: 02/08/2000)
02/10/2000	<u>3</u>	NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (djd) (Entered: 02/10/2000)
02/29/2000	<u>4</u>	RETURN OF SERVICE executed as to Steven Fialkow on 2/15/00 Answer due on 3/6/00 for Steven Fialkow (djd) (Entered: 02/29/2000)
03/06/2000	<u>5</u>	RETURN OF SERVICE executed as to National Home Health on 2/24/00. Answer due on 3/15/00 for National Home Health (djd) (Entered: 03/07/2000)

03/10/2000	6	ORDER consolidating cases with case number 6:00-cv-228-Orl-99A for all further proceedings. (Signed by Judge Patricia C. Fawsett) ctc MFR Number (djd) (Entered: 03/14/2000)
03/10/2000		Consolidated Lead Case with case number 6:00-cv-228-Orl-99A. (djd) (Entered: 03/14/2000)
03/16/2000	7	JOINT MOTION by plaintiff Gina Vincelli, defendants' National Home Health, Steven Fialkow, Frederick H. Fialkow, Warren D. Stowell, Bernard Levine (stipulation) to extend time to respond to complaint referred to Magistrate Judge James G. Glazebrook (djd) (Entered: 03/17/2000)
03/16/2000	8	JOINT MOTION by defendants' National Home Health, Steven Fialkow, Frederick H. Fialkow, Warren D. Stowell, Bernard Levine, consolidated plaintiff Mark Fiore (stipulation) to extend time to respond to complaint (Case no. 6:00-cv-228-Orl-99A) referred to Magistrate Judge James G. Glazebrook (djd) (Entered: 03/17/2000)
04/03/2000	9	NOTICE of APPEARANCE of non-resident counsel and designation of local counsel as to defendants' National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine. Local counsel: Carl F. Schoeppel and Daniel J. Becka. Non-resident counsel: Katherine C. Ash. (djd) (Entered: 04/04/2000)
04/03/2000	10	JOINT MOTION by plaintiff Gina Vincelli, defendant Warren D. Stowell (stipulation) to extend time for defendant Warren D. Stowell to respond to complaint referred to Magistrate Judge James G. Glazebrook (djd) (Entered: 04/04/2000)
04/10/2000	11	PROPOSED MOTION by movants' Gerald Gordon, Charles C. Bearoff to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274 , appointment as lead plaintiffs , and for approval of proposed Sunstar lead plaintiffs' selection of lead counsel referred to Magistrate Judge James G. Glazebrook (djd) (Entered: 04/11/2000)
04/10/2000	12	MEMORANDUM by movants' Gerald Gordon, Charles C. Bearoff in support of [11-1] motion to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274, [11-2] motion appointment as lead plaintiffs, [11-3] motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) (Entered: 04/11/2000)
04/10/2000	13	AFFIDAVIT of Kenneth J. Vianale by movants' Gerald Gordon, Charles C. Bearoff Re: [11-1] motion to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274, [11-2] motion appointment as lead plaintiffs, [11-3] motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel. Exhibits A-H attached. (djd) (Entered: 04/11/2000)
04/17/2000	14	MOTION by Carroll Quelland to appoint Carroll Quelland as lead plaintiff , and for appointment of lead counsel referred to Magistrate Judge James G. Glazebrook. (maa) (Entered: 04/17/2000)
04/17/2000	15	MEMORANDUM by Carroll Quelland in support of [14-1] motion to appoint Carroll Quelland as lead plaintiff, [14-2] motion for appointment of lead counsel. (maa) (Entered: 04/17/2000)

04/17/2000	16	NOTICE of Filing Declaration of Patrick V. Dahlstrom by Carroll Quelland. (maa) (Entered: 04/17/2000)
04/17/2000	17	DECLARATION of Patrick V. Dahlstrom by Carroll Quelland re: [14-1] motion to appoint Carroll Quelland as lead plaintiff, [14-2] motion for appointment of lead counsel. (maa) (Entered: 04/17/2000)
04/27/2000	18	MEMORANDUM of law in RESPONSE by defendants' National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine to [11-1] motion to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274, [11-2] motion for appointment as lead plaintiffs, [11-3] motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) (Entered: 04/27/2000)
04/27/2000	19	RESPONSE by defendant Warren D. Stowell and David A. Jesse to [11-1] motion to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274, [11-2] motion appointment as lead plaintiffs, [11-3] motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) (Entered: 04/27/2000)
05/15/2000	20	NOTICE of Withdrawal of Motion for Appointment as lead plaintiff by Carroll Quelland. (maa) (Entered: 05/15/2000)
05/15/2000		WITHDRAWAL of [14-1] motion to appoint Carroll Quelland as lead plaintiff and [14-2] motion for appointment of lead counsel. (maa) (Entered: 05/15/2000)
05/18/2000	21	AMENDED MOTION amending [11-1], [11-2], [11-3] motions: (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes , for appointment as lead plaintiffs and, approval of proposed Sunstar lead plaintiffs' selection of lead counsel by Gerald Gordon, Charles C. Bearoff referred to Magistrate Judge James G. Glazebrook (djd) (Entered: 05/18/2000)
05/18/2000	22	AMENDED MEMORANDUM by Gerald Gordon, Charles C. Bearoff in support of [21-1] amended motion (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes, [21-2] amended motion appointment as lead plaintiffs, [21-3] amended motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) Modified on 05/18/2000 (Entered: 05/18/2000)
05/18/2000	23	AMENDED AFFIDAVIT of Kenneth J. Vianale by Gerald Gordon, Charles C. Bearoff Re: [21-1] amended motion (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes, [21-2] amended motion appointment as lead plaintiffs, [21-3] amended motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel. Exhibits A-I attached. (djd) (Entered: 05/18/2000)
06/05/2000	24	NOTICE of non-opposition in RESPONSE by defendants' National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine to [21-1] amended motion (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes, [21-2] amended motion appointment as lead plaintiffs, [21-3] amended motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) (Entered: 06/05/2000)
06/05/2000	25	NOTICE OF CASE REASSIGNMENT to the Honorable Judge John Antoon II . ctc (djd) (Entered: 06/05/2000)
06/05/2000	26	RESPONSE by defendant Warren D. Stowell to [21-1] amended motion

		(Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes, [21-2] amended motion appointment as lead plaintiffs, [21-3] amended motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel (djd) (Entered: 06/05/2000)
07/25/2000	27	REPORT AND RECOMMENDATION of Magistrate Judge James G. Glazebrook GRANTING [21-1] amended motion (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes, further RECOMMENDING that the district court enter an order allowing Lead Plaintiffs to file, on or before September 7, 2000, an amended complaint in this case, further RECOMMENDING that the district court enter an order directing the parties to file a Case Management Report on or before October 1, 2000, further RECOMMENDING that the district court enter an order directing the government to file its answer to the amended complaint on or before October 23, 2000, further RECOMMENDING the [21-2] amended motion for appointment as lead plaintiffs be GRANTED, further RECOMMENDING the [21-3] amended motion for approval of proposed Sunstar lead plaintiffs' selection of lead counsel be GRANTED in part and DENIED in part; Motion no longer referred; Objections to R and R due by 8/11/00 ctc (rdo) (Entered: 07/25/2000)
07/25/2000	27	ORDER denying [7-1] joint motion (stipulation) to extend time to respond to complaint, denying [8-1] joint motion (stipulation) to extend time to respond to complaint, denying [10-1] joint motion (stipulation) to extend time for defendant Warren D. Stowell to respond to complaint; denying as moot the original [11-1] motion to consolidate with case numbers 6:00CV00228; 6:00CV00195; 6:00CV274, denying as moot [11-2] motion appointment as lead plaintiffs, denying as moot [11-3] motion approval of proposed Sunstar lead plaintiffs' selection of lead counsel; further ORDERING that all pending motions in the following cases are DENIED: 6:00-CV-195-ORL-28c, 6:00-CV-274-ORL-28C (Signed by Magistrate Judge James G. Glazebrook) ctc (rdo) Modified on 07/25/2000 (Entered: 07/25/2000)
08/03/2000	28	NOTICE OF CASE REASSIGNMENT to the Honorable Judge Gregory A. Presnell . ctc (rdo) (Entered: 08/03/2000)
08/17/2000	29	ORDER adopting [27-1] report and recommendations; granting [21-1] amended motion (Amended) to consolidate with case 6:00-cv-228; 6:00-cv-195; 6:00-cv-274 for all purposes; granting [21-2] amended motion for appointment as lead plaintiffs; granting in part, denying in part [21-3] amended motion for approval of proposed Sunstar lead plaintiffs' selection of lead counsel; and, setting amended complaint deadline for 9/7/00 for Gina Vincelli (Signed by Judge Gregory A. Presnell on 8/16/00) ctc (sld) (Entered: 08/17/2000)
08/17/2000		DEADLINE updated; resetting answer to amended complaint due on 10/23/00 for National Home Health National Home Health (sld) (Entered: 08/18/2000)
08/17/2000		DEADLINE updated; reset answer due on 10/23/00 for Bernard Levine, Warren D. Stowell, Frederick H. Fialkow, Steven Fialkow and National Home Health (gjs) (Entered: 09/11/2000)
09/07/2000	30	CONSOLIDATED AMENDED CLASS ACTION COMPLAINT by Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky, Lee J. Brodsky

		amending [1-1] complaint (Answer due 10/23/00); jury demand (gjs) (Entered: 09/11/2000)
09/12/2000		SUMMONS(ES) issued for David A. Jesse, Maria L. Escurra and Jack W. Shields (sld) Modified on 09/13/2000 (Entered: 09/12/2000)
10/02/2000	31	AGREED MOTION by Warren D. Stowell and David A. Jesse with memorandum in support to extend time to file the case management report to a date 70 days following the last order denying any motion to dismiss the Complaint and for leave for counsel to attend the case management meeting by telephone referred to Magistrate Judge James G. Glazebrook (sld) Modified on 10/04/2000 (Entered: 10/03/2000)
10/04/2000	32	RETURN of service executed as to Maria Escura on 9/22/00; Answer due on 10/12/00 for Maria Escura (sld) (Entered: 10/12/2000)
10/06/2000	33	NOTICE of attorney appearance for Maria Escura by David B. King and Thomas A. Zehnder (sld) (Entered: 10/12/2000)
10/16/2000	34	ORDER granting in part [31-1] motion to extend time to file the case management report to a date 70 days following the last order denying any motion to dismiss the Complaint; case management report is due 45 days from order disposing of motion to dismiss given statutory stay by Congress; also granting [31-2] motion for leave for counsel to attend the case management meeting by telephone; court may strike a case management report that fails to agree on dates after a telephone conference (Signed by Magistrate Judge James G. Glazebrook on 10/13/00) ctc (sld) (Entered: 10/16/2000)
10/17/2000	35	AGREED MOTION by National Home Health, Steven Fialkow, Frederick H. Fialkow and Bernard Levine with memorandum in support for leave to file memorandum of law in excess of page limitation set forth in local rule 3.01 referred to Magistrate Judge James G. Glazebrook (sld) Modified on 10/18/2000 (Entered: 10/17/2000)
10/20/2000	36	INTERESTED PERSONS ORDER; within 11 days from the date of this order, parties shall file a Certificate of Interested Persons and Corporate Disclosure Statement (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 10/23/2000)
10/23/2000	37	MOTION by National Home Health Care, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields to dismiss the consolidated amended class action complaint referred to Judge Gregory A. Presnell (sld) (Entered: 10/24/2000)
10/23/2000	38	MEMORANDUM by National Home Health Care, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields in support of [37-1] motion to dismiss the consolidated amended class action complaint (sld) (Entered: 10/24/2000)
10/24/2000	39	NOTICE of filing Exhibit "A" (Echavarri v. Cellstar Corp., No. 99-1502-CIV-GRAHAM, Order Granting Defendants' Motion to Dismiss at 15 (S.D. Fla. 8/3/00)), referred to in Defendants' Motion to Dismiss and Incorporated Memorandum of Law filed on 10/13/00 by Warren D. Stowell and David A. Jesse (sld) Modified on 10/30/2000 (Entered: 10/26/2000)
10/24/2000	40	AGREED MOTION by Warren D. Stowell and David A. Jesse for leave to file page enlargement allowing defendants to file a 33-page motion to dismiss and

		incorporated memorandum of law referred to Judge Gregory A. Presnell (sld) Modified on 10/30/2000 (Entered: 10/26/2000)
10/26/2000	41	ORDER granting [39-1] motion for leave to file page enlargement allowing defendants to file a 33-page motion to dismiss and incorporated memorandum of law (Signed by Judge Gregory A. Presnell) etc (sld) Modified on 10/30/2000 (Entered: 10/26/2000)
10/27/2000	42	MOTION by Warren D. Stowell and David A. Jesse with memorandum in support to dismiss the Consolidated Amended Class Action Complaint referred to Judge Gregory A. Presnell (sld) Modified on 10/30/2000 (Entered: 10/27/2000)
10/30/2000	43	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Warren D. Stowell and David A. Jesse Re: [36-1] order (sld) Modified on 11/02/2000 (Entered: 10/31/2000)
10/30/2000	44	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Warren D. Stowell Re: [36-1] order (sld) Modified on 11/02/2000 (Entered: 10/31/2000)
10/31/2000	45	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Gina Vincelli Re: [36-1] order (sld) Modified on 11/02/2000 (Entered: 10/31/2000)
11/02/2000	46	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields Re: [36-1] order(sld) Modified on 11/02/2000 (Entered: 11/02/2000)
11/02/2000	47	NOTICE of designation under Local Rule 3.05 - TRACK 3; counsel shall meet and file a Case Management Report, due 70 days following the last order denying any motion to dismiss the complaint pursuant to Court's Order dated 10/16/00 (ctc)(sld) Modified on 11/02/2000 (Entered: 11/02/2000)
11/03/2000	48	AMENDED NOTICE of designation under Local Rule 3.05 - TRACK 3; the case management report is due 45 days following the last order denying any motion to dismiss the complaint pursuant to the Court's Order of 10/16/00 (ctc) (sld) Modified on 11/06/2000 (Entered: 11/03/2000)
11/03/2000	49	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Maria Escura Re: [36-1] order (sld) (Entered: 11/06/2000)
11/03/2000	50	AGREED MOTION by Maria Escura for leave to file (page enlargement) Motion to Dismiss and Incorporated Memorandum of Law in excess of the page limit (sld) (Entered: 11/06/2000)
11/07/2000	51	AMENDED CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Maria Escura Re: [36-1] order (sld) Modified on 11/07/2000 (Entered: 11/07/2000)
11/07/2000	52	AGREED MOTION by Gina Vincelli, Mark Fiore, Gerald Gordon, Charles C. Bereft, Edward J. Rosso, Michael Bihrl, Sunstar Healthcare, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky with memorandum in support to extend time to 12/7/00 and 12/18/00 for Plaintiffs to respond to Defendants' motions to

		dismiss (sld) Modified on 11/20/2000 (Entered: 11/09/2000)
11/20/2000	53	RETURN of service executed as to Jack Shields on 10/28/00; Answer due on 11/17/00 for Jack Shields (sld) (Entered: 11/20/2000)
11/21/2000	54	ORDER granting [52-1] motion to extend time to 12/7/00 and 12/18/00 for Plaintiffs to respond to Defendants' motions to dismiss; response to motion set to 12/7/00 for [42-1] motion to dismiss the Consolidated Amended Class Action Complaint by defendants Warren D. Stowell and David A. Jesse and [37-1] motion to dismiss the consolidated amended class action complaint by defendants National Home Health Care Corp., Frederick H. Failkow, Steven Failkow and Bernard Levine ; response to defendant Maria Escurra's Motion to Dismiss shall be filed no later than 12/18/00 (Signed by Judge Gregory A. Presnell) ctc (sld) Modified on 11/24/2000 (Entered: 11/24/2000)
11/22/2000	55	AGREED MOTION by Gina Vincelli, Mark Fiore, Gerald Gordon, Charles C. Bereft, Michael Bihrl, Jeffrey H. Brodsky, Jessica H. Brodsky, Lee J. Brodsky with memorandum in support for enlargement of page limit for plaintiffs' consolidated response (rdo) Modified on 11/24/2000 (Entered: 11/22/2000)
11/22/2000	56	ORDER denying [35-1] motion for leave to file memorandum of law in excess of page limitation set forth in local rule 3.01; Brevity will assist the Court (Signed by Magistrate Judge James G. Glazebrook on 11/20/00) ctc (sld) (Entered: 11/24/2000)
11/29/2000	57	ORDER granting [55-1] motion for enlargement of page limit for plaintiffs' consolidated response, [50-1] motion for leave to file Motion to Dismiss and Incorporated Memorandum of Law in excess of the page limit and [35-1] motion for leave to file memorandum of law in excess of page limitation set forth in local rule 3.01; and vacating [56-1] order; no party shall submit a memorandum in excess of 33 pages and no further filings in excess of the Local Rules will be accepted by the Court (Signed by Judge Gregory A. Presnell) ctc (sld) Modified on 12/04/2000 (Entered: 11/29/2000)
11/29/2000	58	CONSENT MOTION for oral argument by Warren D. Stowell and David A. Jesse re: [42-1] motion to dismiss the Consolidated Class Action Complaint (sld) (Entered: 11/30/2000)
12/04/2000	59	NOTICE OF HEARING: Motion hearing set for 4:00 on 1/23/01 for [42-1] motion to dismiss the Consolidated Amended Class Action Complaint and [37-1] motion to dismiss the consolidated amended class action complaint; Scheduled for Judge Gregory A. Presnell ctc (sld) (Entered: 12/04/2000)
12/07/2000	60	MEMORANDUM OF LAW by Gina Vincelli in opposition to [42-1] motion to dismiss the Consolidated Amended Class Action Complaint and [37-1] motion to dismiss the consolidated amended class action complaint (sld) (Entered: 12/11/2000)
12/18/2000	61	MOTION by Maria Escura with memorandum in support to dismiss the Consolidated Amended Class Action Complaint (sld) (Entered: 12/19/2000)
12/18/2000	62	MEMORANDUM OF LAW by Gina Vincelli, Gerald Gordon, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky in opposition to [61-1] motion to dismiss

		the Consolidated Amended Class Action Complaint (sld) (Entered: 12/19/2000)
01/02/2001	63	AMENDED NOTICE OF HEARING: Motion hearing set for 10:00 on 1/31/01 for [61-1] motion to dismiss the Consolidated Amended Class Action Complaint, [42-1] motion to dismiss the Consolidated Amended Class Action Complaint, [37-1] motion to dismiss the consolidated amended class action complaint; Scheduled for Judge Gregory A. Presnell (By Judicial Assistant) etc (rdo) (Entered: 01/02/2001)
01/05/2001	64	NOTICE of Supplemental Authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky re: [62-1] opposition memorandum (sld) (Entered: 01/05/2001)
01/23/2001	65	MOTION by Warren D. Stowell and David A. Jesse to allow use of computer and presentation equipment in the courtroom during hearing on defendant's motion to dismiss (sld) (Entered: 01/23/2001)
01/24/2001	66	ORDER granting [65-1] motion to allow use of computer and presentation equipment in the courtroom during hearing on defendant's motion to dismiss (Signed by Judge Gregory A. Presnell) etc (sld) (Entered: 01/24/2001)
01/25/2001	67	SECOND AMENDED NOTICE OF HEARING: Motion hearing set for 2:00 on 1/31/01 for [61-1] motion to dismiss the Consolidated Amended Class Action Complaint, [42-1] motion to dismiss the Consolidated Amended Class Action Complaint and [37-1] motion to dismiss the consolidated amended class action complaint; Scheduled for Judge Gregory A. Presnell etc (sld) (Entered: 01/25/2001)
01/30/2001	68	MOTION by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky with memorandum in support to take judicial notice of Sunstar's SEC filings and affidavits on behalf of the Florida Department of Insurance (sld) (Entered: 01/31/2001)
01/30/2001	69	APPENDIX by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky to [68-1] motion to take judicial notice of Sunstar's SEC filings and affidavits on behalf of the Florida Department of Insurance (filed separately) (sld) (Entered: 01/31/2001)
01/31/2001	70	HEARING ON DEFENDANT'S MOTIONS TO DISMISS CONSOLIDATED CLASS ACTION COMPLAINT held on 1/31/01 re: [61-1] motion to dismiss the Consolidated Amended Class Action Complaint, [42-1] motion to dismiss the Consolidated Amended Class Action Complaint and [37-1] motion to dismiss the consolidated class action complaint before Judge Gregory A. Presnell; Court Reporter: Diane Ward (sld) (Entered: 02/02/2001)
02/02/2001	71	SUBMISSION by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky in further opposition to [61-1] motion to dismiss the Consolidated Amended Class Action Complaint (sld) (Entered: 02/02/2001)
02/05/2001	72	TRANSCRIPT of Motion to Dismiss Consolidated Class Action Complaint held on 1/31/01 before Judge Gregory A. Presnell. Transcript filed separately. (sld) (Entered: 02/05/2001)
02/12/2001	73	RESPONSE by Warren D. Stowell, David A. Jesse to [68-1] motion to take judicial notice of Sunstar's SEC filings and affidavits on behalf of the Florida Department

		of Insurance (rdo) (Entered: 02/13/2001)
02/13/2001	74	MOTION by Warren D. Stowell and David A. Jesse with memorandum in support to strike [71-1] opposition memorandum to defendants' motions to dismiss (rdo) (Entered: 02/14/2001)
02/16/2001	75	ORDER granting [61-1] motion to dismiss the Consolidated Amended Class Action Complaint, [42-1] motion to dismiss the Consolidated Amended Class Action Complaint and [37-1] motion to dismiss the consolidated amended class action complaint; granting in part and denying in part [68-1] motion to take judicial notice of Sunstar's SEC filings and affidavits on behalf of the Florida Department of Insurance; the motion for the Court to take judicial notice of the SEC filings (Exhibits 1, 2 and 3) is granted, however, the affidavits of James J. Bracher and Richard M. Tan (Exhibits 4 and 5) is denied; denying [74-1] motion to strike [71-1] opposition memorandum to defendants' motions to dismiss; dismissing [30-1] amended complaint; the Plaintiff's shall have 30 days from the date of this Order to file an amended complaint; if Plaintiff's have not filed an amended complaint by 4:00 p.m. on 3/18/01, without further order of this Court, the Consolidated Amended Class Action Complaint will be dismissed with prejudice; setting amended complaint deadline for 4:00 on 3/19/01 for Lee J. Brodsky, Jessica H. Brodsky, Jeffrey H. Brodsky, Charles C. Bereft, Gerald Gordon and Gina Vincelli (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 02/16/2001)
03/09/2001	76	AGREED MOTION by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky memorandum in support to extend time to file second consolidated amended class action complaint and response thereto referred to Magistrate Judge James G. Glazebrook (sld) (Entered: 03/09/2001)
03/13/2001	77	ORDER granting [76-1] motion to extend time to file second consolidated amended class action complaint and response thereto; the Second Amended Complaint shall be filed on or before 4/2/01 and the response thereto filed up until 4/26/01; resetting second amended complaint deadline for 4/2/01 for Lee J. Brodsky, Jessica H. Brodsky, Jeffrey H. Brodsky, Charles C. Bereft, Gerald Gordon and Gina Vincelli (Signed by Magistrate Judge James G. Glazebrook ctc (sld) (Entered: 03/14/2001)
04/02/2001	78	SECOND AMENDED CONSOLIDATED CLASS ACTION COMPLAINT by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky amending [1-1] complaint; jury demand (sld) (Entered: 04/04/2001)
04/04/2001	79	NOTICE of SCRIVENER'S ERROR on pages 1 and 2 of Second Amended Consolidated Class Action Complaint (Doc. #78) by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky (sld) (Entered: 04/04/2001)
04/10/2001	80	AGREED MOTION by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky memorandum in support to enlarge page limitation on Plaintiffs' memorandum of law in opposition to Defendants' Motions to Dismiss , to extend filing deadline for Plaintiffs' opposition to Defendants' Motions to Dismiss to 5/24/01 and extend filing deadline for Defendants' Motions to Dimiss to 5/3/01 (sld) (Entered: 04/10/2001)

04/13/2001	81	ORDER granting [80-1] motion to enlarge page limitation on Plaintiffs' memorandum of law in opposition to Defendants' Motions to Dismiss, [80-2] motion to extend filing deadline for Plaintiffs' opposition to Defendants' Motions to Dismiss to 5/24/01 and [80-3] motion extend filing deadline for Defendants' Motions to Dimiss to 5/3/01; Plaintiffs may file a fifty page omnibus memorandum of law in opposition to defendants' motions to dismiss the second amended consolidated class action complaint; defendants shall file their motions to dismiss no latter then 5/3/01 and platiffs' opposition thereto shall be filed no later than 5/24/01 (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 04/13/2001)
04/16/2001	82	NOTICE of change of firm name of local counsel to Schoeppl, Burke & Kayton, P.A. by Defendant's National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields (sld) (Entered: 04/16/2001)
04/25/2001	83	AGREED MOTION by Warren D. Stowell to extend filing deadline for Defendants' motions to dismiss the second amended consolidated class action complaint up to and including 5/10/01 and to extend filing deadline for Plaintiffs' opposition to defendants' motions to dismiss to on or before 5/31/01 (sld) (Entered: 04/26/2001)
04/26/2001	84	ORDER granting [83-1] motion to extend filing deadline for Defendants' motions to dismiss the second amended consolidated class action complaint up to and including 5/10/01 and [83-2] motion to extend filing deadline for Plaintiffs' opposition to defendants' motions to on or before 5/31/01; Defendants shall file their motions to dismiss no later than 5/10/01 and Plaintiffs' opposition thereto shall be filed no later than 5/31/01 (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 04/26/2001)
05/09/2001	85	AGREED MOTION by Warren D. Stowell and David A. Jesse for (enlargement of page limitation) leave to file memoranda of law in support of their respective Motions to Dismiss the Second Amended Consolidated Class Action Complaint not to exceed 30 pages in length (ATTACHED) (sld) Modified on 05/10/2001 (Entered: 05/09/2001)
05/10/2001	86	MOTION by National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields to dismiss the Second Amended Consolidated Class Action Complaint (sld) (Entered: 05/10/2001)
05/10/2001	87	MEMORANDUM OF LAW by National Home Health, Steven Fialkow, Frederick H. Fialkow, Bernard Levine and Jack Shields in support of [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint (sld) (Entered: 05/10/2001)
05/10/2001	88	MOTION by Maria Escura with memorandum of law in support to dismiss the Second Amended Consolidated Complaint (sld) (Entered: 05/11/2001)
05/14/2001	89	ORDER granting [85-1] motion for (enlargement of page limitation) leave to file memoranda of law in support of their respective Motions to Dismiss the Second Amended Consolidated Class Action Complaint not to exceed 30 pages in length (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 05/14/2001)
05/14/2001	90	MOTION by Warren D. Stowell and David A. Jesse with memorandum in support to dismiss the Second Amended Consolidated Class Action Complaint (sld)

		(Entered: 05/14/2001)
05/31/2001	91	MEMORANDUM OF LAW by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky in opposition to [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint (sld) (Entered: 06/01/2001)
07/03/2001	92	NOTICE OF HEARING: Oral Argument set for 1:30 on 8/24/01 for [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint before Judge Gregory A. Presnell (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 07/03/2001)
07/09/2001	93	NOTICE of filing supplemental authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky re: [91-1] opposition memorandum (sld) (Entered: 07/09/2001)
07/10/2001	94	AMENDED NOTICE OF HEARING: resetting Oral Argument set for 1:30 on 9/10/01 for [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint before Judge Gregory A. Presnell (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 07/10/2001)
07/13/2001		Document #89 returned as to Saul Roffe, Esq. Envelope indicates "wrong address" (sld) (Entered: 07/16/2001)
07/20/2001	95	NOTICE of change of firm name of counsel to Berman DeValerio Pease Tabacoo Burt & Pucillo by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky (sld) (Entered: 07/20/2001)
07/27/2001	96	NOTICE by Carroll Quelland of change of address of the Chicago office for counsel to One North LaSalle St., Suite 2225, Chicago, Illinois 60602-3908 (sld) (Entered: 07/27/2001)
08/23/2001	97	NOTICE of filing supplemental authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky (sld) (Entered: 08/23/2001)
08/27/2001	98	MOTION by Warren D. Stowell and David A. Jesse to allow use of computer and presentation equipment in the courtroom during hearing on defendant's motion to dismiss (sld) (Entered: 08/28/2001)
08/28/2001	99	MOTION by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky to allow use of computer and presentation equipment in the courtroom during hearing on defendants' motion to dismiss (sld) (Entered: 08/28/2001)
08/29/2001	100	ORDER granting [98-1] motion to allow use of computer and presentation equipment in the courtroom during hearing on defendant's motion to dismiss (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 08/29/2001)

08/29/2001	101	ORDER granting [99-1] motion to allow use of computer and presentation equipment in the courtroom during hearing on defendants' motion to dismiss (Signed by Judge Gregory A. Presnell) ctc (sld) (Entered: 08/29/2001)
08/30/2001	102	NOTICE of filing supplemental authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky re: [91-1] opposition memorandum (sld) (Entered: 08/30/2001)
09/04/2001	103	NOTICE of filing supplemental authority by Warren D. Stowell and David A. Jesse re: [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint (sld) (Entered: 09/05/2001)
09/06/2001	104	NOTICE of filing SunStar HealthCare, Inc's Second Quarter 1999 Form 10-Q for the period ended 6/30/99 by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky (sld) (Entered: 09/07/2001)
09/06/2001	105	NOTICE of filing supplemental authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky in opposition to [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint (sld) (Entered: 09/07/2001)
09/10/2001	106	MOTION HEARING held on 9/10/01 re: [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint before Judge Gregory A. Presnell; Court Reporter: Diane Ward (sld) (Entered: 09/11/2001)
09/12/2001	107	NOTICE of filing supplemental authority by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky in opposition to [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint (sld) (Entered: 09/13/2001)
09/17/2001	108	NOTICE of filing Powerpoint Presentation in support of Motion to Dismiss the Second Amended Complaint by Warren D. Stowell and David A. Jesse (ATTACHED) (sld) (Entered: 09/18/2001)
09/18/2001	109	NOTICE of filing Powerpoint presentation in opposition to motion to dismiss by Gina Vincelli, Gerald Gordon, Charles C. Bereft, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky (ATTACHED AS EXHIBIT A) (sld) Modified on 09/25/2001 (Entered: 09/19/2001)
10/01/2001	110	SUGGESTION of Bankruptcy by David A. Jesse (sld) (Entered: 10/01/2001)
10/02/2001	111	ORDER granting [90-1] motion to dismiss the Second Amended Consolidated Class Action Complaint, [86-1] motion to dismiss the Second Amended Consolidated Class Action Complaint and [88-1] motion to dismiss the Second Amended Consolidated Complaint and dismissing the Second Amended Complaint with prejudice (Signed by Judge Gregory A. Presnell ctc (sld) (Entered:

		10/02/2001)
10/25/2001	112	ORDER: the Clerk is directed to enter Judgment for Defendants and to close this file and the consolidated cases (Signed by Judge Gregory A. Presnell) ctc (sld) Modified on 10/26/2001 (Entered: 10/25/2001)
10/25/2001	113	JUDGMENT for National Home Health, Steven Fialkow, Frederick H. Fialkow, Warren D. Stowell, Bernard Levine, Maria Escura and Jack Shields against Gina Vincelli, Gerald Gordon, Charles C. Bereft, Sunstar Healthcare, Jeffrey H. Brodsky, Jessica H. Brodsky and Lee J. Brodsky; Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (sld) (Entered: 10/26/2001)
10/25/2001		CASE CLOSED. (sld) (Entered: 10/26/2001)

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