

U.S. District Court
Central District Of California
(Southern Division - Santa Ana)
CIVIL DOCKET FOR CASE #: 8:00-cv-00087-GLT-EE

D Colin v. Onyx Acceptance Corp, et al
Assigned to: Judge Gary L. Taylor
Referred to: Magistrate Judge Elgin Edwards
Demand: \$0
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/25/2000
Jury Demand: Both
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

D Colin
*on behalf of himself and all others
similarly situated*

represented by **Brian Phillip Murray**
Rabin Murray & Frank
275 Madison Ave
34th Fl
New York, NY 10016
212-682-1818
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph V McBride
Rabin Murray & Frank
275 Madison Ave
34th Fl
New York, NY 10016
212-682-1818
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leo W Desmond
Leo W Desmond Law Offices
2161 Palm Beach Lakes Blvd
Ste 204
West Palm Beach, FL 33409
561-712-8000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lionel Z Glancy
Glancy & Binkow
1801 Avenue of the Stars, Ste 311
Los Angeles, CA 90067
310-201-9150
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Onyx Acceptance Corp

represented by **Daniel J Tyukody, Jr**
Orrick Herrington and Sutcliffe
777 South Figueroa Street, Suite 3200
Los Angeles, CA 90017
213-629-2020
Email: dtyukody@orrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald S Urrabazo
Brown Raysman Millstein Feider and
Steiner
1880 Century Park East, 12th Floor
Los Angeles, CA 90067
310-712-8317
Email: durrabazo@brownraysman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elise J Cohen
Brobeck Phleger & Harrison
550 S Hope St, Ste 2100
Los Angeles, CA 90071-2604
213-489-4060
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M Privette
Paul Hastings Janofsky & Walker
515 S Flower St, 25th Fl
Los Angeles, CA 90071-2228
213-683-6000
Fax: 213-627-0705
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert David Weber
Clifford Chance Rogers & Wells
601 S Figueroa St, Ste 4400
Los Angeles, CA 90017
213-312-9400
Fax: 213-312-9401
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Thomas C Stickel

represented by **Daniel J Tyukody, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald S Urrabazo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elise J Cohen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M Privette
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert David Weber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John W Hall

represented by **Daniel J Tyukody, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald S Urrabazo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elise J Cohen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M Privette
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert David Weber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Don P Duffy

represented by **Daniel J Tyukody, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald S Urrabazo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elise J Cohen
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M Privette
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert David Weber
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/25/2000	1	COMPLAINT filed Summons(es) issd referred to Discovery Elgin Edwards (mrgo) (Entered: 01/27/2000)
01/25/2000	2	NOTICE of interested ptys by plaintiff D Colin (mrgo) (Entered: 01/27/2000)
03/29/2000	3	NTC OF FILING WAIVERS OF SERVICE of SUMMONS by John W Hall for dft Onyx Acceptance Corp on 3/9/00; by dft Thomas C Stickel sent 3/15/00; by dft John W Hall on 3/9/00; by dft Don P Duffy on 3/9/00 (kh) (Entered: 04/06/2000)
04/06/2000	4	STIPULATION and ORDER by Judge Gary L. Taylor extending time to answer complaint [1-1] shall hv 45 days as to defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy ; Dfts shall hv until 45 days following the appt of Lead Pltf & Lead Cnsl purs to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 or pltf's filing of a consolidate

		amd cmplt, whichever is later, in which to respon to the complt or any other comply tht may be subsequently consolidated with this actn (ca) (Entered: 04/07/2000)
04/06/2000	5	NOTICE of interest parties submitted by defendant Onyx Acceptance Corp, defendant Thomas Stickel, defendant John W Hall, defendant Don P Duffy (ca) (Entered: 04/07/2000)
04/10/2000	6	NOTICE OF MOTION AND MOTION by plaintiff D Colin to be appt lead pltf & for approval of his selection of co-lead cnsl ; motion hearing set for 10:00 a.m., on 5/8/00. Lodged Prop Order (ca) (Entered: 04/12/2000)
04/10/2000	7	MEMORANDUM OF LAW by plaintiff D Colin in support of motion to be appt lead pltf & for approval of his selection of co-lead cnsl [6-1] (ca) (Entered: 04/12/2000)
04/10/2000	8	DECLARATION of Lionel Z. Glancy by plaintiff D Colin re motion to be appt lead pltf & for approval of his selection of co-lead cnsl [6-1] (ca) (Entered: 04/12/2000)
04/28/2000	9	STATEMENT of Nonopposition to pltfs by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy motn to be appt lead pltf & for aprvrl of his selection of co-lead cnsl [6-1] (ca) (Entered: 05/02/2000)
05/03/2000	10	ORDER by Judge Gary L. Taylor granting plf's motion to be appt lead pltf & for approval of his selection of law firms of Rabin & Peckel & Law Office of Leo W Desmond as co-lead cnsl [6-1]; The 5/8/00 hrg in this mtr is off cal (kh) (Entered: 05/03/2000)
06/08/2000	11	STIPULATION SCHEDULE FOR FILING AMENDED COMPLAING AND MOTION TO DISMISS; and REVISED ORDER by Judge Gary L. Taylor for filing of amd cmplt & motn to dismiss . Ord tht pltfs shall file & serve the A/C on or bef 6/22/00; dfts shall file & serve theri memo of PA's & any addtl papers in suppt of a motn to dism on or bef 8/7/00; pltfs shall file & serve their oppos to dfts motn to dism on or bef 9/6/00; dts shall file & serve their reply papers in supt of their motn to dism on or bef 9/27/00; the hrg on dfts motn shall be sched for 10/6/00 at 10:00 a.m. (ca) (Entered: 06/09/2000)
06/22/2000	12	AMENDED COMPLAINT [1-1] by plaintiff D Colin; jury demand. Summons not issd (kh) (Entered: 06/26/2000)
07/19/2000	13	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for plaintiff D Colin by Brian Phillip Murray. Designating as local counsel. Approved Judge Gary L. Taylor. (Fee pd) (ca) (Entered: 07/20/2000)
08/07/2000	14	NOTICE OF MOTION AND MOTION by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy to dismiss amend class actn cmp ; motion hearing set for 10:00 10/16/00 (rmi) (Entered: 08/14/2000)
08/07/2000	15	MEMORANDUM of PA IN SUPPORT by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, Don P Duffy of motion to dismiss amend class actn cmp [14-1] (rmi) (Entered: 08/14/2000)

08/07/2000	16	DECLARATION of Donald S Urrabazo by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy in suppt of dfts' motion to dismiss amend class actn cmp [14-1] (rmi) (Entered: 08/14/2000)
08/07/2000	17	REQUEST by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy for judicial notice re motion to dismiss amend class actn cmp [14-1] (rmi) (Entered: 08/14/2000)
08/07/2000	18	Appendix of Judicial Auth not published in official reporters by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy in suppt of dfts' motion to dismiss amend class actn cmp [14-1] (rmi) (Entered: 08/14/2000)
08/07/2000	19	PROOF OF SERVICE by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy on 8/7/00 of mot to dismiss, etc. (see doc for specifics) (rmi) (Entered: 08/14/2000)
08/24/2000	20	Notice of Filing Proofs of Service of Amended Clas Action Complaint; Jury Trial Demanded executed upon defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy on 8/10/00 by personal service (ca) (Entered: 08/29/2000)
09/06/2000	21	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for plaintiff by Leo W Desmond. Designating Lionel Z Glancy as local counsel. Approved by Judge Gary L. Taylor. (Fee pd) (ad) (Entered: 09/07/2000)
09/06/2000	22	MEMORANDUM OF LAW IN OPPOSITION by plaintiff D Colin to motion to dismiss amend class actn cmp [14-1] (ad) (Entered: 09/12/2000)
09/06/2000	23	DECLARATION of Lionel Z Glancy by plaintiff in suppt of opp to motion to dismiss amend class actn cmp [14-1] (ad) (Entered: 09/12/2000)
09/27/2000	24	REPLY memo of PA by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy in suppt of dfts' motion to dismiss amend class actn cmp [14-1] (rmi) (Entered: 10/04/2000)
10/10/2000	25	MINUTES (In Chambers): the crt takes dfts' motion to dismiss amend class actn cmp [14-1] under subm; the hrg re the mot is taken off-cal; (see doc for specifics); by Judge Gary L. Taylor CR: none present (rmi) (Entered: 10/11/2000)
10/27/2000	26	ORDER by Judge Gary L. Taylor: The Crt GRANTS Dfts' motion to dismiss amend class actn cmp [14-1] with leave to amend the Cmp within 20 days; (see doc for specifics) (ad) (Entered: 10/30/2000)
11/16/2000	27	SECOND AMENDED CLASS ACTION COMPLAINT [12-1] by plaintiff D Colin; jury demand. Summons not issd (kh) (Entered: 11/24/2000)
12/04/2000	28	STIPULATION and ORDER by Judge Gary L. Taylor schedule for filing motion to dismiss 2nd amended class action complaint (csb) (Entered: 12/11/2000)
12/18/2000	29	NOTICE OF MOTION AND MOTION by defendant to dismiss second amended class action complaint. Motion hearing set for 10:00am on 2/12/01. (ts) (Entered: 12/26/2000)

12/18/2000	30	MEMORANDUM IN SUPPORT by defendant of motion to dismiss second amended class action complaint. [29-1] (ts) (Entered: 12/26/2000)
12/18/2000	31	DECLARATION of Donald S Urrabazo by defendant re motion to dismiss second amended class action complaint. [29-1] (ts) (Entered: 12/26/2000)
12/18/2000	32	APPENDIXZ OF JUDICIAL AUTHORITIES NOT PUBLISHED IN OFFICIAL REPORTERS by defendant for judicial notice re motion to dismiss second amended class action complaint. [29-1] (ts) (Entered: 12/26/2000)
12/18/2000	33	PROOF OF SERVICE by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy by mail on 12/18/00 of mot to dismiss 2nd A/C; memo of P/A in support; appendix of judicial authority; declaration of Donald S Urrabazo in support (kh) (Entered: 12/27/2000)
01/18/2001	34	MEMORANDUM OF LAW IN OPPOSITION by plaintiff D Colin to motion to dismiss second amended class action complaint. [29-1] (ad) (Entered: 01/24/2001)
02/05/2001	35	REPLY MEMORANDUM OF P/A IN SUPPORT by defendants of motion to dismiss second amended class action complaint. [29-1] (ad) (Entered: 02/09/2001)
02/12/2001	37	MINUTES: The Court takes Defendants' motion to dismiss second amended class action complaint [29-1] under submission; by Judge Gary L. Taylor; CR: Sally Marshall (ad) (Entered: 02/20/2001)
02/14/2001	36	ORDER by Judge Gary L. Taylor: Defendants' motion to dismiss second amended class action complaint [29-1] is GRANTED with prejudice terminating case (MD JS-6) (ENT 2/15/01) (SEND/NTC) (ad) (Entered: 02/15/2001)
03/13/2001	38	NOTICE OF APPEAL/Representation Statement by plaintiff D Colin to 9th Circuit from District Court Order filed 2/14/01 & entered 2/15/01 [36-2] (cc: Lionel Z. Glancy, Law Office of Lionel Z. Glancy; Brian Murray, Rabin & Peckel, LLP; Leo W. Desmond, Law Office of Leo W. Desmond; Daniel J. Tyokody, Jr., Brobeck Phleger & Harrison, LLP) Fee: Paid. (pjap) (Entered: 03/13/2001)
03/27/2001	39	NOTIFICATION by Circuit Court of Appellate Docket Number appeal [38-1] 01-55499 (pjap) (Entered: 03/27/2001)
04/25/2001	40	RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 2/12/01 (Re: [38-1]) CR: Sally Marshall (ad) (Entered: 04/26/2001)
04/25/2001		TRANSCRIPT filed for proceedings held on 2/12/01 (ad) (Entered: 04/26/2001)
12/12/2001	41	CLERK'S record on appeal transmitted to Circuit [38-1] vols: 4; transcripts: 1; 1 brown folder doc #16. (01-55499) (wdc) (Entered: 12/12/2001)
03/04/2002	42	NOTICE OF APPLICATION TO THE CLERK TO TAX COSTS ON APPEAL; BILL OF COSTS RETURNABLE submitted by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy; bill of cost hearing set on 10:00 3/15/02 (mt) (Entered: 03/06/2002)
03/05/2002	43	AMENDED NOTICE OF APPLICATION TO THE CLERK TO TAX COSTS ON APPEAL by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy [42-1] (mt) (Entered: 03/06/2002)

03/11/2002		LODGED CC 9th CCA JGM of said Dist Crt hereby is affirm. (01-55499) (FWD TO CRD) (weap) (Entered: 03/15/2002)
03/12/2002	46	SECOND AMENDED NOTICE OF BILL OF COSTS RETURNABLE submitted by defendants; bill of cost hearing set on 10:00 4/5/02 (mg) Modified on 03/22/2002 (Entered: 03/21/2002)
03/14/2002	44	MINUTES OF FILING AND SPREADING MANDATE (IN CHAMBERS) by Judge Gary L. Taylor: The crt ord that the mandate of the 9TH CCA affirming the appeal is hereby filed and spread upon the minutes of this USDC. The record reflects that costs of the prevailing pty were taxed by the Ninth CCA in the amt of \$151.20 on 2/27/02. CR: Not Present (mt) (Entered: 03/15/2002)
03/14/2002	45	CERTIFIED COPY of judgment from USCA affirming the decision of the District Court [38-1] (mt) (Entered: 03/15/2002)
03/20/2002	47	RECORD on appeal returned from U.S. Court of Appeals vols: 4 & 1 brown folder of docket no. 16 transcripts: 1 (pjap) (Entered: 03/29/2002)
03/28/2002	48	REVISED NOTICE OF APPLICATION TOTHE CLERK TO TAX COSTS ON APPEAL; BILL OF COSTS RETURNABLE submitted by defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy ; bill of cost hearing set on 10:00 4/19/02 (rmi) (Entered: 04/05/2002)
04/19/2002		COSTS taxed for defendant Onyx Acceptance Corp, defendant Thomas C Stickel, defendant John W Hall, defendant Don P Duffy in the amount of \$ 180.00 against plaintiff D Colin; bill of cost hearing held (rmi) (Entered: 04/19/2002)

Note: Links in this docket are stored in the PACER system (**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords). PACER is a service of United States Judiciary. To view and retrieve the linked documents from PACER you must be a registered user. To register, fill out one of the [registration forms](#) available on the PACER site. The United States Congress has given the Judicial Conference of the United States, the judicial governing body of the U.S. Federal Courts, authority to impose user fees for electronic access to case information. For more information visit the PACER site at <http://pacer.psc.uscourts.gov/pacerdesc.html>