

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:01-cv-00242-SAS

In Re: VA Linux Systems IPO Securities Litigation

Assigned to: Judge Shira A. Scheindlin

Demand: \$0

Lead case: [1:01-cv-00242-SAS](#)

Member cases:

[1:01-cv-00294-SAS](#)

[1:01-cv-00295-SAS](#)

[1:01-cv-00328-SAS](#)

[1:01-cv-00349-SAS](#)

[1:01-cv-00420-SAS](#)

[1:01-cv-00451-SAS](#)

[1:01-cv-00455-SAS](#)

[1:01-cv-00574-SAS](#)

[1:01-cv-00611-SAS](#)

[1:01-cv-00808-SAS](#)

[1:01-cv-00898-SAS](#)

[1:01-cv-00947-SAS](#)

[1:01-cv-00948-SAS](#)

[1:01-cv-01083-SAS](#)

[1:01-cv-02000-SAS](#)

[1:01-cv-02016-SAS](#)

[1:01-cv-02085-SAS](#)

Related Case: [1:21-mc-00092-SAS](#)

Cause: 28:1331 Fed. Question: Other

Plaintiff

Alexander Makaron

*on behalf of himself and all others
similarly situated*

TERMINATED: 04/19/2002

represented by **Melvyn I. Weiss**

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Plaintiff

Zagoda, A.G.
Lead Pltff

V.

Consolidated Plaintiff

Amita Singhal
On behalf of herself and all others
similarly situated
TERMINATED: 04/19/2002

represented by **David K. Bergman**
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TERMINATED: 04/19/2002
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V.

Defendant

Va Linux Systems, Inc.

Defendant

Credit Suisse First Boston Corporation

Defendant

Larry M. Augustin

TERMINATED: 10/15/2002

Defendant

Todd B. Schull

TERMINATED: 10/15/2002

Consolidated Plaintiff

Atlantic Charter Insurance

TERMINATED: 04/19/2002

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Consolidated Plaintiff

Gantenstein Stiftung

TERMINATED: 04/19/2002

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TERMINATED: 04/19/2002
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Consolidated Plaintiff

Spiros Gianos

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Consolidated Plaintiff

Mary Jane Gianos

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Consolidated Plaintiff

Flagler Drive Corp.

*on behalf of itself and all others similarly
situated*

TERMINATED: 04/19/2002

represented by **Melvyn I. Weiss**
(See above for address)
TERMINATED: 04/19/2002
LEAD ATTORNEY

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TERMINATED: 04/19/2002
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Consolidated Plaintiff

Ellis Enterprises, Ltd.

*on behalf of itself and all others similarly
situated*

TERMINATED: 04/19/2002

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Consolidated Plaintiff

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similarly situated*

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Consolidated Plaintiff

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Consolidated Plaintiff

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Consolidated Plaintiff

Oba McMillan

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similarly situated*

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Consolidated Plaintiff

Robert Tuttle

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TERMINATED: 04/19/2002

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TERMINATED: 04/19/2002
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Consolidated Plaintiff

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*on behalf of himself and all others
similarly situated*
TERMINATED: 04/19/2002

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Consolidated Plaintiff

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similarly situated
TERMINATED: 04/19/2002

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TERMINATED: 04/19/2002
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Consolidated Plaintiff

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similarly situated
TERMINATED: 04/19/2002

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TERMINATED: 04/19/2002
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Consolidated Plaintiff

Linda Kava
on behalf of herself and all others

represented by **Donald J. Kravet**
(See above for address)

similarly situated
TERMINATED: 04/19/2002

TERMINATED: 04/19/2002
LEAD ATTORNEY

Michael B. Reuben
(See above for address)
TERMINATED: 04/19/2002
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Consolidated Plaintiff

Jon A. Halseth
TERMINATED: 04/19/2002

represented by **Melvyn I. Weiss**
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LEAD ATTORNEY

Samuel Howard Rudman
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TERMINATED: 04/19/2002
LEAD ATTORNEY

Steven G. Schulman
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TERMINATED: 04/19/2002
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Consolidated Plaintiff

Michael Green
on behalf of himself and all others
similarly situated
TERMINATED: 04/19/2002

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TERMINATED: 04/19/2002
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Samuel Howard Rudman
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Steven G. Schulman
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TERMINATED: 04/19/2002
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Consolidated Plaintiff

William A. Curtright
on behalf of himself and all others
similarly situated
TERMINATED: 04/19/2002

represented by **Melvyn I. Weiss**
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TERMINATED: 04/19/2002
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Consolidated Plaintiff

Steve Mazzo
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similarly situated
TERMINATED: 04/19/2002

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Robert I. Harwood
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| Date Filed | # | Docket Text |
|-------------------|----------|---|
| 01/11/2001 | 1 | COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 394099. (db) (Entered: 01/12/2001) |
| 01/11/2001 | | Magistrate Judge Frank Maas is so Designated. (db) (Entered: 01/12/2001) |
| 02/16/2001 | 2 | STIPULATION and ORDER EXTENDING TIME TO ANSWER OR MOVE; the time for deft Credit Suisse First Boston Corporation to answer or move in response to the class action complaint is extended to 30 days after entry of an order appointing lead plttf, or until such time as the Court may set in a later order . (signed by Judge Miriam Goldman Cedarbaum) (sn) (Entered: 02/22/2001) |
| 03/12/2001 | 3 | NOTICE OF MOTION by Doris & Harald Zagoda, William A. Curtwright and Anthony Savino; for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members) ; for an order, appointing Movants as Lead Plttf ; for an order, approving Lead Plttfs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel ; Return date not indicated. (rec'd in the night deposit box on 3/12/01 at 10:44 a.m.) (sac) Modified on 03/16/2001 (Entered: 03/15/2001) |

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| 03/12/2001 | 4 | MEMORANDUM OF LAW of Doris & Harald Zagoda, William A. Curtwright and Anthony Savino in support of [3-1] motion for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members), [3-2] motion for an order, appointing Movants as Lead Pltff, [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel. (rec'd in the night deposit box on 3/12/01 at 10:44 p.m.) (sac) Modified on 03/16/2001 (Entered: 03/15/2001) |
| 03/12/2001 | 5 | DECLARATION of Peter E. Seidman of Doris & Harald Zagoda, William A. Curtwright and Anthony Savino in support Re: [3-1] motion for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members), [3-2] motion for an order, appointing Movants as Lead Pltff, [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel. (rec'd in the night deposit box on 3/12/01 at 10:44 p.m.) (sac) Modified on 03/16/2001 (Entered: 03/15/2001) |
| 03/15/2001 | 6 | NOTICE OF MOTION by Atlantic Charter, Gantenstein Stifung, Spiros Gianos, Mary Jane Gianos for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes ; appointing class members Atlantic Charter Insurance, Gantenstein Stifung and Spiros and Mary Jane Gianos, to serve as lead pltffs ; and approving the proposed lead pltff's selection of counsel for the Class . No return date indicated. (sn) (Entered: 03/22/2001) |
| 03/15/2001 | 7 | AFFIDAVIT of Michael S. Egan by Atlantic Charter, Gantenstein Stifung, Spiros Gianos, Mary Jane Gianos in support of [6-1] motion for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes, [6-2] motion appointing class members Atlantic Charter Insurance, Gantenstein Stifung and Spiros and Mary Jane Gianos, to serve as lead pltffs, [6-3] motion approving the proposed lead pltff's selection of counsel for the Class. (sn) (Entered: 03/22/2001) |
| 03/15/2001 | 8 | MEMORANDUM OF LAW by Atlantic Charter, Gantenstein Stifung, Spiros Gianos, Mary Jane Gianos in support of [6-1] motion for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes, [6-2] motion appointing class members Atlantic Charter Insurance, Gantenstein Stifung and Spiros and Mary Jane Gianos, to serve as lead pltffs, [6-3] motion approving the proposed lead pltff's selection of counsel for the Class. (sn) (Entered: 03/22/2001) |
| 03/22/2001 | 9 | ORDER; that oral argument on all motions for consolidation and the appointment of lead pltffs will be heard on 4/19/01 at 3:30 p.m. in Courtroom 14A . (signed by Judge Miriam Goldman Cedarbaum); Copies mailed. (jp) (Entered: 03/23/2001) |
| 03/30/2001 | 10 | STIPULATION and ORDER, the time for defendants VA Linux Systems, Inc., Larry M. Augustin and Todd B. Schull to answer or move in response to the Class Action Complaints is extended to and including 30 days after entry of an order |

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| | | appointing lead plaintiff, or until such other time as the Court may set in a later order . (signed by Judge Miriam Goldman Cedarbaum) (ae) (Entered: 04/04/2001) |
| 04/11/2001 | 11 | AFFIDAVIT of Gary S. Jacobson by Alexander Makaron in opposition to [6-1] motion for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes, [6-2] motion appointing class members Atlantic Charter Insurance, Gantenstein Stiftung and Spiros and Mary Jane Gianos, to serve as lead plttfs, [6-3] motion approving the proposed lead plttf's selection of counsel for the Class, [3-1] motion for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members), [3-2] motion for an order, appointing Movants as Lead Pltff, [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel. (Rec'd in night deposit box 4/11/01 6:04 PM) (sn) Modified on 04/13/2001 (Entered: 04/13/2001) |
| 04/11/2001 | 12 | MEMORANDUM OF LAW by Alexander Makaron in opposition to [6-1] motion for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes, [6-2] motion appointing class members Atlantic Charter Insurance, Gantenstein Stiftung and Spiros and Mary Jane Gianos, to serve as lead plttfs, [6-3] motion approving the proposed lead plttf's selection of counsel for the Class, [3-1] motion for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members), [3-2] motion for an order, appointing Movants as Lead Pltff, [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel. (Rec'd in night deposit box 4/11/01 6:04 PM) (sn) (Entered: 04/13/2001) |
| 04/16/2001 | | NOTICE OF MOTION by Va Linux Systems, Larry M. Augustin, Todd B. Schull for Nina F. Locker to appear pro hac vice for defts Va Linux, Augustin, and Schull ; Return date not indicated; attached are papers in support (orig. dktd in 01 cv 349, doc #7) (cd) (Entered: 04/18/2001) |
| 04/16/2001 | 13 | Statement of non-opposition to motions for consolidation of related cases filed by Evelyn Long and Linda Kava. (jp) (Entered: 04/23/2001) |
| 04/17/2001 | 14 | Letter filed by Atlantic Charter, Gantenstein Stiftung, Spiros Gianos, Mary Jane Gianos addressed to Judge Cedarbaum from Robert J. Berg, atty, dated 4/11/01; Re: class members moved for appointment as lead plttf in this action. (sac) (Entered: 04/23/2001) |
| 04/19/2001 | | Pretrial Conference held before Judge Miriam Goldman Cedarbaum . (jp) (Entered: 04/23/2001) |
| 06/08/2001 | 15 | Memo-Endorsement on letter addressed to Judge Cedarbaum from Nancy E. Delaney, dated 6/5/01; granting deflt VA Linux Systems' request that the Court reschedule that conference until Tuesday, 6/12 at 5 p.m. (signed by Judge Miriam Goldman Cedarbaum); Copies mailed. (sac) (Entered: 06/11/2001) |
| 06/15/2001 | 16 | TRANSMITTAL AFFIDAVIT of Steven G. Schulman. (kw) (Entered: 06/15/2001) |

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|------------|----|--|
| | | 06/18/2001) |
| 06/22/2001 | 17 | Memo-Endorsement on letter addressed to Judge Cedarbaum from Ariana J. Tadler, dated 6/19/01; granting counsel for the plttfs request that the Court extend the time to file a Consolidated Amended Class Action Complaint by one week, until Friday, 6/29/01 ; also granting the request that the time for deftsCredit Suisse Boston, and Va Linux Systems to answer or file a motion to dismiss be similarly extended, until 7/30/01 . (signed by Judge Miriam Goldman Cedarbaum); Copies mailed. (jp) (Entered: 06/25/2001) |
| 06/29/2001 | 18 | AMENDED CLASS ACTION COMPLAINT by Alexander Makaron (Answer due 7/12/01 for Todd B. Schull, for Larry M. Augustin, for Credit Suisse Boston, for Va Linux Systems) amending [1-1] complaint; Summons issued. Received in night deposit on 6/29/01 at 9:55 p.m. (kkc) Modified on 07/03/2001 (Entered: 07/03/2001) |
| 07/03/2001 | 19 | ORDER, granting [3-1] motion for an order, for consolidation of these cases for all purposes: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, 2000 and 2085 (Members); A Master File is hereby established for this proceeding. The Master File shall be Case No. 01 CV 242; granting [3-2] motion for an order, appointing Movants as Lead Pltff; granting [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel. (signed by Judge Miriam Goldman Cedarbaum); Copies mailed. (ae) Modified on 07/05/2001 (Entered: 07/05/2001) |
| 07/03/2001 | | Consolidated Lead Case. (ae) (Entered: 07/06/2001) |
| 07/03/2001 | 20 | Consolidated Class Action COMPLAINT filed. (djc) (Entered: 07/10/2001) |
| 07/24/2001 | 21 | MEMO-ENDORSEMENT on Notice of Withdrawal; Cohen, Milstein, Hausfeld & Toll, P.L.L.C., hereby withdraws as one of plaintiffs' counsel in these consolidated cases. (signed by Judge Miriam Goldman Cedarbaum); Copies mailed. (kw) (Entered: 07/26/2001) |
| 08/02/2001 | 22 | Transcript of record of proceedings before Judge Miriam Goldman Cedarbaum for the date(s) of June 8,2001. (rag) (Entered: 08/07/2001) |
| 08/06/2001 | | Memo endorsed on motion; withdrawing [6-1] motion for an order consolidating cases 01 cv 242 (as Lead Case), with 01 cv 349, 01 cv 574, 01 cv 295, 01 cv 294, 01 cv 947, 01 cv 328, 01 cv 898, 01 cv 808, 01 cv 611, 01 cv 349, 01 cv 420, 01 cv 451, and 01 cv 455 for all purposes, withdrawing [6-2] motion appointing class members Atlantic Charter Insurance, Gantenstein Stifung and Spiros and Mary Jane Gianos, to serve as lead plttfs, withdrawing [6-3] motion approving the proposed lead plttf's selection of counsel for the Class . (signed by Judge Miriam Goldman Cedarbaum dated 4/11/01); Copies mailed. (kg) Modified on 08/08/2001 (Entered: 08/06/2001) |
| 08/06/2001 | | Memo endorsed on motion; granting [3-1] motion for an order, for consolidation of these cases: 01 civ. 242(Lead); 01 civ. 294, 295, 328, 349, 420, 451, 455, 574, 611, 808, 898, 947, 948, 1083, and 2000(Members), granting [3-2] motion for an order, appointing Movants as Lead Pltff, granting [3-3] motion for an order, approving Lead Pltffs' or Movants' selection of the law firm of Milberg Weiss Bershad Hynes |

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| | | & Lerach LLP to serve as Lead Counsel. See record of proceedings and oral opinion. (signed by Judge Miriam Goldman Cedarbaum dated 6/8/01); Copies mailed. (tp) Modified on 08/08/2001 (Entered: 08/06/2001) |
| 08/09/2001 | 23 | Notice of Case Reassignment to Judge Shira A. Scheindlin. Copy of notice mailed to Attorney(s) of record. Pursuant to the Order of Chief Judge Mukasey dated August 8, 2001, the above entitled action is reassigned to the calendar of Judge Shira A. Scheindlin for inclusion in the coordinated pretrial proceedings being conducted by that judge. Two originals of all future documents submitted in this action are to be presented in the Clerk's Office for filing. One original is to be filed in this docket number and one original is to be filed in the miscellaneous case number 21mc92 (SAS). Each shall bear the original assigned judge's () initials after the original docket number. Attached is a copy of Judge Mukasey's ORDER re: coordinating the proceedings before Judge Scheindlin. Also attached is a copy of Judge Scheindlin's ORDER re: set initial PTC 09/07/01 and directing all counsel to comply with Judge Scheindlin's requirements. [Original Orders docketed in 21mc92 (SAS) as documents numbers 1 and 2] (dcap) Modified on 08/10/2001 (Entered: 08/10/2001) |
| 08/09/2001 | | Pretrial Conference set at 4:30 9/7/01 before Judge Shira A. Scheindlin. (dcap) (Entered: 08/10/2001) |
| 08/09/2001 | 24 | ORDER, defendants' time to move, answer or otherwise respond to the amended class action complaint previously set for 8/10/01 is hereby adjourned until further order of the Court . (signed by Judge Shira A. Scheindlin); Copies mailed. (kw) (Entered: 08/10/2001) |
| 08/09/2001 | | Mailed Notice of Reassignment to Joshua H. Grabar, Esq.. Returned to sender by Post Office due to address not known. (dle) (Entered: 08/21/2001) |
| 08/09/2001 | | CONSOLIDATED MEMBER CASE: Case consolidated with 1:21-mc-92. (mj,) (Entered: 05/20/2004) |
| 08/27/2001 | 25 | ORDER, that all cases against VA Linux Systems, Inc. in this IPO Securities Litigation, as set forth in the attached Rider (1:01-cv-00294, 1:01-cv-00295, 1:01-cv-00328, 1:01-cv-00349, 1:01-cv-00420, 1:01-cv-00451, 1:01-cv-00455, 1:01-cv-00574, 1:01-cv-00611, 1:01-cv-00808, 1:01-cv-00898, 1:01-cv-00947, 1:01-cv-00948, 1:01-cv-01083, 1:01-cv-02000, 1:01-cv-02016, and 1:01-cv-02085) shall be consolidated into case number 01 Civ. 242. The Clerk of the Court is ordered to consolidate any future cases filed against VA Linux Systems, Inc. subsequent to the date of this Order into lead case number 01 Civ. 242 ,... the Clerk of the Court is further ordered to close all cases that have been consolidated, subject to re-opening at a later date on proper application by a party . (signed by Judge Shira A. Scheindlin); Copies mailed. [Original filed in 1:01-cv-00242 Documen No. 25. Document Docketed in 1:01-cv-00294; 1:01-cv-00295; 1:01-cv-00328; 1:01-cv-00349; 1:01-cv-00420; 1:01-cv-00451; 1:01-cv-00455; 1:01-cv-00574; 1:01-cv-00611; 1:01-cv-00808; 1:01-cv-00898; 1:01-cv-00947; 1:01-cv-00948; 1:01-cv-01083; 1:01-cv-02000; 1:01-cv-02016; 1:01-cv-02085] (dcap) Modified on 09/19/2001 (Entered: 09/10/2001) |
| 08/27/2001 | | Consolidated Lead Case. (dcap) (Entered: 09/10/2001) |
| 08/30/2001 | 26 | RULE 1.9 CERTIFICATE filed by Va Linux Systems. (dcap) (Entered: 08/30/2001) |

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| 09/20/2001 | 27 | RULE 1.9 CERTIFICATE filed by Credit Suisse Boston. (ICMSUSER) (Entered: 10/11/2001) |
| 04/19/2002 | | OMNIBUS ORDER, The 4/19/02, Order is hereby vacated and Zagoda, A.G. is hereby appointed as lead plttf and its selection of the Executive Committee to serve as Lead Counsel is approved. All other motions to be appointed lead plttf and for approval of lead counsel are hereby denied. (signed by Judge Shira A. Scheindlin); Copies mailed. (orig. doc. filed in 21 mc 92, doc. #4319) (sac) (Entered: 06/06/2002) |
| 04/19/2002 | 28 | AMENDED COMPLAINT by Spiros Gianos, Mary Jane Gianos, Anita S. Budich, Philip Pifko, Zagoda, A.G. amending [20-1] complaint, [18-1] amended complaint, [1-1] complaint ; Summons issued. (ac) (Entered: 06/12/2002) |
| 04/19/2002 | | MASTER ALLEGATIONS by Zagoda, A.G., Spiros Gianos, Mary Jane Gianos, Anita S. Budich, Philip Pifko RE: Amended Complaint , doc.# 28, Filed on April 19, 2002. (ac) (Entered: 07/30/2002) |
| 10/15/2002 | | (UNSIGNED) STIPULATION OF DISMISSAL; this action purs. to Stipulation and Order entered in 21 mc 92, doc. #5059, hereby dismisses without prejudice and without costs as to defts Larry M. Augustin and Todd B. Schull. (Orig. filed and signed by Judge Scheindlin in 21 mc 92.) (sac) (Entered: 03/12/2003) |
| 03/10/2003 | 29 | NOTICE of CHANGE of FIRM NAME AND ADDRESS. The law firm of Holzer & Holzer changed its name to Holzer Holzer & Cannon LLC. The firm's new address, telephone number, and facsimile number will change to: Holzer Holzer & Cannon LLC, 1117 Perimeter Center West, Suite E-107, Atlanta, GA 30338, telephone: (770) 392-0090, fax: (770) 392-0029. (sb) Modified on 03/11/2003 (Entered: 03/11/2003) |
| 08/13/2003 | 30 | ANSWER to Consolidated Amended Class Action Complaint. Document filed by Credit Suisse First Boston Corporation. Related document: [28] Amended Complaint filed by Anita S. Budich, Philip Pifko, Spiros Gianos, Mary Jane Gianos, Zagoda, A.G..(sac,) (Entered: 03/26/2004) |
| 04/21/2004 | | MEMORANDUM OF LAW in Opposition NOTICE OF OMNIBUS MOTION (FILED ON SERVICE DATE) for Class Certification. Filed by Lead Plaintiffs. This Document Relates to: All Coordinated Actions. Document filed by Credit Suisse First Boston Corporation. Original Document filed in 21MC92, Doc#5299. (sac,) (Entered: 04/26/2004) |
| 04/21/2004 | | DECLARATION of Fraser L. Hunter, Jr. in Support.MEMORANDUM OF LAW in Opposition re: [5280] NOTICE OF OMNIBUS MOTION (FILED ON SERVICE DATE) for Class Certification. Filed by Lead Plaintiffs. Document filed by Credit Suisse First Boston Corporation. Original Document filed in 21MC92, Doc#5300. (sac,) (Entered: 04/26/2004) |
| 04/21/2004 | | EXPERT REPORT Of Professor Maureen O'Hara in the matter of VA Linux and Corvis Corp. Original Document filed in 21MC92, Doc#5301. (sac,) (Entered: 04/26/2004) |
| 05/19/2004 | | REPORT of Bradford Cornell. This Document Relates to: 01 Civ. 242; 01 Civ. |

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| | | 3857; 01 Civ. 6001; 01 Civ. 7048; 01 Civ. 8404; 01 Civ. 9417. Original Document filed in 21MC92, Doc.#5320. (sac,) (Entered: 06/02/2004) |
| 05/19/2004 | | SUR-REPLY MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion for Class Certification. Document filed by Goldman, Sachs & Company. This Document Relates to: 01 Civ. 242; 01 Civ. 3857; 01 Civ. 6001; 01 Civ. 7048; 01 Civ. 8404; 01 Civ. 9417. Original Document filed in 21MC92, Doc.#5321. (sac,) (Entered: 06/02/2004) |
| 07/21/2004 | | THIS DOCUMENT RELATES TO: 01Civ.3857; 01Civ.8404; 01Civ.7048; 01Civ.9417; 01Civ.6001; 01Civ.242... NOTICE of of Filing of Underwriter Defendants' Letter Brief pursuant to Order of 6/21/04. Original Document filed in 21 Mc 92, Doc#5347. (sac,) (Entered: 07/23/2004) |
| 09/07/2004 | 31 | ORDER directing plaintiffs to submit proposed Trial Plan. (Signed by Judge Shira A. Scheindlin on 9/7/04) Filed In Associated Cases: 1:21-mc-00092-SAS,1:01-cv-00242-SAS(Huth, Karl) (Entered: 09/07/2004) |
| 09/08/2004 | | Original Document filed in 21mc92, Doc#5362... ORDER; accordingly, the plaintiffs are directed to submit a proposed trial plan by close of business on 9/15. The submission of this plan is not an additional memorandum of law and should not be viewed as an excuse to submit an additional memorandum of law. Defendants may respond to the proposed trial plan, in a letter form, not to exceed four single-spaced pages. If defendants choose to submit such a letter, it must be served no later than 9/22/04. Any reply, limited to the identical length, must be submitted no later than 9/27. (Signed by Judge Shira A. Scheindlin on 9/7/04) (sac,... This Document Relates to: 01Civ.3857; 01Civ.8404; 01Civ.7048; 01Civ.9417; 01Civ.6001; 01Civ.242... (Entered: 09/14/2004) |
| 09/23/2004 | | NOTICE OF FILING: that pursuant to the Court's Order, dated 9/7/04, the Underwriter Defendants in this action hereby submit for filing the letter to the Court from Gandolfo V. DiBlasi dated 9/22/04. This Document Relates to: 01cv3857; 01cv8404; 01cv7048; 01cv9417; 01cv6001; 01cv242. Original Document filed in 21 MC 92, Doc#5365.(sac,) (Entered: 09/30/2004) |
| 09/27/2004 | 32 | ORDER by Special Master Daniel Capra directing plaintiffs to produce correspondence and analyses of trading information and to submit privilege logs. (9/14/2004) Filed In Associated Cases: 1:21-mc-00092-SAS,1:01-cv-00242-SAS,1:01-cv-02261-SAS,1:01-cv-02359-SAS,1:01-cv-02858-SAS,1:01-cv-06780-SAS,1:01-cv-09190-SAS,1:01-cv-09191-SAS(Huth, Karl) (Entered: 09/27/2004) |
| 09/28/2004 | | NOTICE OF FILING: pursuant to this Court's Order dated 9/7/04, Plaintiffs in this action hereby submit for filing, Plaintiffs' Letter Brief, in reply to Underwriter Defendants' 9/22/04 response to Plaintiffs' Submission to the Court's 9/7/04 Order (the "Trial Plan"). This Document Relates to: 01cv3857; 01cv8404; 01cv7048; 01cv9417; 01cv6001; 01cv242. Original Document filed in 21 MC 92, Doc#5366. (sac,) (Entered: 09/30/2004) |
| 10/13/2004 | | OPINION AND ORDER #90768; accordingly, plaintiffs' motion for class certification is granted in part and denied in part for each of the six focus cases: 01cv3857; 01cv8404; 01cv7048; 01cv9417; 01cv6001; 01cv242. Plaintiffs' Exchange Act classes are certified to the extent they include investors who acquired shares between the date of the IPO and 12/6/00 and who satisfy the Court's revised |

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| | <p>class definition. Plaintiffs' section 11 classes for Corvis, Engage, Firepond and VA Linux are certified as to all investors that satisfy the revised class definition and acquired shares before unregistered shares entered the market, and sold those shares for a loss at prices below the offering price. All of plaintiffs' proposed class representatives except Pappas are suitable to prosecute the Exchange Act claims. Huff, Rooney, Pappas, the Collinses, Zhen, Zitto, Budich and Zagoda are appropriate class representatives for their respective section 11 classes. Because plaintiffs have proposed no suitable class representatives for their iXL or Sycamore section 11 classes, those classes cannot be certified. (Signed by Judge Shira A. Scheindlin on 10/13/04)... Original document filed in 21mc92, Doc#5370. (sac,) (Entered: 10/13/2004)</p> |
| 10/13/2004 | <p>OPINION AND ORDER #90768; accordingly, plaintiffs' motion for class certification is granted in part and denied in part for each of the six focus cases: 01cv3857; 01cv8404; 01cv7048; 01cv9417; 01cv6001; 01cv242. Plaintiffs' Exchange Act classes are certified to the extent they include investors who acquired shares between the date of the IPO and 12/6/00 and who satisfy the Court's revised class definition. Plaintiffs' section 11 classes for Corvis, Engage, Firepond and VA Linux are certified as to all investors that satisfy the revised class definition and acquired shares before unregistered shares entered the market, and sold those shares for a loss at prices below the offering price. All of plaintiffs' proposed class representatives except Pappas are suitable to prosecute the Exchange Act claims. Huff, Rooney, Pappas, the Collinses, Zhen, Zitto, Budich and Zagoda are appropriate class representatives for their respective section 11 classes. Because plaintiffs have proposed no suitable class representatives for their iXL or Sycamore section 11 classes, those classes cannot be certified. (Signed by Judge Shira A. Scheindlin on 10/13/04)... ORIGINAL DOCUMENT FILED IN 21MC92, DOC#5370.(sac,) (Entered: 10/27/2004)</p> |

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