

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:01-cv-04187-SAS

In Re: Intertrust Tech IPO, et al v. Intertrust Techno., et al

Assigned to: Judge Shira A. Scheindlin

Demand: \$0

Lead case: [1:01-cv-04187-SAS](#)

Member cases:

[1:01-cv-04347-SAS](#)

[1:01-cv-04461-SAS](#)

[1:01-cv-04576-SAS](#)

[1:01-cv-04600-SAS](#)

[1:01-cv-04783-SAS](#)

[1:01-cv-04883-SAS](#)

[1:01-cv-05037-SAS](#)

[1:01-cv-06036-SAS](#)

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

Cause: 15:77 Securities Fraud

Date Filed: 05/17/2001

Jury Demand: Plaintiff

Nature of Suit: 850

Securities/Commodities

Jurisdiction: Federal Question

Plaintiff

Morris Kassin

*on behalf of himself and all others
similarly situated*

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V.

Defendant

Intertrust Technologies Corporation

Defendant

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Defendant

David C. Chance
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Defendant

Peter Van Cuylenburg
TERMINATED: 10/15/2002

Defendant

Edmund J. Fish
TERMINATED: 10/15/2002

Defendant

Erwin N. Lenowitz
TERMINATED: 10/15/2002

Defendant

David M. Van Wie
TERMINATED: 10/15/2002

Defendant

Bruce Fredrickson
TERMINATED: 10/15/2002

Defendant

Satish K. Gupta
TERMINATED: 10/15/2002

Defendant

Credit Suisse First Boston Corporation

Defendant

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Defendant

BancBoston Robertson Stephens, Inc.

Defendant

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Date Filed	#	Docket Text
05/17/2001	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 405992. (tp) (Entered: 05/18/2001)
05/17/2001		Magistrate Judge Henry B. Pitman is so designated. (tp) (Entered: 05/18/2001)
06/11/2001	2	AFFIDAVIT OF SERVICE of Summons & Complaint as to Morgan Stanley Dean by personal service on 6/1/01 . Answer due on 6/21/01 for Morgan Stanley Dean . (pl) (Entered: 06/13/2001)
06/11/2001	3	AFFIDAVIT OF SERVICE of Summons & Complaint as to Merrill Lynch by personal service on 6/1/01 . Answer due on 6/21/01 for Merrill Lynch . (pl) (Entered: 06/13/2001)
06/11/2001	4	AFFIDAVIT OF SERVICE of Summons and Complaint as to Credit Suisse First by personal service on 6/11/01. Answer due on 7/2/01 for Credit Suisse First. (pl) (Entered: 06/13/2001)
06/11/2001	5	RULE 1.9 CERTIFICATE filed by Morgan Stanley Dean . (pl) (Entered: 06/13/2001)

06/14/2001	6	AFFIDAVIT OF SERVICE of summons and complaint as to BancBoston Robertson Stephens, Inc and Fleet Boston Robertson Stephens, Inc., by Andrew J. Frackman on 6/8/01. Answer due on 6/28/01 for BancBoston Robertson. (djc) Modified on 06/22/2001 (Entered: 06/19/2001)
07/17/2001	7	NOTICE OF MOTION (FILED ON SERVICE DATE) by Sharyn Lawall-Dratel, Patrice A. Lawall, Richard Lawall, Debby Lawall-Pappas, Joann White-Lawall, William M. Dratel, Ernst W. Hofmann, Juani J. Tantillo, Phillip G. Pappas, Joshua L. Dratel appointing the Dratel-Lawall-Pappas Family as lead plaintiff and approving its selection of Goodkind, Labaton, Rudoff & Sucharow, LLP as lead counsel in these and related actions . No return date indicated. [Original filed in 01cv4187(BSJ) as Doc# 7 and docketed to 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	8	AFFIDAVIT of Joel H. Bernstein by Sharyn Lawall-Dratel, Patrice A. Lawall, Richard Lawall, Debby Lawall-Pappas, Joann White-Lawall, William M. Dratel, Ernst W. Hofmann, Juani J. Tantillo, Phillip G. Pappas, Joshua L. Dratel in support of [7-1] motion appointing the Dratel-Lawall-Pappas Family as lead plaintiff, [7-2] motion approving its selection of Goodkind, Labaton, Rudoff & Sucharow, LLP as lead counsel in these and related actions. [Original filed in 01cv4187(BSJ) as Doc# 8 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	9	MEMORANDUM OF LAW by Sharyn Lawall-Dratel, Patrice A. Lawall, Richard Lawall, Debby Lawall-Pappas, Joann White-Lawall, William M. Dratel, Ernst W. Hofmann, Juani J. Tantillo, Phillip G. Pappas, Joshua L. Dratel in support of [7-1] motion appointing the Dratel-Lawall-Pappas Family as lead plaintiff, [7-2] motion approving its selection of Goodkind, Labaton, Rudoff & Sucharow, LLP as lead counsel in these and related actions. [Original filed in case 01cv4187(BSJ) as Doc# 9 and docketed to 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	10	NOTICE OF MOTION (FILED ON SERVICE DATE) by Gary Crandall, Brijesh Agarwal, Rodney J. Paulette, Jeffrey Eltinge, June Eltinge to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037 , appointing Movants to serve as lead plaintiffs and approving Movants' selection of counsel for the Class . No return date indicated. Proposed Order attached. [Original filed in 01cv4187(BSJ) as Doc# 10 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	11	AFFIDAVIT of Joseph R. Seidman, Jr. by Gary Crandall, Brijesh Agarwal, Rodney J. Paulette, Jeffrey Eltinge, June Eltinge in support of [10-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037, [10-2] motion appointing Movants to serve as lead plaintiffs, [10-3] motion approving Movants' selection of counsel for the Class. [Original filed in 01cv4187(BSJ) as Doc# 11 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	12	MEMORANDUM OF LAW by Gary Crandall, Brijesh Agarwal, Rodney J. Paulette, Jeffrey Eltinge, June Eltinge in support of [10-1] motion to consolidate

		case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037, [10-2] motion appointing Movants to serve as lead plaintiffs, [10-3] motion approving Movants' selection of counsel for the Class. [Original filed in 01cv4187(BSJ) as Doc# 12 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	13	NOTICE OF MOTION (FILED ON SERVICE DATE) by Darren Gallo to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4600, 01cv4783, 01cv4883 and 01cv5037 , appointing class member Darren Gallo to serve as lead plaintiff and directing that lead counsel for the class be determined by a sealed bid auction . No return date indicated. Supporting Affidavit of Michael P. Reynolds attached. (Received in Night Box on 7/17/01 at 7:45pm) [Original filed in 01cv4187(BSJ) as Doc# 13 and docketed to 01cv4347, 01cv4461, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	14	MEMORANDUM OF LAW by Darren Gallo in support of [13-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4600, 01cv4783, 01cv4883 and 01cv5037, [13-2] motion appointing class member Darren Gallo to serve as lead plaintiff, [13-3] motion directing that lead counsel the class be determined by a sealed bid auction. (Received in Night Box on 7/17/01 at 7:45pm) [Original filed in 01cv 4187(BSJ) as Doc# 14 and docketed in 01cv4347, 01cv4461, 01cv4600, 01cv4783, 01cv4883 and 01cv5037.] (dcap) (Entered: 07/26/2001)
07/17/2001	15	NOTICE OF MOTION (FILED ON SERVICE DATE) by Michael C. Powers, George C. Ellis Jr. to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036 , appointing Michael C. Powers and George C. Ellis, Jr. M.D. as co-lead plaintiffs in these actions and all related actions and approving the counsel selected and retained by the Movant as lead counsel . No return date indicated. Proposed Order attached. (Received in Night Box on 7/17/01 at 9:02pm) [Original filed in 01cv4187(BSJ) as Doc# 15 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036.] (dcap) (Entered: 07/26/2001)
07/17/2001	16	DECLARATION of Jeffrey M. Norton by Michael C. Powers, George C. Ellis Jr. in support Re: [15-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036, [15-2] motion appointing Michael C. Powers and George C. Ellis, Jr. M.D. as co-lead plaintiffs in these actions and all related actions, [15-3] motion approving the counsel selected and retained by the Movant as lead counsel. (Received in Night Box on 7/17/01 at 9:02pm) [Original filed in 01cv4187(BSJ) as Doc# 16 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036.] (dcap) (Entered: 07/26/2001)
07/17/2001	17	MEMORANDUM OF LAW by Michael C. Powers, George C. Ellis Jr. in support of [15-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036, [15-2] motion appointing Michael C. Powers and George C. Ellis, Jr. M.D. as co-lead plaintiffs in these actions and all related actions, [15-3] motion approving the counsel selected and retained by the Movant as lead counsel. (Received in Night

		Box on 7/17/01 at 9:02pm) [Original filed in 01cv4187(BSJ) as Doc# 17 and docketed in 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036.] (dcap) (Entered: 07/26/2001)
08/03/2001	18	RULE 1.9 CERTIFICATE filed by Intertrust Techno. (dcap) (Entered: 08/08/2001)
08/03/2001	19	MEMORANDUM OF LAW by Gary Crandall, Brijesh Agarwal, Rodney J. Paulette, Jeffrey Eltinge, June Eltinge in re: in opposition to [7-1] motion appointing the Dratel-Lawall-Pappas Family as lead plaintiff, [7-2] motion approving its selection of Goodkind, Labaton, Rudoff & Sucharow, LLP as lead counsel these and related actions, [13-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4600, 01cv4783, 01cv4883 and 01cv5037, [13-2] motion appointing class member Darren Gallo to serve as lead plaintiff, [13-3] motion directing that lead counsel for the class be determined by a sealed bid auction, [15-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883, 01cv5037 and 01cv6036, [15-2] motion appointing Michael C. Powers and George C. Ellis, Jr. M.D. as co-lead plaintiffs in these actions and all related actions, [15-3] motion approving the counsel selected and retained by the Movant as lead counsel and in support of [10-1] motion to consolidate case 01cv4187(BSJ) as Lead Case with 01cv4347, 01cv4461, 01cv4576, 01cv4600, 01cv4783, 01cv4883 and 01cv5037, [10-2] motion appointing Movants to serve as lead plaintiffs, [10-3] motion approving Movants' selection of counsel for the Class. [Original filed in 1:01-cv-04187 Document No. 19. Document Docketed in 1:01-cv-04347; 1:01-cv-04461; 1:01-cv-04576; 1:01-cv-04600; 1:01-cv-04783; 1:01-cv-04883; 1:01-cv-05037] (dcap) (Entered: 08/08/2001)
08/09/2001	20	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 11/13/2001 (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)
09/05/2001	21	ORDER,... that all cases involving Intertrust in this IPO Securities Litigation, as set forth in the attached Rider (1:01-cv-04347, 1:01-cv-04461, 1:01-cv-04576, 1:01-cv-04600, 1:01-cv-04783, 1:01-cv-04883, 1:01-cv-05037, and 1:01-cv-06036) shall be consolidated into case number 01 Civ. 4187. The Clerk of Court is hereby ordered to consolidate any future cases that are designated as related to 01 Civ. 4187 ,... the Clerk of 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-04187 Document No. 21. Document Docketed in 1:01-cv-04347; 1:01-cv-04461; 1:01-cv-04576; 1:01-cv-04600; 1:01-cv-04783; 1:01-cv-04883; 1:01-cv-05037; 1:01-cv-06036] (dcap) Modified on 10/12/2001 (Entered: 09/26/2001)
09/05/2001		Consolidated Lead Case. (dcap) (Entered: 09/26/2001)
09/07/2001	22	RULE 1.9 CERTIFICATE filed by Salomon Smith Barney . (ICMSUSER) Modified on 10/24/2001 (Entered: 10/04/2001)
09/07/2001	23	NOTICE: by Kirby, McInerney & Squire, LLP indicating no motions for consolidation and/or appointment of lead plaintiff and lead counsel have been filed by them; Contact information, stated; indication that they are not aware of any NON-IPO cases that have been transferred to this consolidated litigation. (ICMSUSER) Modified on 10/24/2001 (Entered: 10/04/2001)
09/07/2001	24	RULE 1.9 CERTIFICATE filed by Morris Kassin, Sharyn Lawall-Dratel, Patrice A. Lawall, Richard Lawall, Debby Lawall-Pappas, Joann White-Lawall, William M. Dratel, Ernst W. Hofmann, Juani J. Tantillo, Phillip G. Pappas, Joshua L. Dratel, Gary Crandall, Brijesh Agarwal, Rodney J. Paulette, Jeffrey Eltinge, June Eltinge, Darren Gallo, Michael C. Powers, George C. Ellis Jr.. (ICMSUSER) Modified on 10/24/2001 (Entered: 10/04/2001)
09/20/2001	25	RULE 1.9 CERTIFICATE filed by Credit Suisse First . (ICMSUSER) (Entered: 10/04/2001)
09/21/2001	26	RULE 1.9 CERTIFICATE filed by Morgan Stanley Dean . (ICMSUSER) (Entered: 10/04/2001)
01/04/2002	27	RULE 1.9 CERTIFICATE filed by Merrill Lynch. (sac) (Entered: 01/28/2002)
01/07/2002	28	RULE 1.9 CERTIFICATE filed by Robertson Stephens. (sac) (Entered: 02/07/2002)
04/19/2002		OMNIBUS ORDER, Gary Crandall is hereby appointed as lead plttf and his 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: 05/30/2002)
04/19/2002	29	AMENDED COMPLAINT by Gary Crandall, Jim Greenwood, Jerome T. Sherman, Arthur Dokes amending [1-1] complaint ; Summons issued. (ac) (Entered: 06/14/2002)
04/19/2002		MASTER ALLEGATIONS by Gary Crandall, Jim Greenwood, Jerome T. Sherman, Arthur Dokes RE: Amended Complaint, doc. # 29, Filed on April 19, 2002. (ac) (Entered: 07/30/2002)
06/21/2002	30	AFFIDAVIT OF SERVICE of S&C as to Salomon Smith Barney by Ms. Strauss, V.P., on 6/20/02. (sac) (Entered: 07/29/2002)
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 David C. Chance, Edmund J. Fish, Bruce Frederisckson,

		Satish K. Gupta, Erwin N. Lenowitz, Victor Shear, Peter van Cuylenberg, and David M. Van Wie. (Orig. filed and signed by Judge Scheindlin in 21 mc 92.) (sac) (Entered: 03/10/2003)
07/21/2003	31	ANSWER by Robertson Stephens to [29-1] amended complaint. (Attorney Brendan Joseph Dowd from the O'Melveny & Myers, LLP)... rec'd in the night deposit box on 7/21/03 at 7:13 p.m. (sac) (Entered: 08/19/2003)
07/22/2003	32	ANSWER by Merrill Lynch to [29-1] amended complaint. (Attorney Mark Holland from the Firm: Clifford Chance US LLP). (sac) (Entered: 09/15/2003)
07/29/2003	33	ANSWER by Morgan Stanley Dean to [29-1] amended complaint . (Attorney Andrew B. Clubok Firm of Kirkland & Ellis, LLP) (sac) (Entered: 10/20/2003)
08/13/2003	34	ANSWER to Corrected Consolidated Amended Class Action Complaint. Document filed by Citigroup Global Markets, Inc.. Related document: [29] Amended Complaint filed by Gary Crandall, Jim Greenwood, Jerome T. Sherman, Arthur Dokes.(sac,) (Entered: 03/26/2004)
08/13/2003	35	ANSWER to Corrected Consolidated Amended Class Action Complaint. Document filed by Credit Suisse First Boston Corporation. Related document: [29] Amended Complaint filed by Gary Crandall, Jim Greenwood, Jerome T. Sherman, Arthur Dokes.(sac,) (Entered: 03/26/2004)
08/13/2003	36	ANSWER to Consolidated Amended Class Action Complaint. Document filed by Credit Suisse First Boston Corporation.(sac,) (Entered: 03/26/2004)

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