

**U.S. District Court**  
**District Court of Nebraska (4 Lincoln)**  
CIVIL DOCKET FOR CASE #: 4:01-cv-00427-RGK-DLP

Gebhardt, et al v. Conagra Foods, et al  
Assigned to: Judge Richard G. Kopf  
Referred to: Magistrate Judge David L. Piester  
Demand: \$0  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 08/10/2001  
Jury Demand: Both  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**John Gebhardt**  
*Individually And On Behalf Of All Others*  
*Similarly Situated*

represented by **Alfred G. Yates, Jr.**  
ALFRED G. YATES JR.  
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**Plaintiff**

**Jemmco Investment Management LLC**

represented by **David Kessler**  
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**Lori G. Feldman**  
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*ATTORNEY TO BE NOTICED*

**Marc A. Topaz**  
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**Robert Rosen**  
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**Samuel H. Rudman**  
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**Steven G. Schulman**  
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*TERMINATED: 09/25/2003*

**Thomas M. White**  
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**Plaintiff**

**Plumbers and Pipefitters National  
Pension Fund**

represented by **David Kessler**  
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**Lori G. Feldman**  
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**Steven G. Schulman**  
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*TERMINATED: 09/25/2003*

**Thomas M. White**  
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V.

**Defendant**

**Conagra Foods  
INC.**

represented by **Andrew B. Weissman**  
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**Defendant**

**Bruce C. Rohde**

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**Edward G. Warin**  
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**John A. Valentine**  
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**Leo A. Knowles**

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**Patrick E. Brookhouser, Jr.**

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**Defendant**

**James P. O'Donnell**

represented by **Andrew B. Weissman**

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**Edward G. Warin**

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**Patrick E. Brookhouser, Jr.**

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**Defendant**

**Kenneth W. Difonzo**

represented by **Andrew B. Weissman**

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**Defendant**

**Jay D. Bolding**

represented by **Andrew B. Weissman**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/10/2001	1	COMPLAINT: 5 Summons issued with Receipt Number 808355 in the amount of \$ 150.00; jury demand with request for trial at Omaha, NE w/attachment (JSF) (Entered: 08/13/2001)
08/10/2001		SUMMONS ISSUED as to defendant Bruce C. Rohde, defendant James P. O'Donnell, defendant Kenneth W. Difonzo, defendant Jay D. Bolding (JSF) (Entered: 08/13/2001)
08/10/2001	2	ORDER by Chief Judge Richard G. Kopf that this case will be tried by Judge Kopf, w/the assistance of Magistrate Judge Piester in Lincoln; the case number shall be changed to reflect the fact that this case will now be considered a Lincoln NE case; all further pleadings should be directed to the clk of the USDC in Lincoln; the court file shall be physically transferred to Lincoln, NE and kept thereat transferring case to the Lincoln division - COPIES MAILED [EOD Date 8/13/01] (JSF) (Entered: 08/13/2001)
08/15/2001	3	SUMMONS RETURNED EXECUTED upon defendant James P. O'Donnell on 08/11/01, with attached domestic return receipt. (RDB) (Entered: 08/15/2001)
08/15/2001	4	SUMMONS RETURNED EXECUTED upon defendant Conagra Foods on

		08/11/01, with attached domestic return receipt. (RDB) (Entered: 08/15/2001)
08/15/2001	5	SUMMONS RETURNED EXECUTED upon defendant Kenneth W. Difonzo on 08/11/01, with attached domestic return receipt. (RDB) (Entered: 08/15/2001)
08/15/2001	6	SUMMONS RETURNED EXECUTED upon defendant Bruce C. Rohde on 08/11/01, with attached domestic return receipt. (RDB) (Entered: 08/15/2001)
08/15/2001	7	SUMMONS RETURNED EXECUTED upon defendant Jay D. Bolding on 08/11/01, with attached domestic return receipt. (RDB) (Entered: 08/15/2001)
10/09/2001	8	MOTION of Jemmco Investment Management for order appointing them as lead plf, for approval of selection of Milberg Weiss Bershad Law Firm and Schiffrin & Barroway Law Firm as lead counsel and Welch White & Wulff as liaison counsel ; w/attached proposed order - Order detached and signed by DLP on 11/13/01 (JAE) Modified on 11/14/2001 (Entered: 10/10/2001)
10/09/2001	9	CERTIFICATE OF SERVICE by plaintiff John Gebhardt of serving mtn of Jemmco Investment, brief in support of mtn, and declaration fo Samuel H. Rudman in support of mtn (JAE) (Entered: 10/10/2001)
10/09/2001	10	DECLARATION of Samuel H. Rudman, one of plf John Gebhardt's counsel in support of Jemmco Investment's motion for order appointing them as lead plf, for approval of selection of Milberg Weiss Bershad Law Firm and Schiffrin & Barroway Law Firm as lead counsel and Welch White & Wulff as liaison counsel [8-1]; w/originals in a separate folder (JAE) (Entered: 10/10/2001)
10/31/2001	11	JOINT STIPULATION and MOTION by plaintiff John Gebhardt, defendant Conagra Foods, defendant Bruce C. Rohde, defendant James P. O'Donnell, defendant Kenneth W. Difonzo, defendant Jay D. Bolding for an order allowing dfts to respond to cmp either 60 days after lead plf is selected or 30 days after the filing of a consolidated amd cmp (DKM) (Entered: 11/01/2001)
11/13/2001	12	ORDER by Magistrate Judge David L. Piester granting motion for order appointing them as lead plf, for approval of selection of Milberg Weiss Bershad Law Firm and Schiffrin & Barroway Law Firm as lead counsel and Welch White & Wulff as liaison counsel [8-1]; Jemmco Investment Management LLC and Plumbers and pipefitters national Pension Funda are hereby appointed lead plf for the Class pursuant to Section 21D of the Securities Exchange Act of 1934; the law firms of Milberg Weiss LLP and Schiffrin & Barroway, LLP are hereby appointed lead counsel; the law firm of Welch White & Wulff is hereby appointed Liaison Counsel - COPIES MAILED [EOD Date 11/14/01] (JAE) Modified on 11/14/2001 (Entered: 11/14/2001)
11/13/2001	13	ORDER by Magistrate Judge David L. Piester granting joint stipulation and motion for an order allowing dfts to respond to cmp either 60 days after lead plf is selected or 30 days after the filing of a consolidated amd cmp [11-1]; dfts shall respond to the cmp eith 60 days from this date or 30 days after filing of a consolidated amended complaint, whichever first occurs; - answer/amended ddl set for 1/12/02 for Jay D. Bolding, for Kenneth W. Difonzo, for James P. O'Donnell, for Bruce C. Rohde, for Conagra Foods, for John Gebhardt - COPIES MAILED [EOD Date 11/14/01] (JAE) (Entered: 11/14/2001)

11/14/2001	14	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt - letter sent to alfred g. Yates, Jr. with forms. (JAE) (Entered: 11/14/2001)
11/14/2001	15	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt, plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit - letter sent to Samuel H. Rudman with forms. (JAE) (Entered: 11/14/2001)
12/13/2001	16	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Alfred G. Yates is admitted to practice pro hac vice - COPIES MAILED (JSF) (Entered: 12/13/2001)
12/20/2001	17	JOINT STIPULATION AND MOTION by plfs John Gebhardt, Jemmco Investment, and Plumbers & Pipefit, and dfts Conagra Foods, Bruce C. Rohde, James P. O'Donnell, Kenneth W. Difonzo, and Jay D. Bolding for leave for plaintiff to file his amended class action complaint on 01/18/02 and setting out certain response dates . (RDB) (Entered: 12/20/2001)
12/26/2001	18	ORDER by Magistrate Judge David L. Piester denying joint motion of parties for extension of time for leave for plaintiff to file his amended class action complaint on 01/18/02 and setting out certain response dates [17-1] - COPIES MAILED [EOD Date 12/27/01] (PSM) (Entered: 12/27/2001)
01/11/2002	19	AMENDED CLASS ACTION COMPLAINT: [1-1] by plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit; no summons issued; jury demand (JSF) (Entered: 01/14/2002)
01/11/2002	20	CERTIFICATE by plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit of serving the Amended Class Action Complaint (JSF) (Entered: 01/14/2002)
01/14/2002	21	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt, plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit - letter sent to Sanford P. Dumain with forms. (JSF) (Entered: 01/14/2002)
01/14/2002	22	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt, plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit - letter sent to David Kessler with forms. (JSF) (Entered: 01/14/2002)
01/14/2002	23	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt, plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit - letter sent to Michael K. Yarnoff with forms. (JSF) (Entered: 01/14/2002)
01/14/2002	24	ATTORNEY ADMISSION LETTER (COPY) re: plaintiff John Gebhardt, plaintiff Jemmco Investment, plaintiff Plumbers & Pipefit - letter sent to Robert Rosen with forms. (JSF) (Entered: 01/14/2002)
01/16/2002	25	MOTION by dfts Conagra Foods, Bruce C. Rohde, James P. O'Donnell, Kenneth W. Difonzo, and Jay D. Bolding for enlargement of time to respond to Amended Complaint (BMH) (Entered: 01/16/2002)
01/16/2002	26	ORDER by Magistrate Judge David L. Piester granting dfts' motion for enlargement of time to respond to Amended Complaint [25-1]; dfts shall file a response to plfs' Amended Complaint on or before 2/11/02 answer/amended ddl set for 2/11/02 for dfts Jay D. Bolding, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde, and Conagra Foods - COPIES MAILED [EOD Date 1/16/02]

		(BMH) (Entered: 01/16/2002)
01/30/2002	27	APPLICATION/ORDER by clerk re: defendant Conagra Foods, defendant Bruce C. Rohde, defendant James P. O'Donnell, defendant Kenneth W. Difonzo, defendant Jay D. Bolding - atty Andrew B. Weissman is admitted to practice pro hac vice - COPIES MAILED (JAE) (Entered: 02/01/2002)
01/30/2002	28	APPLICATION/ORDER by clerk re: defendant Conagra Foods, defendant Bruce C. Rohde, defendant James P. O'Donnell, defendant Kenneth W. Difonzo, defendant Jay D. Bolding - atty John A. Valentine is admitted to practice pro hac vice - COPIES MAILED (JAE) (Entered: 02/01/2002)
02/08/2002	29	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Lori G. Feldman is admitted to practice pro hac vice - COPIES MAILED (CJB) (Entered: 02/11/2002)
02/08/2002	30	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Sanford P. Dumain is admitted to practice pro hac vice - COPIES MAILED (CJB) (Entered: 02/11/2002)
02/08/2002	31	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Tamara J. Driscold is admitted to practice - COPIES MAILED (CJB) (Entered: 02/11/2002)
02/11/2002	34	MOTION by defendants Conagra Foods, Bruce C. Rohde, James P. O'Donnell, Kenneth W. Difonzo, Jay D. Bolding to dismiss the Amended Complaint with prejudice , and request for oral argument on Motion to Dismiss Amended Complaint (CS) Modified on 02/14/2002 (Entered: 02/13/2002)
02/11/2002	35	INDEX OF EVIDENCE/"MOTION TO TAKE JUDICIAL NOTICE" by defendants Conagra Foods, Bruce C. Rohde, James P. O'Donnell, Kenneth W. Difonzo, Jay D. Bolding in support of their motion to dismiss the Amended Complaint [34-1], with attachments - ATTACHMENTS (2 VOLUMES) IN SEPARATE FOLDER (CS) (Entered: 02/13/2002)
02/12/2002	32	MOTION by court-appointed lead plaintiffs to extend time in which to respond to the mtn to dismiss and mtn to take judicial notice ; with attachment (JSF) Modified on 02/12/2002 (Entered: 02/12/2002)
02/12/2002	33	CERTIFICATE by court-appointed lead plaintiffs of serving mtn for enlargement of time (JSF) (Entered: 02/12/2002)
02/14/2002	36	ORDER by Chief Judge Richard G. Kopf granting Lead Plaintiffs' written motion to extend time in which to respond to the mtn to dismiss and mtn to take judicial notice [32-1] plfs shall file responses on or before 3/13/02 - COPIES MAILED [EOD Date 2/15/02] (KBJ) (Entered: 02/15/2002)
02/19/2002	37	APPLICATION/ORDER by clerk re: plaintiffs John Gebhardt, Jemmco Investment and Plumbers & Pipefit - atty Michael K. Yarnoff is admitted to practice pro hac vice - COPIES MAILED (JSF) (Entered: 02/19/2002)
02/22/2002	38	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Robert C. Rosen is admitted to practice pro hac vice - COPIES MAILED (JSF) (Entered: 02/25/2002)

02/26/2002	39	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty David Paul Bleistein is admitted to practice pro hac vice - COPIES MAILED (CJB) (Entered: 02/27/2002)
02/26/2002	40	APPLICATION/ORDER by clerk re: plaintiff John Gebhardt - atty Efrat Levy is admitted to practice pro hac vice - COPIES MAILED (CJB) (Entered: 02/27/2002)
03/13/2002	41	INDEX (COMPENDIUM OF UNREPORTED CASES CITED) by plaintiff John Gebhardt in opposition to motion to dismiss the Amended Complaint with prejudice [34-1] (ATTACHMENTS IN SEPARATE FOLDER) (CJB) (Entered: 03/14/2002)
03/13/2002	42	CERTIFICATE by plaintiff John Gebhardt of serving opposition to dfts' mtn to dismiss and compendium of unreported cases cited in lead plfs' opposition to dfts' mtn to dismiss (JSF) (Entered: 03/15/2002)
03/20/2002	43	MOTION (UNOPPOSED) by defendant Conagra Foods, defendant Bruce C. Rohde, defendant James P. O'Donnell, defendant Kenneth W. Difonzo, defendant Jay D. Bolding for leave to submit a reply brief in support of dfts' mtn to dismiss (JSF) (Entered: 03/21/2002)
03/22/2002	44	ORDER by Chief Judge Richard G. Kopf granting defendants' motion for leave to submit a reply brief [43-1] in support of dfts' motion to dismiss [34-1]; and the reply brief shall be submitted on or before 03/28/02 - COPIES MAILED [EOD Date 3/22/02] (RDB) (Entered: 03/22/2002)
03/28/2002	45	MOTION by defendant Jay D. Bolding, defendant Kenneth W. Difonzo, defendant James P. O'Donnell, defendant Bruce C. Rohde, defendant Conagra Foods for leave to file a supplemental index of evidence in support of their mtn to dismiss and for the court to take judicial notice (JSF) (Entered: 03/28/2002)
04/03/2002	46	MEMORANDUM AND ORDER by Chief Judge Richard G. Kopf that defendants' motion for leave to file a supplemental index of evidence in support of their motion to dismiss [45-1] is granted in part and the Clerk is ordered to file the Supplemental Index; setting out certain matters for counsel to submit briefs on, and setting a due date of 04/17/02 - COPIES MAILED [EOD Date 4/3/02] (RDB) (Entered: 04/03/2002)
04/03/2002	47	SUPPLEMENTAL INDEX OF EVIDENCE filed by defendants Conagra Foods, Jay D. Bolding, Kenneth W. Difonzo, James P. O'Donnell, and Bruce C. Rohde in support of their motion to dismiss [34-1], with attachments - ATTACHMENTS IN SEPARATE FOLDER (RDB) (Entered: 04/03/2002)
04/09/2002	48	APPLICATION/ORDER by clerk re: plaintiff Plumbers & Pipefit, plaintiff Jemmco Investment, plaintiff John Gebhardt - atty David Kessler is admitted to practice - COPIES MAILED (TJS) (Entered: 04/09/2002)
04/17/2002	49	CERTIFICATE by plaintiff John Gebhardt of serving memorandum in response to Court's memorandum and order of 4/3/02 (JSF) (Entered: 04/17/2002)
07/23/2002	50	MEMORANDUM AND ORDER entered by Chief Judge Richard G. Kopf that: (1) defendants' first motion to take judicial notice [35-1] is granted in part and denied in part; (2) defendants' second motion to take judicial notice [45-2] is granted in part and denied in part; (3) defendants' motion to dismiss [34-1] is granted; (4)

		defendant's request for oral argument [34-2] is denied; and (5) Judgment shall be entered by separate document - COPIES MAILED [EOD Date 7/24/02] (RDB) (Entered: 07/24/2002)
07/23/2002	51	JUDGMENT by Chief Judge Richard G. Kopf that pursuant to the court's Memorandum and Order [50-1] previously filed this date, final judgment is entered in favor of Defendants and Plaintiffs, providing that Plaintiffs shall take nothing as against Defendants, and Plaintiffs' action is dismissed with prejudice pursuant to Fed.R.Civ.P. 12(b)(6) - COPIES MAILED [EOD Date 7/24/02] (RDB) (Entered: 07/24/2002)
08/20/2002	52	NOTICE OF APPEAL by plaintiffs Plumbers & Pipefit and plaintiff Jemmco Investment from District Court Memorandum and Order [50-1] and Judgment [51-1], [51-2] - COPIES MAILED, RGK (JSF) (Entered: 08/21/2002)
08/20/2002		RECEIPT for Appeal fee from plaintiffs Plumbers & Pipefit and Jemmco Investment in the amount of \$ 105.00 (Receipt # 812492) re: Notice of Appeal [52-1] (JSF) (Entered: 08/21/2002)
08/20/2002	53	CERTIFICATE by plaintiffs Plumbers & Pipefit and Jemmco Investment of serving Notice of Appeal (JSF) (Entered: 08/21/2002)
08/23/2002	54	2 CERTIFIED COPIES of Lead Plaintiffs' Notice of Appeal [52-1], Judgment [51-1], Memorandum and Order [50-1], Order Appointing Lead Plaintiff [12-1], and Clerk's docket entries mailed to Clerk, USCA 8th Circuit, together with Appellant's Form A; docket entries were also mailed to the attorneys of record. (RDB) (Entered: 08/23/2002)
08/27/2002	55	SCHEDULING ORDER from USCA (8th Cir.) Appellate Docket No. 02-3130NEL, re: Notice of Appeal [52-1]. (RDB) (Entered: 08/29/2002)
06/30/2003	<a href="#">56</a>	COPY OF OPINION of USCA, 8th Circuit, Appellate Docket No. 02-3130NEL, regarding Notice of Appeal [52]. The judgment of the District Court is reversed, and this case is remanded to that Court for further proceedings not inconsistent with this opinion. (Attachment: #1) Letter from USCA Clerk). (RDB) (Entered: 06/30/2003)
07/03/2003	<a href="#">57</a>	COPY OF OPINION of USCA, 8th Circuit, Appellate Docket No. 02-3130NEL, regarding Notice of Appeal [52]. The judgment of the District Court is reversed, and this case is remanded to that Court for further proceedings not inconsistent with this opinion. (Attachment: # <a href="#">1</a> Letter from USCA Clerk) (RDB) (Entered: 07/03/2003)
07/31/2003	<a href="#">58</a>	COPY of Order from USCA - 8th Circuit, Appellate Docket No. 02-3130NEL, that Appellants shall recover from the appellees the sum of \$368.87 as taxable costs on appeal. (Attachments: # <a href="#">1</a> Letter from USCA)(CS, ) (Entered: 08/01/2003)
08/04/2003	<a href="#">59</a>	COPY of Order from USCA, 8th Circuit, Appellate Docket No. 02-3130. Appellants shall recover from the appellees the sum of \$368.87 as taxable costs on appeal. (Attachment: # <a href="#">1</a> Letter from USCA Clerk) (RDB) (Entered: 08/05/2003)
08/04/2003	<a href="#">60</a>	Letter from USCA Clerk, 8th Circuit, Appellate Docket No. 02-3130. A petition for rehearing with petition for rehearing en banc has been filed by the appellees. The Court has requested that Jemmco Investment respond to the petition. (RDB)

		(Entered: 08/05/2003)
08/27/2003	<a href="#">61</a>	COPY OF ORDER from USCA, 8th Circuit, 02-3130. The petition for rehearing en banc is denied. The petition for rehearing by the panel is denied. (Attachment: # <a href="#">1</a> Letter from USCA Clerk) (RDB) (Entered: 08/27/2003)
08/29/2003	<a href="#">62</a>	COPY OF ORDER from USCA, 8th Circuit, 02-3130. The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied. (Attachment: # <a href="#">1</a> Letter from USCA Clerk) (RDB) (Entered: 08/30/2003)
09/03/2003	<a href="#">63</a>	LETTER from USCA Clerk, 8th Circuit, 02-3130, regarding the Notice of Appeal [52]. The mandate of this Court is being sent to the clerk of the district court. (RDB) (Entered: 09/03/2003)
09/08/2003	<a href="#">64</a>	CERTIFIED COPY OF OPINION of the USCA, 8th Circuit, Appellate Docket No. 02-3130NEL, regarding Notice of Appeal [52]. The judgment of the District Court is reversed, and this case is remanded to that Court for further proceedings not inconsistent with this opinion. (RDB) (Entered: 09/09/2003)
09/08/2003	<a href="#">65</a>	MANDATE/JUDGMENT (CERTIFIED COPY) from the U.S. Court of Appeals, 8th Circuit, Appellate Docket No. 02-3130NEL, regarding Notice of Appeal [52]. This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel. After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is reversed and the cause is remanded to the district court for proceedings consistent with this opinion of this court. (Attachment: # <a href="#">1</a> Letter from USCA Clerk) (Copies mailed). (RDB) (Entered: 09/09/2003)
09/10/2003	<a href="#">66</a>	ORDER - Pursuant to the mandate of the United States Court of Appeals for the Eighth Circuit, filing <a href="#">65</a> , it is ordered that: (1) This matter is referred to Magistrate Judge David L. Piester for progression, as appropriate. (2) The clerk of the court shall provide a copy of this order to Judge Piester. Signed by Judge Richard G. Kopf on 09/10/2003. (Referred, as directed). (RDB) (Entered: 09/11/2003)
09/17/2003	<a href="#">67</a>	MOTION to Dismiss ( <i>Renewed</i> ) on <i>Scienter Grounds and Request For Oral Argument</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 09/17/2003)
09/17/2003	<a href="#">68</a>	INDEX Support Of Motion to Dismiss, <a href="#">67</a> by Attorney Patrick E. Brookhouser Jr.on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Attachments: # <a href="#">1</a> Affidavit of Patrick E. Brookhouser, Jr. (Ex 1)# <a href="#">2</a> Exhibit Exhibit A Part 1# <a href="#">3</a> Exhibit Exhibit A Part 2# <a href="#">4</a> Exhibit Exhibit A Part 3# <a href="#">5</a> Exhibit Exhibit B# <a href="#">6</a> Exhibit Exhibit G# <a href="#">7</a> Exhibit Exhibit L# <a href="#">8</a> Exhibit Exhibit M Part 1# <a href="#">9</a> Exhibit Exhibit M Part 2)(Brookhouser, Patrick) (Entered: 09/17/2003)
09/17/2003	<a href="#">69</a>	MOTION To Take Judicial Notice Of Evidence Being Submitted In Support of Renewed Motion To Dismiss on <i>Scienter Grounds</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 09/17/2003)

09/17/2003	<a href="#">70</a>	BRIEF Support of Motion to Dismiss, <a href="#">67</a> by Attorney Patrick E. Brookhouser Jr.on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 09/17/2003)
09/19/2003	<a href="#">71</a>	SCHEDULING PACKET Rule 26 Meeting Report Deadline set signed by Judge David L. Piester on 9/19/2003. (CCB, ) (Entered: 09/19/2003)
09/23/2003	<a href="#">72</a>	MOTION to Extend <i>Time to Respond to Defendants' Renewed Motion to Dismiss and Motion to Take Judicial Notice</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 09/23/2003)
09/23/2003	<a href="#">73</a>	ORDER granting <a href="#">72</a> Motion for Enlargement of Time. Lead Plaintiffs shall file response to MOTION To Take Judicial Notice Of Evidence Being Submitted In Support of Renewed Motion To Dismiss on Scienter Grounds <a href="#">69</a> , and MOTION to Dismiss ( <i>Renewed</i> ) on Scienter Grounds and Request For Oral Argument <a href="#">67</a> on or before October 21, 2003. Signed by Judge Richard G. Kopf on 9/23/2003. (GJG, ) (Entered: 09/23/2003)
10/01/2003	<a href="#">74</a>	ORDER Joint request of counsel is granted, and the deadline for filing the report of the parties' Rule 26 planning report is extended to 10/10/2003. Signed by Magistrate Judge David L. Piester on 10/1/2003. (GJG, ) (Entered: 10/01/2003)
10/09/2003	<a href="#">75</a>	APPLICATION/ORDER admitting pro hac vice Attorney Ann M. Lipton for Plaintiff John Gebhardt. Signed by Deputy Clerk on 10/9/2003. (KBJ) (Entered: 10/09/2003)
10/09/2003	<a href="#">76</a>	ATTORNEY LETTER by Clerk that Attorney Ann M. Lipton has not registered for the system. If the requested action is not taken within fifteen (15) days of the date of this letter, this matter will be referred to the assigned magistrate judge for the entry of a show cause order. (KBJ) (Entered: 10/09/2003)
10/10/2003	<a href="#">77</a>	REPORT of Rule 26(f) Planning Meeting by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 10/10/2003)
10/21/2003	<a href="#">78</a>	BRIEF In Opposition to <i>Defendants' Renewed Motion to Dismiss on Scienter Grounds</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 10/21/2003)
10/21/2003	<a href="#">79</a>	INDEX In Support of <i>Lead Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss on Scienter Grounds</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (Attachments: # <a href="#">1</a> Exhibit Affidavit of Thomas M. White# <a href="#">2</a> Exhibit United Agri Product's Tax Reports# <a href="#">3</a> Exhibit Stipulated Dismissal# <a href="#">4</a> Exhibit Affidavit of Lori Feldman)(White, Thomas) (Entered: 10/21/2003)
10/21/2003	<a href="#">80</a>	MOTION for Hearing ( <i>Oral Argument</i> ) by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 10/21/2003)
10/21/2003	<a href="#">81</a>	MOTION Motion to Take Judicial Notice of <i>Exhibits A and B</i> by Attorney Thomas

		M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 10/21/2003)
10/29/2003	<a href="#">82</a>	ORDER regarding Report of Rule 26(f) Planning Meeting <a href="#">77</a> filed by John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund. (1) Counsel for parties are given until 30 days after a final ruling denying entirely or in part the pending motion to dismiss <a href="#">67</a> by which to confer and report to the court accordingly. (2) Lead Plaintiffs' request in the planning report for leave to serve subpoenas, construed as a motion for relief from the stay, is denied. Signed by Magistrate Judge David L. Piester on 10/29/2003. (GJG, ) (Entered: 10/29/2003)
11/04/2003	<a href="#">83</a>	MOTION for Leave <i>To File Reply Brief In Support Of Motion To Dismiss On Scienter Grounds</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Attachments: # <a href="#">1</a> )(Brookhouser, Patrick) (Entered: 11/04/2003)
12/10/2003	<a href="#">84</a>	MEMORANDUM AND ORDER (1) denying in all respects <a href="#">67</a> part 1 Defendants' Motion to Dismiss, (2) Defendant's request for oral argument <a href="#">67</a> part 2 is denied; (3) granting <a href="#">69</a> Defendants' Motion to take judicial notice; (4) denying <a href="#">80</a> Plaintiffs' Motion for Hearing; (5) granting <a href="#">81</a> Plaintiffs' Motion to take judicial notice; and (6) granting, instanter, <a href="#">83</a> Defendants' Motion for Leave to file reply brief. Signed by Judge Richard G. Kopf on 12/10/2003. (GJG, ) (Entered: 12/10/2003)
12/24/2003	<a href="#">85</a>	ANSWER to Complaint ( <i>Amended Complaint</i> ) by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 12/24/2003)
01/09/2004	<a href="#">86</a>	REPORT of Rule 26(f) Planning Meeting <i>Supplemental</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 01/09/2004)
02/04/2004	<a href="#">87</a>	ORDER SETTING SCHEDULE FOR INITIAL PROGRESSION OF A CIVIL CASE Planning Conference set for 4/26/2004 09:00 AM in chambers before Magistrate Judge David L. Piester. Signed by Magistrate Judge David L. Piester on 2/4/2004. (GJG, ) (Entered: 02/04/2004)
02/11/2004	<a href="#">88</a>	NOTICE of Mailing <i>Discovery Requests</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 02/11/2004)
02/13/2004	<a href="#">89</a>	NOTICE of Mailing <i>Initial Disclosures</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 02/13/2004)
02/13/2004	<a href="#">90</a>	NOTICE of <i>Change Of Firm Name</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 02/13/2004)
02/13/2004	<a href="#">91</a>	NOTICE of <i>-serving discovery requests</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James

		P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 02/13/2004)
02/14/2004	<a href="#">92</a>	NOTICE of serving Defendants' Initial Disclosures by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 02/14/2004)
03/03/2004	<a href="#">93</a>	NOTICE of Mailing Discovery Requests by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 03/03/2004)
03/05/2004	<a href="#">94</a>	MOTION to Certify Class by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 03/05/2004)
03/05/2004	<a href="#">95</a>	BRIEF In Support of Motion to Certify Class by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 03/05/2004)
03/09/2004	<a href="#">96</a>	Unopposed MOTION to Extend Time by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 03/09/2004)
03/10/2004	<a href="#">97</a>	MEMORANDUM ORDER regarding MOTION to Certify Class <a href="#">94</a> filed by John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund. MOTION to Certify Class pursuant to Fed. R. Civ. P. 23, filing <a href="#">94</a> and any motions related to it are hereby REFERRED to Magistrate Judge David L. Piester. Signed by Judge Richard G. Kopf on 3/10/2004. (GJG, ) (Entered: 03/10/2004)
03/11/2004	<a href="#">98</a>	ORDER granting <a href="#">96</a> Motion to Extend Time. The Defendants shall file their opposition brief and any evidence in opposition to the Lead Plaintiffs' Motion for Class Certification on or before April 26, 2004. Signed by Magistrate Judge David L. Piester on 3/11/2004. (GJG, ) (Entered: 03/12/2004)
03/15/2004	<a href="#">99</a>	NOTICE Of Serving Defendants' Responses To Plaintiffs' Request For Production Of Documents And Things by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 03/15/2004)
03/25/2004	<a href="#">100</a>	Mail Returned as Undeliverable addressed to Robert Rosen regarding Order on Motion to Extend <a href="#">98</a> ; Mail resent on 3/25/04 to Robert Rosen, Rosen Law Firm, 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (BMH) (Entered: 03/25/2004)
03/25/2004	<a href="#">101</a>	Mail Returned as Undeliverable addressed to Robert Rosen regarding Order <a href="#">97</a> ; Mail resent on 3/25/04 to Robert Rosen, Rosen Law Firm, 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (BMH) (Entered: 03/25/2004)
03/25/2004	<a href="#">102</a>	Mail Returned as Undeliverable addressed to Efrat Levy regarding Order <a href="#">97</a> ; Mail resent on 3/25/04 to Efrat Levy, Rosen Law Firm, 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (BMH) (Entered: 03/25/2004)

03/25/2004	<a href="#">103</a>	Mail Returned as Undeliverable addressed to David Paul Bleistein regarding Order <a href="#">98</a> ; Mail resent on 3/25/04 to David Paul Bleistein, Rosen Law Firm, 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (BMH) (Entered: 03/25/2004)
03/26/2004	<a href="#">104</a>	Mail Returned as Undeliverable addressed to David Paul Bleistein, ROSEN LAW FIRM, 555 S. Flower, Suite 4600, Los Angeles, CA 90071 regarding Order, <a href="#">97</a> . Mail resent to David Paul Bleistein, ROSEN LAW FIRM-CALIFORNIA, 300 South Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (CS, ) (Entered: 03/26/2004)
03/29/2004	<a href="#">105</a>	Mail Returned as Undeliverable addressed to Efrat Levy regarding Order on Motion to Extend, <a href="#">98</a> . Mail resent to Efrat Levy at Rosen Law Firm 300 S. Grand Avenue, Suite 2700, Los Angeles, CA 90071-3137. (GJG, ) (Entered: 03/29/2004)
04/05/2004	<a href="#">106</a>	NOTICE of Mailing Discovery Responses by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 04/05/2004)
04/12/2004	<a href="#">107</a>	NOTICE to Take Deposition of Lead Plaintiff Jemmco Investment Management, LLC under Rule 30(b)(6) by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 04/12/2004)
04/12/2004	<a href="#">108</a>	NOTICE to Take Deposition of Lead Plaintiff Plumbers and Pipefitters National Pension Fund Under Rule 30(b)(6) by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 04/12/2004)
04/14/2004	<a href="#">109</a>	NOTICE of Serving Responses To Plaintiffs' Second Request For Production Of Documents And Things by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 04/14/2004)
04/19/2004	<a href="#">110</a>	Joint MOTION for Protective Order <i>In Accordance With The Parties' Stipulated Confidentiality Order, With Attached Proposed Order</i> by Attorney Patrick E. Brookhouser Jr. on behalf of Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Attachments: # <a href="#">1</a> )(Brookhouser, Patrick) (Entered: 04/19/2004)
04/20/2004	<a href="#">111</a>	ORDER regarding Order Setting Schedule for Initial Progression of a Civil Case <a href="#">87</a> . The first sentence of paragraph 8 of the order is amended as follows: "A planning conference with the undersigned magistrate judge will be held on April 26, 2004 at 9:00 a.m. in chambers, 566 Federal Building, 100 Centennial Mall North, Lincoln, Nebraska for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial." Signed by Magistrate Judge David L. Piester on 4/20/2004. (CAR, ) (Entered: 04/20/2004)
04/20/2004	<a href="#">112</a>	ORDER granting <a href="#">110</a> Motion for Protective Order. Confidentiality Order entered. Signed by Magistrate Judge David L. Piester on 4/20/2004. (JAR, ) (Entered: 04/21/2004)
04/21/2004	<a href="#">113</a>	Joint MOTION to Continue <i>To Alter Dates In The Order Dated March 11, 2004, Which Was Filing No. 98</i> by Attorney Patrick E. Brookhouser Jr. on behalf of

		Defendants Jay D. Bolding, Conagra Foods, Kenneth W. Difonzo, James P. O'Donnell, Bruce C. Rohde (Brookhouser, Patrick) (Entered: 04/21/2004)
04/21/2004	<a href="#">114</a>	ORDER granting <a href="#">113</a> Motion to Continue, and the Defendants shall file their opposition brief and any evidence in opposition to the Lead Plaintiffs' Motion For Class Certification on or before June 2, 2004. Signed by Magistrate Judge David L. Piester on 4/21/2004. (CAR, ) (Entered: 04/21/2004)
04/26/2004		ORAL MOTION Joint motion to stay proceedings - THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY.(GJG, ) (Entered: 04/26/2004)
04/26/2004	<a href="#">115</a>	ORDER granting [] the Joint Oral Motion for stay of proceedings. All proceedings, including all discovery requests and responses, and all other actions otherwise scheduled or required by extant orders or the Federal Rules of Civil Procedure, including defendants' response to plaintiffs' pending motion for class certification, are stayed until further order of the court. Once the parties have hired their selected mediator or neutral, plaintiff's lead counsel shall by telephone inform the office of the undersigned of the identify of the mediator or neutral and the dates(s) of the scheduled negotiations/mediation sessions. Once the negotiations/mediation sessions have concluded, plaintiffs' lead counsel shall again inform the office of the undersigned the outcome. If the case has not been fully resolved, lead counsel for all parties shall confer and seek to stipulate to a schedule for the expeditious progression of the case to trial; such stipulation shall be reduced to writing and filed within twenty days following the conclusion of the negotiations/mediation session. If no agreement on schedule has been reached, counsel shall request another conference with the court for that pupose. Signed by Magistrate Judge David L. Piester on 4/26/2004. (GJG, ) (Entered: 04/26/2004)
05/12/2004	<a href="#">116</a>	NOTICE OF FIRM NAME CHANGE by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 05/12/2004)
05/27/2004	<a href="#">117</a>	Joint MOTION to Extend <i>Time and Order</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 05/27/2004)
05/28/2004	<a href="#">118</a>	ORDER granting <a href="#">117</a> Motion to Extend. The stay of proceedings herein shall be extended from June 26, 2004 to July 30, 2004. Signed by Magistrate Judge David L. Piester on 5/28/2004. (GJG, ) (Entered: 05/28/2004)
06/01/2004	<a href="#">119</a>	Mail Returned as Undeliverable addressed to Tamara J. Driscoll at tdriscoll@milberg.com regarding Motion filing <a href="#">117</a> and Order on Motion to Extend <a href="#">118</a> . E-mail was not resent because Attorney Driscoll is longer with the firm. (Attachments: # <a href="#">1</a> filing 117) (GJG, ) (Entered: 06/01/2004)
06/16/2004	<a href="#">120</a>	MOTION to Withdraw as Attorney <i>Appearance of Tamara Driscoll</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 06/16/2004)
06/17/2004	<a href="#">121</a>	ORDER granting <a href="#">120</a> Motion to Withdraw as Attorney. Appearance of Tamara

		Driscoll withdrawn on behalf of Lead Plaintiffs. Signed by Magistrate Judge David L. Piester on 6/17/2004. (JAR, ) (Entered: 06/17/2004)
07/27/2004	<a href="#">122</a>	Joint MOTION to Extend <i>Time for Stay of Proceedings</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 07/27/2004)
07/27/2004	<a href="#">123</a>	ORDER granting <a href="#">122</a> Motion to Extend. The stay of proceedings herein shall be extended from July 30, 2004 to October 1, 2004. Signed by Magistrate Judge David L. Piester on 7/27/2004. (GJG, ) (Entered: 07/27/2004)
09/30/2004		JOINT ORAL MOTION - to extend the stay of the case. THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY.(GJG, ) (Entered: 09/30/2004)
09/30/2004	<a href="#">124</a>	ORDER granting Oral Motion. The joint oral motion of the parties is granted and this case is stayed for an additional thirty days. The stay is extended from October 1, 2004 to November 1, 2004. Signed by Magistrate Judge David L. Piester on 9/30/2004. (GJG, ) (Entered: 09/30/2004)
10/07/2004	<a href="#">125</a>	ORDER - At the request of counsel, IT IS ORDERED that a status conference pursuant to Rule 16 is set for October 8, 2004 at 9:00 a.m. in the Fourth Floor Conference Room, Hruska Federal Building, Omaha, Nebraska. Signed by Magistrate Judge David L. Piester on 10/7/2004. (CAR, ) (Entered: 10/07/2004)
10/08/2004	<a href="#">126</a>	ORDER- The Court held a conference with counsel this date for the purposes of monitoring the status of this case. Following discussion, counsel agreed that a further, more formal report should be made on or before November 1, 2004. IT THEREFORE HEREBY IS ORDERED, Counsel for the parties shall submit to the undersigned magistrate judge their joint, or if necessary, separate reports on the status of this case and the steps needed to further schedule the matter. Any request for an additional conference with the court may be included in the report. The stay of proceedings remains in effect until the aforementioned report has been submitted to the court. Signed by Magistrate Judge David L. Piester on 10/8/2004. (GJG, ) (Entered: 10/08/2004)
01/28/2005	<a href="#">129</a>	PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS. This Action is hereby certified as a class action as set out in the attached order. A "Settlement Fairness Hearing" is set for 5/24/2005 12:00 PM in Special Proceedings (Omaha) before Judge Richard G. Kopf. Signed by Judge Richard G. Kopf on 1/28/2005. (GJG, ) (Entered: 01/28/2005)
01/31/2005	<a href="#">130</a>	NOTICE of Change of Address by Attorney Richard S. Schiffrin on behalf of the firm of Schiffrin & Barrloway, LLP to 280 King of Prussia Road, Radnor, PA 19087 (JSF) (Entered: 01/31/2005)
02/07/2005	<a href="#">131</a>	Mail Returned as Undeliverable addressed to Paul J. Geller, CAULEY, GELLER LAW FIRM, One Boca Place, 2255 Glades Road Suite 421A, Boca Raton, FL 33431 regarding Memorandum and Order, [127]. Mail not remailed, no forwarding address on file. (JAR) (Entered: 02/07/2005)

02/18/2005	<a href="#">132</a>	Mail Returned as Undeliverable addressed to Paul J. Geller, CAULEY, GELLER LAW FIRM, One Boca Place, 2255 Glades Road Suite 421A, Boca Raton, FL 33431 regarding Order <a href="#">129</a> . Document not remailed, no forwarding address on file. (JAR) (Entered: 02/18/2005)
03/03/2005	<a href="#">133</a>	ORDER regarding <a href="#">94</a> Motion to Certify Class. Signed by Magistrate Judge David L. Piester on 3/3/2005. (JAR) (Entered: 03/03/2005)
03/17/2005	<a href="#">134</a>	OBJECTION filed by Nola J. Gerrits and George B. Dyer regarding PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS <a href="#">129</a> . (GJG, ) (Entered: 03/18/2005)
03/21/2005	<a href="#">135</a>	OBJECTION filed by Patrick J. Klocke <a href="#">129</a> regarding PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS (BMH) (Entered: 03/21/2005)
03/24/2005	<a href="#">136</a>	OBJECTION filed by Joel E. Reed regarding <a href="#">129</a> PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS. (GJG, ) (Entered: 03/24/2005)
04/05/2005	<a href="#">137</a>	OBJECTION filed by Jack H. Shreffler regarding PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS. <a href="#">129</a> . (GJG, ) (Entered: 04/05/2005)
04/14/2005	<a href="#">138</a>	STIPULATION by Attorney Patrick E. Brookhouser, Jr on behalf of Defendants Conagra Foods, Bruce C. Rohde, James P. O'Donnell, Kenneth W. Difonzo, Jay D. Bolding(Brookhouser, Patrick) (Entered: 04/14/2005)
05/09/2005	<a href="#">139</a>	OBJECTION filed by Murray A. Bloom regarding PRELIMINARY ORDER FOR NOTICE AND HEARING IN CONNECTION WITH SETTLEMENT PROCEEDINGS <a href="#">129</a> . (GJG, ) (Entered: 05/10/2005)
05/16/2005	<a href="#">140</a>	MOTION for Settlement <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/16/2005)
05/16/2005	<a href="#">141</a>	MOTION for Attorney Fees <i>Lead Plaintiffs' Motion for Award of Attorneys' Fees and Reimbursement of Expenses</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/16/2005)
05/16/2005	<a href="#">142</a>	BRIEF In Support of <i>Plaintiffs' Motion for Final Approval of Class Action Settlement and Motion for Award of Attorneys' Fees and Reimbursement of Expenses</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/16/2005)
05/16/2005	<a href="#">143</a>	<i>Certificate of Service of Plaintiffs' Brief</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/16/2005)
05/16/2005	<a href="#">144</a>	INDEX in support of <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Motion for Award of Attorneys' Fees and Reimbursement of</i>

		<p><i>Expenses</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 - Declaration of Co-Lead Counsel# <a href="#">2</a> Exhibit Exhibit 2 - cover sheet# <a href="#">3</a> Exhibit Exhibit 2 - Schmidt Affidavit# <a href="#">4</a> Exhibit Exhibit 3 - Sanford Affidavit# <a href="#">5</a> Exhibit Exhibit 4 - Compendium Affidavits# <a href="#">6</a> Exhibit Exhibit 4a - Sanford Affidavit# <a href="#">7</a> Exhibit Exhibit 4b - Barroway Affidavit# <a href="#">8</a> Exhibit Exhibit 4c - White Affidavit# <a href="#">9</a> Exhibit Exhibit 4d - Lifshitz Affidavit# <a href="#">10</a> Exhibit Exhibit 5 - Compendium - Slip Opinions# <a href="#">11</a> Exhibit Exhibit 5a - Ancor Comm# <a href="#">12</a> Exhibit Exhibit 5b - Control Data# <a href="#">13</a> Exhibit Exhibit 5c - St. Paul# <a href="#">14</a> Exhibit Exhibit 5d - Kent Steiner# <a href="#">15</a> Exhibit Exhibit 5e - Supervalu# <a href="#">16</a> Exhibit Exhibit 5f - Gordon)(White, Thomas) (Entered: 05/16/2005)</p>
05/16/2005	<a href="#">145</a>	<p>Certificate of Service by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/16/2005)</p>
05/19/2005	<a href="#">146</a>	<p>BRIEF In Support of Brief, <a href="#">142</a> Page 1 of Plaintiffs' Brief in Support of Final Approval of Settlement, Plan of Allocation, Award of Attorneys' Fees and Reimbursement of Expenses to Plaintiffs' Counsel by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund(White, Thomas) (Entered: 05/19/2005)</p>
05/24/2005	147	<p>Minute Entry for settlement conference held before Judge Richard G. Kopf in Omaha on 5/24/05. Settlement reached and Court approves settlement. Terms stated on the record. Order and final judgment signed in Court and Clerk directed to file order. Courtroom Deputy: Colleen Beran; Reporter: Digital Recorder; Appearance for Plaintiffs: Sanford Dumain, Thomas White, Kay Sickles, C. Thomas White and Amy Milligan; Appearance for Defendants: Leo Knowles, Patrick Brookhouser. Time Start: 12:03 Time Stop: 12:29 THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. (CCB, ) (Entered: 05/24/2005)</p>
05/24/2005	<a href="#">148</a>	<p>ORDER AND FINAL JUDGMENT - The court has jurisdiction over the subject matter of the Action, the Lead Plaintiffs, all Class Members, and the Defendants. The prerequisites for a class action under the FRCP 23(a) and (b)(3) have been satisfied. This Court finally certifies this action as a class action. The Settlement is approved as fair, reasonable and adequate, and the Class Members and the parties are directed to consummate the Settlement in accordance with the terms and provisions of the Stipulation. The Complaint and Amended Complaint are dismissed with prejudice and without costs. The Plan of Allocation is approved as fair and reasonable. Plaintiffs' Counsel are awarded 25% of the Gross Settlement Fund in fees, which sum the Court finds to be fair and reasonable, and \$175,852.41 in reimbursement of expenses. The parties may agree to reasonable extensions of time to carry out any of the provisions of the Stipulation. The Clerk shall enter this Order and Final Judgment immediately. Signed by Judge Richard G. Kopf on 5/24/2005. (JSF) (Entered: 05/24/2005)</p>
05/27/2005	<a href="#">149</a>	<p>OBJECTION filed by Joel E. Reed to Requested Attorney Fees.(JAR) (Entered: 05/27/2005)</p>
05/31/2005	<a href="#">150</a>	<p>TRANSCRIPT of Proceedings before Judge Kopf, held on 5-24-05 regarding</p>

		Settlement Conference. transcriber: Vicki Jarchow; Total Number of Billable Pages: 22. Total Number of Pages: 22. To purchase a copy of this transcript, please contact Vicki Jarchow at (402) 476-1153. A party must file a Notice of Intent to Request Redaction within 5 business days. If a party fails to request redaction, the unredacted transcript attached to this entry will be made electronically available without redaction. (Jarchow, Vicki) Modified on 6/10/2005 by removing the word unredacted as a notice of intent to request redaction was not filed. (AST). (Entered: 05/31/2005)
06/06/2005	<a href="#">151</a>	Mail Returned as Undeliverable addressed to Mr. Paul J. Geller regarding Judgment <a href="#">148</a> . Mail resent to Mr. Paul J. Geller, LERACH COGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP, 197 So. Federal Highway, Suite 200, Boca Raton, FL 33432 (this address was found on the certificate of service of the Motion for settlement filing #140)(KBJ) (Entered: 06/07/2005)
06/10/2005		NOTICE of Docket Text Modification by Deputy Clerk regarding <a href="#">150</a> TRANSCRIPT of Proceedings before Judge Kopf, held on 5-24-05 regarding Settlement Conference. transcriber: Vicki Jarchow; Total Number of Billable Pages: 22. Total Number of Pages: 22. To purchase a copy of this transcript, please contact Vicki Jarchow at (402) 476-1153. A party must file a Notice of Intent to Request Redaction within 5 business days. If a party fails to request redaction, the unredacted transcript attached to this entry will be made electronically available without redaction. (Jarchow, Vicki) Modified on 6/10/2005 by removing the word unredacted as a notice of intent to request redaction was not filed. (AST). (Entered: 06/10/2005)
06/27/2005	<a href="#">152</a>	NOTICE of Change of Address for <i>Lori G. Feldman, Esq.</i> by Attorney Thomas M. White on behalf of Plaintiffs John Gebhardt, Jemmco Investment Management LLC, Plumbers and Pipefitters National Pension Fund (White, Thomas) (Entered: 06/27/2005)

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>