

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:01-cv-07161-SWK

Theresa T. Fadem, et al v. Credit Suisse First, et al
Assigned to: Judge Shirley Wohl Kram
Demand: \$0
Related Cases: [1:01-cv-02858-SAS](#)
[1:01-cv-08146-JES](#)
Cause: 15:77 Securities Fraud

Date Filed: 08/02/2001
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

The Theresa T. Fadem Trust

represented by **Christopher Lovell**
Lovell & Stewart, L.L.P.
500 Fifth Avenue
New York, NY 10110
(212) 608-1900
LEAD ATTORNEY

Plaintiff

Bruce A. Fadem
*as Trustee, on behalf of themselves and all
others similarly situated*

represented by **Christopher Lovell**
(See above for address)
LEAD ATTORNEY

V.

Defendant

Credit Suisse First Boston Corp.
TERMINATED: 04/19/2002

Defendant

The Goldman, Sachs Group, Inc.
TERMINATED: 04/19/2002

Defendant

**Merrill Lynch, Pierce, Fenner & Smith,
Inc.**

Defendant

Morgan Stanley Dean Witter & Co.*TERMINATED: 04/19/2002***Defendant****BancBoston Robertson, Stephens, Inc.***TERMINATED: 04/19/2002***Defendant****Citigroup Global Markets, Inc.***TERMINATED: 04/19/2002***Defendant****Merrill Lynch & Co., Inc.**

Date Filed	#	Docket Text
08/02/2001	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 413172. (jco) (Entered: 08/08/2001)
08/02/2001		Magistrate Judge Kevin N. Fox is so designated. (jco) (Entered: 08/08/2001)
08/09/2001	2	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) (Entered: 08/22/2001)
08/09/2001		Pretrial Conference set at 4:30 9/7/01 before Judge Shira A. Scheindlin. (dcap) (Entered: 08/22/2001)
08/09/2001		Case accepted as related to 1:21mc92. Notice of assignment to follow. (dcap) (Entered: 08/22/2001)
09/05/2001		ORDER,... that all cases involving Internet in this IPO Securities Litigation, as set forth in the attached Rider (1:01-cv-02955, 1:01-cv-03023, 1:01-cv-03299, 1:01-cv-03383, 1:01-cv-03469, 1:01-cv-03569, 1:01-cv-03692, 1:01-cv-03975, 1:01-cv-04069, 1:01-cv-04101, 1:01-cv-04138, 1:01-cv-04146, 1:01-cv-04210, 1:01-cv-04213, 1:01-cv-04406, 1:01-cv-04960, 1:01-cv-05792, 1:01-cv-07161, 1:01-cv-

		07654) shall be consolidated into case number 01 Civ. 2858. The Clerk of Court is hereby ordered to consolidate any future cases that are designated as related to 01 Civ. 2858 ,... 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-02858 Document No. 29. Document Docketed in 1:01-cv-02955; 1:01-cv-03023; 1:01-cv-03299; 1:01-cv-03383; 1:01-cv-03469; 1:01-cv-03569; 1:01-cv-03692; 1:01-cv-03975; 1:01-cv-04069; 1:01-cv-04101; 1:01-cv-04138; 1:01-cv-04146; 1:01-cv-04210; 1:01-cv-04213; 1:01-cv-04406; 1:01-cv-04960; 1:01-cv-05792; 1:01-cv-07161; 1:01-cv-07654] (dcap) (Entered: 10/31/2001)
09/05/2001		Consolidated Member Case. Lead Case Number: 1:01cv2858. (dcap) (Entered: 10/31/2001)
09/05/2001		Case closed. (dcap) (Entered: 10/31/2001)
09/21/2001	3	RULE 1.9 CERTIFICATE filed by Salomon Smith Barney. (kkc) (Entered: 09/25/2001)
09/21/2001	5	RULE 1.9 CERTIFICATE filed by Morgan Stanley Dean Witter & Co., Inc. (sac) (Entered: 10/17/2001)
10/03/2001	4	Notice of Case Reassignment to Judge Shirley W. Kram . Copy of notice and judge's rules mailed to Attorney(s) of record: Christopher Lovell . (gmo) (Entered: 10/15/2001)
10/03/2001		Case reopened. (As per Judge Kram's chambers) (ae) (Entered: 05/06/2002)
12/04/2001	6	AFFIDAVIT OF SERVICE of summons and complaint as to Salomon Smith Barney by Richard A. Rosen on 11/9/01 . Answer due on 11/29/01 for Salomon Smith Barney . (bai) (Entered: 12/05/2001)
12/04/2001	7	AFFIDAVIT OF SERVICE of summons and complaint as to Morgan Stanley by Joesph Serino on 11/9/01 . Answer due on 11/29/01 for Morgan Stanley . (bai) (Entered: 12/05/2001)
12/04/2001	8	AFFIDAVIT OF SERVICE of summons and complaint as to Merrill Lynch, by Edward Yodowitz on 11/9/01 . Answer due on 11/29/01 for Merrill Lynch, . (bai) (Entered: 12/05/2001)
12/04/2001	9	AFFIDAVIT OF SERVICE of summons and complaint as to Goldman, Sachs by Rebecca Knowles on 11/16/01 . Answer due on 12/6/01 for Goldman, Sachs . (bai) (Entered: 12/05/2001)
12/04/2001	10	AFFIDAVIT OF SERVICE of summons and complaint as to Credit Suisse First by Jeremy Epstein on 11/9/01 . Answer due on 11/29/01 for Credit Suisse First . (bai) (Entered: 12/05/2001)
12/04/2001	11	AFFIDAVIT OF SERVICE of summons and complaint as to BancBoston by Andrew J. Frackman on 11/9/01 . Answer due on 11/29/01 for BancBoston . (bai) (Entered: 12/05/2001)
12/14/2001	12	NOTICE of CHANGE OF ADDRESSEE of Howard Fetner. (jco) (Entered: 12/18/2001)

12/27/2001	13	ORDER, that Beatie and Osborn LLP is permitted to withdraw as co-counsel of record for the plttfs in this action. (signed by Judge Shirley W. Kram); Copies mailed. (sac) (Entered: 01/03/2002)
01/10/2002	14	ORDER, newley filed or subsequently filed or transferred actions shall refer to this Order filed in this action as set forth. (signed by Judge Shirley W. Kram); Copies mailed. (sac) (Entered: 01/11/2002)
01/10/2002	15	STIPULATION and ORDER; Abraham and Saul Kassin withdraw as proposed Lead Plttfs. Defts do not oppose Lead Plttf motion as so amended, but reserve the right to oppose certification of the class under F.R.C.P. 23 on any ground . (signed by Judge Shirley W. Kram) (sn) (Entered: 01/14/2002)
01/10/2002	16	STIPULATION and ORDER, defendants will send a letter to plaintiff describing the deficiencies in the complaint within 7 days fo the date of this stipulation and order. Plaintiff will file and serve an amended complaint within 60 days of receipt of the letter. No response to the original complaint in this action need be filed. Defendants will move to dismiss the amended complaint 60 days thereafter after receiving the Court's permission to do so. Plaintiff shall not seek leave to file a second amended complaint, and waives the right to seek such relief, if defendants' motion is granted based on a ground identified in the letter referred to in paragraph 2 hereof . (signed by Judge Shirley W. Kram) (kw) (Entered: 01/14/2002)
03/14/2002		STIPULATION and ORDER; that plaintiff will serve a consolidated amended complaint on or before 4/2/02, and will not seek an extension of this deadline for serving a consolidated amended complaint ; defendants will move to dismiss the consolidated amended complaint within 60 days of receiving the Court's permission to do so . (signed by Judge Shirley W. Kram) Original document filed under case no. 01cv2858 (SAS), doc. # 33. (kkc) (Entered: 03/18/2002)
04/16/2002	18	AMENDED COMPLAINT by Theresa T. Fadem, Bruce A. Fadem (Answer due 4/29/02 for Merrill Lynch) amending [1-1] complaint against Merrill Lynch & Co.; Summons issued. (db) (Entered: 04/22/2002)
04/17/2002	17	AFFIDAVIT OF SERVICE of Amended Complaint as to Credit Suisse First, Goldman, Sachs, Merrill Lynch, Morgan Stanley, BancBoston, Salomon Smith Barney by mail on 4/16/02 . Answer due on 5/6/02 for Credit Suisse First, for Goldman, Sachs, for Merrill Lynch, for Morgan Stanley, for BancBoston, for Salomon Smith Barney. (moc) (Entered: 04/22/2002)
04/19/2002	19	AMENDED STIPULATION AND ORDER of dismissal of the action pursuant to Rules 41(a) and 23(e) of the FRCP as to defendants Credit Suisse First Boston Corp., The Goldman, Sachs Group, Inc., Morgan Stanley Dean Witter & Co., Bancboston Robertson Stephens, Inc. and Salomon Smith Barney, Inc. without prejudice, with each party to bear its own costs. Counsel for plaintiff and the defendants listed herein represent than no consideration of any kind has been paid or promised to plaintiff or plaintiff's counsel to induce the dismissal of this action. (signed by Judge Shirley W. Kram) (kw) (Entered: 04/25/2002)
04/29/2002	20	AMENDED COMPLAINT by Theresa T. Fadem, Bruce A. Fadem (Answer due 5/13/02 for Merrill Lynch & Co., for Merrill Lynch,) amending [18-1] amended complaint ; Summons issued. (bai) (Entered: 05/02/2002)

06/10/2002	21	STIPULATION and ORDER of VOLUNTARY DISMISSAL, that pursuant to Rules 41(a) and 23(e) of the FRCP, plaintiffs hereby dismiss this action, and all claims herein against the defendants, without prejudice and without costs to any party as further set forth . (signed by Judge Shirley W. Kram) (tp) (Entered: 06/11/2002)
06/10/2002		Case closed. (tp) (Entered: 06/11/2002)

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