

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:02-cv-02251-LAP

In Re: Bristol-Myers Squibb v. , et al
Assigned to: Judge Loretta A. Preska
Demand: \$0

Lead case: [1:02-cv-02251-LAP](#)

Member cases:

[1:02-cv-02324-LAP](#)

[1:02-cv-02385-LAP](#)

[1:02-cv-02489-LAP](#)

[1:02-cv-02570-LAP](#)

[1:02-cv-02827-LAP](#)

[1:02-cv-02837-LAP](#)

[1:02-cv-02914-LAP](#)

[1:02-cv-02920-LAP](#)

[1:02-cv-02935-LAP](#)

[1:02-cv-03333-LAP](#)

[1:02-cv-03480-LAP](#)

[1:02-cv-03550-LAP](#)

[1:02-cv-03601-LAP](#)

[1:02-cv-03602-LAP](#)

[1:02-cv-03603-LAP](#)

[1:02-cv-03821-LAP](#)

[1:02-cv-03847-LAP](#)

[1:02-cv-03848-LAP](#)

[1:02-cv-03863-LAP](#)

Related Cases: [1:02-cv-02357-LAP](#)

[1:02-cv-03646-LAP](#)

[1:05-cv-08604-LAP](#)

Cause: 15:78m(a) Securities Exchange Act

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03/21/2002	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 434116. (dle) (Entered: 03/22/2002)
03/21/2002		Magistrate Judge Michael H. Dolinger is so designated. (dle) (Entered: 03/22/2002)
04/09/2002	2	ORDER INITIAL PRETRIAL CONFERENCE: a pretrial conference will be held in this case on 06/04/02 at 9:30 a.m. (signed by Judge Loretta A. Preska) (djc) (Entered: 04/17/2002)
05/15/2002	3	STIPULATION and ORDER; that the time for defendants to answer, move, or otherwise respond to the Complaint in this action shall be extended until after the Court appoints lead plaintiff(s) and lead counsel pursuant to a schedule agreed upon by the parties or otherwise set by the Court ; within 14 days after the Court has appointed lead plaintiff and lead counsel, counsel for the defendants will confer with counsel for the lead plaintiff regarding a schedule for the service of a consolidated amended complaint, if any, and defendants' response thereto . (signed by Judge Loretta A. Preska) (pl) (Entered: 05/20/2002)

05/20/2002	4	NOTICE OF MOTION by Columbia Partnes and Banyan Equity Management to consolidate cases , to be appointed Lead Plaintiffs , to approve of Lead Plaintiffs' selection of counsel . No Return Date indicated. (dc) Modified on 05/23/2002 (Entered: 05/23/2002)
05/20/2002	5	MEMORANDUM OF LAW in support of [4-1] motion to consolidate cases, [4-2] motion to be appointed Lead Plaintiffs, [4-3] motion to approve of Lead Plaintiffs' selection of counsel. (dc) (Entered: 05/23/2002)
05/20/2002	6	AFFIDAVIT of Darren J. Check in support of [4-1] motion to consolidate cases, [4-2] motion to be appointed Lead Plaintiffs, [4-3] motion to approve of Lead Plaintiffs' selection of counsel. (dc) (Entered: 05/23/2002)
05/20/2002	7	NOTICE OF MOTION by the Wilmer Group To be appointed Lead Plaintiffs , to approve of its choice of Counsel . Filed on Service Date. No Return Date indicated. (dc) (Entered: 05/23/2002)
05/20/2002	8	MEMORANDUM OF LAW in support of [7-1] motion To be appointed Lead Plaintiffs, [7-2] motion to approve of its choice of Counsel. (dc) (Entered: 05/23/2002)
05/20/2002	9	DECLARATION of Nancy Kaboolian in support Re: [7-1] motion To be appointed Lead Plaintiffs, [7-2] motion to approve of its choice of Counsel. (dc) (Entered: 05/23/2002)
05/20/2002	10	NOTICE OF MOTION by Teachers' Retirement System of Lousiana, The Louisiana State Employees' Retirement System, The General Retirement System of the City of Detroit, and the Fresno County Employees' Retirement Association To be appointed as Lead Plaintiffs , to approve Lead Plaintiffs' choice of counsel , to consolidate cases . Filed on Service Date. No Return Date indicated. (dc) Modified on 05/23/2002 (Entered: 05/23/2002)
05/23/2002	11	DECLARATION of Douglas M. McKeige in support Re: [10-1] motion To be appointed as Lead Plaintiffs, [10-2] motion to approve Lead Plaintiffs' choice of counsel, [10-3] motion to consolidate cases. (dc) (Entered: 05/23/2002)
05/23/2002	12	MEMORANDUM of points and authorities in support of [10-1] motion To be appointed as Lead Plaintiffs, [10-2] motion to approve Lead Plaintiffs' choice of counsel, [10-3] motion to consolidate cases. (dc) (Entered: 05/23/2002)
05/24/2002	13	NOTICE OF MOTION (FILED ON SERVICE DATE) by Amalgamated Bank for a stay pending ruling on defendants' motion for change of venue . Affidavit of Thomas A. Dubbs in support of motion attahced. Return Date 6/20/02 at 9:30. (db) (Entered: 05/28/2002)
05/24/2002	14	MEMORANDUM OF LAW by Amalgamated Bank in support of [13-1] motion for a stay pending ruling on defendants' motion for change of venue . (db) (Entered: 05/28/2002)
05/24/2002	15	NOTICE OF MOTION (FILED ON SERVICE DATE) by Flax Entities to consolidate cases 02cv2251, 02cv2324, 02cv2837, 02cv2914, 02cv2935 and 02cv3550 , to appoint movant as lead plaintiff , to approve approve movants selection of Milberg, Weiss, Bershad, Hynes & Lerach, LLP as lead counsel . Proposed order attached. No Return Date indicated. Received in night deposit box

		on 5/24/02 at 5:56 p.m. (db) Modified on 05/31/2002 (Entered: 05/31/2002)
05/24/2002	16	MEMORANDUM OF LAW by Flax Entities in support of [15-1] motion to consolidate cases 02cv2251, 02cv2324, 02cv2837, 02cv2914, 02cv2935 and 02cv3550, [15-2] motion to appoint movant as lead plaintiff, [15-3] motion to approve approve movants selection of Milberg, Weiss, Bershad, Hynes & Lerach, LLP as lead counsel. Received in night deposit box on 5/24/02 at 5:57 p.m. (db) (Entered: 05/31/2002)
05/24/2002	17	DECLARATION of David A. Rosenfeld by Flax Entities in support Re: [15-1] motion to consolidate cases 02cv2251, 02cv2324, 02cv2837, 02cv2914, 02cv2935 and 02cv3550, [15-2] motion to appoint movant as lead plaintiff, [15-3] motion to approve approve movants selection of Milberg, Weiss, Bershad, Hynes & Lerach, LLP as lead counsel. Received in night deposit box on 5/24/02 at 5:57 p.m. (db) (Entered: 05/31/2002)
05/24/2002	43	MEMORANDUM OF LAW by Amalgamated Bank in support of its motion for appointment as lead plaintiff and for approval of its selection of lead counsel. (ae) (Entered: 02/11/2003)
06/11/2002	21	NOTICE OF MOTION (FILED ON SERVICE DATE) by Columbia Partners, Banyon Equity for an order consolidating cases 02cv2251, 02cv2324, 02cv2357, 02cv2385, 02cv2489, 02cv2570, 02cv2827, 02cv2837, 02cv2914, 02cv2920, 02cv2935, 02cv3333, 02cv3480, 02cv3550, 02cv3601, 02cv3602, 02cv3603 and 02cv3646 , for movants to be appointed as lead plntff's , for the approval of movants selection of lead counsel and liaison counsel . No return date indicated. (db) (Entered: 06/26/2002)
06/11/2002	22	MEMORANDUM OF LAW by Columbia Partners, Banyon Equity in support of [21-1] motion for an order consolidating cases 02cv2251, 02cv2324, 02cv2357, 02cv2385, 02cv2489, 02cv2570, 02cv2827, 02cv2837, 02cv2914, 02cv2920, 02cv2935, 02cv3333, 02cv3480, 02cv3550, 02cv3601, 02cv3602, 02cv3603 and 02cv3646, [21-2] motion for movants to be appointed as lead plntff's, [21-3] motion for the approval of movants selection of lead counsel and liaison counsel. (db) (Entered: 06/26/2002)
06/11/2002	23	AFFIDAVIT of Darren J. Check by Columbia Partners, Banyon Equity in support of [21-1] motion for an order consolidating cases 02cv2251, 02cv2324, 02cv2357, 02cv2385, 02cv2489, 02cv2570, 02cv2827, 02cv2837, 02cv2914, 02cv2920, 02cv2935, 02cv3333, 02cv3480, 02cv3550, 02cv3601, 02cv3602, 02cv3603 and 02cv3646, [21-2] motion for movants to be appointed as lead plntff's, [21-3] motion for the approval of movants selection of lead counsel and liaison counsel . (db) (Entered: 06/26/2002)
06/12/2002	20	NOTICE of attorney appearance by Teachers' Retirement System of Louisiana, the General Retirement System of the City of Detroit, the Louisiana State Employees' Retirement System and the Fresno County Employees' Retirement Association. (yv) (Entered: 06/25/2002)
06/14/2002	18	NOTICE OF MOTION (FILED ON SERVICE DATE) by Bristol-Myers Squibb for an order severing the Vanlev claims contained in the hybrid complaints , transferring those claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey . No Return Date indicated. (db) (Entered: 06/14/2002)

		06/24/2002)
06/19/2002	19	MEMORANDUM OF LAW by Bristol-Myers Squibb in support of [18-1] motion for an order severing the Vanlev claims contained in the hybrid complaints, [18-2] motion transferring those claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey . (db) (Entered: 06/24/2002)
07/03/2002	24	DECLARATION of Frank C. Torchio by Ira Gaines Re: based on personal knowledge. (sac) (Entered: 07/15/2002)
07/03/2002	25	MEMORANDUM OF LAW in opposition to Defts' Motion to sever & transfer... (rec'd in the night deposit box on 7/3/02 at 6:08 p.m.) (sac) (Entered: 07/15/2002)
07/03/2002	26	DECLARATION of John P. Coffey in support of the Teachers' Retirement System of Louisiana, the Louisiana State Employees' Retirement System, the General Retirement System of the City of Detroit, and the Fresno County Employees' Retirement Association Memorandum of Law in opposition to defts' motion to sever & Transfer. (rec'd in the night deposit box on 7/3/02 at 6:09 p.m.) (sac) (Entered: 07/15/2002)
07/03/2002	27	DECLARATION of Thomas A. Dubbs Re: based on personal knowledge. (sac) (Entered: 07/15/2002)
07/12/2002	28	REPLY MEMORANDUM by Bristol-Myers Squibb in connection to re: [18-1] motion for an order severing the Vanlev claims contained in the hybrid complaints, [18-2] motion transferring those claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey. (kw) (Entered: 07/16/2002)
07/12/2002	42	MEMORANDUM OF LAW by Amalgamated Bank re: [18-1] motion for an order severing the Vanlev claims contained in the hybrid complaints, [18-2] motion transferring those claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey. (ae) (Entered: 02/11/2003)
07/16/2002	29	REPLY MEMORANDUM by Bristol-Myers Squibb re: [18-1] motion for an order severing the Vanlev claims contained in the hybrid complaints, [18-2] motion transferring those claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey . (cd) (Entered: 07/17/2002)
07/16/2002	30	ORDER, defendants' motion seeking transfer will be served for receipt by 5:00 p.m. on 6/14/02, any papers in opposition will be served for receipt by 4:00 p.m. on 7/3/02, and any papers in reply will be served for receipt by 5:00 p.m. on 7/12/02. All motion papers will be filed expeditiously and courtesy copies will be sent to the Court's Chambers ; all proceedings in those securities class actions, and any related actions which are or may be referred to the Court, are stayed pending a determination of defendants' motion seeking transfer of certain claims to the USDC for the District of New Jersey. Complaints and/or motions in response to notices of pendency alerting potential class members to a lead plaintiff deadline of 6/11/02 may be filed, but are otherwise stayed pending the determination of the transfer motion . (signed by Judge Loretta A. Preska); Copies mailed. (kw) (Entered: 07/22/2002)
10/07/2002	31	STIPULATION and ORDER, the Funds hereby withdraw the opposition to BMS's motion to serve and transfer the Vanlev claims ; granting [18-1] motion for an order

		<p>severing the Vanlev claims contained in the Hybrid complaints; granting [18-2] motion transferring claims and the complaints containing only Vanlev claims to the USDC-District of New Jersey; All non-Vanlev cases and all non-Vanlev claims, including all such claims alleged in the complaint in the actions pending in this court, shall remain in this Court ; The Funds hereby withdraw only with respect to the Vanlev claims alleged in the Vanlev-Only and Hybrid Complaints, the motion for appointment as lead plaintiff and approval of the selection of lead counsel ; The Funds' motion for appointment as lead plaintiff for all remaining non-Vanlev claims in all of the actions pending in this court shall remain pending here for resolution by this Court ; The lead plaintiff's motions filed in the District by Long View and the Flax Entities with respect to all Vanlev claims in the Vanlev-Only Complaints and the Hybrid Complaints shall be transferred to the District of NJ for resolution by the Hon. Garrett E. Brown, Jr. As a result, Long View does not have a motion for lead plaintiff pending in this District with respect to the Erbitux claims and the Inventory claims ; LongView and the Defendants stipulate and agree that they will not seek to settle, compromise, release or otherwise resolve any of the non-Vanlev claims pending in this court without the consent and involvement of the Lead Plaintiff for the Class; and the Funds and Defendants stipulate and agree that they will not seek to settle, compromise, or otherwise resolve any of the Vanlev claims pending in the New Jersey action without the consent and involvement of LongView . (signed by Judge Loretta A. Preska) (djc) Modified on 01/24/2003 (Entered: 10/08/2002)</p>
10/07/2002	32	<p>STIPULATION and ORDER, The Wilmer Group hereby w/draws its 5/20/02 motion to be appointed lead plaintiff and for the approval of its choice of counsel, and supports the Funds' motion to be appointed lead plaintiff and for approval of their choice of lead counsel; Columbia Partners and Banyan Equity Management hereby w/draw their 6/11/02 motion to be appointed lead plaintiff and for the approval of their choice of counsel and support the Funds' motion to be appointed lead plaintiff and for approval of their choice of lead counsel. The undersigned parties request that the actions listed in Exhibit B be consolidated purs. to Rule 42(a) of the FRCP for all purposes; The Master File shall be established for this proceeding; the Master File shall be 02 cv 2251; and the Clerk shall file all pleadings in the Master File and note such filings on the Master Docket; the Clerk shall mail a copy of this Order to counsel of record in the Consolidated copy of this Order to counsel of record in the Consolidated Actions; every pleading filed in the Consolidated Action shall have the following caption: In re Bristol-Myers Squibb Securities Litigation 02 cv 2251(LAP). The undersigned parties jointly request that the Funds be appointed Lead Plaintiffs for the Consolidated Action purs. to Section 21D(a)(3)(B) of the Exchange Act, and that the law firms of Bernstein Litowitz Berger & Grossman LLP and Berman DeValerio Pease Tabacco Burt & Pucillo, shall be appointed Co-Lead Counsel for the Consolidated Action . (signed by Judge Loretta A. Preska); The Clerk's Office Has Mailed Copies. (ae) Modified on 10/10/2002 (Entered: 10/09/2002)</p>
10/07/2002		<p>Consolidated Lead Case. (ae) (Entered: 10/09/2002)</p>
10/22/2002	33	<p>ORDER, counsel shall confer and inform the Court of the steps necessary to resolve these actions, the status of recently-filed actions and the like, at a conference on 11/19/02 at 9:00 a.m. in Courtroom 12A at 500 Pearl Street . (signed by Judge Loretta A. Preska); (ae) (Entered: 10/25/2002)</p>

12/05/2002	34	STIPULATION and ORDER; that Lead Plaintiffs in this action will serve their consolidated amended complaint on the later of either 1/31/03, two weeks after Bristol-Myers Squibb publicly files documents with the Securities Exchange Commission that disclose the details of the Restatement referenced in Bristol-Myer Squibb's press releases of 10/24/02, and 11/15/02 . (signed by Judge Loretta A. Preska) (jco) (Entered: 12/09/2002)
12/05/2002	35	ORDER, regarding the issues concerning the Stipulation and Order dated 12/4/02, which agreed that a Consolidated Amended Complaint may be served . (signed by Judge Loretta A. Preska). (tp) (Entered: 12/09/2002)
12/19/2002	36	Memo-Endorsement on letter addressed to Judge Preska from Jeffrey S. Abraham, dated 12/18/02; Mr. Abraham may proceed with the motion described in this letter ; (signed by Judge Loretta A. Preska); (djc) (Entered: 12/20/2002)
12/20/2002	37	NOTICE OF MOTION, by Paul Belikoff for an order preventing consolidation of the shareholder derivative action with the pending securities fraud actions ; Return Date 1/27/03 (cd) (Entered: 12/27/2002)
12/20/2002	38	MEMORANDUM OF LAW in support of [37-1] motion for an order preventing consolidation of the shareholder derivative action with the pending securities fraud actions . (cd) (Entered: 12/27/2002)
12/20/2002	39	AFFIDAVIT of Jeffrey Abraham in support of [37-1] motion for an order preventing consolidation of the shareholder derivative action with the pending securities fraud actions . (cd) (Entered: 12/27/2002)
01/10/2003	40	RESPONSE by Teachers Retirement, General Retirement, Louisiana State, Fresno County Employ to [37-1] motion for an order preventing consolidation of the shareholder derivative action with the pending securities fraud actions. Received in night deposit box on 1/10/03 at 8:59 p.m. (yv) (Entered: 01/14/2003)
01/24/2003		Forwarded certified copies of docket sheet, Order and complaint to USDC of NJ (402 East State Street, Room 2020, Trenton, NJ 08608; ATTN: Michael Shanklin via Federal Express Airbill #8334 2373 9910 on January 24, 2003; (djc) (Entered: 01/24/2003)
02/04/2003	41	ORDER (that this matter pertains to all cases), that the Court is withdrawing [4-1] motion to consolidate cases, withdrawing [4-2] motion to be appointed Lead Plaintiffs, withdrawing [4-3] motion to approve of Lead Plaintiffs' selection of counsel, withdrawing [21-1] motion for an order consolidating cases 02cv2251, 02cv2324, 02cv2357, 02cv2385, 02cv2489, 02cv2570, 02cv2827, 02cv2837, 02cv2914, 02cv2920, 02cv2935, 02cv3333, 02cv3480, 02cv3550, 02cv3601, 02cv3602, 02cv3603 and 02cv3646, withdrawing [21-2] motion for movants to be appointed as lead plntff's, withdrawing [21-3] motion for the approval of movants selection of lead counsel and liaison counsel, withdrawing [7-1] motion To be appointed Lead Plaintiffs, withdrawing [7-2] motion to approve of its choice of Counsel, terminating [10-1] motion To be appointed as Lead Plaintiffs, terminating [10-2] motion to approve Lead Plaintiffs' choice of counsel, terminating [10-3] motion to consolidate cases, denying [13-1] motion for a stay pending ruling on defendants' motion for change of venue, terminating [15-1] motion to consolidate cases 02cv2251, 02cv2324, 02cv2837, 02cv2914, 02cv2935 and 02cv3550, terminating [15-2] motion to appoint movant as lead plaintiff, terminating [15-3]

		motion to approve approve movants selection of Milberg, Weiss, Bershad, Hynes & Lerach, LLP as lead counsel . (signed by Judge Loretta A. Preska); Transferred the Flax Entities' (doc. 15) motion to the District of New Jersey. (tp) (Entered: 02/06/2003)
02/04/2003		Sent Certified Order (doc. 41) and the Flax Entities' motion (doc. 15) to the District of New Jersey. Federal Express #8334-2374-1656, on 2/6/03. (tp) (Entered: 02/06/2003)
04/03/2003	44	STIPULATION and ORDER, that Lead Plaintiffs shall serve their Consolidated Amended Complaint on the defendants on 4/11/03 . (signed by Judge Loretta A. Preska) (tp) (Entered: 04/04/2003)
04/11/2003	45	CONSOLIDATED CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). . (dle) (Entered: 04/15/2003)
04/11/2003	46	CONSOLIDATED AMENDED COMPLAINT by Teachers Retirement, General Retirement, Louisiana State, Fresno County Employ (Answer due 4/21/03 for Charles A. Heimbold Jr., for Peter S. Ringrose, for Curtis L. Tomlin, for Harrison M. Bains Jr., for Frederick S. Schiff, for Richard J. Lane, for Peter R. Dolan, for Bristol-Myers Squibb) amending [45-1] complaint ; Summons issued. (dle) (Entered: 04/15/2003)
04/30/2003	47	NOTICE of attorney appearance for Charles A. Heimbold Jr. by Scott Edelman, Thomas Andrew Areba. (cd) (Entered: 05/05/2003)
05/02/2003	48	NOTICE of attorney appearance for Curtis L. Tomlin by Frederick P. Hafetz. (sb) (Entered: 05/07/2003)
07/18/2003	49	ORDER, reset answer to complaint due for 8/1/03 for Charles A. Heimbold Jr., for Peter S. Ringrose, for Curtis L. Tomlin, for Harrison M. Bains Jr., for Frederick S. Schiff, for Richard J. Lane, for Peter R. Dolan, for Bristol-Myers Squibb ; should defts move to dismiss the complaint, lead plntfs shall serve opposition papers by no later than 9/12/03, and defts shall serve reply papers by no later than 10/3/03 (signed by Judge Loretta A. Preska); (cd) (Entered: 07/21/2003)
07/24/2003	50	ORDER, granting [37-1] motion for an order preventing consolidation of the shareholder derivative action with the pending securities fraud actions. (signed by Judge Loretta A. Preska); (ae) (Entered: 07/25/2003)
07/24/2003	51	Memo-Endorsement on letter addressed to Judge Preska from Elizabeth L. Grayer, dated 7/22/03. Re:, for leave to a thirty-five page memorandum of law in support of the motion to dismiss. Application granted. Counsel ae reminded that memoranda should be in 12 point type, both text and footnote . (signed by Judge Loretta A. Preska) (db) (Entered: 07/29/2003)
07/24/2003	52	Memo-Endorsement on letter addressed to Judge Preska from Lee Squirieri, dated 7/23/03. Re: request to advise counsel that any party wishing to submit any papers on the issue must submit same to chambers before noon on 7/28/03. Application granted . (signed by Judge Loretta A. Preska) (db) (Entered: 07/29/2003)
07/25/2003	53	NOTICE of attorney appearance for Richard J. Lane by Richard M. Strassberg. (cd) (Entered: 07/30/2003)

07/25/2003	54	NOTICE of attorney appearance for Richard J. Lane by Roberto M. Braceras (to be admitted pro hac vice) (cd) (Entered: 07/30/2003)
07/25/2003	55	NOTICE of attorney appearance for Richard J. Lane by James O. Fleckner (to be admitted pro hac vice) (cd) (Entered: 07/30/2003)
08/01/2003	56	NOTICE OF MOTION (filed on service date) by Curtis L. Tomlin for an order dismissing all claims in the complaint against Mr. Tomlin . No Return Date. Affirmation of Zachary Margulis-Ohnuma attached. (sb) (Entered: 08/05/2003)
08/01/2003	57	MEMORANDUM OF LAW by Curtis L. Tomlin in support of [56-1] motion for an order dismissing all claims in the complaint against Mr. Tomlin. (sb) (Entered: 08/05/2003)
08/01/2003	58	NOTICE OF MOTION (FILED ON SERVICE DATE) by Richard J. Lane for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP, dismissing all claims asserted against Richard J. Lane . No Return Date indicated. (db) (Entered: 08/05/2003)
08/01/2003	61	NOTICE OF MOTION (FILED ON SERVICE DATE) by Michael F. Mee for an order pursuant to Rule 9(b) and 12(b)(6) of the FRCP dismissing the consolidated class action complaint . No Return Date indicated. (db) (Entered: 08/07/2003)
08/01/2003	63	NOTICE OF MOTION (FILED ON SERVICE DATE) by Frederick S. Schiff for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP dismissing the complaint for failure to state a claim and for failure to plead fraud with particularity . No Return Date indicated. (db) (Entered: 08/07/2003)
08/01/2003	65	NOTICE OF MOTION (FILED ON SERVICE DATE) by Charles A. Heimbold Jr. for an order pursuant to Rule 9(b) and 12(b)(6) of the FRCP dismissing the claims asserted against him in the consolidated class action complaint with prejudice . Declaration of Thomas A. Arena in support attached. No Return Date indicated. (db) (Entered: 08/07/2003)
08/04/2003	59	MEMORANDUM OF LAW by Richard J. Lane in support of [58-1] motion for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP, dismissing all claims asserted against Richard J. Lane . (db) (Entered: 08/05/2003)
08/04/2003	60	DECLARATION of Roberto M. Braceras by Richard J. Lane in support of [58-1] motion for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP, dismissing all claims asserted against Richard J. Lane . (db) (Entered: 08/05/2003)
08/04/2003	62	MEMORANDUM OF LAW by Michael F. Mee in support of [61-1] motion for an order pursuant to Rule 9(b) and 12(b)(6) of the FRCP dismissing the consolidated class action complaint . (db) (Entered: 08/07/2003)
08/04/2003	64	MEMORANDUM OF LAW by Frederick S. Schiff in support of [63-1] motion for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP dismissing the complaint for failure to state a claim and for failure to plead fraud with particularity . (db) (Entered: 08/07/2003)
08/04/2003	66	MEMORANDUM OF LAW by Charles A. Heimbold Jr. in support of [65-1] motion for an order pursuant to Rule 9(b) and 12(b)(6) of the FRCP dismissing the claims asserted against him in the consolidated class action complaint with

		prejudice . (db) (Entered: 08/07/2003)
08/06/2003	67	NOTICE OF MOTION by Bristol-Myers Squibb, Peter R. Dolan to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint ; Return Date not indicated (cd) (Entered: 08/08/2003)
08/06/2003	68	MEMORANDUM OF LAW by Bristol-Myers Squibb, Peter R. Dolan in support of [67-1] motion to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint . (cd) (Entered: 08/08/2003)
09/12/2003	69	MEMORANDUM OF LAW by Teachers Retirement, General Retirement, Louisiana State, Fresno County Employ in opposition to [67-1] motion to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint . (cd) (Entered: 09/17/2003)
09/12/2003	70	DECLARATION of John Kehoe by Teachers Retirement, General Retirement, Louisiana State, Fresno County Employ in support Re: [67-1] motion to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint . (cd) (Entered: 09/17/2003)
09/19/2003	71	Memo-Endorsement on letter addressed to Judge Preska from J. Erik Sandstedt, dated 9/10/03; granting lead plaintiffs request for leave to file single brief not to exceed 70 in response to the various defendants motions to dismiss . (signed by Judge Loretta A. Preska); (pl) (Entered: 09/24/2003)
10/02/2003	74	NOTICE OF MOTION by Charles A. Heimbold Jr. for an order dismissing the amended consolidated complaint for breach of Fiduciary Duty Under ERISA ; Return Date 10/14/03 at 9:30. Attached is Declaration in support of Thomas A. Arena. (docmt received in night dep. on 10/02/03 at 5:28 p.m.) (djc) (Entered: 10/07/2003)
10/03/2003	72	Memo-Endorsement on letter addressed to Judge Preska from Richard M. Strassberg and James O. Fleckner, dated 9/30/03. The additional pages, for defendant Richard J. Lane's reply memoranda, are approved, but counsel is requested to avoid repetitive material . (signed by Judge Loretta A. Preska); (kw) (Entered: 10/06/2003)
10/03/2003	73	Memo-Endorsement on letter addressed to Judge Preska from Elizabeth L. Grayer, dated 9/26/03; granting defendants request leave to depart from the Court's 10-page limit for reply memoranda and request permission to file a 23-page memorandum of law in reply to plaintiffs' opposition memorandum ; granting defendants a one-week extension of time to 10/10/03, in which to serve reply papers . (signed by Judge Loretta A. Preska); (pl) (Entered: 10/06/2003)
10/06/2003	75	Memo-Endorsement on letter addressed to Judge Preska from Stephen G. Rinehart, dated 9/29/03. Re: counsel for dft Frederick S. Schiff requests leave to file a fifteen page reply memorandum in support of Mr. Schiff's motion to dismiss. Application granted. Counsel may have fifteen pages but it is encouraged to minimize repetitious material . (signed by Judge Loretta A. Preska) (db) (Entered: 10/07/2003)
10/10/2003	76	Memo endorsed on motion; for Roberto M. Braceras to appear pro hac vice for deft Richard Lane (signed by Judge Loretta A. Preska); (cd) (Entered: 10/15/2003)

10/10/2003		MEMO-ENDORSEMENT on [55-1] appear/appearance notice ;, endorsing appearance and granting admission pro hac vice to James O. Fleckner in this and all related cases for the dft Richard J. Lane . (signed by Judge Loretta A. Preska); Document sent to attorney admissions clerk. (dle) Modified on 10/16/2003 (Entered: 10/16/2003)
10/10/2003	81	REPLY MEMORANDUM of LAW by Michael F. Mee in support re: [61-1] motion for an order pursuant to Rule 9(b) and 12(b)(6) of the FRCP dismissing the consolidated class action complaint. (djc) (Entered: 10/16/2003)
10/10/2003	82	REPLY MEMORANDUM by Charles A. Heimbold Jr. in support re: [74-1] motion for an order dismissing the amended consolidated complaint for breach of Fiduciary Duty Under ERISA. (docmt received in night dep. on 10/10/03 at 5:34 p.m.) (djc) (Entered: 10/16/2003)
10/14/2003	77	REPLY MEMORANDUM by Bristol-Myers Squibb, Peter R. Dolan, Peter S. Ringrose, Harrison M. Bains Jr.in support of [67-1] motion to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint. (sb) (Entered: 10/16/2003)
10/14/2003	78	DECLARATION of Elizabeth Grayer by Bristol-Myers Squibb, Peter R. Dolan, Harrison M. Bains Jr., Peter S. Ringrose in support of [67-1] motion to dismiss with prejudice and without leave to replead teh Consolidated Class Action Complaint . (sb) (Entered: 10/16/2003)
10/14/2003	79	REPLY MEMORANDUM by Curtis L. Tomlin in support of [56-1] motion for an order dismissing all claims in the complaint against Mr. Tomlin. (sb) (Entered: 10/16/2003)
10/14/2003	80	AFFIRMATION of Zachary Margulis-Ohnuma by Curtis L. Tomlin in further support of [56-1] motion for an order dismissing all claims in the complaint against Mr. Tomlin. (sb) (Entered: 10/16/2003)
10/14/2003	83	REPLY MEMORANDUM by Richard J. Lane in support re: [58-1] motion for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP, dismissing all claims asserted against Richard J. Lane . (yv) (Entered: 10/17/2003)
10/14/2003	84	DECLARATION of Roberto M. Braceras by Richard J. Lane Re: [58-1] motion for an order pursuant to Rule 12(b)(6) and 9(b) of the FRCP, dismissing all claims asserted against Richard J. Lane . (yv) (Entered: 10/17/2003)
10/20/2003	85	NOTICE of change of firm name and address by Audrey M. Ross-Klein . (yv) (Entered: 10/23/2003)
03/25/2004	86	NOTICE of Change of Address by Patrick Anthony Klingman on behalf of Michael Pickar. New Address: Schatz & Nobel, P.C., One Corporate Center, 20 Church Street, Suite 1700, Hartfor, Connecticute, 06103, (860) 494-6292. (pl,) (Entered: 03/30/2004)
03/30/2004		MEMORANDUM TO THE DOCKET CLERK: oral argument held on 3/30/04 before Judge Loretta A. Preska. Judge's decision reserved. (kw,) (Entered: 03/30/2004)
03/31/2004	87	ORDER granting [56] Motion to Dismiss, granting [58] Motion to Dismiss,

		granting [67] Motion to Dismiss, granting [61] Motion to Dismiss, granting [63] Motion to Dismiss, granting [65] Motion to Dismiss . (Signed by Judge Loretta A. Preska on 3/31/04) (ml,) (Entered: 04/02/2004)
03/31/2004	88	CLERK'S JUDGMENT granting defendants' motions to dismiss. (Signed by J. Michael McMahon, clerk on 3/31/04) (ml,) (Entered: 04/02/2004)
04/02/2004	89	MEMORANDUM AND OPINION # 89912. For the reasons set forth in this opinion dfts' motins to dismiss are granted, and the complaint is dismissed with prejudice. The clerk of the court shall mark this action closed and all pending motions denied as moot. (Signed by Judge Loretta A. Preska on 4/1/04) (dle,) (Entered: 04/05/2004)
04/05/2004		Mailed notice of Right to Appeal to Attorney(s) of Record: Richard Acocelli, Thomas Andrew Areba, James V. Bashian, Max W. Berger, Javier Bleichmar, Jeffrey Craig Block, Aaron Lee Brody, Gustavo Fabian Bruckner, Amy Busa, John Patrick Coffey, Elliot Cohen, Scott Edelman, Marc H. Edelson, John G. Emerson Jr., Nadeem Faruqi, Brian M. Felgoise, Robert C. Finkel, Michael A. Fischer, James O. Fleckner, Alan Roy Friedman, Mark Casser Gardy, Paul J. Geller, Frederick W. Gerkens III, Lionel Z. Glancy, Michael Glenn Goldberg, Joshua H. Grabar, Frederick P. Hafetz, Robert Ira Harwood, Marc S. Henzel, Frederick Taylor Isquith Sr, James W. Johnson, Nancy Kaboolian, David Corey Katz, Mark E. King, Patrick Anthony Klingman, Lawrence Paul Kolker, James E. Miller, Gary P. Naftalis, Jeffrey M. Norton, Linda P. Nussbaum, Stephen G. Rinehart, Robert M. Roseman, David Avi Rosenfeld, Neil Rothstein, Samuel Howard Rudman, Steven G. Schulman, Susan R. Schwaiger, David R. Scott, Evan Smith, Richard M. Strassberg, Marc A. Topaz, Joseph H. Weiss. (snu) (Entered: 04/05/2004)
04/26/2004	90	TRANSCRIPT of proceedings held on 3/29/04 before Judge Loretta A. Preska.(ps,) (Entered: 04/26/2004)
04/28/2004	91	NOTICE OF APPEAL from [87] Order on Motion to Dismiss, [88] Clerk's Judgment, [89] Memorandum & Opinion. Document filed by Fresno County Employees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. Filing fee \$ 255.00, receipt number E 506871. Copies of Notice of Appeal mailed to Attorney(s) of Record: Bernstein, Litowitz, Berger & Grossmann, L.L.P.; Milbank, Tweed, Hadley & McCloy; Kramer, Levin, Naftalis & Frankel, L.L.P.; Jenkins & Gilchrist, Parker, Chapin, L.L.P.; Hafetz & Necheles; Goodwin Procter, L.L.P.; Cravath, Swaine & Moore; Berman Devalerio, Pease, Tabacco, Burt & Pucillo, L.L.P. (tp,) (Entered: 04/29/2004)
04/28/2004		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [91] Notice of Appeal. (tp,) (Entered: 04/29/2004)
04/28/2004		Transmission of Notice of Appeal to the District Judge re: [91] Notice of Appeal. (tp,) (Entered: 04/29/2004)
06/30/2004		USCA SCHEDULING ORDER as to [91] Notice of Appeal,, filed by Teachers Retirement System of Louisiana, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Fresno County Employees' Retirement Association USCA Case Number 04-2305-cv. Roseann B. MacKechne, Clerk USCA. Certified: 6/22/04. Appeal Record due by 7/20/2004. Appellant Brief

		due by 7/27/2004. Appellee Brief due by 8/27/2004. A telephonic pre-argument conference has been scheduled for Tuesday, 7/6/04 at 11:45 a.m. The argument of the appeal shall be heard no earlier than the week of 10/4/04. (tp,) (Entered: 06/30/2004)
07/20/2004	92	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for [91] Notice of Appeal, filed by Teachers Retirement System of Louisiana, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Fresno County Employees' Retirement Association USCA Case Number 04-2305-cv, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp,) (Entered: 07/20/2004)
07/22/2004	93	ORDER; that if the Action is remanded to this Court by the Court of the Appeals, this Court intends to grant the Parties' motion pursuant to Fed. R. Civ. P. 60(b) for relief from the Judgment. (Signed by Judge Loretta A. Preska on 7/22/04) (sac,) (Entered: 07/23/2004)
07/22/2004	94	Joint Motion of all parties under FRCP 60(b) to vacate the judgment entered on 4/2/04 for purposes of settlement. Document filed by Shalan Alayan, Amalgamated Bank, Harrison M. Bains Jr., Banyan Equity Management, Neil Boatwright, Bristol-Myers Squibb Company, Aliza Brody, William K. Brownlow, Nancy W. Burns, Martyn Chilvers, Columbia Partners, Jonathan Crowell, Steven Denmark, Peter Dolan, Peter R. Dolan, Donald Fagnoli, Flax Entities, Fresno County Employees' Retirement Association, Ira Gaines, General Retirement System of the City of Detroit, Charles A. Heimbold Jr., Charles E. Henley, Luis A. Hernandez, David Jaroslawicz, Richard J. Lane, Louisiana State Employees' Retirement System, Michael F. Mee, Edward Meisel, Michael Pickar, Patti Gorsky Pollack, Gloria Rein, Peter S. Ringrose, Audrey M. Ross-Klein, Frederick S. Schiff, Brett Stancil, Teachers Retirement System of Louisiana, The Robert D. Jaffee Revocable Trust, Curtis L. Tomlin, David Wilmer. (dle,) (Entered: 07/27/2004)
07/22/2004	95	MEMORANDUM OF LAW in Support re: [94] MOTION (FILED ON SERVICE DATE) to Vacate.. Document filed by Shalan Alayan, Amalgamated Bank, Harrison M. Bains Jr., Banyan Equity Management, Neil Boatwright, Bristol-Myers Squibb Company, Aliza Brody, William K. Brownlow, Nancy W. Burns, Martyn Chilvers, Columbia Partners, Jonathan Crowell, Steven Denmark, Peter Dolan, Peter R. Dolan, Donald Fagnoli, Flax Entities, Fresno County Employees' Retirement Association, Ira Gaines, General Retirement System of the City of Detroit, Charles A. Heimbold Jr., Charles E. Henley, Luis A. Hernandez, David Jaroslawicz, Richard J. Lane, Louisiana State Employees' Retirement System, Michael F. Mee, Edward Meisel, Michael Pickar, Patti Gorsky Pollack, Gloria Rein, Peter S. Ringrose, Audrey M. Ross-Klein, Frederick S. Schiff, Brett Stancil, Teachers Retirement System of Louisiana, The Robert D. Jaffee Revocable Trust, Curtis L. Tomlin, David Wilmer. (dle,) (Entered: 07/27/2004)
07/30/2004	96	MANDATE of USCA (Certified Copy) as to [91] Notice of Appeal,, filed by Teachers Retirement System of Louisiana, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Fresno County Employees' Retirement Association. stipulation of all parties to suspend the appeal without prejudice and to remand the action to the district court for purposes

		of settlement. USCA Case Number 04-2305. MACKECHNIE, Clerk USCA. Certified: 7/28/04. (pr,) (Entered: 07/30/2004)
07/30/2004		Transmission of USCA Mandate/Order to the District Judge re: [96] USCA Mandate., (pr,) (Entered: 07/30/2004)
07/30/2004	97	ORDER granting [94] Motion to Vacate . (Signed by Judge Loretta A. Preska on 7/30/2004) (jp,) (Entered: 07/30/2004)
07/30/2004	98	PRELIMINARY APPROVAL ORDER that the court for purposes of this order adopts all defined terms as set forth in the stipulation; the court certifies this action to proceed as a class action for purposes of settlement only, pursuant to Rule 23(a) and Rule 23(b)(3) of the FRCP on behalf of the Class as further set forth in this order; the court preliminarily approves the settlement of this consolidated class action on the terms set forth in the stipulation as being fair, reasonable and adequate, subject to further consideration at a hearing to be held before this court on 11/9/04 at 9:00 a.m. in courtroom 12A, 500 Pearl Street as further set forth in this order; hte court approves the form, substance and requirements of the Notice, the Publication NOtice and the Proof of Claim as further set forth in this order; Plaintiffs' co lead counsel shall cause the Notice and the Proof of Claim to be mailed by first class mail on or before 8/27/04 as further set forth in this order and shall cause the Publication Notice to be published in the national edition of The Wall Street Journal, The Investors Business Daily as further set forth in this order. (Signed by Judge Loretta A. Preska on 7/30/04) (dle,) (Entered: 08/02/2004)
08/04/2004	99	STIPULATION AND ORDER of SETTLEMENT; BMS, on behalf of itself and all defendants, will pay, in settlement of the Settled Plaintiffs' Claims of Lead Plaintiffs and all the other members of the class herein, \$300,000,000 cash, to be deposited in the Escrow Account within ten business days after entry of the Preliminary Approval Order.... Plaintiffs' co-lead counsel will apply to the court for a collective award of attorney fees not to exceed 7.5% of the Settlement Fund. (Signed by Judge Loretta A. Preska on 8/2/04) (djc,) (Entered: 08/05/2004)
08/09/2004	100	MEMO ENDORSEMENT on motion for preliminary approval of class action settlement pursuant to Rule 23 of the F.R.C.P. So Ordered. (Signed by Judge Loretta A. Preska on 8/3/04) (jco,) (Entered: 08/10/2004)
08/27/2004	101	NOTICE of Change of Address by John G. Emerson Jr. on behalf of Shalan Alayan, Amalgamated Bank, Banyan Equity Management, Neil Boatwright, Aliza Brody, William K. Brownlow, Nancy W. Burns, Martyn Chilvers, Columbia Partners, Jonathan Crowell, Steven Denmark, Peter Dolan, Donald Fagnoli, Flax Entities, Fresno County Employees' Retirement Association, Ira Gaines, General Retirement System of the City of Detroit, Charles E. Henley, Luis A. Hernandez, David Jaroslawicz, Louisiana State Employees' Retirement System, Edward Meisel, Michael Pickar, Patti Gorsky Pollack, Gloria Rein, Audrey M. Ross-Klein, Brett Stancil, Teachers Retirement System of Louisiana, The Robert D. Jaffee Revocable Trust, David Wilmer. New Address: Emerson Poynter LLP, 2228 Cottdonale Lane, Suite 100, Little Rock, Arkansas, 72202-2037, 501-907-2555. (djc,) (Entered: 08/31/2004)
09/02/2004	102	ORDER; that Paragraph 7 of the Preliminary Approval Order is hereby amended as set forth in this Order. (Signed by Judge John F. Keenan on 9/2/04) (sac,) (Entered: 09/02/2004)

		09/07/2004)
10/19/2004	103	ENDORSED LETTER addressed to Judge Loretta A. Preska from Daniel L. Berger dated 10/18/04. Granting counsel's request to submit a single memorandum of about 35 pages in support of final approval of the settlement and plan of allocation and in support of attorneys' fees and reimbursement of expenses. (Signed by Judge Loretta A. Preska on 10/18/04) (kw,) (Entered: 10/22/2004)
10/19/2004	104	MEMORANDUM OF LAW in Support re: [105] MOTION (FILED ON SERVICE DATE) to for Entry of Judgment approving class action settlement and plan of allocation and MOTION for an award of attorney's fees and reimbursement of expenses. Document filed by Fresno County Employees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (ps,) Modified on 10/25/2004 (ps,). (Entered: 10/25/2004)
10/19/2004	105	MOTION (FILED ON SERVICE DATE) for Award of Attorney Fees and Reimbursement of Expenses, MOTION (FILED ON SERVICE DATE) for Judgment approving class action settlement and plan of allocation. Document filed by Fresno County Employees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (ps,) (Entered: 10/25/2004)
10/19/2004	106	COMPENDIUM OF DELCARATIONS AND AFFIDAVITS OF LEAD COUNSEL, LEAD PLAINTIFFS, CLAIMS ADMINISTRATOR AND ECONOMIC DAMAGES EXPERT in Support of the proposed settlement, plan of allocation and application for an award of attorneys' fees and reimbursement of expenses. Document filed by Fresno County Employees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (ps,) (Entered: 10/25/2004)
10/19/2004	107	COMPENDIUM OF AFFIDAVITS OF PLAINTIFFS' COUNSEL in Support of Motion for an award of attorneys' fees and reimbursement of expenses. Document filed by Fresno County Employees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (ps,) (Entered: 10/25/2004)
10/26/2004	108	DECLARATION of Thomas E. Albright in support of objection of U.S. Trust Company, National Association, to proposed settlement. Document filed by U.S. Trust Company, National Association. (kw,) (Entered: 10/27/2004)
10/26/2004	109	MOTION (FILED ON SERVICE DATE) to Intervene in this action by serving and filing a complaint in intervention. Document filed by Samuel Todd Agris, Anna Provorny. Return Date set for 11/9/2004 09:30 AM. (jp,) (Entered: 10/27/2004)
10/26/2004	110	MEMORANDUM OF LAW in Support re: [109] MOTION (FILED ON SERVICE DATE) to Intervene.. Document filed by Samuel Todd Agris, Anna Provorny. (jp,) (Entered: 10/27/2004)
10/26/2004	111	Objection of John F. Barrett, Steven P. Brundidge, Elizabeth Schofield, and Andrea Meyers, on behalf of themselves and the Bristol-Myers Squibb Company Savings and Investment program, to the proposed settlement and motion for relief with

		respect to the deadline for opting out. Filed by Plaintiffs. (jp,) Modified on 11/8/2004 (ae,). (Entered: 10/27/2004)
10/26/2004	112	AFFIDAVIT of Lee Squitieri in Support re: [109] MOTION (FILED ON SERVICE DATE) to Intervene.. Document filed by Samuel Todd Agris, Anna Provorny. (jp,) (Entered: 10/27/2004)
11/04/2004	113	MEMORANDUM OF LAW in Opposition to Thomas R. Dillon's Objection to the Class Action Settlement. Document filed by Fresno County Employmees' Retirement Association, General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (djc,) (Entered: 11/12/2004)
11/04/2004	115	CERTIFICATE OF SERVICE of Memorandum of Law in Opposition to Thomas R. Dillon's Objection to the Class Action Settlement on 11/4/04. Service was made by the Clerk of the Court and served via Fed Ex to the persons listed on the attached service list. (djc,) (Entered: 11/15/2004)
11/12/2004	114	TRANSCRIPT of proceedings held on 11/9/2004 before Judge Loretta A. Preska.(Gonzalez, Jose) (Entered: 11/12/2004)
11/17/2004	116	ENDORSED LETTER addressed to Judge Preska from Daniel I. Berger dated 11/16/2004 re: proposed judgment submitted to the Court on 11/9/2004 does not need to be amended, therefore may be executed. (Signed by Judge Loretta A. Preska on 11/16/2004) (jsa,) (Entered: 11/18/2004)
11/23/2004	117	JUDGMENT settling action. (Signed by Judge Loretta A. Preska on 11/9/04) (jf,) (Entered: 11/23/2004)
11/23/2004	118	NOTICE of Change of Address by Susan Salvetti on behalf of Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. New Address: Zwerling, Schachter & Zwerling, LLP, 41 Madison Avenue, New York, NY, 10010, (212) 223-3900. (jco,) (Entered: 11/30/2004)
12/01/2004	119	LETTER addressed to Clerk's Office from Tom Dillon dated 10/20/04 re: The proposed settlement with Bristol Myers is not fair to all investors because it excludes those who invested in the call options on BMS.. (sac,) (Entered: 12/07/2004)
12/27/2004		Mailed notice of Right to Appeal to Attorney(s) of Record: Richard Acocelli, Thomas Andrew Areba, James V. Bashian, Daniel L. Berger, Daniel L. Berger, Max W. Berger, Javier Bleichmar, Jeffrey Craig Block, Roberto M. Braceras, Aaron Lee Brody, Gustavo Fabian Bruckner, Amy Busa, Robert Myer Carmen, Evan R Chesler, John Patrick Coffey, Elliot Cohen, Scott Edelman, Marc H. Edelson, John G. Emerson Jr., Nadeem Faruqi, Brian M. Felgoise, Robert Craig Finkel, Michael Andrew Fischer, James O. Fleckner, Joseph Alberto Fonti, Alan Roy Friedman, Mark Casser Gardy, Paul J. Geller, Frederick W. Gerkens III, Lionel Z. Glancy, Michael Glenn Goldberg, Joshua H. Grabar, Elizabeth L. Grayer, Frederick Phillip Hafetz, Robert Ira Harwood, Marc S. Henzel, Michael L. Hirschfeld, Frederick Taylor Isquith Sr, James W. Johnson, Nancy Kaboolian, David Corey Katz, John Anthony Kehoe, Mark E. King, Patrick Anthony Klingman, Lawrence Paul Kolker, James E. Miller, Gary P. Naftalis, Jeffrey M. Norton, Linda P. Nussbaum, Zachary Margulis Ohnuma, Julie Richmond, Stephen

		G. Rinehart, Robert M. Roseman, David Avi Rosenfeld, Neil Rothstein, Samuel Howard Rudman, J. Erik Sandstedt, Steven G. Schulman, Susan R. Schwaiger, David R. Scott, Evan Smith, Leslie F. Stern, Richard M. Strassberg, Marc A. Topaz, Joseph H. Weiss, Wendy H. Zoberman. (snu,) (Entered: 12/29/2004)
01/03/2005		Received returned mail re: [117] Judgment. Mail was addressed to Evan Smith of Brodsky & Smith, L.L.C. at 11 Bala Avenue, Suite 39, Bala Cynwyd, PA 19004 and was returned for the following reason(s): Unable to Forward. (jeh,) (Entered: 01/04/2005)
01/03/2005		Received returned mail re: [117] Judgment. Mail was addressed to Susan R. Schwaiger of Cohen, Milstein, Hausfeld, and Toll, P.L.L.C. at 825 Third Avenue, Suite 3600, New York, N.Y. 10022 and was returned for the following reason(s): forwarded to 150 East 52nd Street, New York, N.Y. 10022-6017. (snu,) (Entered: 01/17/2005)
01/04/2005		Received returned mail re: [117] Judgment. Mail was addressed to Brian M. Felgoise at 230 South Broad Street, Suite 404, Philadelphia, P.A. 19102 and was returned for the following reason(s): insufficient address. (snu,) (Entered: 01/17/2005)
01/11/2005		Received returned mail re: [117] Judgment. Mail was addressed to Paul J. Geller of Cauley, Geller, Bowman & Coates, L.L.P. at 1 Boca Place, 2255 Glades Road, Suite 421-A, Boca Raton, FL 33431 and was returned for the following reason(s): undeliverable ad addressed. (snu,) (Entered: 01/17/2005)
02/09/2005	120	MOTION of Michael Zachary (FILED ON SERVICE DATE) for Extension of Time of deadline for Proof of Claim Submission.. (djc,) (Entered: 02/16/2005)
02/24/2005	121	MEMORANDUM AND OPINION # 91279; for the reasons set forth on this Opinion, Lead plttfs motion for atty fees and reimbursement of expenses is granted, to the extent noted in this Opinion and Order. (Signed by Judge Loretta A. Preska on 2/24/2005) (jp,) (Entered: 02/25/2005)
03/21/2005		ORDER granting [120] Motion for Extension of Time . (Signed by Judge Loretta A. Preska on 2/28/05) (dle,) (Entered: 03/23/2005)
03/25/2005	122	AMENDED MEMORANDUM AND OPINION # 91279. Lead Plaintiffs' motion for attorneys fees and reimbursement of expenses is granted, to the extent noted in the foregoing Opinion and Order. So Ordered. (Signed by Judge Loretta A. Preska on 3/18/05) (jco,) (Entered: 03/28/2005)
03/25/2005	123	ORDER Footnote 8 in the Opinion dated 2/24/05 is amended as attached. In order to ensure proper pagination, the entire Amended Opinion and Order is attached as well. So Ordered. (Signed by Judge Loretta A. Preska on 3/18/05) (jco,) (Entered: 03/28/2005)
08/08/2005	124	ENDORSED LETTER addressed to Judge Loretta A. Preska from Daniel L. Berger dated 7/18/05 re: granting Lead Plaintiff permission to file the motion without holding a pre-motion conference. (Signed by Judge Loretta A. Preska on 8/2/05) (pl,) (Entered: 08/10/2005)
08/09/2005	126	MOTION (FILED ON SERVICE DATE) to Approve approval of a disbursement from the settlement fund for payment to the claims adminstrator for services

		rendered in the administration of a securities class action settlement. Document filed by General Retirement System of the City of Detroit, Teachers Retirement System of Louisiana. (djc,) (Entered: 09/01/2005)
08/22/2005	125	LETTER addressed to Clerk of Court from Maury Shenk dated 8/16/05 re: regarding the arbitrary rejection of my claim in connection with the settlement of this action. (sac,) (Entered: 08/23/2005)
11/16/2005	127	ORDER; the Court, for purposes of this Order, adopts all defined terms as set forth in the Judgment. Plaintiffs' Co-Lead Counsel shall direct an interim disbursement from the Settlement Fund for payments of incurred Notice and Administration Expenses to GCG in the amount of \$6,208,404.06. This resolves docket number 126. (Signed by Judge Loretta A. Preska on 11/10/05) (sac,) (Entered: 11/17/2005)
05/05/2006	128	LEAD PLAINTIFFS' NOTICE OF MOTION to Conduct an Initial Distribution of the Net Settlement Fund. Document filed by General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana. (jmi,) (Entered: 05/08/2006)
05/05/2006	129	MEMORANDUM OF LAW in Support re: [128] MOTION for Settlement.. Document filed by General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Fresno County Employees' Retirement Association, Teachers Retirement System of Louisiana. (jmi,) (Entered: 05/08/2006)
05/05/2006	130	AFFIDAVIT of Stephen J. Cirami in Support re: [128] MOTION for Settlement.. Document filed by General Retirement System of the City of Detroit, Louisiana State Employees' Retirement System, Fresno County Employees' Retirement Association, Teachers Retirement System of Louisiana. (jmi,) (Entered: 05/08/2006)
05/16/2006	131	ORDER that the court for the purposes of this order, adopts the defined terms set forth in lead plaintiffs' memorandum of law in support of initial distribution of Net Settlement Fund as further set forth in this order; the administrative recommendation to accept 266,371 claims as set forth in Exhibit D to the Cirami Affidavit is adopted and plaintiffs' co lead counsel are authorized to direct an initial distribution of the net settlement fund to the authorized claimants set forth therein; the wholly ineligible or otherwise deficient claims not disputed as set forth in exhibit D to the Cirami Affidavit are rejected; plaintiffs' co lead counsel are authorized to direct payment of \$1,276,569.10 out of the net settlement fund to the claims administrator, Garden City Group Inc. as further set forth in this order. (Signed by Judge Loretta A. Preska on 5/15/06) (dle,) (Entered: 05/16/2006)

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