

**U.S. District Court**  
**Southern District of California**  
**(San Diego)**

CIVIL DOCKET FOR CASE #: 02-CV-212

Curtis v. Elan Corporation, et al

Filed: 02/04/02

Assigned to: Judge M. James Lorenz

Jury demand: Plaintiff

Referred to: Magistrate Judge Anthony J. Battaglia

Demand: \$0,000

Nature of Suit: 850

Lead Docket: None

Jurisdiction: Federal Question

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

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WILLIAM M CURTIS, on Behalf of  
Himself and all others  
similarly situated  
                  plaintiff

William S Lerach  
(619)231-7423  
[COR LD NTC]  
Milberg Weiss Bershad Hynes and  
Lerach  
401 B Street  
Suite 1700  
San Diego, CA 92101  
(619)231-1058

v.

ELAN CORPORATION, PLC  
                  defendant

Jaculin Aaron  
(212)848-5252  
[COR LD NTC]  
Shearman and Sterling  
599 Lexington Avenue  
New York, NY 10022-6069  
(212)848-4000

DONAL J GEANEY  
                  defendant

SHANE M COOKE  
                  defendant

THOMAS G LYNCH  
                  defendant

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S & T INVESTMENT COMPANY,

Travis E Downs, III

movant

[COR LD NTC]  
Milberg Weiss Bershad Hynes and  
Lerach  
401 B Street  
Suite 1700  
San Diego, CA 92101  
(619)231-1058

FOX ASSET MANAGEMENT  
movant

Francis Michael Gregorek  
(619)234-4599  
[COR LD NTC]  
Wolf Haldenstein Adler Freeman  
and Herz  
750 B Street  
Symphony Towers Suite 2770  
San Diego, CA 92101-5050  
(619)239-4599

NORMAN LEFKOVITZ  
movant

Jeffrey R Krinsk  
(619)238-5425  
[COR LD NTC]  
Finkelstein and Krinsk  
501 West Broadway  
Suite 1250  
San Diego, CA 92101-3593  
(619)238-1333

THE SCHUTT  
movant

Michael David Braun  
(310)209-2087  
[COR LD NTC]  
Stull Stull and Brody  
10940 Wilshire Boulevard  
Suite 2300  
Los Angeles, CA 90024-3907  
(310)209-2468

GREGORY VAN KIPNIS  
movant

Lori E Sambol  
(415)772-4707  
[COR LD NTC]  
Kaplan Fox Kilsheimer  
601 Montgomery Street  
Suite 300  
San Francisco, CA 94111  
(415)772-4700

ELAN GROUP  
movant

Travis E Downs, III  
(See above)  
[COR LD NTC]

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## DOCKET PROCEEDINGS

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DATE #

DOCKET ENTRY

2/4/02 1 Complaint Filed; (referred to Magistrate Judge Anthony J. Battaglia); Receipt No/Amt of Fee: 79129/\$150; jury demand (rx) [Entry date 02/04/02]

2/4/02 2 Notice of Party with Financial Interest by William M Curtis (rx) [Entry date 02/04/02]

2/4/02 3 Summons issued (rx) [Entry date 02/04/02]

2/8/02 4 Notice by plaintiff William M Curtis of filing withdrawal of appearance of Scott and Scott LLC. (meg) [Entry date 02/11/02]

3/22/02 5 Stipulation and Order by Judge M. J. Lorenz re dfts time to respond to cmp. Plas intend to file a motion to consolidate on 4/5/02. (atty maint) (meg) [Entry date 03/25/02] [Edit date 03/25/02]

4/5/02 6 Notice of Motion and Motion by plaintiff William M Curtis to consolidate related actions for viloations of the Securities Exchange Act of 1934 [ motion(s) referred to Judge M. J. Lorenz ] motion hrg set for 5/6/02 at 10:00 (andy) [Entry date 04/08/02]

4/5/02 7 Memorandum of points and authorities by plaintiff William M Curtis in support of motion to consolidate related actions for viloations of the Securities Exchange Act of 1934 [6-1] (andy) [Entry date 04/08/02]

4/5/02 10 Declaration of Travis E. Downs re motion for appointment as lead pla [8-1], re motion for approval of selection of lead counsel [8-2] (andy) [Entry date 04/08/02]

4/5/02 8 Notice of Motion and Motion by movant S&T Group for appointment as lead plaintiff , and for approval of selection of lead counsel [ motion(s) referred to Judge M. J. Lorenz ] motion hrg set for 5/6/02 at 10:00 (andy) [Entry date 04/08/02] [Edit date 05/06/02]

4/5/02 9 Memorandum of points and authorities by movant S&T Group in support of motion for appointment as lead plaintiff [8-1], in support of motion for approval of selection of lead counsel [8-2] (andy) [Entry date 04/08/02]

4/5/02 11 Notice of Motion and Motion by movant Fox Asset Management to consolidate cases [ motion(s) referred to Judge M. J. Lorenz ] motion hrg set for 5/28/02 at 10:30 (andy) [Entry date 04/08/02]

4/5/02 12 Memorandum of points and authorities by movant Fox Asset Management in support of motion to consolidate cases [11-1] (andy) [Entry date 04/08/02]

4/5/02 13 Notice of Motion and Motion by movant Fox Asset Management for appointment of lead pla, and for for approval of lead pla selection of lead counsel and liaison counsel [ motion(s) referred to Judge M. J. Lorenz ] motion hrg set for 5/28/02 (andy) [Entry date 04/08/02]

4/5/02 14 Memorandum of points and authorities by movant Fox Asset Management in support of motion for appointment of lead pla [13-1], in support of motion for approval of lead pla selection of lead counsel and liaison counsel [13-2] (andy) [Entry date 04/08/02]

4/5/02 15 Affidavit of Stuart L. Berman regarding motion for appointment of lead pla [13-1], regarding motion for approval of lead pla selection of lead counsel and liaison counsel [13-2] (andy) [Entry date 04/08/02]

4/5/02 16 Notice of Motion and Motion by movant Norman Lefkovitz to consolidate cases [ motion(s) referred to Judge M. J. Lorenz ]; (ok per ct) (meg) [Entry date 04/09/02]

4/5/02 17 Notice of Motion and Motion by movant Norman Lefkovitz to appoint lead pla, to approve lead pla's selection of lead cnsl [ motion(s) referred to Judge M. J. Lorenz ], (ok per ct) (meg) [Entry date 04/09/02]

4/5/02 18 Memorandum of points and authorities by movant Norman Lefkovitz in support of motion to appoint lead pla [17-1], in support of motion to approve lead pla's selection of lead cnsl [17-2], in support of motion to consolidate cases [16-1] (meg) [Entry date 04/09/02]

4/5/02 19 Declaration of Murielle J. Steven by movant Norman Lefkovitz in suppt of motion to appoint lead pla [17-1], motion to approve lead pla's selection of lead cnsl [17-2], motion to consolidate cases [16-1] (meg) [Entry date 04/09/02]

4/10/02 20 Amended Motion submitted by movant Norman Lefkovitz to appoint lead pla, approve lead pla's selection of lead cnsl [ motion(s) referred to Judge M. J. Lorenz ], motion hrg set for 5/28/02 at 10:30 am (meg) [Entry date 04/12/02]

4/10/02 21 Amended Motion submitted by movant Norman Lefkovitz to consolidate the related actions [ motion(s) referred to Judge M. J. Lorenz ]; motion hrg set for 5/28/02 at 10:30 am (meg) [Entry date 04/12/02]

4/10/02 22 DISCREPANCY ORDER by Judge M. J. Lorenz accepting document: mot to consolidate by movant Schutt , non-compliance with local rule 5.1.j.4, document is to be filed nunc pro tunc to the date received (meg) [Entry date 04/12/02]

4/10/02 23 NUNC PRO TUNC 4/5/02 Notice of Motion and Motion by movant Schutt for consolidation , appointment as lead plas, approval of selection of lead cnsl [ motion(s) referred to Judge M. J. Lorenz ], no hrg set (meg) [Entry date 04/12/02] [Edit date 04/12/02]

4/10/02 24 NUNC PRO TUNC 4/5/02 Memorandum of points and authorities by movant Schutt in support of motion for consolidation [23-1], in support of motion appointment as lead plas [23-2], in support of motion approval of selection of lead cnsl [23-3] (meg) [Entry date 04/12/02] [Edit date 04/12/02]

4/10/02 25 NUNC PRO TUNC 4/5/02 Declaration of Aaron Brody by movant Schutt re motion for consolidation [23-1], re motion appointment as lead plas [23-2], re motion approval of selection of lead cnsl [23-3] (meg) [Entry date 04/12/02] [Edit date 04/12/02]

4/11/02 26 DISCREPANCY ORDER by Judge M. J. Lorenz accepting document: mot for consolidation from movant Gregory Van Kipnis , non-compliance with local rule 7.1.e or 47.1.b.1, document is to be filed nunc pro tunc to the date received (meg) [Entry date 04/12/02]

4/11/02 27 NUNC PRO TUNC 4/5/02 Notice of Motion and Motion by movant Gregory Van Kipnis for consolidation, for appointment of lead pla, for approval of lead pla's choice of lead cnsl [ motion(s) referred to Judge M. J. Lorenz ], no hrg (meg) [Entry date 04/12/02] [Edit date 04/12/02]

4/11/02 28 NUNC PRO TUNC 4/5/02 Memorandum of points and authorities by movant Gregory Van Kipnis in support of motion for consolidation [27-1], in support of motion for appointment of lead pla [27-2], in support of motion for approval of lead pla's choice of lead cnsl [27-3] (meg) [Entry date 04/12/02] [Edit date 04/12/02]

4/11/02 29 NUNC PRO TUNC 4/5/02 Declaration of Lori E. Sambol by movant Gregory Van Kipnis re motion for consolidation [27-1], re motion for appointment of lead pla [27-2], re motion for approval of lead pla's choice of lead cnsl [27-3] (meg) [Entry date 04/12/02] [Edit date 04/12/02]

5/9/02 30 Notice by movant Fox Asset Management of withdrawal of mot for Fox Asset Mgt to be appointed lead pla and for approval of lead plas selection of lead cnsl and liaison cnsl. (meg) [Entry date 05/13/02]

5/14/02 31 Opposition by movant Elan Group to competing motions for appointment of lead pla and approval of lead pla's choice of cnsl. (meg) [Entry date 05/16/02]

5/14/02 32 Declaration of Travis E. Downs by movant Elan Group in suppt of the Elan Groups oppos to motions for appt of lead pla and approval of lead plas choice of cnsl [31-1] (meg) [Entry date 05/16/02]

5/16/02 33 DISCREPANCY ORDER by Judge M. J. Lorenz accepting document: Opposition from movant Gregory Van Kipnis , non-compliance with local rule 5.1.j.4, document is to be filed nunc pro tunc to the date received (andy) [Entry date 05/17/02]

5/16/02 34 NUNC PRO TUNC 5/14/02: Opposition by movant Gregory Van Kipnis to motion to consolidate related actions for vilocations of the Securities Exchange Act of 1934 [6-1] (andy) [Entry date 05/17/02]

5/16/02 35 NUNC PRO TUNC 5/14/02: Declaration of Hae Sung Nam re motion response [34-1] (andy) [Entry date 05/17/02]

5/20/02 36 Reply and oppos by movant Gregory Van Kipnis to the Elan Group's and the Pope Group's motions for consolidation, appointment as lead pla and approval of lead cnsl. (motions not on file) (meg) [Entry date 05/24/02] [Edit date 05/24/02]

5/22/02 37 Notice by movant Schutt of withdrawal of motion for consolidation, appointment as lead plas and approval of selection of lead cnsl. (meg) [Entry date 05/24/02]

5/24/02 38 Statement by defendant Elan Corporation with regard to lead pla motions. (meg) [Entry date 05/28/02]

5/28/02 39 Stipulation and Order by Judge M. J. Lorenz transferring case to the Southern Dist of New York (prepared letter) (meg) [Entry date 05/31/02]

6/21/02 40 Acknowledgement ltr rec'd from Southern District of New York re transfer of case (case no. 1:02cv4310(MGC)) (ryc) [Entry date 06/25/02]

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