

U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:02-cv-00687-JCH

Berger v. Gerber Scientific, et al
Assigned to: Judge Janet C. Hall
Demand: \$0
Case in other court: Member Case, 3:02-cv-00750
Member Case, 3:02-cv-00765
Member Case, 3:02-cv-00794
Member Case, 3:02-cv-00804
Member Case, 3:02-cv-00816
Member Case, 3:02-cv-00862
Member Case, 3:02-cv-00961

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

Date Filed: 04/18/2002
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Jamie Berger

*o/b/o herself & all others similarly
situated*

represented by **David Randell Scott**

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V.

Consol Plaintiff

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Consol Plaintiff

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V.

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Movant

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Date Filed	#	Docket Text
04/18/2002	1	COMPLAINT Filing Fee \$ 150.00 Receipt # H6100 (D'Onofrio, B.) (Entered: 04/19/2002)
04/18/2002		SUMMONS(ES) issued for Gerber Scientific, Michael J. Cheshire, Marc T. Giles, George M. Gentile, Gary K. Bennett, Anthony L. Mattacchione, Shawn M. Harrington (D'Onofrio, B.) (Entered: 04/19/2002)
04/18/2002	2	ORDER on Pretrial Deadlines handed to counsel Discovery cutoff 10/18/02 ; Dispositive Motions due 11/17/02 Amended Pleadings due 6/18/02 Motions to Dismiss due 7/18/02 (D'Onofrio, B.) (Entered: 04/19/2002)
05/10/2002	3	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Shawn M. Harrington, Anthony L. Mattacchione -- Kevin J. O'Connor (Corriette, M.) (Entered: 05/10/2002)
05/10/2002	4	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Shawn M. Harrington, Anthony L. Mattacchione -- William H. Erickson (Corriette, M.) (Entered: 05/10/2002)
05/10/2002	5	MOTION by Jamie Berger, Gerber Scientific, Michael J. Cheshire, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington to Extend Time to Answer No Date Specified (Corriette, M.) (Entered: 05/10/2002)
05/14/2002	6	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington -- David J. Elliott (Fazekas, J.) (Entered: 05/15/2002)
05/21/2002	7	MOTION by Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington for Steven A. Rosen to Appear Pro Hac Vice (Fazekas, J.) (Entered: 05/22/2002)
05/21/2002	9	MOTION by Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington for Andrew N. Vollmer to Appear Pro Hac Vice (Fazekas, J.) (Entered: 05/23/2002)
05/22/2002		ENDORSEMENT [7-1] motion for Steven A. Rosen to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Fazekas, J.) (Entered: 05/22/2002)
05/22/2002	8	Telephone Status Conference held (JCH) (Boroskey, C.) (Entered: 05/23/2002)
05/22/2002		ENDORSEMENT granting in part, denying in part [5-1] motion to Extend Time to Answer Scheduling order to issue (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 05/23/2002)
05/23/2002		ENDORSEMENT [9-1] motion for Andrew N. Vollmer to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Fazekas, J.) (Entered: 05/23/2002)
05/31/2002	10	APPEARANCE of Attorney for Gary K. Bennett -- Robert D. Gilbert (Corriette, M.) (Entered: 05/31/2002)

05/31/2002	11	MOTION by Gary K. Bennett for Peter M. Saporoff to Appear Pro Hac Vice (Corriette, M.) (Entered: 05/31/2002)
05/31/2002	12	AFFIDAVIT of Peter M. Saporoff by Gary K. Bennett Re [11-1] motion for Peter M. Saporoff to Appear Pro Hac Vice by Gary K. Bennett (Corriette, M.) (Entered: 05/31/2002)
05/31/2002		ENDORSEMENT [11-1] motion for Peter M. Saporoff to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 05/31/2002)
06/03/2002	13	APPEARANCE of Attorney for Michael J. Cheshire -- Mark J. Biros (Corriette, M.) (Entered: 06/04/2002)
06/03/2002	14	APPEARANCE of Attorney for Michael J. Cheshire -- Kurt F. Zimmermann (Corriette, M.) (Entered: 06/04/2002)
06/03/2002	15	MOTION by Michael J. Cheshire for Mark J. Biros to Appear Pro Hac Vice (Corriette, M.) (Entered: 06/04/2002)
06/03/2002	16	MOTION by Michael J. Cheshire for Stephen D. Solomon to Appear Pro Hac Vice (Corriette, M.) (Entered: 06/04/2002)
06/04/2002		ENDORSEMENT [15-1] motion for Mark J. Biros to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 06/04/2002)
06/04/2002		ENDORSEMENT [16-1] motion for Stephen D. Solomon to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 06/04/2002)
06/11/2002	17	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington -- Steven A. Rosen (Corriette, M.) (Entered: 06/11/2002)
06/11/2002	18	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington -- Andrew N. Vollmer (Corriette, M.) (Entered: 06/11/2002)
06/17/2002	19	MOTION by Louisiana Municipal to Consolidate Case with docket number(s): 3:02CV750, 3:02CV765, 3:02CV794, 3:02CV804, 3:02CV816 & 3:02CV862 , & for Order to appoint as lead plaintiff , & for Order approving lead plaintiff's choice of counsel (Brief Due 7/8/02) (Cody, C.) (Entered: 06/17/2002)
06/17/2002	20	MEMORANDUM by Louisiana Municipal in support of [19-1] motion to Consolidate Case with docket number(s): 3:02CV750, 3:02CV765, 3:02CV794, 3:02CV804, 3:02CV816 & 3:02CV862 (Cody, C.) (Entered: 06/17/2002)
06/17/2002	21	AFFIDAVIT of Margaret E. Haering by Louisiana Municipal Re [19-1] motion to Consolidate Case with docket number(s): 3:02CV750, 3:02CV765, 3:02CV794, 3:02CV804, 3:02CV816 & 3:02CV862 by Louisiana Municipal (Cody, C.) (Entered: 06/17/2002)
06/17/2002	22	APPEARANCE of Attorney for Louisiana Municipal -- J. Daniel Sagarin (Fazekas, J.) (Entered: 06/17/2002)
06/17/2002	23	APPEARANCE of Attorney for Louisiana Municipal -- Margaret E. Haering (Fazekas, J.) (Entered: 06/17/2002)

06/17/2002	24	APPEARANCE of Attorney for Robert L Darwin, James R Curtis, Peter Shunk -- Jeffrey S. Nobel (Sbalbi, B.) (Entered: 06/18/2002)
06/17/2002	25	MOTION by Robert L Darwin, James R Curtis, Peter Shunk to Consolidate Case with docket number(s): 3:02cv750, 3:02cv794, 3:02cv804, 3:02cv816, & 3:02cv961 , and for appointment of lead plaintiffs , and approval of lead plaintiffs selection of counsel (Brief Due 7/8/02) (Sbalbi, B.) (Entered: 06/18/2002)
06/17/2002	26	MEMORANDUM by Robert L Darwin, James R Curtis, Peter Shunk in support of [25-1] motion to Consolidate Case with docket number(s): 3:02cv750, 3:02cv794, 3:02cv804, 3:02cv816, & 3:02cv961, [25-2] motion for appointment of lead plaintiffs, [25-3] motion approval of lead plaintiffs selection of counsel (Sbalbi, B.) (Entered: 06/18/2002)
06/17/2002	27	AFFIDAVIT of Jeffrey Nobel by Robert L Darwin, James R Curtis, Peter Shunk Re [25-1] motion to Consolidate Case with docket number(s): 3:02cv750, 3:02cv794, 3:02cv804, 3:02cv816, & 3:02cv961 by Peter Shunk, James R Curtis, Robert L Darwin, [25-2] motion for appointment of lead plaintiffs by Peter Shunk, James R Curtis, Robert L Darwin, [25-3] motion approval of lead plaintiffs selection of counsel by Peter Shunk, James R Curtis, Robert L Darwin (Sbalbi, B.) (Entered: 06/19/2002)
06/25/2002	28	MOTION by Louisiana Municipal for Daniel L. Berger to Appear Pro Hac Vice (Fazekas, J.) (Entered: 06/25/2002)
06/25/2002		ENDORSEMENT [28-1] motion for Daniel L. Berger to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Fazekas, J.) (Entered: 06/25/2002)
06/25/2002	29	MOTION by Louisiana Municipal for Eitan Misulovin to Appear Pro Hac Vice (Fazekas, J.) (Entered: 06/25/2002)
06/25/2002		ENDORSEMENT [29-1] motion for Eitan Misulovin to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Fazekas, J.) (Entered: 06/25/2002)
06/25/2002	30	SUMMONS Returned Executed on 4/23/02 as to Gerber Scientific, Marc T. Giles, George M. Gentile, Shawn M. Harrington, Anthony L. Mattacchione (Corriette, M.) (Entered: 06/25/2002)
06/25/2002	31	SUMMONS Returned Executed on 4/24/02 as to Michael J. Cheshire, Gary K. Bennett (Corriette, M.) (Entered: 06/25/2002)
06/27/2002	32	APPEARANCE of Attorney for Louisiana Municipal -- David A. Slossberg (Corriette, M.) (Entered: 06/28/2002)
06/28/2002	33	MOTION by Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington for Andrew B. Weissman to Appear Pro Hac Vice (Corriette, M.) (Entered: 06/28/2002)
06/28/2002		ENDORSEMENT [33-1] motion for Andrew B. Weissman to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 06/28/2002)
07/01/2002	34	APPEARANCE of Attorney for Gary K. Bennett -- Peter M. Saporoff (Sbalbi, B.) (Entered: 07/01/2002)
07/03/2002	35	MEMORANDUM by Louisiana Municipal in opposition to [25-2] motion for

		appointment of lead plaintiffs by Peter Shunk, James R. Curtis, Robert L. Darwin, [25-3] motion approval of lead plaintiffs selection of counsel by Peter Shunk, James R. Curtis, Robert L. Darwin (Sbalbi, B.) (Entered: 07/03/2002)
07/03/2002	36	APPEARANCE of Attorney for Louisiana Municipal -- Eitan Misulovin (Fazekas, J.) (Entered: 07/03/2002)
07/03/2002	37	APPEARANCE of Attorney for Louisiana Municipal -- Daniel Berger (Fazekas, J.) (Entered: 07/03/2002)
07/08/2002	38	APPEARANCE of Attorney for Peter Shunk -- Patrick A. Klingman (Sbalbi, B.) (Entered: 07/08/2002)
07/08/2002	39	MEMORANDUM by Peter Shunk in support of [19-1] motion to Consolidate Case with docket number(s): 3:02CV750, 3:02CV765, 3:02CV794, 3:02CV804, 3:02CV816 & 3:02CV862, [19-2] motion for Order to appoint as lead plaintiff, [19-3] motion for Order approving lead plaintiff's choice of counsel (Sbalbi, B.) (Entered: 07/08/2002)
07/08/2002	40	Status Conference held in all Berger cases (JCH) (Boroskey, C.) (Entered: 07/11/2002)
07/08/2002		MINUTE Entry: granting [19-1] motion to Consolidate Case with docket number(s): 3:02CV750, 3:02CV765, 3:02CV794, 3:02CV804, 3:02CV816 & 3:02CV862, granting [19-2] motion for Order to appoint as lead plaintiff, granting [19-3] motion for Order approving lead plaintiff's choice of counsel, granting [25-1] motion to Consolidate Case with docket number(s): 3:02cv750, 3:02cv794, 3:02cv804, 3:02cv816, & 3:02cv961, denying [25-2] motion for appointment of lead plaintiffs, denying [25-3] motion approval of lead plaintiffs selection of counsel: Ruled on at phone status conference on 7/8/02 (JCH) (Boroskey, C.) (Entered: 07/12/2002)
07/15/2002	41	Order of Consolidation Consolidated with 3:02cv750, 3:02cv765, 3:02cv794, 3:02cv804, 3:02cv816, 3:02cv862 & 3:02cv961 No standard consolidation order per JCH (signed by Judge Janet C. Hall) (Gutierrez, Y.) (Entered: 07/17/2002)
07/19/2002	42	APPEARANCE of Attorney for Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington -- Andrew Weismann (Depino, F.) (Entered: 07/19/2002)
08/01/2002	43	MOTION by Louisiana Municipal to Extend Time to 9/13/02 to file consolidated amended complaint & to 9/18/02 for status conference (Sbalbi, B.) (Entered: 08/01/2002)
08/01/2002	44	MOTION by Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L. Mattacchione, Shawn M. Harrington for Andrew N. Vollmer to Withdraw as Attorney (Sbalbi, B.) (Entered: 08/01/2002)
08/05/2002		ENDORSEMENT granting [43-1] motion to Extend Time to 9/13/02 to file consolidated amended complaint & to reschedule status conference (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 08/05/2002)
08/05/2002		ENDORSEMENT granting [44-1] motion for Andrew N. Vollmer to Withdraw as Attorney (Terminated attorney Andrew N. Vollmer for Shawn M. Harrington,

		attorney Andrew N. Vollmer for Anthony L. Mattacchione, attorney Andrew N. Vollmer for Gary K. Bennett, attorney Andrew N. Vollmer for George M. Gentile, attorney Andrew N. Vollmer for Marc T. Giles, attorney Andrew N. Vollmer for Michael J. Cheshire, attorney Andrew N. Vollmer for Gerber Scientific (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 08/05/2002)
08/14/2002	45	MOTION by Janice Edgar for Jonathan M. Plasse to Appear Pro Hac Vice (Corriette, M.) (Entered: 08/15/2002)
08/14/2002	46	MOTION by Janice Edgar for Emily C. Komlossy to Appear Pro Hac Vice (Corriette, M.) (Entered: 08/15/2002)
08/15/2002		ENDORSEMENT [45-1] motion for Jonathan M. Plasse to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 08/15/2002)
08/15/2002		ENDORSEMENT [46-1] motion for Emily C. Komlossy to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 08/15/2002)
08/22/2002	47	MOTION by Louisiana Municipal to Extend Time to 9/30/02 to File Consolidated Amended Complaint & 10/7/02 to Reschedule Status Conference (Corriette, M.) (Entered: 08/22/2002)
08/27/2002		ENDORSEMENT Granting [47-1] Motion to Extend Time to 9/30/02 to File Consolidated Amended Complaint & 10/7/02 to Reschedule Status Conference (signed by Judge Janet C. Hall) (D'Andrea, S.) (Entered: 08/28/2002)
09/05/2002	48	APPEARANCE of Attorney for Janice Edgar -- Emily C. Komlossy (Corriette, M.) (Entered: 09/06/2002)
09/25/2002	49	MOTION by Louisiana Municipal to Extend Time to 10/31/02 to File Consolidated Amended Complaint (Corriette, M.) (Entered: 09/27/2002)
09/30/2002		ENDORSEMENT granting [49-1] motion to Extend Time to 10/31/02 to File Consolidated Amended Complaint & status conference set for 11/14/02 at 3:30 pm (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 09/30/2002)
10/22/2002	50	MOTION by Louisiana Municipal to Extend Time until 11/20/02 to file an Amended Consolidated Complaint & until 12/2/02 for status conference (Sanders, C.) (Entered: 10/23/2002)
10/25/2002	51	MOTION by Jamie Berger for S. Edward Sarskas to Appear Pro Hac Vice (Corriette, M.) (Entered: 10/28/2002)
10/28/2002		ENDORSEMENT [51-1] motion for S. Edward Sarskas to Appear Pro Hac Vice ordered accordingly (signed by Clerk) (Corriette, M.) (Entered: 10/28/2002)
10/28/2002		ENDORSEMENT Granting [50-1] Motion to Extend Time until 11/20/02 to file an Amended Consolidated Complaint & until 12/2/02 for status conference (signed by Judge Janet C. Hall) (D'Andrea, S.) (Entered: 10/29/2002)
11/19/2002	52	MOTION by Gerber Scientific, Louisiana Municipal to Extend Time to 12/13/02 to file amended complaint and to 1/6/02 for status conference (Sbalbi, B.) (Entered: 11/20/2002)
11/20/2002	53	MOTION by Gerber Scientific, Marc T. Giles, George M. Gentile, Anthony L.

		Mattacchione, Shawn M. Harrington for Kevin J. O'Connor to Withdraw as Attorney (Sbalbi, B.) (Entered: 11/21/2002)
11/21/2002	54	APPEARANCE of Attorney for Jamie Berger -- S. Edward Sarskas (Corriette, M.) (Entered: 11/22/2002)
11/22/2002		ENDORSEMENT granting [52-1] motion to Extend Time to 12/13/02 to file amended complaint and to 1/6/02 for status conference (signed by Judge Janet C. Hall) (Sanders, C.) (Entered: 11/22/2002)
11/27/2002		ENDORSEMENT granting [53-1] motion for Kevin J. O'Connor to Withdraw as Attorney (Terminated attorney Kevin J. O'Connor for George M. Gentile, attorney Kevin J. O'Connor for Shawn M. Harrington, attorney Kevin J. O'Connor for Marc T. Giles, attorney Kevin J. O'Connor for Anthony L. Mattacchione, attorney Kevin J. O'Connor for Gerber Scientific, attorney Kevin J. O'Connor for Shawn M. Harrington, attorney Kevin J. O'Connor for Anthony L. Mattacchione, attorney Kevin J. O'Connor for George M. Gentile, attorney Kevin J. O'Connor for Marc T. Giles, attorney Kevin J. O'Connor for Gerber Scientific (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 11/27/2002)
12/11/2002	55	MOTION by Gerber Scientific, Louisiana Municipal to Extend Time to 12/17/02 to file amended consolidated complaint , and for new status Conference date (Sbalbi, B.) Modified on 12/12/2002 (Entered: 12/12/2002)
12/16/2002		ENDORSEMENT granting [55-1] motion to Extend Time to 12/17/02 to file amended consolidated complaint, denying [55-2] motion for new status Conference date (signed by Judge Janet C. Hall) (Sbalbi, B.) (Entered: 12/17/2002)
12/17/2002	56	NOTICE of Voluntary Dismissal of case by all parties (Sbalbi, B.) (Entered: 12/18/2002)
12/24/2002		Case closed (Candee, D.) (Entered: 12/27/2002)
12/24/2002	57	Order of dismissal of case granting [56-1] notice (signed by Judge Janet C. Hall) (Candee, D.) (Entered: 12/30/2002)

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