

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:02-cv-03818-AKH**

**In Re: Alcatel Securities v. , et al**

**Date Filed:** May 17, 2002  
**Status:** Closed  
**Nature of suit:** 850 Securities/Commodities  
**Demand:** \$0  
**Assigned to:** Judge Alvin K. Hellerstein  
**Cause:** 15:78m(a) Securities Exchange Act  
**Date terminated:** Jul. 06, 2007  
**Jurisdiction:** Federal Question  
**Jury demand:** Plaintiff  
**Member cases:** 1:02-cv-04044-RCC  
1:02-cv-04977-RCC  
1:02-cv-05279-RCC  
1:02-cv-04904-RCC

**Parties and Attorneys**

**Lead Plaintiff**

**Pyramid Holdings, Inc..**

individually and on behalf of all others similarly situated

**Attorneys and Firms**

**Samuel Howard Rudman**

*Coughlin, Stoia, Geller, Rudman &  
Robbins, LLP(LIs)*

58 South Service Road  
Suite 200

Melville, NY 11747

(631) 367-7100

Fax: (631) 367-1173

srudman@csgrr.com

TERMINATED: 06/06/2007

LEAD ATTORNEY

**Steven G. Schulman**

*Milberg Weiss Bershad & Schulman  
LLP (NYC)*

One Pennsylvania Plaza

New York, NY 10119

(212) 946-9356

Fax: (212) 273-4406  
ssschulman@milbergweiss.com  
TERMINATED: 06/06/2007  
LEAD ATTORNEY

**Christopher L. Nelson**  
*Schiffirin Barroway Topaz & Kessler,  
LLP*

280 King of Prussia Road  
Radnor, PA 19087  
(610) 667-7706

Fax: (610) 667-7056  
cnelson@sbtclaw.com  
PRO HAC VICE

**Peter Edward Seidman**  
*Milberg Weiss Bershad & Schulman  
LLP (NYC)*

One Pennsylvania Plaza  
New York, NY 10119  
(212) 613-5625

Fax: (212) 868-1229  
pseidman@milbergweiss.com

**Lead Plaintiff**

**Michael Tolzman**

**Defendant**

**Alcatel SA**

**Attorneys and Firms**

**Christopher L. Nelson**  
(See above for address)  
PRO HAC VICE

**Peter Edward Seidman**  
(See above for address)

**Attorneys and Firms**

**Giyong Song**  
*Skadden, Arps, Slate, Meagher &  
Flom LLP(IIA)*

Four Times Sq.,  
New York, NY 10036  
(212) 735-2564

Fax: (917) 777-2564  
gsong@skadden.com  
LEAD ATTORNEY

**Lea Haber Kuck**  
*Skadden, Arps, Slate, Meagher &  
Flom LLP(IIA)*

Four Times Sq.,  
New York, NY 10036  
(212) 735-2978

Fax: (917) 777-2978  
lkuck@skadden.com  
LEAD ATTORNEY

**Robert Emanuel Zimet**  
*Skadden, Arps, Slate, Meagher & Flom (DC)*  
1440 New York Avenue NorthWest  
Washington, DC 20006  
(212) 735-2520  
Fax: (917) 777-2520  
rzimet@skadden.com  
LEAD ATTORNEY

**Defendant**  
**Serge Tchuruk**

**Attorneys and Firms**  
**Giyong Song**  
(See above for address)  
LEAD ATTORNEY  
**Lea Haber Kuck**  
(See above for address)  
LEAD ATTORNEY  
**Robert Emanuel Zimet**  
(See above for address)  
LEAD ATTORNEY

**Defendant**  
**Jean Pierre Halbron**

**Attorneys and Firms**  
**Giyong Song**  
(See above for address)  
LEAD ATTORNEY  
**Lea Haber Kuck**  
(See above for address)  
LEAD ATTORNEY  
**Robert Emanuel Zimet**  
(See above for address)  
LEAD ATTORNEY

**Lead Plaintiff**  
**CST Asia, Inc.**

**Attorneys and Firms**  
**Christopher L. Nelson**  
(See above for address)  
PRO HAC VICE  
**Peter Edward Seidman**  
(See above for address)

**Lead Plaintiff**  
**J. D. Outerson**

**Attorneys and Firms**  
**Christopher L. Nelson**  
(See above for address)  
PRO HAC VICE  
**Peter Edward Seidman**  
(See above for address)

**Consolidated Plaintiff**

**Attorneys and Firms**

**Jay Hansbro**

**Consolidated Plaintiff**

**Stanley Sved**

**Consolidated Plaintiff**

**Victoriano V. Fernandez**

**Consolidated Plaintiff**

**August Family Trust**

**Consolidated Defendant**

**Daniel Bernard**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Phillippe Bissara**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Frank Biount**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Paolo Fresco**

**Peter Edward Seidman**

(See above for address)

**Attorneys and Firms**

**Gregory Mark Nespole**

*Wolf Haldenstein Adler Freeman &  
Herz LLP*

270 Madison Avenue

New York, NY 10017

(212) 545-4657

Fax: (212) 545-4693

nespole@whafh.com

LEAD ATTORNEY

**Attorneys and Firms**

**Victoriano V. Fernandez**

PRO SE

**Steven G. Schulman**

(See above for address)

TERMINATED: 06/06/2007

LEAD ATTORNEY

**Attorneys and Firms**

**Marvin Lawrence Frank**

*Murray, Frank & Sailer, LLP*

275 Madison Avenue, Ste. 801

New York, NY 10016

(212) 682-1818

Fax: (212) 682-1892

mfrank@murrayfrank.com

LEAD ATTORNEY

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Jacques Friedman**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Noel Goutard**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Pierre-Louis Lions**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Thierry De Loppinot**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Jean-Marie Messier**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Bruno Vaillant**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Marc Vienot**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Helmut Werner**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Jozef Cornu**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Pascal Durand-Barthez**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Morgan Stanley & Co. International Limited**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Societe Generale**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Credit Suisse First Boston (Europe) Limited**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Merrill Lynch International**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Credit Agricole Indosuez Lazard Capital Markets**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**J.P. Morgan Securities, Ltd.**

TERMINATED: 02/28/2005

**Consolidated Defendant**

**Lehman Brothers International (Europe)**

TERMINATED: 02/28/2005

**Docket Proceedings**[Reverse Proceedings](#)

Req #	Filed	#	Docket Text
<a href="#">1</a>	May 17, 2002	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 439823. (rmo) Modified on 05/21/2002 (Entered: 05/21/2002)
<a href="#">2</a>	May 17, 2002		Magistrate Judge Andrew J. Peck is so designated. (rmo) (Entered: 05/21/2002)
<a href="#">3</a>	May 17, 2002	2	RULE 1.9 CERTIFICATE filed by Pyramid Holdings . (rmo) (Entered: 05/21/2002)
<a href="#">4</a>	Jul. 08, 2002	3	STIPULATION and ORDER; Defendants shall not respond to the Pyramid Holdings complaint or the Hansbro Complaint until after the Court has an opportunity to determine whether the Pyramid Holdings Complaint, the Hansbro Complaint and any further cases that may be filed arising out of the same set of facts and circumstances as the Pyramid Holdings Complaint, should be consolidated into one action, until after the Court has appointed a lead plaintiff and lead counsel and until after the lead plaintiff files an amended consolidated complaint. If the matters are eventually consolidated and when a lead plaintiff and lead counsel are appointed, and after the Amended Consolidated Complaint is served on Defendants lead

Req #	Filed	#	Docket Text
			plaintiff and lead counsel, Defendants' response will be due at such time as is agreed by the parties, subject to Court approval ; ( signed by Judge Richard C. Casey ) (dj) Modified on 07/11/2002 (Entered: 07/10/2002)
<a href="#">5</a>	Jul. 16, 2002	4	NOTICE OF MOTION (filed on service date) by CST Asia, Inc., J. D. Outerson, Michael Tolzman, Pyramid Holdings for an Order consolidating case nos. 02cv3818, 02cv4044, 02cv4904, and 02cv4977 , and for an Order appointing movant CST Asia, Inc., movant J. D. Outerson, movant Michael Tolzman, plaintiff Pyramid Holdings to serve as lead plaintiff(s) , and for an Order approving the CST Asia Group's selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, Berstein Liebhard & Lifshitz LLP and Schiffrin & Barroway LLP to serve as Lead Counsel . No Return Date. Proposed Order attached. Received in the night deposit box on 7/16/02 at 10:20pm. (sb) Modified on 07/18/2002 (Entered: 07/18/2002)
<a href="#">6</a>	Jul. 16, 2002	5	MEMORANDUM OF LAW by CST Asia, Inc., J. D. Outerson, Michael Tolzman, Pyramid Holdings in support of [4-1] motion for an Order consolidating case nos. 02cv3818, 02cv4044, 02cv4904, and 02cv4977, [4-2] motion for an Order appointing movant CST Asia, Inc., movant J. D. Outerson, movant Michael Tolzman, plaintiff Pyramid Holdings to serve as lead plaintiff(s), [4-3] motion for an Order approving the CST Asia Group's selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, Berstein Liebhard & Lifshitz LLP and Schiffrin & Barroway LLP to serve as Lead Counsel. Received in the night deposit box on 7/16/02 at 10:20pm. (sb) (Entered: 07/18/2002)
<a href="#">7</a>	Jul. 16, 2002	6	DECLARATION of Samuel H. Rudman by CST Asia, Inc., J. D. Outerson, Michael Tolzman, Pyramid Holdings in support of [4-1] motion for an Order consolidating case nos. 02cv3818, 02cv4044, 02cv4904, and 02cv4977, [4-2] motion for an Order appointing movant CST Asia, Inc., movant J. D. Outerson, movant Michael Tolzman, plaintiff Pyramid Holdings to serve as lead plaintiff(s), [4-3] motion for an Order approving the CST Asia Group's selection of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, Berstein Liebhard & Lifshitz LLP and Schiffrin & Barroway LLP to serve as Lead Counsel . Received in the night deposit box on 7/16/02 at 10:20pm. (sb) (Entered: 07/18/2002)
<a href="#">8</a>	Jul. 26, 2002		Status Conference held before Judge Richard C. Casey . (yv) (Entered: 08/07/2002)
<a href="#">9</a>	Aug. 01, 2002	7	Memorandum to Docket Clerk: Status Conference held on 7/26/02 before Judge Richard C. Casey. The next status conference is set for 8/9/02 at 9:30 a.m. (yv) (Entered: 08/07/2002)
<a href="#">10</a>	Aug. 01, 2002		Status Conference set at 9:30 8/9/02 before Judge Richard C. Casey . (yv) (Entered: 08/07/2002)
<a href="#">11</a>	Aug. 09, 2002		Status Conference held on 8/9/02 before Judge Richard C. Casey . (sb) (Entered: 08/16/2002)
<a href="#">12</a>	Aug. 12, 2002	9	ORDER, granting [4-1] motion for an Order consolidating case nos. 02cv3818, 02cv4044, 02cv4904, 02cv4977 and 02 civ. 5279; granting [4-2] motion for an Order appointing movant CST Asia, Inc., movant J. D. Outerson, movant Michael Tolzman, and plaintiff Pyramid Holdings to serve as lead plaintiffs, granting [4-3] motion for an Order approving the CST Asia Group's selection of the law firm of Milberg Weiss Bershad

Req #	Filed	#	Docket Text
			Hynes & Lerach LLP, Berstein Liebhard & Lifshitz LLP and Schiffrin & Barroway LLP to serve as Lead Counsel; lead plaintiffs shall serve and file their Consolidated complaint by 9/24/02 ; reset answer to consolidated complaint due for 11/8/02 for Jean Pierre Halbron, for Serge Tchuruk, for Alcatel SA ; lead plaintiffs shall serve their response to defendants' motion to dismiss no later than 12/23/02. Defendants shall serve their reply no later than 1/23/03 ; oral argument set for 3:00 p.m. on 2/7/03 . ( signed by Judge Richard C. Casey ); Copies mailed. (kw) (Entered: 08/22/2002)
<a href="#">13</a>	Aug. 12, 2002		Consolidated Lead Case. (kw) (Entered: 08/22/2002)
<a href="#">14</a>	Aug. 14, 2002	8	Memorandum to Docket Clerk: Status Conference held on 8/9/02 before Judge Casey. The court so ordered the motion schedule submitted by the parties; Lead plaintiff will serve and file their Consolidated Complaint by 9/24; Defendant's opposition by 11/8; Plaintiff's response to defendant's motion to dismiss by 12/23; Defendant's reply by 1/23. (sb) (Entered: 08/16/2002)
<a href="#">15</a>	Sep. 23, 2002	10	STIPULATION and ORDER; plaintiffs' time to file and serve an Amended Consolidated Complaint is hereby extended to, and including, 10/18/02 ; reset answer to the Amended Consolidated Complaint due for 12/2/02 for Lehman Brothers, for J.P. Morgan Securite, for Credit Agricole, Merrill Lynch Intern, for Credit Suisse Ltd., for Societe Generale, for Morgan Stanley & Co., for Pascal Durand-Barthez, for Jozef Cornu, for Helmut Werner, for Vienot, for Bruno Vaillant, for Jean-Marie Messier, for Thierry De Loppinot, for Pierre-Louis Lions, for Noel Goutard, for Jacques Friedman, for Paolo Fresco, for Frank Biount, for Phillippe Bissara, for Daniel Bernard, for Jean Pierre Halbron, for Serge Tchuruk, for Alcatel SA ; plaintiffs' time to file and serve any opposition to dfts' motion to dismiss the Amended Consolidated Complaint is hereby extended to, and including, 1/16/03; dfts' time to file and serve any Reply to Plaintiffs' Opposition to Dfts' motion to dismiss the Amended Consolidated Complaint is hereby extended to, and including, 2/17/03 . ( signed by Judge Richard C. Casey ) (pl) Modified on 09/26/2002 (Entered: 09/26/2002)
<a href="#">16</a>	Oct. 21, 2002	11	STIPULATION and ORDER; That plaintiffs' time to file and serve an amended consolidated complaint is extended to and including 11/18/02 ; defendants' time to answer, move, or otherwise respond to the amended consolidated complaint is extended to and including 1/10/03 ; plaintiffs' time to file and serve any opposition to defendants' motion to dismiss the amended consolidated complaint is extended to and including 2/25/03; defendants' time to file and serve any reply to plaintiffs' opposition to defendants' motion to dismiss the amended consolidated complaint is extended to and including 3/27/03 . ( signed by Judge Richard C. Casey ) (kkc) (Entered: 10/24/2002)
<a href="#">17</a>	Oct. 21, 2002		Deadline(s) updated: scheduling order deadlines: Deadline for filing of all motions by 1/10/03; Response to motion deadline 2/25/03; Reply to response to motion deadline 3/27/03 . (kkc) (Entered: 10/24/2002)
<a href="#">18</a>	Nov. 18, 2002	12	CONSOLIDATED AMENDED CLASS ACTION COMPLAINT by CST Asia, Inc., J. D. Outerson, Michael Tolzman, Pyramid Holdings (Answer due 11/29/02 for Lehman Brothers, for J.P. Morgan Securite, for Credit Agricole, for Merrill Lynch Intern, for Credit Suisse Ltd., for Societe Generale, for Morgan Stanley & Co., for Pascal Durand-Barthez, for Jozef

Req #	Filed	#	Docket Text
			Cornu, for Helmut Werner, for Marc Vienot, for Bruno Vaillant, for Jean-Marie Messier, for Thierry De Loppinot, for Pierre-Louis Lions, for Noel Goutard, for Jacques Friedman, for Paolo Fresco, for Frank Biount, for Phillippe Bissara, for Daniel Bernard, for Jean Pierre Halbron, for Serge Tchuruk, for Alcatel SA) amending [1-1] complaint; Summons issued. (rec'd in the night deposit box on 11/18/02 at 8:34 p.m.) (sac) (Entered: 11/19/2002)
<a href="#">19</a>	Dec. 12, 2002	13	STIPULATED CASE MANAGEMENT ORDER NO. 1, The consolidated actions shall be referred to as "In re: Alcatel Securities Litigation, 02cv3818 (RCC), "(Master Docket)". All other pending actions shall be administratively closed. All papers in those related actions that have been administratively closed shall be filed under the 02cv3818 (RCC) docket number. No further proceedings of any type will take place in the closed actions. As provided for in this initial order, these closed cases will be dismissed without prejudice. The Clerk shall mail a copy of this order to counsel of record in each of the actions. When a case that relates to the subject matter of the Securities Class Action or arises out of the facts or circumstances that are the subject matter of the actions, is hereater filed in this Court or transferred here from anther Court, the Clerk of the Court shall, as further set forth on this stipulation and order. This Order shall apply to and govern each action subsequently filed in or transferred to this Court that relates to the subject matter of the actions consolidated herein. ( signed by Judge Richard C. Casey ); Copies mailed by Clerk. (sb) (Entered: 12/16/2002)
<a href="#">20</a>	Jan. 10, 2003	14	STIPULATION and ORDER, defendants' time to file a motion to dismiss the amended consolidated complaint is extended to 1/31/03; plaintiffs' time to file and serve any opposition is 4/4/03; defendants' time to file and serve any reply is 5/2/03 . ( signed by Judge Richard C. Casey ) (kw) (Entered: 01/14/2003)
<a href="#">21</a>	Jan. 10, 2003		Deadline updated: Response to motion deadline 4/4/03; Reply to response to motion deadline 5/2/03 . (kw) (Entered: 01/14/2003)
<a href="#">22</a>	Jan. 31, 2003	16	NOTICE OF MOTION (filed on service date) by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron for an order dismissing plaintiffs' consolidated amended class action complaint ; Return Date not indicated (djc) (Entered: 05/13/2003)
<a href="#">23</a>	Apr. 15, 2003	15	ORDER, plaintiffs' time to file and serve their opposition to defendants' motion to dismiss the amended consolidated complaint is hereby extended to, and including, 4/11/03; defendants' time to file and serve any reply to plaintiffs' opposition to defendants' motion to dismiss the consolidated amended class action complaint is hereby extended to, and including 5/9/03. Oral argument shall be held on a date to be determined by the Court . ( signed by Judge Richard C. Casey ); (yv) (Entered: 04/16/2003)
<a href="#">24</a>	May 09, 2003	17	CERTIFICATE OF SERVICE of Alcatel, Serge Tchuruk and Jean-Pierre Halbron's motion, memorandum of law and affidavits by hand delivery to firms of Milberg Weiss Bershad Hynes & Lerach LLP, Bernstein Liebhard & Lifshitz LLP and Schiffrin & Barroway LLP on 1/31/03. (djc) (Entered: 05/13/2003)
<a href="#">25</a>	May 09, 2003	18	MEMORANDUM OF LAW by Pyramid Holdinngs, CST Asia, Inc., J. D. Outerson, Michael Tolzman, et al, in opposition to [16-1] motion for an

Req #	Filed	#	Docket Text
			order dismissing plaintiffs' consolidated amended class action complaint. (djc) (Entered: 05/13/2003)
<a href="#">26</a>	May 09, 2003	19	MEMORANDUM OF LAW by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron in support of [16-1] motion for an order dismissing plaintiffs' consolidated amended class action complaint . (djc) (Entered: 05/13/2003)
<a href="#">27</a>	May 09, 2003	20	REPLY MEMORANDUM of LAW by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron in further support re: [16-1] motion for an order plaintiffs' consolidated amended class action complaint . (djc) (Entered: 05/13/2003)
<a href="#">28</a>	May 09, 2003	21	RULE 7.1 CERTIFICATE filed by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron . (djc) (Entered: 05/13/2003)
<a href="#">29</a>	May 09, 2003	22	AFFIDAVIT of Robert E. Zlmet by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron in support of [16-1] motion for an order dismissing plaintiffs' consolidated amended class action complaint . (djc) (Entered: 05/13/2003)
<a href="#">30</a>	Jul. 22, 2003	23	Letter filed by Pyramid Holdings addressed to Judge Casey from Seth D. Rigrodsky, dated 7/18/03, re: plntf's arguments in opposition to defts' pending motion to dismiss the Amended Complaint. (cd) (Entered: 07/28/2003)
<a href="#">31</a>	May 07, 2004	24	NOTICE of Change of Firm Name by Steven G. Schulman on behalf of Pyramid Holdings, Inc... New Name: Milberg Weiss Bershad & Schulman LLP, One Pennsylvania Plaza, New York, NY, 10119-0165, (212)594-5300. (cd, ) (Entered: 05/10/2004)
<a href="#">32</a>	Jul. 13, 2004	25	NOTICE of Change of Address by John G. Emerson on behalf of Pyramid Holdings, Inc., Michael Tolzman. New Address: Emerson, Poynter, L.L.P., 2228 Cottdale Lane, Suite 100, Little Rock, AR, 72202-2037, (501) 907-2555. (jco, ) (Entered: 07/19/2004)
<a href="#">33</a>	Feb. 28, 2005	26	MEMORANDUM AND OPINION #91289; for the reasons set forth on this Opinion, defts motion to dismiss is granted in part and denied in part. To the effect of this decision is to dismiss plttfs Amended Complaint in its entirety. To summarize, (1) plttfs action is dismissed in its entirety as against Daniel Bernard, Phillipe Bissara, Frank Biount, Paolo Fresco, Jacques Friedman, Noel Goutard, Pierre Louis Lions, Thierry de Loppinot, Jean-Marie Messier, Bruno Vaillant, Marc Vienot, Helmut Werner, Jozef Cornu, Pascal Durand-Barthez, Morgan Stanley & Co. International Ltd., Societe Generale, Credit Suisse First Boston (Europe) Ltd., Merrill Lynch International, Credit Agricole Indosuez Lazard Captial Markets, J.P. Morgan Securities Ltd., and Lehman Brothers International (Europe); (2) plttfs substantive claims concerning problems with the Packet Engines and Xylan acquisitions and alleged improper accounting for "goodwill" associated with those acquisitions are dismissed with prejudice as time barred for failure to relate back to the original timely complaint; (3) the class of plttfs who purchased Class A ADS between 5/1/2000 and 10/20/2000 is dismissed with prejudice as time barred for failure to relate back to the original timely complaint; (4) plttfs Securities Act claims (Counts 1,2,3) are dismissed for failure to plead fraud with sufficient particularity; and (5) plttfs Exchange Act claims (Counts 4,5) are dismissed for failure to plead with sufficient particularity. Remaining plttfs have thirty days from the date that this decision is entered to file a Second Consolidated Amended Complaint. A status conference is scheduled for

Req #	Filed	#	Docket Text
			Friday, 4/15/2005 at 9:30 a.m. in Courtroom 14C. (Signed by Judge Richard C. Casey on 2/28/2005) (jp, ) (Entered: 03/02/2005)
<a href="#">34</a>	Feb. 28, 2005		Set/Reset Hearings: Status Conference set for 4/15/2005 09:30 AM before Judge Richard C. Casey. (jp, ) (Entered: 03/02/2005)
<a href="#">35</a>	Mar. 30, 2005	27	ENDORSED LETTER addressed to Judge Casey from Timothy MacFall dated 3/29/05: appliation granted. Remaining plntfs have until 4/29/05 to file a Second Amended Complaint. The 4/15 conference is hereby rescheduled to 5/13/05 at 2:00 pm. (Signed by Judge Richard C. Casey on 3/30/05) (cd, ) (Entered: 04/04/2005)
<a href="#">36</a>	Apr. 29, 2005	28	SECOND CONSOLIDATED AMENDED COMPLAINT amending 12 Amended Complaint against Alcatel SA, Serge Tchuruk, Jean Pierre Halbron.Document filed by Pyramid Holdings, Inc., CST Asia, Inc., J. D. Outerson, Michael Tolzman. Related document: 12 Amended Complaint, filed by Pyramid Holdings, Inc. CST Asia, Inc., J. D. Outerson, Michael Tolzman.(jco, ) (Entered: 05/03/2005)
<a href="#">37</a>	May 10, 2005	29	ENDORSED LETTER addressed to Judge Casey from Robert Zimet dated 5/4/05: this conference has been rescheduled to 5/20/05 at 2:30 pm. Defts' time to answer or move is extended to that date. (Signed by Judge Richard C. Casey on 5/10/05) (cd, ) (Entered: 05/12/2005)
<a href="#">38</a>	May 24, 2005	30	ENDORSED LETTER addressed to Richard Conway Casey from Robert E. Zimet dated 5/20/05 re: submitted a proposed briefing scheduled and requesting that the status conference be adjourned. The briefing schedule is approved. No conference is necessary (i.e. the conference scheduled for 6/3/05 is canceled). Defendants' motion to dismiss due by 6/17/2005. Response due by 7/22/2005 Reply due by 8/5/2005. (Signed by Judge Richard C. Casey on 5/23/05) (kw, ) (Entered: 05/26/2005)
<a href="#">39</a>	Jun. 16, 2005	31	ENDORSED LETTER addressed to Judge Richard Conway Casey from Robert E. Zimet dated 6/13/05 re: Counsel for Alcatel, Serge Tchuruk, and Jean-Pierre Halbron write to request leave to file a memo. of law in excess of the page limit. The memorandum of law in support of the Motion may be no more than 30 pages. So Ordered. (Signed by Judge Richard C. Casey on 6/15/05) (jco, ) (Entered: 06/20/2005)
<a href="#">40</a>	Jul. 20, 2005	32	ENDORSED LETTER addressed to Judge Richard C. Casey from Joseph R. Seidman, Jr. dated 7/15/05 re: granting Lead Plaintiffs request for a 5 page extension to 30 pages for Plaintiffs' Memorandum in Opposition to Defendants' Motion to dismiss. (Signed by Judge Richard C. Casey on 7/18/05) (sac, ) (Entered: 07/22/2005)
<a href="#">41</a>	Jul. 22, 2005	33	MEMORANDUM OF LAW in Opposition re: 16 Motion to Dismiss. Document filed by Pyramid Holdings, Inc., CST Asia, Inc., J. D. Outerson, Michael Tolzman. (sac, ) (Entered: 07/25/2005)
<a href="#">42</a>	Aug. 05, 2005	34	MOTION (FILED ON SERVICE DATE) to Dismiss Plaintiffs' Second Consolidated Amended Class Action Complaint, and Granting Such Other and Further Relief as the Court Deems Just and Proper. Document filed by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron. Filed In Associated Cases: 1:02-cv-03818-RCC,1:02-cv-04044-RCC,1:02-cv-04904-RCC,1:02-cv-04977-RCC,1:02-cv-05279-RCC(jmi, ) (Entered: 08/08/2005)
<a href="#">43</a>	Aug. 05, 2005	35	DEFENDANTS' MEMORANDUM OF LAW in Support of Plaintiffs' re: 34 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed

Req #	Filed	#	Docket Text
			by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron. Filed In Associated Cases: 1:02-cv-03818-RCC,1:02-cv-04044-RCC,1:02-cv-04904-RCC,1:02-cv-04977-RCC,1:02-cv-05279-RCC(jmi, ) (Entered: 08/08/2005)
<a href="#">44</a>	Aug. 05, 2005	36	REPLY MEMORANDUM OF LAW in Support re: 34 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron. Filed In Associated Cases: 1:02-cv-03818-RCC,1:02-cv-04044-RCC,1:02-cv-04904-RCC,1:02-cv-04977-RCC,1:02-cv-05279-RCC(jmi, ) (Entered: 08/08/2005)
<a href="#">45</a>	Aug. 05, 2005	37	AFFIDAVIT of Robert E. Zimet in Support re: 34 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Alcatel SA, Serge Tchuruk, Jean Pierre Halbron. Filed In Associated Cases: 1:02-cv-03818-RCC,1:02-cv-04044-RCC,1:02-cv-04904-RCC,1:02-cv-04977-RCC,1:02-cv-05279-RCC(jmi, ) (Entered: 08/09/2005)
<a href="#">46</a>	May 21, 2007	38	NOTICE OF CASE REASSIGNMENT to Judge Alvin K. Hellerstein. Judge Richard C. Casey is no longer assigned to the case. (jeh) (Entered: 05/23/2007)
<a href="#">47</a>	May 21, 2007		Mailed notice to the attorney(s) of record. (jeh) (Entered: 05/23/2007)
<a href="#">48</a>	May 23, 2007	39	ORDER This case was assigned to Judge Richard Conway Casey, who passed away on 3/22/07. The case will be reassigned to a new judge in the near future. You will be notified of the reassignment on ECF (for ECF cases) or in a form to be mailed to you (for non-ECF cases). The parties in this case are ordered to review the attorney/party information on the docket sheet and determine whether the information presently listed is incorrect. If an error exists, the affected party must submit updated contact information no later than 5/30/07. Parties should take care to remove the contact information for attorneys no longer involved in the case and to enter appearances for any current attorneys who are not listed. The parties are also ordered to submit a joint summary of the case no later 5/30/07. The summary should be sent to Judge Caseys Chambers Attn: Law Clerks and will be provided to the new judge upon reassignment of the case. The Summary should be a bare statement of the case with any relevant procedural history. This includes, but is not limited to, the subject matter of the litigation, whether discovery is complete, whether the case is or has been before a magistrate judge, whether there are any motions or applications pending, and the subject matter of the pending motions or applications, if any. Be sure to indicate whether the parties have entered into a case management plan and list the relevant dates. The Summary is not a vehicle for arguing the merits of disputed issues and should be brief. If the defendant in this case has not yet appeared, the plaintiff should indicate this fact and need not make a joint submission. Parties in cases involving an incarcerated pro se litigant need not make a joint submission. Should matters arise prior to the reassignment, parties are directed to review the previously issued Notice to Parties with Pending Civil Cases Before Judge Casey, available at <a href="http://www.nysd.uscourts.gov">www.nysd.uscourts.gov</a> and follow the directions therein. So Ordered. (Signed by Judge Kimba M. Wood on 5/16/07) (jco) (Entered: 05/25/2007)
<a href="#">49</a>	May 31, 2007	40	NOTICE OF APPEARANCE by Peter Edward Seidman on behalf of Pyramid Holdings, Inc., CST Asia, Inc., J. D. Outerson, Michael Tolzman

Req #	Filed	#	Docket Text
			(djc) (Entered: 06/06/2007)
<a href="#">50</a>	May 31, 2007	41	NOTICE of Change of Law Firm Name. The law firm Milberg Weiss Bershad & Schulman LLP has changed its name to Milberg Weiss & Bershad LLLP. Document filed by Pyramid Holdings, Inc., CST Asia, Inc., J. D. Outerson, Michael Tolzman. (djc) (Entered: 06/06/2007)
<a href="#">51</a>	Jun. 06, 2007	42	MEMO ENDORSEMENT on NOTICE OF WITHDRAWAL OF SAMUEL H. RUDMAN AND STEVEN G. SHULMAN, that Samuel H. Rudman and Steven G. Schulman, formerly attorneys at Milberg Weiss et al, attorneys for Lead Plaintiffs, hereby withdraw as counsel for Lead Plaintiffs: So ordered. (Signed by Judge Alvin K. Hellerstein on 6/4/07) (cd). (Entered: 06/07/2007)
<a href="#">52</a>	Jun. 07, 2007	43	MOTION for an Order, purs. to Local Rule 1.3(c) for Christopher Nelson to Appear Pro Hac Vice. Document filed by Pyramid Holdings, Inc., CST Asia, Inc., J. D. Outerson, Michael Tolzman.(tro) (Entered: 06/11/2007)
<a href="#">53</a>	Jun. 12, 2007		CASHIERS OFFICE REMARK on 43 Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 06/07/2007, Receipt Number 617526. (jd) (Entered: 06/12/2007)
<a href="#">54</a>	Jun. 19, 2007	44	ORDER granting 43 Motion for Christopher Nelson to Appear Pro Hac Vice. (Signed by Judge Alvin K. Hellerstein on 6/15/07) (cd) (Entered: 06/19/2007)
<a href="#">55</a>	Jun. 19, 2007		Transmission to Attorney Admissions Clerk. Transmitted re: 44 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd) (Entered: 06/19/2007)
<a href="#">56</a>	Jul. 06, 2007	45	SUMMARY ORDER: The parties appeared before me on June 28, 2007 for oral argument on Defendants' motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. For the reasons stated on the record, the motion is GRANTED, and the complaint is dismissed. The Clerk shall mark this case as closed. So Ordered. (Signed by Judge Alvin K. Hellerstein on 6/28/07) (js) (Entered: 07/09/2007)
<a href="#">57</a>	Jul. 12, 2007	46	TRANSCRIPT of proceedings held on 6/28/07 before Judge Alvin K. Hellerstein. (jbe) (Entered: 07/12/2007)
<a href="#">58</a>	Jul. 30, 2007	47	TRANSCRIPT of proceedings held on 6/28/07 before Judge Alvin K. Hellerstein. (jbe) (Entered: 07/30/2007)

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>