

US Court Civil Docket as of 4/14/2008

Retrieved from the court on Wednesday, April 16, 2008

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:02-cv-02332-JOF**

In Re: First Horizon Pharm, et al v. First Horizon Pharm, et al
Assigned to: Judge J. Owen Forrester
Demand: \$0
Case in other court: 11th Circuit, 05-14365-GG
Cause: 15:77 Securities Fraud

Date Filed: 08/22/2002
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Harry Wagner

*on behalf of himself and all other similarly
situated*

represented by **Andrew M. Schatz**

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Date Filed	#	Docket Text
08/22/2002	1	Class Action COMPLAINT filed and summons(es) issued. Consent form to proceed before U.S. magistrate and pretrial instructions given to attorney; jury demand FILING FEE \$ 150.00 RECEIPT # 493244 (crc) (Entered: 08/27/2002)
09/06/2002	2	ORDER by Judge Clarence Cooper, recusing himself from this action; Case reassigned to Judge Julie E. Carnes . (cc) (slc) (Entered: 09/10/2002)
09/10/2002	3	Applications for admission of Maya Saxena and Kenneth J. Vianale pro hac vice for plaintiff. (To JEC) (lme) (Entered: 09/13/2002)
09/17/2002	4	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [3-1] pro hac vice application of Kenneth J. Vianale (cc) (jph) (Entered: 09/18/2002)
09/18/2002	5	Application for admission of Andrew M. Schatz pro hac vice for plaintiff (to JEC) (jph) (Entered: 09/19/2002)
09/20/2002	6	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [3-1] pro hac vice application of Maya Saxena (cc) (jph) (Entered: 09/23/2002)
09/26/2002	7	Application for admission of Marc A. Topaz pro hac vice for plaintiff (to JEC) (jph) (Entered: 10/01/2002)
10/03/2002	8	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [5-1] pro hac vice application of Andrew M. Schatz (cc) (als) (Entered: 10/03/2002)
10/08/2002	9	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [7-1] pro hac vice application of Marc A. Topaz (cc) (jph) (Entered: 10/09/2002)
10/25/2002	11	Application for admission of R. Timothy Vannatta pro hac vice for plaintiff. (To JEC) (lme) (Entered: 11/01/2002)
10/30/2002	10	MOTION by movants to consolidate cases 02-cv-2332, 02-cv-2834, and 02-cv-2843 , for appointment as lead plaintiffs , and for approval of lead counsel with brief in support and affidavit of Martin Chitwood. (jph) (Entered: 10/31/2002)
11/07/2002	12	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [11-1] pro hac vice application of R. Timothy Vannatta (cc) (jph) (Entered: 11/12/2002)
11/20/2002		SUBMITTED to Judge Julie E. Carnes on [10-1] motion to consolidate cases 02-cv-2332, 02-cv-2834, and 02-cv-2843, [10-2] motion for appointment as lead

		plaintiffs, [10-3] motion for approval of lead counsel (jph) (Entered: 11/20/2002)
11/20/2002		Proposed Consolidation and scheduling order. (to JEC) (jph) (Entered: 11/21/2002)
11/27/2002	13	ORDER by Judge Julie E. Carnes, recusing as Judge. Case reassigned to Judge Horace T. Ward (cc) (jph) (Entered: 11/27/2002)
11/27/2002		Terminated submissions. (jph) (Entered: 11/27/2002)
12/02/2002		SUBMITTED to Judge Horace T. Ward on [10-1] motion to consolidate cases 02-cv-2332, 02-cv-2834, and 02-cv-2843, [10-2] motion for appointment as lead plaintiffs, [10-3] motion for approval of lead counsel (jph) (Entered: 12/02/2002)
12/04/2002	14	ORDER by Judge Horace T. Ward, recusing Judge. Case reassigned to Judge G. E. Tidwell (cc) (kt) (Entered: 12/06/2002)
12/10/2002	15	CONSENT ORDER by Judge J. O. Forrester GRANTING [10-1] motion to consolidate cases 02-cv-2332, 02-cv-2834, and 02-cv-2843. The Clerk shall maintain a master file in case no. 1:02-cv-2332. Any other cases that have been or will be filed against any of the dfts arising out of the same facts in this action shall be consolidated pursuant to Rule 42(a), FRCP. The Clerk is DIRECTED to inform cnsl in any such other case. All pldgs hereafter filed w/the Court shall bear the caption In re First Horizon Pharmaceutical Corporation Securities Litigation. No later than 60 dys after entry of order appointing lead pla and plas' lead cnsl, pla shall serve the consolidated amended complaint; dfts shall respond w/in 45 dys of service; if any dfts move to dismiss, pla shall have 45 dys to respond and dfts shall have 20 dys to reply; plas' motion for class certification shall be served no later than 30 dys after all dfts serve their answer(s). (cc & case assignment) (adg) Modified on 12/11/2002 (Entered: 12/11/2002)
12/10/2002		Added attorneys for defendants: Oscar N. Persons, John Ludlow Latham and Scott P. Hilsen for dfts First Horizon, Shah, Kapoor, Venkataraman, Saxe, Lapalme and Ellis; Martin Robert Thornton, David Joseph Onorato and John Patterson Brumbaugh for dfts Banc of America, JP Morgan, Thomas Weisel Partners and Lasalle Capital Markets. (adg) (Entered: 12/11/2002)
12/13/2002	16	ORDER by Judge G. E. Tidwell, recusing Judge. Case reassigned to Judge J. O. Forrester (cc w/notice) (bsm) (Entered: 12/18/2002)
12/18/2002		Terminated submissions. (bsm) (Entered: 12/18/2002)
12/18/2002		SUBMITTED to Judge J. O. Forrester on [10-2] motion for appointment as lead plaintiffs and [10-3] motion for approval of lead counsel (bsm) (Entered: 12/18/2002)
12/20/2002	17	Notice of filing amended proposed order appointing lead plas and approving selection of co-lead counsel by plaintiffs (fmm) (Entered: 12/23/2002)
01/09/2003	18	Application for admission of Jack Reise pro hac vice for plaintiffs (adg) (Entered: 01/13/2003)
01/17/2003	19	ORDER APRVD BY CRD GRANTING [18-1] pro hac vice application of Jack Reise (cc) (adg) (Entered: 01/21/2003)

01/29/2003	20	ORDER by Judge J. O. Forrester, STRIKING attorneys Richard A. Lockridge and Paul Geller as attorneys of record (cc) (adg) (Entered: 01/31/2003)
01/29/2003	21	ORDER by Judge J. O. Forrester, STRIKING attorneys Howard K. Coates and Jonathan M. Stein as cnsl of record (cc) (adg) (Entered: 01/31/2003)
02/05/2003	22	MOTION by plaintiffs for reinstatement of Howard K. Coates, Jr. as co-counsel of record (adg) (Entered: 02/06/2003)
02/24/2003		SUBMITTED to Judge J. O. Forrester on [22-1] motion for reinstatement of Howard K. Coates, Jr. as co-counsel of record. (File in chambers) (adg) (Entered: 02/24/2003)
03/10/2003	23	Notice of change of firm name by cnls for plaintiff. (adg) (Entered: 03/12/2003)
04/07/2003	24	ORDER by Judge J. O. Forrester GRANTING [22-1] motion for reinstatement of Howard K. Coates, Jr. as co-counsel of record (cc) (crc) (Entered: 04/09/2003)
04/07/2003	26	ORDER by Judge J. O. Forrester APPROVING [10-2] motion for appointment as lead plaintiffs by Thomas Sheahan, Richard G. Bartels, Roy Latourette Jr., APPROVING [10-3] motion for approval of lead counsel by Thomas Sheahan, Richard G. Bartels, Roy Latourette Jr. The law firms of Chitwood & Harley, Milberg Weiss Bershad Hynes & Lerach LLP, and Cauley Geller Bowman & Coates LLP are appointed as Co-Lead Counsel for the proposed class. (**SEE ORDER FOR DETAILS**) (cc) (adg) (Entered: 04/18/2003)
04/09/2003		Added attorney for plaintiff: Howard K. Coates Jr.. (crc) (Entered: 04/09/2003)
04/09/2003		Terminated submissions. (crc) (Entered: 04/09/2003)
04/11/2003	25	ORDER by Judge J. O. Forrester, striking attorneys Steven G. Schulman and Samuel H. Rudman as cnsl of record (cc) (adg) (Entered: 04/15/2003)
05/16/2003	31	MOTION by defendants to cease and prohibit improper contacts by plaintiffs , and for immediate discovery . (adg) (Entered: 06/05/2003)
05/23/2003	27	Notice of filing original affidavits of William Campbell and John Nelson by defendant First Horizon Pharmaceutical. (adg) (Entered: 05/27/2003)
05/30/2003	28	MOTION by plaintiffs for expedited hearing pursuant to LR 7.2.(B) (adg) (Entered: 06/04/2003)
05/30/2003	29	EXPEDITED MOTION by plaintiffs to limit scope of confidentiality agreement , or in the alternative, to partially lift stay of discovery , and to extend time to file consolidated amended complaint with memorandum of law in support and proposed order. (adg) (Entered: 06/04/2003)
06/03/2003	30	MOTION by defendant for expedited hearing on their motion to cease and prohibit improper contacts by plaintiffs and for immediate and limited discovery (adg) Modified on 06/04/2003 (Entered: 06/04/2003)
06/05/2003	32	Response by plaintiffs in opposition to [31-1] motion to cease and prohibit improper contacts by plaintiffs and [31-2] motion for immediate discovery (adg) (Entered: 06/06/2003)

06/09/2003		SUBMITTED to Judge J. O. Forrester on [31-1] motion to cease and prohibit improper contacts by plaintiffs, [31-2] motion for immediate discovery, [28-1] motion for expedited hearing pursuant to LR 7.2.(B), [29-1] motion to limit scope of confidentiality agreement, [29-2] motion to partially lift stay of discovery, [29-3] motion to extend time to file consolidated amended complaint, [30-1] motion for expedited hearing on their motion to cease and prohibit improper contacts by plaintiffs and for immediate and limited discovery (adg) (Entered: 06/09/2003)
06/10/2003	33	NOTICE by CRD, motion hearing set for [29-1] motion to limit scope of confidentiality agreement, [29-2] motion to partially lift stay of discovery, [29-3] motion to extend time to file consolidated amended complaint, [31-1] motion to cease and prohibit improper contacts by plaintiffs and [31-2] motion for immediate discovery 10:00 am on 7/31/03 (cc) (adg) (Entered: 06/11/2003)
06/12/2003	34	ORDER by Judge J. O. Forrester re: [31-1] motion to cease and prohibit improper contacts by plaintiffs, [31-2] motion for immediate discovery, [29-1] motion to limit scope of confidentiality agreement, [29-2] motion to partially lift stay of discovery, [29-3] motion to extend time to file consolidated amended complaint, STAYING all deadlines set forth in scheduling order of 12/10/02, an amended scheduling order will be determined at the hearing . GRANTING [28-1] motion for expedited hearing pursuant to LR 7.2.(B), GRANTING [30-1] motion for expedited hearing on their motion to cease and prohibit improper contacts by plaintiffs and for immediate and limited discovery, parties are DIRECTED to appear for hearing on 7/31/03 at 10:00 am (cc) (adg) (Entered: 06/13/2003)
06/16/2003	35	Memorandum of Law by defendants to the plaintiffs' [29-1] motion to limit scope of confidentiality agreement, [29-2] motion to partially lift stay of discovery and [29-3] motion to extend time to file consolidated amended complaint (aaq) (Entered: 06/17/2003)
06/23/2003	36	Reply brief in support of [31-1] motion to cease and prohibit improper contacts by plaintiffs, [31-2] motion for immediate discovery by defendants First Horizon Pharm, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis. (adg) (Entered: 06/24/2003)
07/03/2003	37	Reply brief in support of [29-1] motion to limit scope of confidentiality agreement, or in the alternative, [29-2] motion to partially lift stay of discovery, and [29-3] motion to extend time to file consolidated amended complaint by plaintiffs (adg) (Entered: 07/07/2003)
07/21/2003	38	ORDER by Judge J. O. Forrester, DIRECTING the Clerk of the Court to REFUSE to accept for filing any pleading in the instant case that is received with the improper case number (cc & Intake) (adg) (Entered: 07/23/2003)
07/30/2003	39	Notice of substitution of counsel by plaintiff, Joseph P. Helm is no longer associated w/Chitwood & Harley. Martin D. Chitwood and David A. Bain will continue to represent plaintiffs. (adg) (Entered: 07/31/2003)
07/31/2003	40	Motion HEARING held before Judge J. O. Forrester [29-1] motion to limit scope of confidentiality agreement, [29-2] motion to partially lift stay of discovery, [29-3] motion to extend time to file consolidated amended complaint, [31-1] motion to cease and prohibit improper contacts by plaintiffs, [31-2] motion for immediate discovery ALL GRANTED IN PART AND DENIED IN PART; Pla not to have

		contact w/present employees of the company; the 1st sentence of paragraph 7 of the separation agreement and full release of claim is unenforceable against public policy in this case on these facts; pla allowed to contact former management employees provided that they make it fact clear that the person contacting them has an interest and is an adversarial to their company and is to make it clear to the employee that they have no obligation to speak; company to send letter to former company employees which states the finding of this court, but that the company has atty/client privilege communication and if the employee at any point believes info being sought is atty/client privilege they should notify cnsl for the company of the subject matter; dft to send letter to cnsl by 12:00 PM and to the court by 3:00 PM on Friday or in the alternative by August 15th; amended complaint due by the first business day of September; any other deadlines get bumped appropriately. (adg) (Entered: 08/05/2003)
07/31/2003		VERBAL ORDER by Judge J. O. Forrester GRANTING IN PART AND DENYING IN PART [29-1] motion to limit scope of confidentiality agreement by Alfred Jacobson, John R. Wells, Harry Wagner, GRANTING IN PART AND DENYING IN PART [29-2] motion to partially lift stay of discovery by Alfred Jacobson, John R. Wells, Harry Wagner, GRANTING IN PART AND DENYING IN PART [29-3] motion to extend time to file consolidated amended complaint by Alfred Jacobson, John R. Wells, Harry Wagner, GRANTING IN PART AND DENYING IN PART [31-1] motion to cease and prohibit improper contacts by plaintiffs by defendants, GRANTING IN PART AND DENYING IN PART [31-2] motion for immediate discovery by defendants; pla not to have contact w/present employees of the company; the 1st sentence of paragraph 7 of the separation agreement and full release of claim is unenforceable against public policy in this case on these facts; pla allowed to contact former management employees provided that they make it fact clear that the person contacting them has an interest and is an adversarial to their company and is to make it clear to the employee that they have no obligation to speak; company to send letter to former company employees which states the finding of this Court; but that the company has atty/client privilege communication and if the employee at any point believes info being sought is atty/client privilege they should notify cnsl for the company of the subject matter; dft to send letter to cnsl by 12:00 PM and to the Court by 3:00 PM on Friday or in the alternative by August 15th; amended complaint due by the first business day of September; any other deadlines get bumped appropriately. (adg) (Entered: 08/05/2003)
08/01/2003	41	ENDORSED ORDER by Judge J. O. Forrester APPROVING the proposed letter to former employees of First Horizon Pharmaceutical Corp. (cc) (adg) (Entered: 08/05/2003)
08/18/2003	42	ORDER by Judge J. O. Forrester approving the letter attached to the parties correspondence of 8/15/03. The Court finds that the transcript of the hearing on 7/31/03 will serve as the order of the court, and no separate order is required. (cc) (adg) (Entered: 08/18/2003)
09/02/2003	43	CONSOLIDATED AMENDED CLASS ACTION COMPLAINT by plaintiffs (**UNSEALED PER 11/5/03 ORDER**) (adg) Modified on 11/07/2003 Additional attachment(s) added on 7/26/2007 (hfm). (Entered: 09/03/2003)
09/03/2003		Proposed consent order by parties regarding filing [43-1] consolidated amended

		complaint under seal. (to JOF) (adg) (Entered: 09/04/2003)
09/15/2003	44	Notice of service of document preservation subpoena directed to Mr. Eric Kendall by plaintiffs. (adg) (Entered: 09/16/2003)
10/15/2003	45	Joint MOTION by parties to file consolidated memoranda of law in excess of 25 pages but no more than 40 pages (to JOF) (adg) (Entered: 10/16/2003)
10/17/2003	46	MOTION by First Horizon Pharm, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis and Patrick J. Zenner to dismiss consolidated amended class action complaint with memorandum in support. (adg) (Entered: 10/20/2003)
10/17/2003	47	MOTION by defendant Darrell Borne to dismiss consolidated amended class action complaint with memorandum of law in support. (adg) (Entered: 10/20/2003)
10/17/2003	48	MOTION by defendants Deutsche Bank, Banc of America Sec, JP Morgan, Thomas Weisel Partne, Lasalle Capital Mark to dismiss consolidated amended class action complaint with memorandum of law in support. (adg) (Entered: 10/20/2003)
10/17/2003	49	Notice of filing joint appendix in support of defendants' motions to dismiss by defendants. (2 vols of exhibits) (adg) (Entered: 10/20/2003)
10/21/2003	50	ORDER by Judge J. O. Forrester GRANTING [45-1] joint motion to file consolidated memoranda of law in excess of 25 pages but no more than 40 pages (cc) (adg) (Entered: 10/23/2003)
10/27/2003	51	ORDER by Judge J. O. Forrester, sealing consolidated amended complaint (cc) (adg) (Entered: 10/29/2003)
10/28/2003	52	Notice of filing acknowledgements of service on behalf of defendants Darrell Borne and Patrick J. Zenner and Deutsche Bank Securities, Inc. by plaintiffs. (adg) (Entered: 10/30/2003)
10/28/2003		Proposed consent order by parties unsealing [43-1] consolidated amended complaint. (to JOF) (adg) (Entered: 10/30/2003)
11/05/2003		SUBMITTED to Judge J. O. Forrester on [46-1] motion to dismiss consolidated amended class action complaint, [47-1] motion to dismiss consolidated amended class action complaint, [48-1] motion to dismiss consolidated amended class action complaint (adg) (Entered: 11/05/2003)
11/05/2003	53	CONSENT ORDER by Judge J. O. Forrester, unsealing consolidated amended complaint (cc) (adg) (Entered: 11/07/2003)
11/07/2003		Proposed consent scheduling order by parties (to JOF) (adg) (Entered: 11/08/2003)
11/17/2003	54	TRANSCRIPT filed RE: Motion Hearing before Judge J.O. Forrester for dates of 7/31/03 Court Reporter: Dennis J. Reidy (adg) (Entered: 11/18/2003)
11/18/2003		Steno notes of proceedings held 7/31/03 before Judge J. O. Forrester, by Court Reporter Dennis J. Reidy. (adg) (Entered: 11/18/2003)

11/18/2003	55	Joint certificate of interested persons. (to judge) (adg) (Entered: 11/20/2003)
11/18/2003		Proposed consent scheduling order received from parties. (to JOF) (adg) (Entered: 11/20/2003)
11/26/2003	56	CONSENT SCHEDULING ORDER by Judge J. Owen Forrester. The parties shall file the Rule 26(f) report no later than 30 days after the last defendant's answer has been filed. (cc) (dfb) (Entered: 11/28/2003)
12/01/2003	57	CONSENT ORDER by Judge J. O. Forrester, extending time thru 12/5/03 for plaintiffs to file a consolidated opposition to [46-1] motion to dismiss consolidated amended class action complaint, [47-1] motion to dismiss consolidated amended class action complaint, [48-1] motion to dismiss consolidated amended class action complaint, which shall not exceed 80 pages in length , and extending time thru 1/5/04 for defendants to file their reply briefs, which shall not exceed a combined total of 50 pages (cc) (adg) (Entered: 12/04/2003)
12/05/2003	58	Consolidated response by plaintiffs to [46-1] motion to dismiss consolidated amended class action complaint, [47-1] motion to dismiss consolidated amended class action complaint, [48-1] motion to dismiss consolidated amended class action complaint (adg) (Entered: 12/10/2003)
12/22/2003		Proposed Consent Scheduling Order. (to JOF) (jph) (Entered: 12/23/2003)
01/12/2004	59	Reply brief in support of [47-1] motion to dismiss consolidated amended class action complaint by defendant Darrell Borne. (lme) (Entered: 01/13/2004)
01/12/2004	60	Reply brief in support of [46-1] motion to dismiss consolidated amended class action complaint by defendants First Horizon Pharm, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis, Patrick J. Zenner. (lme) (Entered: 01/13/2004)
01/12/2004	61	Reply brief in support of [48-1] motion to dismiss consolidated amended class action complaint by defendants Deutsche Bank, Banc of America Sec, JP Morgan, Thomas Weisel Partne and Lasalle Capital Mark. (lme) (Entered: 01/13/2004)
01/12/2004	62	CONSENT SCHEDULING ORDER by Judge J. O. Forrester that Dfts shall serve their reply briefs in further support of their motion to dismiss no later than 1/12/04. (cc) (lme) (Entered: 01/14/2004)
01/23/2004	63	Notice of supplemental authority by dfts Banc of America Sec, JP Morgan, Thomas Weisel Partne, Lasalle Capital Mark and Deutsche Bank in support of [48-1] motion to dismiss consolidated amended class action. complaint (lme) (Entered: 01/27/2004)
04/09/2004	64	Notice of withdrawal of David J. Onorato as counsel for defendants Deutsche Bank, Banc of America Sec, JP Morgan, Thomas Weisel Partne, and Lasalle Capital Markets. (adg) Modified on 04/12/2004 (Entered: 04/12/2004)
05/20/2004	65	Notice of change of firm name by counsel for plaintiffs. (adg) (Entered: 05/21/2004)
06/23/2004	66	Notice of filing of supplemental authority by plaintiffs. (adg) (Entered: 06/24/2004)

07/06/2004	67	Response by defendants to [66-1] notice of filing supplemental authority. (adg) (Entered: 07/08/2004)
09/29/2004	68	ORDER granting 46 Motion to Dismiss, granting 48 Motion to Dismiss, unless plaintiffs file an amended complaint w/in 45 days from the entry date of this order which complies w/relevant pleading requirements and reimburse defendants' fees and costs from the instant motions to dismiss. Granting defendant Borne's 47 Motion to Dismiss without prejudice. Defendants have 20 days from the entry date of this order to submit their claim for fees and costs to this court. Signed by Judge J. Owen Forrester on 9/29/2004. (adg) (Entered: 09/29/2004)
10/19/2004	69	Claim for Fees and Expenses re: 68 Order on Motion to Dismiss, filed by First Horizon and Individual Defendants. (adg) Modified on 10/20/2004 to correct filer information.(adg). (Entered: 10/20/2004)
10/19/2004	70	Claim for fees and expenses re: 68 Order on Motion to Dismiss, filed by Banc of America Securities, LLC, Deutsche Bank Securities, Inc., JP Morgan, Lasalle Capital Markets, Thomas Weisel Partners, LLC. (adg) (Entered: 10/20/2004)
10/20/2004		Notification of Docket Correction re 69 Claim for Fees and Expenses. (adg) (Entered: 10/20/2004)
10/20/2004		Submission of 68 Order, 69 Claim for fees and expenses, 70 Claim for fees and expenses, submitted to District Judge J. Owen Forrester. (adg) (Entered: 10/20/2004)
11/15/2004	71	MOTION to lift conditions for amending complaint with Memorandum of Law In Support by plaintiffs. (no separate motion filed, memorandum construed as motion) (adg) (Entered: 11/17/2004)
11/22/2004	72	NOTICE of Change of Address for Christopher S. Jones, Maya Saxena, counsel for plaintiffs. (adg) (Entered: 11/26/2004)
12/03/2004	73	Memorandum of Law in response to 71 MOTION to lift conditions for amending complaint filed by First Horizon Pharmaceutical Corporation. (tcc) (Entered: 12/03/2004)
12/03/2004		Submission of 71 MOTION to lift conditions for amending complaint, submitted to District Judge J. Owen Forrester. (tcc) (Entered: 12/03/2004)
12/03/2004	74	RESPONSE in Opposition re 71 MOTION to lift conditions for amending complaint filed by Banc of America Securities, LLC, Deutsche Bank Securities, Inc., JP Morgan, Lasalle Capital Markets, Thomas Weisel Partners, LLC. (Brumbaugh, John) (Entered: 12/03/2004)
12/20/2004	75	RESPONSE in Support re 71 MOTION to lift conditions for amending complaint <i>PLAINTIFFS' REPLY BRIEF IN SUPPORT OF PLAINTIFFS' MOTION TO LIFT CONDITIONS FOR AMENDING COMPLAINT</i> filed by Roy Latourette, Jr. (Bain, David) (Entered: 12/20/2004)
05/03/2005	76	NOTICE by Harry Wagner <i>Notice of Change of Firm Name</i> (Bain, David) (Entered: 05/03/2005)
06/22/2005	77	ORDER DENYING Plaintiffs' 71 motion to lift the conditions for amending its

		complaint. Signed by Judge J. Owen Forrester on 6/22/2005. (tcc) (Entered: 06/23/2005)
07/06/2005	78	MOTION to Amend 69 Response (Non-Motion) with Brief In Support by Darrell Borne, Patrick J. Zenner, First Horizon Pharmaceutical Corporation, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit C, Tab 1# 5 Exhibit C, Tab 2)(Hilsen, Scott) (Entered: 07/06/2005)
07/06/2005	79	MOTION for Attorney Fees (<i>Revised Claim for Fees and Expenses</i>) by JP Morgan, Thomas Weisel Partners, LLC, Lasalle Capital Markets, Deutsche Bank Securities, Inc., Banc of America Securities, LLC. (Attachments: # 1 Exhibit Exhibit 1# 2 Exhibit Exhibit 2# 3 Exhibit Exhibit 3# 4 Exhibit Exhibit A to Ex. 3)(Brumbaugh, John) (Entered: 07/06/2005)
07/06/2005		Received Exhibit A and Exhibit B re: 78 MOTION to Amend 69 Response filed by First Horizon Defendants (FILED UNDER SEAL) (No Motion for Leave to File Documents Under Seal filed with Clerk) (adg) (Entered: 07/07/2005)
08/04/2005	80	NOTICE OF APPEAL as to 68 Order on Motion to Dismiss and 77 Order on Motion for Miscellaneous Relief by John R. Wells, Alfred Jacobson, Harry Wagner. Filing Fee \$255.00; Receipt Number 540177. Transcript Order Form due on 8/18/2005 (Attachments: # 1 Exhibit A# 2 Exhibit B)(kac) (Entered: 08/08/2005)
08/08/2005	81	Transmission of Certified Copy of Notice of Appeal, Orders and Docket Sheet to US Court of Appeals re: 80 Notice of Appeal. (kac) (Entered: 08/08/2005)
08/09/2005	82	TRANSCRIPT ORDER FORM re: 80 Notice of Appeal. Certificate of Readiness due on 8/23/2005 (No hearing)(kac) (Entered: 08/10/2005)
08/10/2005		Submission of 78 MOTION to Amend 69 Response (Non-Motion), 79 MOTION for Attorney Fees (<i>Revised Claim for Fees and Expenses</i>), submitted to District Judge J. Owen Forrester. (adg) (Entered: 08/10/2005)
08/12/2005	83	USCA Acknowledgment of 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. Case Appealed to USCA - 11th Circuit Case Number 05-14365-GG (kac) (Entered: 08/12/2005)
08/19/2005	84	Mail Returned as Undeliverable. Mail sent to Howard K. Coates Jr. re 80 Notice of Appeal. (dcs) (Entered: 08/23/2005)
08/23/2005		CERTIFICATE OF READINESS of Appeal Record re: 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. USCA Case Number 05-14365-GG (6 Vols. of Pldgs, 1 Transcript and 1 Envelope of Sealed Exhibits w/ pldg #78) (kac) (Entered: 08/23/2005)
08/24/2005	85	Certified copy of CERTIFICATE OF READINESS transmitted to USCA re: 80 Notice of Appeal. Case Appealed to USCA - 11th Circuit Case Number 05-14365-GG (6 Vols. of Pldgs, 1 Transcript and 1 Envelope of Sealed Exhibits w/ pldg #78) (kac) (Entered: 08/24/2005)
09/01/2005	86	NOTICE Of Filing Joint Motion for Permission to Withdraw as Co-Lead Counsel and Memo in Support Thereof by Harry Wagner (Chitwood, Martin) (Entered: 09/01/2005)

		09/01/2005)
09/07/2005	87	Mail Returned as Undeliverable; Forwarding Order Expired. Mail sent to Howard K. Coates, Jr. re: 85 Certificate of Readiness Transmission. (kac) (Entered: 09/08/2005)
10/11/2005		MINUTE ORDER by Judge J. Owen Forrester on 10/11/2005 granting 86 Joint Motion for Permission to Withdraw as Co-Lead Counsel by Harry Wagner.(tcc) (Entered: 10/11/2005)
11/30/2005	88	FORTHWITH LETTER from USCA re: 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. Case Appealed to USCA - 11th Circuit Case Number 05-14365-GG. Appeal Record due by 12/14/2005. (kac) (Entered: 11/30/2005)
11/30/2005	89	Certified and Transmitted Record on Appeal to US Court of Appeals re: 80 Notice of Appeal. Case Appealed to USCA - 11th Circuit Case Number 05-14365-GG. (6 Vols. of Pldgs, 1 Transcript and 1 Envelope of Sealed Exhibits w/ pldg #78) (kac) (Entered: 11/30/2005)
12/06/2005	90	NOTICE of Docketing Record on Appeal from USCA re: 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. Case Appealed to USCA - 11th Circuit Case Number 05-14365-GG. (6 Vols. of Pldgs, 1 Transcript and 1 Envelope of Sealed Exhibits w/ pldg #78) (kac) (Entered: 12/07/2005)
12/12/2005	91	ORDER DENYING AS MOOT Defendants' 78 motion to amend and DENYING AS MOOT Defendants' 79 motion for attorney's fees. Signed by Judge J. Owen Forrester on 12/12/2005. (tcc) (Entered: 12/13/2005)
01/03/2006	92	Mail Returned as Undeliverable. Mail sent to Howard K. Coates, Jr. re 91 Order, Marked " Not Deliverable As Addressed, Return to Sender" (adg) (Entered: 01/04/2006)
04/27/2006	93	APPLICATION for Admission of John F. Harnes Pro Hac Vice by John R. Wells, Alfred Jacobson, Harry Wagner.Filing Fee received \$150, Receipt #550487. (Attachments: # 1 proposed order)(mas) (Entered: 05/04/2006)
05/08/2006		MINUTE ORDER by CRD on 5/8/2006 granting 93 APPLICATION for Admission of John F. Harnes Pro Hac Vice by John R. Wells, Alfred Jacobson, Harry Wagner. (tcc) (Entered: 05/08/2006)
05/15/2006	95	FORTHWITH LETTER from USCA re: 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. Case Appealed to USCA - 11th Circuit. Case Number 05-14365-GG. Appeal Record due by 5/18/2006. (kac) (Entered: 05/18/2006)
05/18/2006		1st SUPPLEMENTAL CERTIFICATE OF READINESS of Record on Appeal re: 80 Notice of Appeal filed by Harry Wagner, John R. Wells and Alfred Jacobson. USCA Case Number 05-14365-GG. (1 Vol. of Pldgs) (kac) (Entered: 05/18/2006)
05/18/2006	94	Certified copy of 1st SUPPLEMENTAL CERTIFICATE OF READINESS of Record on Appeal transmitted to USCA re: 80 Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 05-14365-GG. (1 Vol.of Pldgs) (kac) (Entered: 05/18/2006)

05/18/2006	96	Certified and Transmitted 1st Supplemental Record on Appeal to US Court of Appeals re: 80 Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 05-14365-GG. (1 Vol. of Pldgs) (kac) (Entered: 05/18/2006)
06/14/2006	97	Mail Returned as Undeliverable. Mail sent to Howard K. Coates, Jr. re 5/8/2006 Minute Order on Application for Admission PHV, marked return to sender, undeliverable as addressed. (adg) (Entered: 06/15/2006)
10/10/2006	98	Certification of Consent to Substitution of Counsel. Martin D. Chitwood replacing attorney David Andrew Bain. (Chitwood, Martin) (Entered: 10/10/2006)
10/18/2006	99	NOTICE of Appearance by Meryl W. Edelstein on behalf of all plaintiffs (Edelstein, Meryl) (Entered: 10/18/2006)
10/18/2006		Appeal Record Returned re: 80 Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 05-14365-GG. (6 Vols. of Pldgs, 1 Transcript, 1 Envelope of Sealed Exhibits w/ pldg no. 78 and 1 Vol. of 1st Supplemental Pldgs) (kac) (Entered: 10/19/2006)
10/18/2006	100	Certified copy of JUDGMENT of USCA VACATING and REMANDING to the District Court with instructions to order repleading re: 80 Notice of Appeal, filed by Harry Wagner, John R. Wells., Alfred Jacobson, Case Appealed to USCA 11th Circuit Case Number 05-14365-GG. (adg) (Entered: 10/20/2006)
10/20/2006	101	PROPOSED Mandate Order re: 100 USCA Judgment. (Prepared by Clerk) (adg) (Entered: 10/20/2006)
10/20/2006		Submission of 100 USCA Judgment 101 Proposed Mandate Order, submitted to District Judge J. Owen Forrester. (adg) (Entered: 10/20/2006)
10/23/2006	102	MOTION for Hearing <i>Status Conference</i> with Brief In Support by Patrick J. Zenner, First Horizon Pharmaceutical Corporation, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme. (Attachments: # 1 Brief Memo of Law in Support# 2 Exhibit A)(Hilsen, Scott) (Entered: 10/23/2006)
10/31/2006	103	RESPONSE re 102 MOTION for Hearing <i>Status Conference</i> filed by Roy Latourette, Jr, Thomas Sheahan, Harry Wagner. (Edelstein, Meryl) Modified on 11/2/2006 to remove duplicative wording (adg). (Entered: 10/31/2006)
11/02/2006		Submission of 102 MOTION for Hearing <i>Status Conference</i> , submitted to District Judge J. Owen Forrester. (adg) (Entered: 11/02/2006)
11/02/2006	104	NOTICE of Appearance by Michael Ryan Peacock on behalf of all plaintiffs (Peacock, Michael) (Entered: 11/02/2006)
12/06/2006	105	ORDER making the USCA mandate the judgment of this Court re 80 Notice of Appeal, USCA Appeal Number 05-14365-GG. Signed by Judge J. Owen Forrester on 12/6/2006. (tcc) (Entered: 12/06/2006)
12/06/2006	106	CLERK'S REMITTITUR NOTICE re 105 USCA Mandate to parties (rth) (Entered: 12/06/2006)
12/15/2006	107	Mail Returned as Undeliverable. Mail sent to Howard K. Coates, Jr. re 106 Notice (rth) (Entered: 12/18/2006)

12/15/2006	108	Mail Returned as Undeliverable. Mail sent to Howard K. Coates, Jr. re 105 USCA Mandate (rth) (Entered: 12/18/2006)
02/06/2007	109	DOCUMENT FILING ERROR - MOTION for Discovery <i>Plaintiffs' Renewed Motion to Limit Scope of Confidentiality Provision or in the Alternative to Partially Lift Stay of Discovery</i> with Brief In Support by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan, Harry Wagner. (Attachments: # 1 Exhibit A Declaration of Wolfram Worms# 2 Exhibit B - Complaint - Lang v. First Horizon)(Edelstein, Meryl) Modified on 2/7/2007 to redocket as a 2-part motion (rth). (Entered: 02/06/2007)
02/06/2007	110	REDOCKETED DOC. #109 AS RENEWED MOTION to Limit Scope of Confidentiality Provision or, in the alternative, MOTION to Partially Lift Stay of Discovery with Brief In Support by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan, Harry Wagner. (Attachments: # 1 Exhibit A# 2 Exhibit B)(rth) (Entered: 02/07/2007)
02/23/2007	111	Withdrawal of Motion 110 MOTION for OrderMOTION for DiscoveryMOTION for OrderMOTION for Discovery filed by Harry Wagner,, Richard G. Bartels,, Thomas Sheahan,, Roy Latourette, Jr. filed by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan. (Edelstein, Meryl) (Entered: 02/23/2007)
03/21/2007	112	Minute Entry for proceedings held before Judge J. Owen Forrester, Scheduling Conference held on 3/21/2007: Amended order - Pltf to replead complaint within 30 days of today's conference. Any motions to dismiss should be filed within 60 days of the repleading, with a response to motion to dismiss being due within 30 days after filing of said motion(s). The transcript will serve as the order of this court. (Court Reporter Lois Phillips.)(tcc) (Entered: 03/23/2007)
04/20/2007	114	Second AMENDED CONSOLIDATED CLASS ACTION COMPLAINT against all defendants, filed by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan.(Chitwood, Martin) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. Modified on 4/23/2007 to remove duplicate text (rth). (Entered: 04/20/2007)
05/23/2007	115	NOTICE of Appearance by Robert Ware Killorin on behalf of Roy Latourette, Jr, Thomas Sheahan, Harry Wagner (Killorin, Robert) (Entered: 05/23/2007)
06/15/2007	116	Consent MOTION for Leave to File Consolidated Memoranda of Law in Excess of 25 pages by First Horizon Defendants and Underwriter Defendants. (Attachments: # 1 Text of Proposed Order)(Williams, Brandon) Modified on 6/18/2007 to include all filers (rth). (Entered: 06/15/2007)
06/20/2007	117	NOTICE of Voluntary Dismissal <i>Without Prejudice of Defendant Darrell Borne by Lead Plaintiffs</i> filed by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan (Chitwood, Martin) (Entered: 06/20/2007)
06/20/2007		Clerk's Entry of Dismissal approving 117 Notice of Voluntary Dismissal without Prejudice of Defendant Darrell Borne pursuant to FRCP 41(a)(1)(i). (rth) (Entered: 06/22/2007)
06/21/2007		MINUTE ORDER by CRD on 6/21/2007 granting 116 Consent MOTION for Leave to File Consolidated Memoranda of Law in Excess of 25 pages by First

		Horizon Defendants and Underwriter Defendants. (tcc) (Entered: 06/21/2007)
06/21/2007	118	PROPOSED CONSENT ORDER Extending Time to Respond to Plaintiffs' Second Consolidated Amended Class Action Complaint. (Thornton, Martin) (Entered: 06/21/2007)
06/26/2007		MINUTE ORDER by CRD on 6/26/2007 granting 118 CONSENT ORDER Extending Time until June 29, 2007 to Respond to Plaintiffs' Second Consolidated Amended Class Action Complaint. (tcc) (Entered: 06/26/2007)
06/29/2007	119	MOTION to Dismiss <i>Second Consolidated Amended Class Action Complaint</i> with Brief In Support by JP Morgan, Thomas Weisel Partners, LLC, Lasalle Capital Markets, Deutsche Bank Securities, Inc., Banc of America Securities, LLC. (Attachments: # 1 Exhibit A)(Brumbaugh, John) (Entered: 06/29/2007)
06/29/2007	120	MOTION to Dismiss <i>Plaintiffs' Second Consolidated Amended Class Action Complaint</i> with Brief In Support by Darrell Borne, Patrick J. Zenner, First Horizon Pharmaceutical Corporation, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis. (Attachments: # 1 Brief Memorandum of Law in Support# 2 Appendix Vol. I Index# 3 Appendix Vol. 1 Ex.1# 4 Appendix Vol.1 Ex. 2# 5 Appendix Vol. 1 Ex. 2-2# 6 Appendix Vol. 1 Ex. 3-1# 7 Appendix Vol. 1 Ex. 3-2# 8 Appendix Vol. 1 Ex. 4# 9 Appendix Vol. 1 Ex. 5# 10 Appendix Vol. 1 Ex. 6# 11 Appendix Vol. 1 Ex. 7# 12 Appendix Vol. 1 Ex. 8# 13 Appendix Vol. 1 Ex. 9-1# 14 Appendix Vol. 1 Ex. 9-2# 15 Appendix Vol. 2 Index# 16 Appendix Vol. 2 Ex. 10# 17 Appendix Vol. 2 Ex. 11-1# 18 Appendix Vol. 2 Ex. 11-2# 19 Appendix Vol. 2 Ex. 12# 20 Appendix Vol. 2 Ex. 13# 21 Appendix Vol. 2 Ex. 14# 22 Appendix Vol. 2 Ex. 15# 23 Appendix Vol. 2 Ex. 16# 24 Appendix Vol. 2 Ex. 17# 25 Appendix Vol. 2 Ex. 18# 26 Appendix Vol. 2 Ex. 19# 27 Appendix Vol. 2 Ex. 20# 28 Appendix Vol. 2 Ex. 21# 29 Appendix Vol. 2 Ex. 22# 30 Appendix Vol. 2 Ex. 23# 31 Appendix Vol. 2 Ex. 24)(Williams, Brandon) (Entered: 06/29/2007)
07/16/2007		Submission of 120 MOTION to Dismiss, 119 MOTION to Dismiss, submitted to District Judge J. Owen Forrester. (hfm) (Entered: 07/16/2007)
07/16/2007		Set Deadlines: Plaintiff Response re 119 and 120 Motions to Dismiss due by 8/3/2007. (hfm) (Entered: 07/16/2007)
07/30/2007	121	PROPOSED CONSENT ORDER Extension of Time to File Response. (Edelstein, Meryl) (Entered: 07/30/2007)
07/31/2007		MINUTE ORDER by CRD on 7/31/2007 granting 121 CONSENT ORDER extending time until August 10, 2007 for Plaintiffs' Omnibus Response to Defendants' Motions to Dismiss and extending time until August 24, 2007 for the First Horizon Defendants' and the Underwriter Defendants' Replies.(tcc) (Entered: 07/31/2007)
08/08/2007	122	PROPOSED CONSENT ORDER Extension of Time to File Response re 119 Motion to Dismiss. (Edelstein, Meryl) Modified on 8/9/2007 to create document relationship (hfm). (Entered: 08/08/2007)
08/17/2007	123	RESPONSE in Opposition re 119 MOTION to Dismiss <i>Second Consolidated Amended Class Action Complaint</i> , 120 MOTION to Dismiss <i>Plaintiffs' Second</i>

		<i>Consolidated Amended Class Action Complaint Plaintiffs' Omnibus Response to Defendants' Motions to Dismiss Plaintiffs' Second Consolidated Amended Class Action Complaint</i> filed by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan. (Chitwood, Martin) (Entered: 08/17/2007)
08/21/2007		MINUTE ORDER by CRD on 8/21/2007 granting 122 CONSENT ORDER Extending Time to File Response re 119 Motion to Dismiss. (tcc) (Entered: 08/21/2007)
09/04/2007	124	PROPOSED CONSENT ORDER Extending Time to File Response re: 119 MOTION to Dismiss <i>Second Consolidated Amended Class Action Complaint</i> . (Williams, Brandon) (Entered: 09/04/2007)
09/14/2007	125	REPLY to Response to Motion re 119 MOTION to Dismiss <i>Second Consolidated Amended Class Action Complaint</i> filed by JP Morgan, Thomas Weisel Partners, LLC, Lasalle Capital Markets, Deutsche Bank Securities, Inc., Banc of America Securities, LLC. (Brumbaugh, John) (Entered: 09/14/2007)
09/14/2007	126	REPLY BRIEF re 120 MOTION to Dismiss <i>Plaintiffs' Second Consolidated Amended Class Action Complaint</i> filed by Patrick J. Zenner, First Horizon Pharmaceutical Corporation, Mahendra G. Shah, John N. Kapoor, Balaji Venkataraman, Jon S. Saxe, Pierre Lapalme, Jerry N. Ellis. (Attachments: # 1 Exhibit A)(Hilsen, Scott) (Entered: 09/14/2007)
10/03/2007		Submission of 120 MOTION to Dismiss <i>Plaintiffs' Second Consolidated Amended Class Action Complaint</i> , 119 MOTION to Dismiss <i>Second Consolidated Amended Class Action Complaint</i> , submitted to District Judge J. Owen Forrester. (hfm) (Entered: 10/03/2007)
03/10/2008	127	ORDER ADMINISTRATIVELY CLOSING ACTION. The Court having been advised by counsel for the parties that the above entitled action has been settled, but it appearing that documentation of settlement has not been concluded, IT IS ORDERED that the action is DISMISSED without prejudice, and it is not necessary that the case remain on the calendar of the Court at this time. The Court retains complete jurisdiction to vacate this Order and to reopen the action if necessary. If the Court receives no motion to vacate or no motion to extend the time to file the motion to vacate within SIXTY (60) DAYS of the date of this Order, the dismissal shall be with prejudice. Signed by Judge J. Owen Forrester on 3/10/08. (tcc) (Entered: 03/10/2008)
03/10/2008		Civil Case Terminated. (tcc) (Entered: 03/10/2008)
03/12/2008	128	Joint MOTION to Vacate <i>Order Administratively Closing Case</i> with Brief In Support by Roy Latourette, Jr, Richard G. Bartels, Thomas Sheahan. (Attachments: # 1 Text of Proposed Order Proposed Order)(Edelstein, Meryl) (Entered: 03/12/2008)
03/31/2008		Submission of 128 Joint MOTION to Vacate <i>Order Administratively Closing Case</i> , submitted to District Judge J. Owen Forrester. (hfm) (Entered: 03/31/2008)
04/14/2008	129	ORDER granting 128 Motion to Vacate 127 Order and Re-opening case. Signed by Judge J. Owen Forrester on 4/14/08. (hfm) (Entered: 04/14/2008)

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