

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:03-cv-04170-JES

Frank v. Federal Home Loan, et al
Assigned to: Judge John E. Sprizzo
Demand: \$0

Related Cases: [1:03-cv-04392-JES](#)
[1:03-cv-04256-JES](#)
[1:03-cv-04470-JES](#)
[1:03-cv-05983-JES](#)
[1:03-cv-04910-JES](#)

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

Date Filed: 06/09/2003
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Joshua Frank
*individually and on behalf of all others
similarly situated*

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Federal Home Loan Mortgage Corp.

Defendant

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Defendant

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Movant

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Date Filed	#	Docket Text
06/09/2003	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 475950. (jjm) (Entered: 06/10/2003)

06/09/2003		Magistrate Judge Douglas F. Eaton is so designated. (jjm) (Entered: 06/10/2003)
07/15/2003	2	STIPULATION and ORDER, service of a consolidated complaint shall be made within 45 days of the order of the Court appointing Lead Plaintiff and Lead Counsel. Freddie Mac shall not be required to move, answer or otherwise respond to, and is hereby expressly relieved from moving, answering or otherwise responding to, the complaint in the action. Freddie Mac shall instead move, answer or otherwise respond to the Consolidated Complaint within 45 days of service of the Consolidated Complaint, and shall have no obligation to respond to any discovery before such time . (signed by Judge John E. Sprizzo) (kw) (Entered: 07/16/2003)
07/25/2003	3	AFFIDAVIT OF SERVICE of summons and complaint as to Federal Home Loan by Sherry Reaves on 6/11/03. Answer due on 7/1/03 for Federal Home Loan. (sb) (Entered: 07/30/2003)
07/25/2003	3	AFFIDAVIT OF SERVICE of summons and complaint as to David Glenn by Sherry Reaves on 6/11/03. Answer due on 7/1/03 for David Glenn. (sb) (Entered: 07/30/2003)
07/25/2003	3	AFFIDAVIT OF SERVICE of summons and complaint as to Leland C. Brendsel by Sherry Reaves on 6/11/03 . Answer due on 7/1/03 for Leland C. Brendsel . (sb) (Entered: 07/30/2003)
07/25/2003	3	AFFIDAVIT OF SERVICE of summons and complaint as to Vaughn Clarke by Sherry Reaves on 6/11/03 . Answer due on 7/1/03 for Vaughn Clarke . (sb) (Entered: 07/30/2003)
08/08/2003	4	NOTICE OF MOTION by OPERS, STRS; for an Order consolidating all class actions in this District concerning the subject matter of this lawsuit pursuant to FRCP 42(a) ; appointing movants OPERS, and STRS to serve as lead plaintiff(s) in the captioned class actions ; approving OPERS' and STRS' selection of Waite, Schneider, Bayless & Chesley Co., L.P.A. and Barrett & Weber, L.P.A. as Lead Counsel . Return Date not indicated. Memorandum of Law in Support of the Motion along with Exhibits 1, A through F, and 2 are attached. (tp) (Entered: 08/12/2003)
08/08/2003	5	NOTICE OF MOTION by West Virginia States, appointing movant West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund to serve as lead plaintiff(s) in the captioned class actions ; approving West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund selection of Milberg, Weiss, Bershad, Hynes & Lerach, L.L.P. as Lead Counsel ; for an Order consolidating all class actions in this District concerning the subject matter of this lawsuit pursuant to FRCP 42(a) . Return date not indicated. Exhibits A and B are attached. (tp) (Entered: 08/12/2003)
08/08/2003	6	MEMORANDUM OF LAW by West Virginia States in support of [5-1] motion appointing movant West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund to serve as lead plaintiff(s) in the captioned class actions, [5-2] motion approving West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund selection of Milberg, Weiss, Bershad, Hynes & Lerach, L.L.P. as Lead Counsel, [5-3] motion for an Order consolidating all class actions in this District

		concerning the subject matter of this lawsuit pursuant to FRCP 42(a). (tp) (Entered: 08/12/2003)
08/08/2003	7	DECLARATION of Peter E. Seidman by West Virginia States in support Re: [5-1] motion appointing movant West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund to serve as lead plaintiff(s) in the captioned class actions, [5-2] motion approving West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund selection of Milberg, Weiss, Bershad, Hynes & Lerach, L.L.P. as Lead Counsel, [5-3] motion for an Order consolidating all class actions in this District concerning the subject matter of this lawsuit pursuant to FRCP 42(a). (tp) (Entered: 08/12/2003)
08/08/2003	10	NOTICE OF MOTION by Activest Investment., Erste Sparinvest, Ontario Teachers', Jacksonville Police, for an Order pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-4(a)(3)(B) appointing movant Activest Investment., movant Erste Sparinvest, movant Ontario Teachers', movant Jacksonville Police to serve as lead plaintiff(s) ; for an Order approving the Institutional Investor Group's choice of counsel for the Class ; for an Order consolidating all related actions herewith under Rule 42(a) of the FRCP . Return Date not indicated. (tp) (Entered: 09/10/2003)
08/08/2003	11	MEMORANDUM OF LAW by Activest Investment., Erste Sparinvest, Ontario Teachers', Jacksonville Police in support of [10-1] motion for an Order pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-4(a)(3)(B) appointing movant Activest Investment., movant Erste Sparinvest, movant Ontario Teachers', movant Jacksonville Police to serve as lead plaintiff(s), [10-2] motion for an Order approving the Institutional Investor Group's choice of counsel for the Class, [10-3] motion for an Order consolidating all related actions herewith under Rule 42(a) of the FRCP. (tp) (Entered: 09/10/2003)
08/08/2003	12	DECLARATION of Eitan Misulovin by Activest Investment., Erste Sparinvest, Ontario Teachers', Jacksonville Police in support Re: [10-1] motion for an Order pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-4(a)(3)(B) appointing movant Activest Investment., movant Erste Sparinvest, movant Ontario Teachers', movant Jacksonville Police to serve as lead plaintiff(s), [10-2] motion for an Order approving the Institutional Investor Group's choice of counsel for the Class, [10-3] motion for an Order consolidating all related actions herewith under Rule 42(a) of the FRCP. (tp) (Entered: 09/10/2003)
08/13/2003	8	ORDER; that, as discussed at the aforementioned Conference, the West Virginia and Central States plaintiffs and the Ohio plaintiffs shall submit their Memoranda of Law in further support of their respective Motions, not to exceed fifteen (15) pages, on or before 9/8/03 ; that oral argument shall occur on 10/7/03 at 3:00 p.m. in courtroom 705, 40 Centre Street . (signed by Judge John E. Sprizzo) (jco) (Entered: 08/18/2003)
08/14/2003	9	ORDER; that this actions listed within this Order having come before the Court by motion for Consolidation, Appointment as Lead Plaintiff and for appoval of Selection of Lead Counsel submitted by the "Institutional Investor Group", dated 8/8/03 shall be and hereby is denied without prejudice to being renewed upon its counsel requesting a Pre-Motion Conference in accordance with the Court's

		Individual Rules and Procedures . (signed by Judge John E. Sprizzo); (pl) (Entered: 08/19/2003)
09/08/2003	14	MEMORANDUM OF LAW by OPERS, STRS in further support of [4-1] motion for an Order consolidating all class actions in this District concerning the subject matter of this lawsuit pursuant to FRCP 42(a), [4-2] motion appointing movants OPERS, and STRS to serve as lead plaintiff(s) in the captioned class actions, [4-3] motion approving OPERS' and STRS' selection of Waite, Schneider, Bayless & Chesley Co., L.P.A. and Barrett & Weber, L.P.A. as Lead Counsel. (tp) (Entered: 09/12/2003)
09/09/2003	13	STIPULATION AND ORDER; by entering into this Stip., Individual Defts: Glenn, Brendsel and Clarke agree to accept service to Pltff's Complaint. Service of a Consolidated Complaint shall be made within 45 days of the Order of the Court appointing Lead Pltff and Lead Counsel. Individual Defts shall not be required to move, answer or otherwise respond to, and is hereby expressly relieved from moving, answering or otherwise responding to, the complaint in this action. Individual Defts shall instead move, answer or otherwise respond to the Consolidated Complaint within 45 days of service of the Consolidated Complaint, and shall have no obligation to respond to any discovery before such time. (signed by Judge John E. Sprizzo) (sac) (Entered: 09/11/2003)
10/02/2003	16	NOTICE OF MOTION by West Virginia States to withdraw [5-1] motion appointing movant West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund to serve as lead plaintiff(s) in the captioned class actions, [5-2] motion approving West Virginia Investment Management Board and Central States, Southeast and Southwest Areas Pension Fund selection of Milberg, Weiss, Bershad, Hynes & Lerach, L.L.P. as Lead Counsel ; and in support of the motion of the Ohio Public Employees Retirement System and State Teachers Retirement System of Ohio to be appointed lead plaintiff; (djc) (Entered: 10/08/2003)
10/07/2003	15	Transcript of record of proceedings before Judge John E. Sprizzo for the date(s) of 8/8/03. (tr) (Entered: 10/07/2003)
10/09/2003	17	Notice of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. No prejudice will result from this dismissal. (signed by Judge John E. Sprizzo) (kw) (Entered: 10/10/2003)
10/09/2003		Case closed. (kw) (Entered: 10/10/2003)
10/09/2003	18	STIPULATION: pursuant to Rule 1.4 of the FRCP. Covington & Burlington be substituted for Cleary , Gottleib, Steen & Hamilton as counsel for dft Federal Home Loan Mortgage Corporation in this action . (signed by Judge John E. Sprizzo) (db) (Entered: 10/14/2003)
10/24/2003	19	Memo-Endorsement on letter addressed to Judge John E. Sprizzo from Stanley M. Chesley, dated 10/21/03; Re: counsel for the Ohio Public Employees' Retirement System and the State Teachers' Retirement System of Ohio respectfully request that the Court adjourn the hearing scheduled in this matter for 10/23/03. Application granted. The argument is now adjourned to 12/4/03 at 3:00 P.M. (signed by Judge John E. Sprizzo); (sac) (Entered: 10/29/2003)

11/06/2003	20	IT IS THEREFORE ORDERED that the motion for transfer, Eastern District of Virginia, under 28 U.S.C. 1407 is DEEMED MOOT. (jjm) (Entered: 11/10/2003)
05/02/2005	21	TRANSCRIPT of proceedings held on 04/11/05 before Judge John E. Sprizzo. (es,) (Entered: 05/02/2005)
05/25/2005	22	TRANSCRIPT of proceedings held on 04/11/05 before Judge John E. Sprizzo. (es,) (Entered: 05/25/2005)
05/10/2006	23	TRANSCRIPT of proceedings held on 4/25/06 before Judge John E. Sprizzo. (aba,) (Entered: 05/10/2006)
05/19/2006	24	TRANSCRIPT of proceedings held on 4/25/2006 before Judge John E. Sprizzo. (aba,) (Entered: 05/19/2006)

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