

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:03-cv-04014-LLS**

**Riggs, et al v. Termeer, et al**

**Date Filed:** Jun. 02, 2003  
**Status:** Closed  
**Nature of suit:** 850 Securities/Commodities  
**Demand:** \$0  
**Assigned to:** Judge Louis L. Stanton  
**Cause:** 28:1331 Fed. Question: Other  
**Date terminated:** Oct. 29, 2007  
**Jurisdiction:** Federal Question  
**Jury demand:** Plaintiff

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

Req #	Filed	#	Docket Text
<a href="#">1</a>	Jun. 02, 2003	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 475451. (laq) (Entered: 06/04/2003)
<a href="#">2</a>	Jun. 02, 2003		Magistrate Judge Ronald M. Ellis is so designated. (laq) (Entered: 06/04/2003)
<a href="#">3</a>	Jun. 09, 2003	2	ORDER TO SHOW CAUSE by Rory Riggs; Show Cause Hearing set for 10:30 a.m. on 6/9/03; for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting

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			a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for shares of Genzyme General Division, pending trial on the merits. For an order granting expedited discovery . ( signed by Judge Milton Pollack/Part I ); Declarations of Riggs, Lewis, Gardner is attached. (kw) Modified on 06/09/2003 (Entered: 06/09/2003)
<a href="#">4</a>	Jun. 09, 2003	3	Letter filed by Rory Riggs addressed to Judge Stanton from Philippe Z. Selendy, dated 6/4/03, re: requesting a expedited discovery. (kw) (Entered: 06/09/2003)
<a href="#">5</a>	Jun. 09, 2003	4	Copy of COMPLAINT filed. (kw) (Entered: 06/09/2003)
<a href="#">6</a>	Jun. 09, 2003	5	MEMORANDUM OF LAW by Rory Riggs in support of [2-1] motion for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for shares of Genzyme General Division, pending trial on the merits. (kw) (Entered: 06/09/2003)
<a href="#">7</a>	Jun. 09, 2003	6	DECLARATION of Rory Riggs in support Re: [2-1] motion for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for shares of Genzyme General Division, pending trial on the merits. (kw) (Entered: 06/09/2003)
<a href="#">8</a>	Jun. 09, 2003	7	MEMORANDUM OF LAW by defendants in opposition to [2-1] motion for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for shares of Genzyme General Division, pending trial on the merits. (kw) (Entered: 06/09/2003)
<a href="#">9</a>	Jun. 09, 2003	8	Letter to Biomatrix Stockholder from Endre A. Balazs, MD. (kw) (Entered: 06/09/2003)
<a href="#">10</a>	Jun. 09, 2003	9	ORDER, denying [2-1] motion for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for shares of Genzyme General Division, pending trial on the merits. For an order granting expedited discovery. ( signed by Judge Milton Pollack/Part I ); (kw) (Entered: 06/09/2003)
<a href="#">11</a>	Jun. 11, 2003	10	NOTICE OF MOTION by Rory Riggs for an order for preliminary injunction, enjoining defendants, as further set forth on this motion . Return Date 6/27/03 at 10:00. Received in the night deposit box on 6/11/03 at 7:21 p.m. (sb) (Entered: 06/12/2003)
<a href="#">12</a>	Jun. 20, 2003	11	Memorandum to Docket Clerk:, pretrial conference hed on 6/20/03, dfts may have until 7/2/03 to file motion to dismiss . (dle) (Entered: 06/26/2003)
<a href="#">13</a>	Jun. 20, 2003		PRETRIAL CONFERENCE held before Judge Louis L. Stanton . (dle) (Entered: 06/26/2003)
<a href="#">14</a>	Jun. 25, 2003		Memo endorsed on motion; withdrawing [2-1] motion for preliminary injunction pursuant to Rule 65 of the FRCP enjoining defendant Genzyme Corporation from conducting a forced share exchange on 6/30/03 of all outstanding shares of Genzyme Biosurgery Division for

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			shares of Genzyme General Division, pending trial on the merits. For an order granting expedited discovery. This motion has been withdrawn by the movants to the extent it seeks a preliminary injunction. So Ordered. ( signed by Judge Louis L. Stanton ); Copies mailed by Chambers. (jco) (Entered: 06/26/2003)
<a href="#">15</a>	Jun. 25, 2003		Memo endorsed on motion; withdrawing [10-1] motion for an order for preliminary injunction, enjoining defendants, as further set forth on this motion. Withdrawn by movant. See letters to Court from plaintiffs' counsel dated June 19 and 23, 2003 ( signed by Judge Louis L. Stanton ); Copies mailed to counsel of record 6/25/03. (yv) (Entered: 06/26/2003)
<a href="#">16</a>	Jun. 26, 2003	12	Letter filed by Rory Riggs addressed to Judge Stanton from Philippe Z. Selendy, dated 6/19/03, re: to withdraw plttfs' motion for preliminary injunction. (db) (Entered: 06/27/2003)
<a href="#">17</a>	Jun. 26, 2003	13	Letter filed by Rory Riggs addressed to Judge Stanton from Philippe Z. Selendy, dated 6/23/03, re: confirmation of 6/19/03 letter. (db) (Entered: 06/27/2003)
<a href="#">18</a>	Jul. 02, 2003	14	NOTICE OF MOTION by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga; for an order, dismissing the Complaint purs. to FRCP 9(b) and 12(b)(6) ; Return Date not indicated. (sac) (Entered: 07/07/2003)
<a href="#">19</a>	Jul. 02, 2003	15	MEMORANDUM OF LAW by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga in support of [14-1] motion for an order, dismissing the Complaint purs. to FRCP 9(b) and 12(b)(6). (sac) (Entered: 07/07/2003)
<a href="#">20</a>	Jul. 02, 2003	16	RULE 7.1 CERTIFICATE filed by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga. (sac) (Entered: 07/07/2003)
<a href="#">21</a>	Jul. 02, 2003	17	DECLARATION of William I. Sussman by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga in support Re: [14-1] motion for an order, dismissing the Complaint purs. to FRCP 9(b) and 12(b)(6). (sac) (Entered: 07/07/2003)
<a href="#">22</a>	Jul. 21, 2003	18	Letter filed by Rory Riggs addressed to Mr. McMahon from Frank C. Moore, III, dated 07/16/03; re: purs to agreement betw parties as set forth in Exhibits A and B Plaintiff's time to respond to Defendants' motion to dismiss has been extended up to and including July 25, 2003; (djc) (Entered: 07/24/2003)
<a href="#">23</a>	Jul. 29, 2003	19	Letter filed by Rory Riggs addressed to Judge Stanton from Frank C. Moore, III, dated 7/28/03, re: extend time for plntf to respond to defts' motion to dismiss (cd) (Entered: 07/31/2003)
<a href="#">24</a>	Aug. 04, 2003	20	NOTICE OF MOTION (filed on service date) by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor

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			Dzau, Mack III, Michael S. Wyzga for John D. Donovan, Jr and Robert G. Jones to appear pro hac vice ; Return Date not indicated; Attached is Declaration of William I. Sussman; (djc) Modified on 08/06/2003 (Entered: 08/06/2003)
<a href="#">25</a>	Aug. 05, 2003	21	DECLARATION of Phillippe Z. Selendy. (db) (Entered: 08/08/2003)
<a href="#">26</a>	Aug. 05, 2003	22	DEMAND for jury trial by plttf John Lewis. (db) (Entered: 08/08/2003)
<a href="#">27</a>	Aug. 05, 2003	23	DEMAND for jury trial by Rory Riggs . (db) (Entered: 08/08/2003)
<a href="#">28</a>	Aug. 08, 2003	24	AMENDED COMPLAINT by Rory Riggs (Answer due 8/18/03 for Michael S. Wyzga, for Connie Mack III, for Victor Dzau, for Charles Cooney, for Robert Carpenter, for Henry Blair, for Douglas Berthiaume, for Constantine E. Anagnostopoulos, for Genzyme Corporation, for Henri A. Termeer ) amending [4-1] complaint; Summons issued. (cd) (Entered: 08/12/2003)
<a href="#">29</a>	Aug. 08, 2003	24	DEMAND for jury trial by Rory Riggs . (cd) (Entered: 08/12/2003)
<a href="#">30</a>	Aug. 08, 2003	25	ORDER, that the Court is granting the [20-1] motion for John D. Donovan, Jr and Robert G. Jones to appear pro hac vice. ( signed by Judge Louis L. Stanton ); Copies mailed by Chambers. FORWARDED DOCUEMNT TO ATTORNEY ADMISSIONS CLERK. (tp) (Entered: 08/12/2003)
<a href="#">31</a>	Aug. 14, 2003	26	ORDER; dismissing as moot the [14-1] motion for an order, dismissing the Complaint purs. to FRCP 9(b) and 12(b)(6). The original complaint and defendant's motion to dismiss it are both dismissed as moot, without prejudice. ( signed by Judge Louis L. Stanton ); Copies mailed by Chambers. (sb) (Entered: 08/19/2003)
<a href="#">32</a>	Aug. 18, 2003		CASHIER'S OFFICE REMARK on [25-1] order in the amount of \$50.00 paid on 8/18/03 Receipt # 482552. (jco) (Entered: 08/22/2003)
<a href="#">33</a>	Aug. 20, 2003	27	STIPULATION and ORDER, the time within which defendants may answer or move with respect to the amended class action complaint is extended to and including 9/12/03 for Michael S. Wyzga, for Connie Mack III, for Victor Dzau, for Charles Cooney, for Robert Carpenter, for Henry Blair, for Douglas Berthiaume, for Constantine E. Anagnostopoulos, for Genzyme Corporation, for Henri A. Termeer . ( signed by Judge Louis L. Stanton ) (yv) (Entered: 08/22/2003)
<a href="#">34</a>	Sep. 12, 2003	28	NOTICE OF MOTION by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga to dismiss the amended complaint purs to fRCP 9(b) and 12(b)(6) with prejudice ; Return Date not indicated (cd) (Entered: 09/18/2003)
<a href="#">35</a>	Sep. 12, 2003	29	DECLARATION of William Sussman by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga in support Re: [28-1] motion to dismiss the amended complaint purs to fRCP 9(b) and 12(b)(6) with prejudice . (cd) (Entered: 09/18/2003)
<a href="#">36</a>	Sep. 12, 2003	30	MEMORANDUM OF LAW by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga in support of [28-1] motion to dismiss the

Req #	Filed	#	Docket Text
			amended complaint purs to fRCP 9(b) and 12(b)(6) with prejudice . (cd) (Entered: 09/18/2003)
<a href="#">37</a>	Sep. 18, 2003	31	Letter filed addressed to Mr. McMahon from Franck C. Moore, III, dated 09/17/03; re: pursuant to an agreement betw. the parties plaintiff's time to respond to defendants' motion to dismiiss the amended class action complaint in this action has been extended up to an including October 10, 2003. (djc) (Entered: 09/25/2003)
<a href="#">38</a>	Oct. 10, 2003	32	MEMORANDUM OF LAW by Rory Riggs in opposition to [28-1] motion to dismiss the amended complaint purs to FRCP 9(b) and 12(b)(6) with prejudice; (docmt received in night dep. on 10/10/03 at 11:59 p.m.) (djc) (Entered: 10/16/2003)
<a href="#">39</a>	Oct. 17, 2003	33	NOTICE OF MOTION by Rory Riggs, John M Lewis to appoint plaintiff Rory Riggs, plaintiff John M Lewis to serve as lead plaintiff(s) ; to approve selection of lead counsel Boies Schiller & Flexner LLP ; Return Date not indicated (cd) (Entered: 10/22/2003)
<a href="#">40</a>	Oct. 17, 2003	34	DECLARATION of Rory Riggs by Rory Riggs in support Re: [33-1] motion to appoint plaintiff Rory Riggs, plaintiff John M Lewis to serve as lead plaintiff(s), [33-2] motion to approve selection of lead counsel Boies Schiller & Flexner LLP . (cd) (Entered: 10/22/2003)
<a href="#">41</a>	Oct. 17, 2003	35	DECLARATION of Frank Moore by Rory Riggs in support Re: [33-1] motion to appoint plaintiff Rory Riggs, plaintiff John M Lewis to serve as lead plaintiff(s), [33-2] motion to approve selection of lead counsel Boies Schiller & Flexner LLP . (cd) (Entered: 10/22/2003)
<a href="#">42</a>	Oct. 17, 2003	36	DECLARATION of John Lewis by John M Lewis in support Re: [33-1] motion to appoint plaintiff Rory Riggs, plaintiff John M Lewis to serve as lead plaintiff(s), [33-2] motion to approve selection of lead counsel Boies Schiller & Flexner LLP . (cd) (Entered: 10/22/2003)
<a href="#">43</a>	Oct. 17, 2003	37	MEMORANDUM OF LAW by Rory Riggs, John M Lewis in support of [33-1] motion to appoint plaintiff Rory Riggs, plaintiff John M Lewis to serve as lead plaintiff(s), [33-2] motion to approve selection of lead counsel Boies Schiller & Flexner LLP . (cd) (Entered: 10/22/2003)
<a href="#">44</a>	Nov. 03, 2003	38	REPLY MEMORANDUM by Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Connie Mack III, Michael S. Wyzga in support re: [28-1] motion to dismiss the amended complaint purs to fRCP 9(b) and 12(b)(6) with prejudice. Received in the night deposit box on 11/3/03 at 10:08 p.m. (sb) (Entered: 11/06/2003)
<a href="#">45</a>	Mar. 17, 2004	39	ORDER denying 28 Motion to Dismiss . (Signed by Judge Louis L. Stanton on 3/16/2004) (jp, ) (Entered: 03/19/2004)
<a href="#">46</a>	Mar. 17, 2004	41	ORDER that Rory Riggs and John Lewis are appointed as lead plaintiffs, and their selection of the law firm of Boies, Schiller & Flexner LLP is approved and that firm is appointed as lead counsel. (Signed by Judge Louis L. Stanton on 3/17/04) "Copies Mailed By Chambers".(jco, ) (Entered: 03/22/2004)
<a href="#">47</a>	Mar. 18, 2004	40	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE:... If such a consent order is not filed within the time provided,... Initial Conference set for 4/16/2004 12:00 PM before Judge Louis L. Stanton. (Signed by Judge Louis L. Stanton on 3/18/2004) (jsa, ) (Entered: 03/22/2004)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">48</a>	Apr. 19, 2004	42	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Genzyme Corporation.(jco, ) (Entered: 04/20/2004)
<a href="#">49</a>	Apr. 19, 2004	43	ANSWER to Amended Complaint. Document filed by Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Genzyme Corporation, Connie Mack III, Henri A. Termeer, Michael S. Wyzga. Related document: 24 Amended Complaint, filed by Rory Riggs.(jco, ) (Entered: 04/20/2004)
<a href="#">50</a>	Apr. 30, 2004		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 4/30/2004. (kw, ) (Entered: 04/30/2004)
<a href="#">51</a>	Apr. 30, 2004		Set Deadlines/Hearings: Pretrial Conference set for 10/22/2004 11:00 AM before Judge Louis L. Stanton. (kw, ) (Entered: 04/30/2004)
<a href="#">52</a>	Apr. 30, 2004		MEMORANDUM TO THE DOCKET CLERK: for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 4/30/2004. Next PTC 10/22/04 at 11:00 a.m. (kw, ) (Entered: 04/30/2004)
<a href="#">53</a>	May 27, 2004	44	STIPULATED PROTECTIVE ORDER, regarding procedures to be followed that shall govern the handling of confidential materials. (Signed by Judge Louis L. Stanton on 5/26/04) (tp, ) (Entered: 05/27/2004)
<a href="#">54</a>	Jul. 22, 2004	45	NOTICE of Additional Appearance by Vineet Bhatia (Kenneth Marks Victoria Capitaine, Marc Seltzer, Jonathan Shaw pro hac vice to be filed) and Robert Kaplan, Hae Sung Nam and Erica Hicks on behalf of plaintiffs John M Lewis, Rory Riggs. (dle, ) Modified on 7/26/2004 (dle, ). (Entered: 07/26/2004)
<a href="#">55</a>	Aug. 09, 2004	46	STIPULATION AND ORDER: the deadline for joinder of other parties is extended to 9/1/04. (Signed by Judge Louis L. Stanton on 8/9/04) (kw, ) (Entered: 08/10/2004)
<a href="#">56</a>	Aug. 09, 2004		Set Deadlines/Hearings: Joinder of Parties due by 9/1/2004. (kw, ) (Entered: 08/10/2004)
<a href="#">57</a>	Aug. 25, 2004	47	STIPULATION AND ORDER; the deadline to submit a joint statement to the Court identifying proposed deponents and a tentative schedule for depositions is extended to and including 9/30/2004. (Signed by Judge Louis L. Stanton on 8/24/2004) (jp, ) (Entered: 08/26/2004)
<a href="#">58</a>	Sep. 02, 2004	48	STIPULATION AND ORDER: the deadline for joinder of other parties by the plaintiffs is extended to 9/15/04. (Signed by Judge Louis L. Stanton on 9/1/04) (kw, ) (Entered: 09/13/2004)
<a href="#">59</a>	Sep. 10, 2004		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 9/10/2004. Judge's Decision: Scheduling Order vacated. Parties are to submit new scheduling order. (sac, ) (Entered: 09/22/2004)
<a href="#">60</a>	Sep. 29, 2004	49	MOTION (FILED ON SERVICE DATE) for Leave to File Second Amended Complaint. Document filed by John M Lewis, Rory Riggs. (cd, ) (Entered: 10/04/2004)
<a href="#">61</a>	Sep. 29, 2004	50	DECLARATION of Phillippe Selendy in Support re: 49 MOTION (FILED ON SERVICE DATE) for Leave to File Second Amended Complaint.. Document filed by John M Lewis, Rory Riggs. (cd, ) (Entered: 10/04/2004)
<a href="#">62</a>	Sep. 29, 2004	51	MEMORANDUM OF LAW in Support re: 49 MOTION (FILED ON SERVICE DATE) for Leave to File Second Amended Complaint.

Req #	Filed	#	Docket Text
			Document filed by John M Lewis, Rory Riggs. (cd, ) (Entered: 10/04/2004)
<a href="#">63</a>	Sep. 29, 2004	52	MOTION (FILED ON SERVICE DATE) to Certify Class and appoint as class counsel Boies Schiller & Flexner LLP, Kaplan Fox & Kilsheimer LLP, and Susman Godfrey, LLP.. Document filed by John Feilders, Robert Brooks, Barry van Roden, John M Lewis. (cd, ) (Entered: 10/04/2004)
<a href="#">64</a>	Sep. 29, 2004	53	DECLARATION of Philippe Selendy in Support re: 52 MOTION (FILED ON SERVICE DATE) to Certify Class. Document filed by Robert Brooks, John Feilders, John M Lewis, Barry van Roden. (cd, ) (Entered: 10/04/2004)
<a href="#">65</a>	Sep. 29, 2004	54	MEMORANDUM OF LAW in Support re: 52 MOTION (FILED ON SERVICE DATE) to Certify Class. Document filed by Robert Brooks, John Feilders, John M Lewis, Barry van Roden. (cd, ) (Entered: 10/04/2004)
<a href="#">66</a>	Oct. 18, 2004		ORDER granting 49 Motion for Leave to File Document no opposition.. (Signed by Judge Louis L. Stanton on 10/18/2004) Copies mailed by Chambers.(jsa, ) (Entered: 10/21/2004)
<a href="#">67</a>	Oct. 19, 2004	55	SECOND AMENDED COMPLAINT amending 24 Amended Complaint, against Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Genzyme Corporation, Connie Mack III, Henri A. Termeer, Michael S. Wyzga.Document filed by John M Lewis, Rory Riggs. JURY TRIAL DEMANDED. Related document: 24 Amended Complaint, filed by Rory Riggs.(ps, ) Modified on 10/25/2004 (ps, ). (Entered: 10/25/2004)
<a href="#">68</a>	Oct. 19, 2004		Set Answer Due Date re: 55 SECOND Amended Complaint, as to Constantine E. Anagnostopoulos answer due on 10/29/2004; Douglas Berthiaume answer due on 10/29/2004; Henry Blair answer due on 10/29/2004; Robert Carpenter answer due on 10/29/2004; Charles Cooney answer due on 10/29/2004; Victor Dzau answer due on 10/29/2004; Genzyme Corporation answer due on 10/29/2004; Connie Mack III answer due on 10/29/2004; Henri A. Termeer answer due on 10/29/2004; Michael S. Wyzga answer due on 10/29/2004. (ps, ) (Entered: 10/25/2004)
<a href="#">69</a>	Nov. 15, 2004	56	STIPULATION AND ORDER of WITHDRAWAL AS NAMED PLAINTIFF AND LEAD PLAINTIFF, plntf Riggs withdraws as a named plntf in this action, without prejudice to all of his rights as a member of the proposed class herein, as further set forth in this document; upon entry of this Stipulation as an Order, plntfs Lewis, Roden, Brooks, and Feilders shall serve a conforming amended complaint, within 3 business days of receipt of entry of the order. Defts answer shall be served within 10 days of service of the amended complaint. (Signed by Judge Louis L. Stanton on 11/12/04) (cd, ) (Entered: 11/16/2004)
<a href="#">70</a>	Nov. 16, 2004	57	THIRD AMENDED COMPLAINT amending 55 Amended Complaint, against Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Genzyme Corporation, Connie Mack III, Henri A. Termeer, Michael S.

Req #	Filed	#	Docket Text
			Wyzga.Document filed by Robert Brooks, John Feilders, John M Lewis, Barry van Roden. Related document: 55 Amended Complaint, filed by John M Lewis, Rory Riggs.(jco, ) (Entered: 11/19/2004)
<a href="#">71</a>	Dec. 02, 2004	58	ANSWER to Third Amended Class Action Complaint. Document filed by Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau, Genzyme Corporation, Connie Mack III, Henri A. Termeer, Michael S. Wyzga.(jmi, ) (Entered: 12/06/2004)
<a href="#">72</a>	Dec. 09, 2004	59	STIPULATION AND ORDER the deadline to submit a joint statement to the Court identifying proposed deponents and a tentative schedule for depositions shall be and is hereby extended to and including 12/20/2004. (Signed by Judge Louis L. Stanton on 12/6/2004) (jsa, ) (Entered: 12/10/2004)
<a href="#">73</a>	Dec. 20, 2004	60	Joint Statement of Anticipated Deponents and Tentative Deposition Schedule. Document filed by Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Brooks, Robert Carpenter, Charles Cooney, Victor Dzau, John Feilders, Genzyme Corporation, John M Lewis, Connie Mack III, Rory Riggs, Henri A. Termeer, Michael S. Wyzga, Barry van Roden. (dle, ) (Entered: 12/28/2004)
<a href="#">74</a>	Jan. 11, 2005	61	STIPULATION AND ORDER that the deadline for dfts to serve any papers in opposition to class certification shall be extended to and including 3/28/05. Plaintiffs shall have 60 days from the date dfts serve any papers in opposition to class certification to serve any reply papers. The parties reserve the right to seek extensions of the deadlines either by agreement or by application to the court. (Signed by Judge Louis L. Stanton on 1/10/05) (dle, ) (Entered: 01/13/2005)
<a href="#">75</a>	Jan. 11, 2005		Set/Reset Deadlines as to 52 MOTION (FILED ON SERVICE DATE) to Certify Class.. Responses due by 3/28/2005 (dle, ) (Entered: 01/13/2005)
<a href="#">76</a>	Jan. 14, 2005		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 1/14/2005. (rw, ) (Entered: 03/01/2005)
<a href="#">77</a>	Feb. 02, 2005	62	MOTION (FILED ON SERVICE DATE) for RICHARD B. DRUBEL to Appear Pro Hac Vice.. (rw, ) (Entered: 02/08/2005)
<a href="#">78</a>	Feb. 14, 2005		MEMO ENDORSEMENT on re: Granting 62 MOTION (FILED ON SERVICE DATE) for RICHARD B. DRUBEL to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 2/10/05) (djc, ) (Entered: 02/15/2005)
<a href="#">79</a>	Mar. 08, 2005	63	DECLARATION of Andrew Z. Michaelson. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jp, ) (Entered: 03/11/2005)
<a href="#">80</a>	Jul. 01, 2005		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 7/1/2005. Pretrial Conference set for 11/18/2005 at 11:00 AM before Judge Louis L. Stanton. (sac, ) (Entered: 07/06/2005)
<a href="#">81</a>	Aug. 25, 2005	64	STIPULATION AND ORDER, pltf shall make proposed class representative John Feilders available for deposition by defts on 9/2/05. If said deposition proceeds as set forth above, deft shall serve their papers in opposition on or before 10/3/05. If defts serve their papers as

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			set forth above, pltf shall serve their papers in reply on or before 11/2/05. (Signed by Judge Louis L. Stanton on 8/25/05) (kco, ) (Entered: 08/29/2005)
<a href="#">82</a>	Oct. 04, 2005	65	MEMORANDUM OF LAW in Opposition re: 52 MOTION (FILED ON SERVICE DATE) to Certify Class. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (sac, ) (Entered: 10/06/2005)
<a href="#">83</a>	Oct. 04, 2005	66	DECLARATION of William I. Sussman in Support re: 65 Memorandum of Law in Oppisition to Motion. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (sac, ) (Entered: 10/06/2005)
<a href="#">84</a>	Nov. 02, 2005	67	REPLY MEMORANDUM OF LAW in Support re: 52 MOTION (FILED ON SERVICE DATE) to Certify Class. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (db, ) (Entered: 11/03/2005)
<a href="#">85</a>	Nov. 18, 2005		Minute Entry for proceedings held before Judge Louis L. Stanton : Pretrial Conference held on 11/18/2005; next ptc set for 1/20/06 at 11:30. (cd, ) (Entered: 11/21/2005)
<a href="#">86</a>	Nov. 30, 2005	68	MOTION (FILED ON SERVICE DATE) for Jonathan Shaw to Appear Pro Hac Vice. Document filed by John M Lewis, Rory Riggs. (cd, ) (Entered: 12/01/2005)
<a href="#">87</a>	Dec. 13, 2005		MEMO ENDORSED granting 68 Motion for Jonathan Shaw to Appear Pro Hac Vice. GRANTED. No opposition. SO ORDERED. . (Signed by Judge Louis L. Stanton on 12/12/05) (kco, ) (Entered: 12/14/2005)
<a href="#">88</a>	Dec. 29, 2005	69	ORDER GRANTING LEAVE TO FILE; plaintiffs are granted leave to file a Fourth Amended Class Action Complaint. (Signed by Judge Louis L. Stanton on 12/29/05) (kco, ) (Entered: 12/30/2005)
<a href="#">89</a>	Dec. 30, 2005	71	MOTION (FILED ON SERVICE DATE) for an order purs. to FRCP 23, certifying this suit as a class action, certifying as class representatives John Lewis, Barry Van Roden, Robert Brooks and John Feilders and appointing as class counsel Boies, Schiller & Flexner LLP, Kaplan Fox & Kilsheimer LLP and Susman Godfrey, LLP. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (dle, ) (Entered: 01/03/2006)
<a href="#">90</a>	Dec. 30, 2005	72	MEMORANDUM OF LAW in Support re: 71 MOTION (FILED ON SERVICE DATE) to Certify Class.. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (dle, ) (Entered: 01/03/2006)
<a href="#">91</a>	Dec. 30, 2005	73	DECLARATION of Andrew Z. Michaelson in Support re: 71 MOTION (FILED ON SERVICE DATE) to Certify Class.. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (dle, ) (Entered: 01/03/2006)
<a href="#">92</a>	Jan. 03, 2006	74	ORDER dismissing 52 Motion to Certify Class . As directed at the 11/18/05 conference, and plaintiffs having filed an amended motion for class certification, the original motion for class certification filed 9/29/04

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			is dismissed without prejudice. (Signed by Judge Louis L. Stanton on 1/3/06) "Copies Mailed By Chambers"(jco, ) (Entered: 01/04/2006)
<a href="#">93</a>	Feb. 10, 2006	75	MOTION (FILED ON SERVICE DATE) to Dismiss the fourth amended class action complaint with prejudice. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jmi, ) (Entered: 02/14/2006)
<a href="#">94</a>	Feb. 10, 2006	76	MEMORANDUM OF LAW in Support re: 75 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Connie Mack, III, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jmi, ) (Entered: 02/14/2006)
<a href="#">95</a>	Feb. 10, 2006	77	MEMORANDUM OF LAW in Opposition re: 71 MOTION (FILED ON SERVICE DATE) to Certify Class.. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jmi, ) (Entered: 02/14/2006)
<a href="#">96</a>	Feb. 17, 2006		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 2/17/2006. (djc, ) (Entered: 02/23/2006)
<a href="#">97</a>	Apr. 04, 2006	79	REPLY MEMORANDUM OF LAW in Support re: 75 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Michael S. Wyzga, Rory Riggs, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jco, ) (Entered: 04/05/2006)
<a href="#">98</a>	Aug. 10, 2006	80	OPINION & ORDER # 93518 re 75 MOTION (FILED ON SERVICE DATE) to Dismiss. filed by Genzyme Corporation,, Henri A. Termeer,, Constantine E. Anagnostopoulos,, Douglas Berthiaume,, Henry Blair,, Robert Carpenter,, Charles Cooney,, Victor Dzau,, Connie Mack, III, Michael S. Wyzga,. The motion to dismiss claims one through six of the fourth amended complaint is denied. The motion to dismiss claim sevenof the fourth amended complaint is granted without prejudice. (Signed by Judge Louis L. Stanton on 8/3/06) (cd, ) Modified on 8/11/2006 (rw, ). (Entered: 08/10/2006)
<a href="#">99</a>	Aug. 29, 2006	83	REPLY MEMORANDUM OF LAW in Support re: 71 MOTION (FILED ON SERVICE DATE) to Certify Class.. Document filed by John M Lewis, John Feilders, Robert Brooks, Barry van Roden. (jar, ) (Entered: 09/08/2006)
<a href="#">100</a>	Sep. 06, 2006	81	ANSWER to Fourth Amended Complaint. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Robert Brooks, Henry Blair, Charles Cooney, Victor Dzau.(jar, ) (Entered: 09/07/2006)
<a href="#">101</a>	Sep. 07, 2006	82	ORDER granting 71 Motion to Certify Class, and as further set forth in this document. The appointment in my 3/17/04 order of the law firm of Boies, Schiller & Flexner LLP as lead counsel is confirmed, and that firm shall serve as class counsel. A conference will be held at 11 am, on

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			9/29/06. . (Signed by Judge Louis L. Stanton on 9/6/06) (cd, ) (Entered: 09/08/2006)
<a href="#">102</a>	Sep. 21, 2006	84	MOTION for an order vacating so much of the court's order certifying class and appointing class representative and counsel as certified a class and appointed Barry Van Roden as class representative, denying in all respects plaintiffs' motion to certify a class. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (dle, ) (Entered: 09/22/2006)
<a href="#">103</a>	Sep. 27, 2006	85	REPLY in Opposition re: 84 MOTION for an order vacating so much of the court's order certifying class and appointing class representative and counsel as certified a class and appointed Barry Van Roden as class representative, denying in all respects plaintiffs' motion to certify a class. Document filed by Barry van Roden. (jar, ) (Entered: 09/28/2006)
<a href="#">104</a>	Sep. 28, 2006	86	MOTION for James P. Denvir to Appear Pro Hac Vice. Attached is Affidavit in Support; and Declaration of James P. Denvir Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (docmt received in night dep. on 9/28/06 at 11:19 p.m.) (djc, ) (Entered: 10/03/2006)
<a href="#">105</a>	Oct. 03, 2006	87	ORDER; (1) the portion of the citation to FRCP 23 which appears on the fourth line on pg. 1 of the 9/6/06 order which states "(b)(1)" is amended to "(b)(3)" (2) defendant's 9/21/06 motion to vacate the 9/6/06 order is denied (3) the class shall include a sub-class of the open market sellers....(4) the use by lead counsel as described in the 9/21/06 letter is approved (5) a further conference shall be held 12/15/2006 at 2:30 p.m. (Signed by Judge Louis L. Stanton on 10/2/06) (kco, ) (Entered: 10/03/2006)
<a href="#">106</a>	Oct. 04, 2006	88	LETTER addressed to Judge Louis L. Stanton from Robert Pietri dated 10/3/06 re: request for the court to grant class action status. (dle, ) (Entered: 10/13/2006)
<a href="#">107</a>	Oct. 17, 2006	89	ORDER; the fourth amended complaint shall be unsealed. Its purpose having been achieved, so much of the New York Times Company's application as seeks to intervene in this action is denied as moot. (Signed by Judge Louis L. Stanton on 10/17/06) (kco, ) (Entered: 10/18/2006)
<a href="#">108</a>	Oct. 17, 2006	95	FOURTH AMENDED COMPLAINT amending 57 Amended Complaint, against Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. Document filed by John M Lewis, John Feilders, Robert Brooks, Barry van Roden. Related document: 57 Amended Complaint, filed by John M Lewis, Robert Brooks, Barry van Roden, John Feilders. DOCUMENT ORIGINALLY FILED UNDER SEAL. DOCUMENT UNSEALED AS PER ORDER DATED 10/17/06, DOCUMENT NUMBER 89.(jco, ) (Entered: 10/26/2006)
<a href="#">109</a>	Oct. 18, 2006		Transmission to Sealed Records Clerk. Transmitted re: 89 Order,, to the Sealed Records Clerk for the sealing or unsealing of document or case. (kco, ) (Entered: 10/18/2006)
<a href="#">110</a>	Oct. 18, 2006	90	ORDER granting 86 Motion for James P. Denvir to Appear Pro Hac

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			Vice . (Signed by Judge Louis L. Stanton on 10/17/2006) (lb, ) (Entered: 10/18/2006)
<a href="#">111</a>	Oct. 18, 2006		Transmission to Attorney Admissions Clerk. Transmitted re: 90 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (lb, ) (Entered: 10/18/2006)
<a href="#">112</a>	Oct. 18, 2006	91	LETTER addressed to Judge Stanton from Jonathan Sherman dated 10/13/06: response to 10/11/06 letter appliation of Globe Newspaper Co. Document filed by Barry van Roden.(cd, ) (Entered: 10/23/2006)
<a href="#">113</a>	Oct. 18, 2006	92	LETTER addressed to Judge Stanton from David McCraw dated 10/11/06: that the Glove Newspapers Co. should be allowed to intervene. (cd, ) (Entered: 10/23/2006)
<a href="#">114</a>	Oct. 18, 2006	93	LETTER addressed to Judge Stanton from Robert Jones dated 10/17/06: re the Globe letetr of 10/11/06. Document filed by Henri A. Termeer.(cd, ) (Entered: 10/23/2006)
<a href="#">115</a>	Oct. 18, 2006	94	LETTER addressed to Judge Louis L. Stanton from Frank C. Moore, II dated 10/16/06 re: Counsel writes to submit certificates from nine courts before which Mr. Denvir is admitted to practice.. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden.(jco, ) (Entered: 10/24/2006)
<a href="#">116</a>	Nov. 17, 2006	96	REVISED STIPULATED SCHEDULING ORDER: Discovery due by 3/2/2007. (Signed by Judge Louis L. Stanton on 11/16/06) (ae, ) (Entered: 11/17/2006)
<a href="#">117</a>	Dec. 14, 2006		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 12/14/2006. Jury Trial set for 8/13/2007. Final PTC 8/10/2007 at 2:30pm. Conference to review documents 1/26/2007 at 3:30pm. (jar, ) (Entered: 12/22/2006)
<a href="#">118</a>	Dec. 14, 2006		Set Deadlines/Hearings: Ready for Trial by 8/13/2007. Final Pretrial Conference set for 8/10/2007 02:30 PM before Judge Louis L. Stanton. Pretrial Conference set for 1/26/2007 03:30 PM before Judge Louis L. Stanton. (jar, ) (Entered: 12/22/2006)
<a href="#">119</a>	Dec. 18, 2006	97	ORDER APPROVING NOTICE OF PENDENCY OF CLASS ACTION the court approves as to form and content, and for distribution to Class Members, the Notice of Pendency of Class Action ("Notice"), in the form of Exhibit 1 attached hereto, and for publication, a summary notice of pendency of class action ("Summary Notice"), in the form of Exhibit 2 attached hereto. Counsel are hereby authorized to retain the firm of Berdon Claims Administration LLC as Administrator to supervise and administer the notice procedures. The Notice of Pendency of Class Action shall be transmitted by the Administrator to members of the Class who can be identified through reasonable effort (i) by mailing a copy of the Notice (substantially in the form attached hereto) via first class postage pre-paid mail on date that is within 30 days after the date of entry of this Order ("Notice Date"), and (ii) by publishing a copy of the Summary Notice (substantially in the form attached hereto) once in the national edition of the The Wall Street Journal and once in the Boston Globe. The publication is to be made within 10 days after the mailing of the Notice. Brokerage firms and other nominees for beneficial owners of GZBX shares who receive the Notice are ordered to forward promptly a copy of the Notice to the beneficial owners of GZBX shares. The Court

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			finds and concludes, with respect to both the form of the notice given and the procedure used to give notice, that the notice provided for in this Order is the best notice reasonably practicable under the circumstances, fully satisfies the requirements of Rule 23 of the F.R.C.P., the Constitution of the United States, and any other applicable law, and constitutes due and sufficient notice to all persons entitled to receive notice. Any member of the Class may request to be excluded from the Class. The request for exclusion from the Class must be made no later than 45 days after the Notice Date, must be in writing, and must include the following information: (1) the person's name and address, (ii) the number of GZBX shares the person held on 5/8/03, and (iii) the person's signature. The request to be excluded must be mailed by first class postage pre-paid mail (or delivered by hand or overnight delivery service) as specified in the Notice. Any person who requests exclusion from the Class in accordance with the terms states in this Order shall not be a member of the Class and shall not be bound by the ultimate decision in this case, shall not share in any recovery that might be paid by defendants as a result of a favorable judgment or settlement, and will not be bound by any judgment favorable to defendants. Any member of the Class who does not submit a request to be excluded from the Class in the manner stated in this Order shall be deemed to have waived his, her or its right to be excluded from the Class, and shall forever be barred from requesting exclusion from the Class in this proceeding. So Ordered. (Signed by Judge Louis L. Stanton on 12/15/06) (jco, ) (Entered: 12/18/2006)
<a href="#">120</a>	Dec. 18, 2006	98	ORDER; on consent of the parties, Gerald D. Bernten is appointed as representative of the sub-class consisting of those who (1) held shares of the Genzyme Corporation Biosurgery Division common stock.....(2)opted out of the Exchange by selling their Biosurgery Stock in the open market...(3) are not defendants herein or members of their immediate families..... (Signed by Judge Louis L. Stanton on 12/15/06) (kco, ) (Entered: 12/19/2006)
<a href="#">121</a>	Jan. 05, 2007	99	MANDATE of USCA (Certified Copy) USCA Case Number 06-4443-mv. etitioners move pursuant to Fed. R. Civ. P. 23(f) for leave to pursue an interlocutore appeal of the district court`s order granting Respondents motion for class certification. Upon due consideration, it is ORDERED that the Fed. R. Civ. P. 23(f) petition is DENIED because an immediate appeal is not warranted. See Sumitomo Copper Litigation V. Credit Lyonnais Rouse, Ltd., 262 F.3d 134, 139-40 (2d Cir. 2001). In light of the district court`s order, dated October 17, 2006 and the Respondents` letter to this Court, dated October 18, 2006, the motion to seal the fourth amended complaint is DENIED as moot. Thomas Asreen, Acting Clerk USCA. Issued As Mandate: 12/27/2006. (nd, ) (Entered: 01/05/2007)
<a href="#">122</a>	Jan. 05, 2007		Transmission of USCA Mandate/Order to the District Judge re: 99 USCA Mandate Non-Dismissal,,, (nd, ) (Entered: 01/05/2007)
<a href="#">123</a>	Jan. 26, 2007		NOTICE OF CHANGE OF ADDRESS by William I. Sussman on behalf of Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. New

Req #	Filed	#	Docket Text
			Address: Ropes & Gray LLP, 1211 6th Avenue, New York, NY, 10036,. (cd) (Entered: 01/31/2007)
<a href="#">124</a>	Jan. 29, 2007	102	AFFIDAVIT of Michael Rosenbaum Re: Mailing and Publication of Notice and Requests for Exclusion. (djc) (Entered: 02/02/2007)
<a href="#">125</a>	Feb. 02, 2007	103	MEMO ENDORSEMENT: Accordingly, except for documents 180 and 196, plaintiffs' motion for an order to compel production of the 37 privileged communication still at issue is denied, and defendants' reciprocal motion for a protective order is, to the same extent, granted. SO ORDERED. (Signed by Judge Louis L. Stanton on 1/26/2007) (jmi) (Entered: 02/05/2007)
<a href="#">126</a>	May 04, 2007		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 5/4/2007. re: expert report. (jar) (Entered: 05/10/2007)
<a href="#">127</a>	Jun. 26, 2007	104	MEMORANDUM OF LAW in Support of Defendants' Motion for Partial Summary Judgment. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (djc) (Entered: 06/28/2007)
<a href="#">128</a>	Jun. 26, 2007	112	MOTION; i) for an order for Summary Judgment in favor of dfs dismissing with prejudice Counts I, II, and III of plaintiffs' fourth Amended Class Action Complaint; (ii) declining to exercise supplemental jurisdiction over Counts IV, V or VI of the Complaint; (iii) alternatively, if the court exercises such supplemental jurisdiction, granting summary judgment in favor of dfts dismissing with prejudice count IV of the complaint. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. Responses due by 7/6/2007(pl) (Entered: 07/09/2007)
<a href="#">129</a>	Jul. 02, 2007	105	MOTION in Limine. Document filed by Barry van Roden. (Attachments: # 1 Exhibit Exhibit A# 2 Exhibit Exhibit B# 3 Exhibit Exhibit C# 4 Exhibit D# 5 Exhibit Exhibit E# 6 Exhibit Exhibit F# 7 Exhibit Exhibit G)(Duffy, Christopher) (Entered: 07/02/2007)
<a href="#">130</a>	Jul. 02, 2007	106	MOTION in Limine for an order excluding plaintiffs from using at trial any evidence from Dr. Fredrick C. Dunbar, whom plaintiffs have designated as their expert witness on the issue of damages. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jpo) (Entered: 07/06/2007)
<a href="#">131</a>	Jul. 02, 2007	107	MOTION in Limine for an order to preclude Ms. Hitscherich from offering any evidence concerning or implying any value or price for the Biosurgery Division or the GZBX tracking stock and that no reference thereto be permitted. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jpo) (Entered: 07/06/2007)
<a href="#">132</a>	Jul. 02, 2007	108	MOTION in Limine for an order excluding certain evidence from H.

Req #	Filed	#	Docket Text
			Stephen Grace Jr., whom plaintiffs have designated as their expert witness on corporate governance. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jpo) (Entered: 07/06/2007)
<a href="#">133</a>	Jul. 02, 2007	109	MOTION in Limine for an order excluding any evidence that defendants had a duty to disclose, and did not disclose, third parties' indications of interest in purchasing rights to Synvisc, or Genzyme's desire not to sell its rights to Synvisc. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jpo) (Entered: 07/06/2007)
<a href="#">134</a>	Jul. 02, 2007	110	MOTION in Limine for an order prohibiting any trial testimony that is either an epithetical characterization or a conclusion as to legal issues. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jpo) (Entered: 07/06/2007)
<a href="#">135</a>	Jul. 02, 2007	111	DECLARATION of William I. Sussman in Support of motions in limine No.s 106, 107, 108, 109, and 110. Exhibits attached. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jpo) (Entered: 07/06/2007)
<a href="#">136</a>	Jul. 09, 2007	113	MOTION In Limine. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden.(jco) (Entered: 07/11/2007)
<a href="#">137</a>	Jul. 09, 2007	114	MEMORANDUM OF LAW in Opposition re: 112 MOTION for Summary Judgment. MOTION summary judgment. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jco) (Entered: 07/11/2007)
<a href="#">138</a>	Jul. 09, 2007	115	DECLARATION of Jonathan Sherman in Support re: 112 MOTION for Summary Judgment. (jco) (Entered: 07/11/2007)
<a href="#">139</a>	Jul. 09, 2007	116	PLAINTIFFS' RESPONSE to Defendants' Statement of Undisputed Facts and Statement of Additional Disputed Facts, purs. to Local Civil Rule 56.1. Document filed by John M Lewis, John Feilders, Barry van Roden. (ae) (Entered: 07/13/2007)
<a href="#">140</a>	Jul. 19, 2007	117	RESPONSE to Motion re: 106 MOTION in Limine for an order excluding plaintiffs from using at trial any evidence from Dr. Fredrick C. Dunbar, whom plaintiffs have designated as their expert witness on the issue of damages. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">141</a>	Jul. 19, 2007	118	AFFIDAVIT of Frederick C. Dunbar re: 106 MOTION in Limine for an order excluding plaintiffs from using at trial any evidence from Dr. Fredrick C. Dunbar, whom plaintiffs have designated as their expert witness on the issue of damages. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)

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<a href="#">142</a>	Jul. 19, 2007	119	DECLARATION of Jonathan J. Ross re: 106 MOTION in Limine for an order excluding plaintiffs from using at trial any evidence from Dr. Fredrick C. Dunbar, whom plaintiffs have designated as their expert witness on the issue of damages. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">143</a>	Jul. 19, 2007	120	MEMORANDUM IN RESPONSE to Motion re: 107 MOTION in Limine for an order to preclude Ms. Hitscherich from offering any evidence concerning or implying any value or price for the Biosurgery Division or the GZBX tracking stock and that no reference thereto be permitted. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) Modified on 7/24/2007 (Rivera, Jazmin). (Entered: 07/24/2007)
<a href="#">144</a>	Jul. 19, 2007	121	MEMORANDUM IN RESPONSE to Motion re: 108 MOTION in Limine for an order excluding certain evidence from H. Stephen Grace Jr., whom plaintiffs have designated as their expert witness on corporate governance. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">145</a>	Jul. 19, 2007	122	DECLARATION of Donna M. Hitscherich in Opposition re: 107 MOTION in Limine for an order to preclude Ms. Hitscherich from offering any evidence concerning or implying any value or price for the Biosurgery Division or the GZBX tracking stock and that no reference thereto be permitted. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">146</a>	Jul. 19, 2007	123	MEMORANDUM IN RESPONSE to Motion re: 109 MOTION in Limine for an order excluding any evidence that defendants had a duty to disclose, and did not disclose, third parties' indications of interest in purchasing rights to Synvisc, or Genzyme's desire not to sell its rights to Synvisc. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">147</a>	Jul. 19, 2007	124	DECLARATION of Whitney E. Street in Support re: 123 MEMORANDUM IN RESPONSE to Motion re: 109 MOTION in Limine for an order excluding any evidence that defendants had a duty to disclose, and did not disclose, third parties' indications of interest in purchasing rights to Synvisc, or Genzyme's desire not to sell its rights to Synvisc. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (jar) (Entered: 07/24/2007)
<a href="#">148</a>	Jul. 19, 2007	135	MEMORANDUM OF LAW in Opposition to 105 Plaintiffs' Consolidated MOTION in Limine. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jpo) (Entered: 08/01/2007)
<a href="#">149</a>	Jul. 19, 2007	136	DECLARATION of William I. Sussman. Exhibits to Declaration of William I. Sussman, dated July 18, 2007, in support of Defendants' opposition to plaintiffs' consolidated Motion in limine are attached. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos,

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			Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jpo) (Entered: 08/01/2007)
<a href="#">150</a>	Jul. 23, 2007	133	REPLY MEMORANDUM OF LAW in Support of: 112 MOTION for Summary Judgment. MOTION summary judgment.. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jp) (Entered: 08/01/2007)
<a href="#">151</a>	Jul. 23, 2007	134	RESPONSE to: 126 Counter Statement to Rule 56.1. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jp) (Entered: 08/01/2007)
<a href="#">152</a>	Jul. 24, 2007	125	SUBSTITUTED AND CORRECTED MEMORANDUM OF LAW in Opposition re: 112 MOTION for Partial Summary Judgment. MOTION summary judgment. Document filed by Barry van Roden et al. (cd) (Entered: 07/27/2007)
<a href="#">153</a>	Jul. 24, 2007	126	SUBSTITUTED AND CORRECTED COUNTER STATEMENT TO DEFENDANTS' RULE 56.1 STATEMENT. Document filed by Barry van Roden et al. (cd) (Entered: 07/27/2007)
<a href="#">154</a>	Jul. 24, 2007	127	RESPONSE TO DEFENDANTS' SUGGESTION THAT THE COURT STRIKE PLAINTIFFS' STATEMENT OF ADDITIONAL DISPUTED FACTS. Document filed by Barry van Roden et al. (cd) (Entered: 07/27/2007)
<a href="#">155</a>	Jul. 25, 2007	128	REPLY MEMORANDUM OF LAW in Support re: 106 MOTION in Limine for an order excluding plaintiffs from using at trial any evidence from Dr. Fredrick C. Dunbar. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jar) (Entered: 07/27/2007)
<a href="#">156</a>	Jul. 25, 2007	129	REPLY MEMORANDUM OF LAW in Support re: 107 MOTION in Limine for an order to preclude Ms. Hitscherich from offering any evidence. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jar) (Entered: 07/27/2007)
<a href="#">157</a>	Jul. 25, 2007	130	REPLY MEMORANDUM OF LAW in Support re: 108 MOTION in Limine for an order excluding certain evidence from H. Stephen Grace Jr. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (jar) (Entered: 07/27/2007)
<a href="#">158</a>	Jul. 25, 2007	131	REPLY MEMORANDUM OF LAW in Support re: 109 MOTION in Limine for an order excluding any evidence that defendants had a duty to disclose, and did not disclose, third parties' indications of interest in purchasing rights to Synvisc. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair,

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			Robert Carpenter, Charles Cooney, Victor Dzau. (jar) (Entered: 07/27/2007)
<a href="#">159</a>	Jul. 25, 2007		Minute Entry for proceedings held before Judge Louis L. Stanton : Pretrial Conference held on 7/25/2007. (db) (Entered: 08/02/2007)
<a href="#">160</a>	Jul. 26, 2007	132	MOTION for Catherine A. Mondell and Jill R. Ortelt to Appear Pro Hac Vice. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau.(jar) (Entered: 07/31/2007)
<a href="#">161</a>	Aug. 02, 2007	137	TRANSCRIPT of proceedings held on 07/25/07 before Judge Louis L. Stanton. (es) (Entered: 08/02/2007)
<a href="#">162</a>	Aug. 07, 2007	138	ORDER The issues raised by plaintiffs' consolidated motion in limine and defendants' five motions in limine filed on July 2, 2007 are disposed of in accordance with my oral rules made on the record at the conference held on July 25, 2007. July 25, 2007. So ordered. (Signed by Judge Louis L. Stanton on 8/6/2007) (jmi) (Entered: 08/08/2007)
<a href="#">163</a>	Aug. 07, 2007	139	MEMORANDUM ENDORSEMENT denying 112 Motion for Summary Judgment. ENDORSEMENT: Defendants motion for partial summary judgment is denied. (Signed by Judge Louis L. Stanton on 8/6/07) Copies Mailed By Chambers.(tro) (Entered: 08/09/2007)
<a href="#">164</a>	Aug. 08, 2007		CASHIERS OFFICE REMARK on 132 Motion to Appear Pro Hac Vice, in the amount of \$50.00, paid on 07/26/2007, Receipt Number 622256. (jd) (Entered: 08/08/2007)
<a href="#">165</a>	Aug. 10, 2007	140	ORDER granting 132 Motion for Catherine A. Mondell and Jill R. Ortelt to Appear Pro Hac Vice. (Signed by Judge Louis L. Stanton on 8/9/2007) (jmi) (Entered: 08/13/2007)
<a href="#">166</a>	Aug. 10, 2007		Transmission to Attorney Admissions Clerk. Transmitted re: 140 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 08/13/2007)
<a href="#">167</a>	Aug. 22, 2007	141	MOTION for an order granting preliminary approval of settlement. Document filed by John M Lewis, John Feilders, Robert Brooks, Barry van Roden.Return Date set for 8/29/2007 at 03:00 PM.(dle) (Entered: 08/27/2007)
<a href="#">168</a>	Aug. 22, 2007	142	DECLARATION of Zachary Bendiner in Support of memorandum in support of motion for preliminary approval settlement. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (dle) (Entered: 08/27/2007)
<a href="#">169</a>	Aug. 29, 2007		Minute Entry for proceedings held before Judge Louis L. Stanton : Interim Pretrial Conference held on 8/29/2007. (jar) (Entered: 08/31/2007)
<a href="#">170</a>	Aug. 30, 2007	143	ORDER PRELIMINARILY APPROVING SETTLEMENT incorporates by reference the definitions in the Stipulation, and all capitalized terms used herein shall the same meanings as set forth in the Stipulation. The Court preliminarily approved the Stipulation and the settlement embodied therein as being sufficiently fair, reasonable, and adequate to Class and subclass and all Class Members to warrant that notice be disseminated to the Class. (Signed by Judge Louis L. Stanton on 8/29/2007) (jmi) (Entered: 08/31/2007)
<a href="#">171</a>	Sep. 06, 2007	144	TRANSCRIPT of proceedings held on 8/29/07 before Judge Louis L.

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			Stanton. (jbe) (Entered: 09/06/2007)
<a href="#">172</a>	Sep. 26, 2007	145	MEMORANDUM OF LAW in Support of Final Approval of Proposed Class Action Settlement and Plan of Allocation, filed by Class Counsel. (cd) (Entered: 09/27/2007)
<a href="#">173</a>	Sep. 26, 2007	146	MEMORANDUM OF LAW in Support of Joint Petition for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, filed by Class Counsel. (Entered: 09/27/2007)
<a href="#">174</a>	Sep. 26, 2007	147	DECLARATION of Jonathan Sherman in Support re: 146 Memorandum of Law in Support, 145 Memorandum of Law in Support. (cd) (Entered: 09/27/2007)
<a href="#">175</a>	Sep. 26, 2007	148	AFFIDAVIT of Michael Rosenbaum re Mailing and Publication of Notice, filed by Berdon Claims Administrator. (cd) (Entered: 09/27/2007)
<a href="#">176</a>	Oct. 12, 2007	149	PROPOSED FINDINGS OF FACT in SUPPORT OF FINAL APPROVAL OF SETTLEMENT. Document filed by Connie Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (docmt received in night dep. on 10/12/07 AT 6:11 P.M.)(djc) (Entered: 10/16/2007)
<a href="#">177</a>	Oct. 12, 2007	150	DECLARATION of Jonathan Shaw in Support of Plaintiffs' application for reimbursement of expenses. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden. (pl) (Entered: 10/17/2007)
<a href="#">178</a>	Oct. 12, 2007	151	PROPOSED FINDINGS OF FACT IN SUPPORT OF FINAL APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION. Document filed by John M Lewis, Rory Riggs, John Feilders, Robert Brooks, Barry van Roden.(pl) (Entered: 10/18/2007)
<a href="#">179</a>	Oct. 17, 2007	152	LETTER addressed to Clerk of the Court from Philip Band, Ph.D. dated 10/5/07 re: Notice of Intention to Appear at the Fairness Hearing in this action. (db) (Entered: 10/18/2007)
<a href="#">180</a>	Oct. 17, 2007	153	LETTER addressed to Ms. Burns and Mr. Jones from Jennifer J. Barrett dated 10/9/07 re: Mr. Riggs requests the opportunity to appear and be heard at the 10/26/07 Settlement Hearing. Document filed by Rory Riggs.(db) (Entered: 10/18/2007)
<a href="#">181</a>	Oct. 17, 2007	154	Objection to 143 Order Preliminarily Approving Settlement. Filed by non-party H. Paul Block. (db) (Entered: 10/19/2007)
<a href="#">182</a>	Oct. 17, 2007	155	LETTER addressed to Clerk of the Court from Stuart K. Woodward dated 10/1/07 re: I object to the Settlement as a Shareholder. (db) (Entered: 10/19/2007)
<a href="#">183</a>	Oct. 17, 2007	156	LETTER addressed to Judge Louis L. Stanton from Barry van Roden dated 10/1/07 re: As a Class Member and Class Representative I express my opposition to the settlement of the class action lawsuit. (db) (Entered: 10/19/2007)
<a href="#">184</a>	Oct. 19, 2007	157	The Class' Response to the Objections to the Settlement. (djc) (Entered: 10/22/2007)
<a href="#">185</a>	Oct. 19, 2007	158	SECOND DECLARATION of Jonathan Shaw in Support of Plaintiffs' Application for Reimbursement of Expenses. (djc) (Entered: 10/22/2007)
<a href="#">186</a>	Oct. 19, 2007	159	RESPONSE to Objections to the Settlement. Document filed by Connie

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			Mack, III, Michael S. Wyzga, Henri A. Termeer, Genzyme Corporation, Constantine E. Anagnostopoulos, Douglas Berthiaume, Henry Blair, Robert Carpenter, Charles Cooney, Victor Dzau. (djc); docmreceived in nigh t dep. on 10/19/097 at 7:51 pm. (Entered: 10/24/2007)
<a href="#">187</a>	Oct. 26, 2007		Minute Entry for proceedings held before Judge Louis L. Stanton : Settlement Conference held on 10/26/2007. (tro) (Entered: 10/31/2007)
<a href="#">188</a>	Oct. 29, 2007	160	FINAL JUDGMENT settling action dismissing the action with prejudice and without costs. (Signed by Judge Louis L. Stanton on 10/26/07) (ml) (Entered: 10/29/2007)
<a href="#">189</a>	Oct. 29, 2007	161	ORDER APPROVING SETTLEMENT AND DISBURSEMENTS. The Stipulation of Settlement date as 8/22/2007 is approved as fair and adequate to the Class. Counsel fees are awarded in the amount of \$17.6 million, out of which class counsel are authorized to reimburse Messrs. Riggs and Lewis \$1,568,869 representing fees they paid during the earlier stages of this litigation. Expenses incurred and paid by Messrs. Riggs and Lewis in the amount of \$89,844 and by class counsel in the amount of \$2,929,938.04 shall be reimbursed from the \$64 million Settlement amount together with up to \$10,000 additional costs incurred through the 10/26/2007 fairness hearing. (Signed by Judge Louis L. Stanton on 10/26/2007) (jar) (Entered: 10/30/2007)
<a href="#">190</a>	Nov. 06, 2007	162	Objection to the Settlement. (document filed by H. Paul Block, pro se, Objector) (djc) (Entered: 11/15/2007)
<a href="#">191</a>	Jan. 25, 2008	163	TRANSCRIPT of proceedings held on 10/26/07 @ 2:40PM before Judge Louis L. Stanton. (pr) (Entered: 01/25/2008)
<a href="#">192</a>	Jan. 25, 2008	164	TRANSCRIPT of proceedings held on 10/26/07 @ 2:40PM before Judge Louis L. Stanton. (pr) (Entered: 01/25/2008)