

**United States District Court**  
**Eastern District of Pennsylvania (Philadelphia)**  
CIVIL DOCKET FOR CASE #: 2:04-cv-00265-TON

WEISINGER v. AMERICAN BUSINESS FINANCIAL  
SERVICES, INC. et al  
Assigned to: HONORABLE THOMAS N. ONEILL, JR  
Related Cases: [2:04-cv-00617-TON](#)  
[2:05-cv-00232-TON](#)

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

Date Filed: 01/21/2004  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**RICHARD WEISINGER**  
*INDIVIDUALLY AND ON BEHALF OF  
ALL OTHERS SIMILARLY SITUATED*

represented by **CHRISTOPHER L. NELSON**  
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V.

**Defendant**

**AMERICAN BUSINESS FINANCIAL**

represented by **JILL BAISINGER**

**SERVICES, INC.**

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**Defendant**

**ANTHONY J. SANTILLI**  
*TERMINATED: 06/02/2005*

represented by **JILL BAISINGER**  
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**MARC J. SONNENFELD**  
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**Defendant**

**RICHARD KAUFMAN**  
*TERMINATED: 06/02/2005*

represented by **JILL BAISINGER**  
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**Defendant**

**ALBERT W. MANDIA**

*TERMINATED: 06/02/2005*

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V.

**Movant**

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**Movant**

**JANDRE LA FATE**

represented by **DARREN J. CHECK**

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**Movant**

**THE OPERATIVE PLASTERERS'  
AND CEMENT MASONS'  
INTERNATIONAL EMPLOYEES'  
TRUST FUND**

represented by **LAURA ANDRACCHIO**  
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**Movant**

**THE OPERATIVE PLASTERERS'  
AND THE CEMENT MASONS'  
LOCAL UNION OFFICERS' AND  
EMPLOYEES' PENSION FUND**

represented by **LAURA ANDRACCHIO**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**MARC S. HENZEL**  
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**RAMZI ABADOU**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**THOMAS E. GLYNN**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**WILLIAM S. LERACH**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**AMERICAN BUSINESS FINANCIAL  
SERVICES, INC. INVESTORS**

represented by **DARREN J. CHECK**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/21/2004	<a href="#">1</a>	COMPLAINT against AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI ( Filing fee \$ 150 receipt number 901384.), filed by RICHARD WEISINGER.(cw, ) (Entered: 01/22/2004)
01/21/2004		Summons Issued as to AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI.Four Given To: Counsel on 01/21/04 (cw, ) (Entered: 01/22/2004)
01/21/2004		DEMAND for Trial by Jury by RICHARD WEISINGER. (cw, ) (Entered: 01/22/2004)
03/23/2004	<a href="#">2</a>	NOTICE OF MOTION TO CONSOLIDATE ACTIONS, TO BE APPOINTED LEAD PLFFS & FOR APPROVAL OF LEAD PLFF'S SELECTION OF LEAD COUNSEL, FILED BY EDWARD ENGLER, JANDRE LA FATE, MEMORANDUM, DECLARATION, CERTIFICATE OF SERVICE.(kw, ) Additional attachment(s) added on 3/24/2004 (kw, ). (Entered: 03/24/2004)
03/23/2004	<a href="#">3</a>	MOTION FOR CONSOLIDATION, APPOINTMENT AS LEAD PLFF, & FOR APPROVAL OF LEAD PLFF'S SELECTION OF LEAD COUNSEL, FILED BY THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND, THE OPERATIVE PLASTERERS' AND THE CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND, MEMORANDUM, DECLARATION, CERTIFICATE OF SERVICE.(kw, ) (Entered: 03/24/2004)
04/05/2004	<a href="#">4</a>	NOTICE of Appearance by MARC J. SONNENFELD, ESQ. on behalf of DEFTS AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI, Certificate of Service. (kw, ) Additional attachment(s) added on 4/7/2004 (kw, ). (Entered: 04/06/2004)
04/05/2004	<a href="#">5</a>	RESPONSE by DEFTS AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI to motions seeking appointment of lead plff & approval of selection of counsel, Certificate of Service. (kw, ) Additional attachment(s) added on 4/7/2004 (kw, ). (Entered: 04/06/2004)
04/09/2004	<a href="#">6</a>	Memorandum of law by AMERICAN BUSINESS FINANCIAL SERVICES, INC. INVESTORS, EDWARD ENGLER, JANDRE LA FATE in further support of motion of the Engler Group to consolidate actions, to be appointed lead plff & for approval of lead plff's selection of lead counsel & in opposition to competing motion, Declaration, Certificate of Service. (kw, ) Additional attachment(s) added on 4/12/2004 (kw, ). (Entered: 04/12/2004)
04/09/2004	7	Memorandum of law by THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND, THE OPERATIVE PLASTERERS' AND THE CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND in opposition to EDWARD ENGLER & JANDRE LAFATE'S motion for appointment as lead plff & approval

		of their selection of lead counsel, Declaration of Service. (kw, ) (Entered: 04/12/2004)
04/13/2004	<a href="#">8</a>	ORDER THAT THIS CASE IS REASSIGNED FROM JUDGE HARVEY BARTLE TO JUDGE THOMAS N. ONEILL, AS RELATED TO CIVIL ACTION NO. 04-1105. SIGNED BY JUDGE JAMES T. GILES ON 4/8/04. 4/13/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) Additional attachment(s) added on 4/22/2004 (mc, ). (Entered: 04/13/2004)
04/14/2004	<a href="#">9</a>	ORDER THAT THE CONFERENCE PRESENTLY SCHEDULED FOR 4/26/04 IS CANCELLED, ETC. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 4/14/04. 4/14/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) Additional attachment(s) added on 4/15/2004 (kw, ). (Entered: 04/14/2004)
04/19/2004	<a href="#">10</a>	STIPULATION AND ORDER THAT PURSUANT TO RULE 42(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE, CASES 04-400, 04-617 & 04-687 ARE HEREBY CONSOLIDATED INTO C.A. #04-265 BEFORE THIS COURT. LEAD PLFFS SHALL FILE A CONSOLIDATED COMPLAINT WITHIN 45 DAYS AFTER THE ORDER OF THIS COURT DESIGNATING LEAD PLFFS & LEAD COUNSEL PURSUANT TO 15 U.S.C. SEC. 78U-4 IS ENTERED, ETC. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 4/19/04. 4/20/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) (Entered: 04/20/2004)
04/28/2004	<a href="#">11</a>	ORDER THAT THE ENGLER GROUP PLFFS FILE A LETTER BRIEF WITH THE COURT WITHIN TEN BUSINESS DAYS: PROVIDING A RESPONSE TO THE PENSION FUNDS' ALLEGATION THAT THE ENGLER GROUP INCORRECTLY CALCULATED ITS FINANCIAL INTEREST IN THE CASE BY NEGLECTING TO ACCOUNT FOR STOCK DIVIDENDS EXECUTED DURING THE CLASS PERIOD, ETC. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 4/28/04. 4/28/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) (Entered: 04/28/2004)
05/06/2004	12	MOTION BY DEFTS THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND, THE OPERATIVE PLASTERERS' AND THE CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND FOR ADMISSION OF THOMAS E. GLYNN, ESQ. PRO HAC VICE, CERTIFICATE OF SERVICE.(kw, ) (Entered: 05/07/2004)
05/06/2004	13	NOTICE of Change of law firm by WILLIAM S. LERACH, ESQ., Declaration of Service. (kw, ) (Entered: 05/10/2004)
05/13/2004	14	MOTION BY THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND, THE OPERATIVE PLASTERERS' AND THE CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND FOR ADMISSION OF RAMZI ABADOU, ESQ. TO APPEAR PRO HAC VICE, CERTIFICATE OF SERVICE.(kw, ) (Entered: 05/14/2004)
05/20/2004	15	ORDER THAT APPLICATION OF RAMZI ABADOU, ESQ., TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b) IS GRANTED. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 5/20/04.5/21/04 ENTERED AND COPIES MAILED AND FAXED. (kw, )

		(Entered: 05/21/2004)
05/20/2004	16	ORDER THAT APPLICATION OF THOMAS E. GLYNN, ESQ., TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b) IS GRANTED. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 5/20/04.5/21/04 ENTERED AND COPIES MAILED AND FAXED. (kw, ) (Entered: 05/21/2004)
06/02/2004	17	MOTION BY THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND, THE OPERATIVE PLASTERERS' AND THE CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND FOR ADMISSION OF LAURA M. ANDRACCHIO, ESQ. TO APPEAR PRO HAC VICE, CERTIFICATE OF SERVICE.(kw, ) (Entered: 06/03/2004)
06/03/2004	<a href="#">18</a>	MEMORANDUM AND ORDER THAT MOTION OF PLFFS EDWARD ENGLER & JANDRE LAFATE FOR APPOINTMENT AS LEAD PLFF, & FOR APPROVAL OF LEAD PLFF'S SELECTION OF LEAD COUNSEL IS GRANTED. THE ENGLER GROUP'S SELECTION OF SCHIFFRIN & BARROWAY, LLP & GELLER RUDMAN PLLC AS LEAD COUNSEL IS APPROVED. MOTION OF PLFFS OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL EMPLOYEES' TRUST FUND & OPERATIVE PLASTERERS' AND CEMENT MASONS' LOCAL UNION OFFICERS' AND EMPLOYEES' PENSION FUND FOR APPOINMENT AS LEAD PLFF & FOR APPROVAL OF LEAD PLFF'S SELECTION OF LEAD COUNSEL IS DENIED. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 6/3/04. 6/3/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) (Entered: 06/03/2004)
06/07/2004	19	ORDER THAT THE APPLICATION OF LAURA M. ANDRACCHIO, ESQUIRE, TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b) IS GRANTED . SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 6/7/04.6/7/04 ENTERED AND COPIES MAILED AND FAXED. (mar, ) (Entered: 06/07/2004)
07/13/2004	<a href="#">20</a>	STIPULATION AND ORDER THAT CONSOLIDATED AMENDED COMPLAINT SHALL BE FILED NO LATER THAN 8/19/2004. DEFTS' MOTION(S) TO DISMISS SHALL BE FILED NO LATER THAN 10/21/2004. LEAD PLFFS' OPPOSITIONS THERETO SHALL BE FILED NO LATER THAN 11/22/04; DEFTS' REPLIES THERETO SHALL BE FILED NO LATER THAN 12/20/04. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 7/13/04. 7/14/04 ENTERED AND COPIES MAILED AND FAXED.(kw, ) (Entered: 07/14/2004)
08/11/2004	21	NOTICE of Change of law firm name by WILLIAM S. LERACH, Declaration of Service. (kw, ) (Entered: 08/11/2004)
08/19/2004	22	CONSOLIDATED AMENDED COMPLAINT against AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI , filed by RICHARD WEISINGER; jury demand, Certificate of Service.(kw, ) (Entered: 08/20/2004)
08/27/2004	23	Praecipe by PLFF RICHARD WEISINGER to file Exhibit "A" to plff's consolidated amended class action complaint. (kw, ) (Entered: 08/27/2004)

10/12/2004	24	NOTICE of Change of Firm Name and Address by ERIC J. BELFI (wgc, ) (Entered: 10/19/2004)
10/21/2004	<a href="#">25</a>	MOTION BY DEFTS AMERICAN BUSINESS FINANCIAL SERVICES, INC., RICHARD KAUFMAN, ALBERT W. MANDIA, ANTHONY J. SANTILLI TO DISMISS, MEMORANDUM, CERTIFICATE OF SERVICE. (APPENDIX TO MEMORANDUM OF LAW ATTACHED)(kw, ) Additional attachment(s) added on 10/28/2004 (kw, ). Additional attachment(s) added on 10/29/2004 (kw, ). (Entered: 10/21/2004)
11/19/2004	26	STIPULATION AND ORDER THAT PLAINTIFFS' OPPOSITIONS TO DEFENDANT'S MOTION TO DISMISS ARE DUE BY 12/6/2004. DEFENDANTS' REPLIES THERETO ARE DUE BY 1/19/05 SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 11/19/04. 11/22/04 ENTERED AND COPIES MAILED AND FAXED.(stb, ) (Entered: 11/22/2004)
12/06/2004	27	Opposition by EDWARD ENGLER, JANDRE LA FATE to defts' motion to dismiss, Declaration of Service. (kw, ) (Entered: 12/07/2004)
01/18/2005	<a href="#">28</a>	Reply Brief by DEFTS AMERICAN BUSINESS FINANCIAL SERVICES, INC., ANTHONY J. SANTILLI, RICHARD KAUFMAN, ALBERT W. MANDIA in support of defts' motion to dismiss, Certificate of Service. (kw, ) (Entered: 01/19/2005)
01/26/2005	<a href="#">29</a>	SUGGESTION OF BANKRUPTCY by DEFT AMERICAN BUSINESS FINANCIAL SERVICES, INC. under Chapter Number 11 of the Bankruptcy Code in the Bankruptcy Court for the District of Delaware filed under case number 05-10203, Certificate of Service. (kw, ) (Entered: 01/27/2005)
01/27/2005	30	NOTICE of Change of Address by CHRISTOPHER L. NELSON Attorney for PLFF RICHARD WEISINGER, Certificate of Service. (md, ) (Entered: 01/28/2005)
06/02/2005	<a href="#">31</a>	MEMORANDUM AND ORDER THAT DEFTS' MOTION TO DISMISS IS GRANTED & THE CONSOLIDATED COMPLAINT IS DISMISSED AS TO DEFTS ANTHONY J. SANTILLI, RICHARD KAUFMAN & ALBERT W. MANDIA WITH LEAVE TO AMEND PURSUANT TO RULE 9(b) OF THE FEDERAL RULES OF CIVIL PROCEDURE & THE REFORM ACT. ANY AMENDED COMPLAINT MUST BE FILED WITHIN 20 DAYS FROM THE DATE OF THIS ORDER. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 6/2/05. 6/3/05 ENTERED AND COPIES MAILED AND E-MAILED.(kw, ) (Entered: 06/03/2005)
07/15/2005	<a href="#">32</a>	MOTION TO CERTIFY JUDGMENT PURSUANT TO RULE 54(B) OF THE FED. RULES OF CIV.PROC. FILED BY ANTHONY J. SANTILLI, RICHARD KAUFMAN, ALBERT W. MANDIA, MEMO, CERT OF SERV. (Attachments: # <a href="#">1</a> )(jmp, ) (Entered: 07/18/2005)
08/15/2005	33	ORDER THAT DEFENDANTS' MOTION TO CERTIFY JUDGMENT IS GRANTED. SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 8/15/05.8/15/05 ENTERED AND COPIES MAILED AND FAXED. (fdc) (Entered: 08/15/2005)
09/22/2005	34	NOTICE of Change of Address by LAURA ANDRACCHIO, Esq., Certificate of

		Service. (kw, ) (Entered: 09/22/2005)
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