

United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-12375-JLT

Aspen Technology, Inc. Securities Litigation
Assigned to: Judge Joseph L. Tauro
Lead case: [1:04-cv-12387-RCL](#)
Member case:
[1:04-cv-12375-JLT](#)
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 11/09/2004
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Todd Fener

represented by **David A. Rosenfeld**
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Plaintiff

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Retirement System**

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Plaintiff

**Operating Engineers Construction
Industry and Miscellaneous Pension
Fund (Local 66)**

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Plaintiff

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V.

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Defendant

Lisa W. Zappala

Defendant

David L. Mcquillin

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Defendant

Charles F. Kane

represented by **Thomas J. Dougherty**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/09/2004	1	COMPLAINT against Aspen Technology, Inc., Lawrence B. Evans, Charles F. Kane, David L. Mcquillin, Lisa W. Zappala Filing fee: \$ 150, receipt number 59962, filed by Todd Fener. (Attachments: # 1 part 2# 2 part 3# 3 Civil Cover Sheet)(Stanhope, Don) (Entered: 11/10/2004)
11/09/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Stanhope, Don) (Entered: 11/10/2004)
11/09/2004		Summons Issued as to Aspen Technology, Inc., Lawrence B. Evans, Charles F. Kane, David L. Mcquillin, Lisa W. Zappala. (Stanhope, Don) (Entered: 11/10/2004)
12/16/2004	2	SUMMONS Returned Executed Aspen Technology, Inc., served on 12/10/2004, answer due 12/30/2004. (Stanhope, Don) (Entered: 12/17/2004)
12/16/2004	3	SUMMONS Returned Executed Lawrence B. Evans served on 12/10/2004, answer due 12/30/2004. (Stanhope, Don) (Entered: 12/17/2004)
12/16/2004	4	SUMMONS Returned Executed Lisa W. Zappala served on 12/10/2004, answer due 12/30/2004. (Stanhope, Don) (Entered: 12/17/2004)
12/16/2004	5	SUMMONS Returned Executed David L. Mcquillin served on 12/10/2004, answer due 12/30/2004. (Stanhope, Don) (Entered: 12/17/2004)
12/16/2004	6	SUMMONS Returned Executed Charles F. Kane served on 12/10/2004, answer due 12/30/2004. (Stanhope, Don) (Entered: 12/17/2004)
01/07/2005	12	NOTICE of Appearance by Thomas J. Dougherty on behalf of Charles F. Kane, Aspen Technology, Inc., (Stanhope, Don) (Entered: 01/11/2005)
01/07/2005	13	CORPORATE DISCLOSURE STATEMENT by Aspen Technology, Inc., (Stanhope, Don) (Entered: 01/11/2005)
01/07/2005	14	Proposed Document(s) submitted by Charles F. Kane, Todd Fener, Aspen Technology, Inc., Lawrence B. Evans, Lisa W. Zappala. Document received: Stipulation and Order. (Stanhope, Don) (Entered: 01/11/2005)
01/10/2005	7	MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel</i> by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66).(Hess-Mahan, Theodore) (Entered: 01/10/2005)
01/10/2005	8	MEMORANDUM in Support re 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison</i>

		<i>Counsel</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 01/10/2005)
01/10/2005	9	AFFIDAVIT of Theodore M. Hess-Mahan in Support re 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Hess-Mahan, Theodore) (Entered: 01/10/2005)
01/10/2005	10	Proposed Document(s) submitted by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). Document received: [Proposed] Order Granting Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66) and City of Roseville Employees' Retirement System's Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel. (Hess-Mahan, Theodore) (Entered: 01/10/2005)
01/10/2005	11	CERTIFICATE OF CONSULTATION re 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel</i> by Theodore M. Hess-Mahan on behalf of City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 01/10/2005)
01/11/2005	15	NOTICE of Appearance by John A.D. Gilmore on behalf of David L. Mcquillin (Stanhope, Don) (Entered: 01/12/2005)
01/24/2005	16	NOTICE by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66) re 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel of Non-Opposition to Motion</i> (Hess-Mahan, Theodore) (Entered: 01/24/2005)
01/25/2005	17	NOTICE of Appearance by Kevin B. Currid, Brandon F. White, Nicholas C. Theodorou on behalf of Lawrence B. Evans (Stanhope, Don) (Entered: 01/27/2005)
01/25/2005	18	RESPONSE to Motion 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel</i> filed by Charles F. Kane, Aspen Technology, Inc.,. (Stanhope, Don) (Entered: 01/27/2005)
02/06/2005		Judge Reginald C. Lindsay : Electronic ORDER entered granting 7 MOTION to Consolidate Cases <i>Appointment as Lead Plaintiffs and Approval of Lead Plaintiffs' Selection of Lead and Liaison Counsel</i> by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). The cases docketed under numbers 04-12375 and 12387 are hereby consolidated for all purposes under the name "Aspen Technology, Inc. Securities Litigation," and they shall bear docket number 04-12375. The Operating Engineers and Construction Industry and Miscellaneous Pension Fund (Local 66) and City of Roseville Employees' Retirement System (collectively the Operating

		Engineers' Group") are hereby appointed interim lead plaintiff. The law firm of Lerach Coughlin Stoa Rudman & Robbins is hereby appointed interim lead counsel for the plaintiffs, and the law firm of Shapiro Haber & Urmy LLP is hereby appointed interim liaison counsel for the plaintiffs. The foregoing orders should not be construed as a determination that this case may proceed as a class action or that the interim lead plaintiff and interim lead and liaison counsel are appropriate representatives or counsel for any plaintiffs' class. The orders appointing lead plaintiff, lead counsel and liaison counsel will be revisited upon the court's consideration of any motion filed by the plaintiffs for class certification. The clerk shall terminate case # 12387 on the court's docket. (Lindsay, Reginald) (Entered: 02/06/2005)
02/18/2005	19	MOTION for Leave to Appear Pro Hac Vice by Samuel H. Rudman, David A. Rosenfeld and Mario Alba, Jr. by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Certification of Good Standing for Samuel H. Rudman# 2 Certification of Good Standing of David A. Rosenfeld# 3 Certification of Good Standing of Mario Alba, Jr.)(Hess-Mahan, Theodore) (Entered: 02/18/2005)
02/22/2005		Filing fee: \$ 150.00, receipt number 62269 regarding 19 Motion for Pro Hac Vice (Abaid, Kim) (Entered: 02/24/2005)
02/23/2005	20	Judge Reginald C. Lindsay : RECUSAL ORDER entered. (Losco, Marie) (Entered: 02/23/2005)
02/23/2005		Notice of Reassignment. Judge Joseph L. Tauro added. Judge Reginald C. Lindsay no longer assigned to case. Counsel are directed to the Court's Standing Orders re: Electronic Case Filing. (Stanhope, Don) (Entered: 02/23/2005)
02/23/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting 19 Motion for Leave to Appear Pro Hac Vice Added Samuel H. Rudman, David A. Rosenfeld, and Mario Alba, Jr for Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66); Rick Stockmaster; Todd Fener and City of Roseville Employees' Retirement System (Abaid, Kim) (Entered: 02/24/2005)
05/24/2005	21	NOTICE of Change of Address by David Pastor (Pastor, David) (Entered: 05/24/2005)
08/26/2005	22	AMENDED COMPLAINT against all defendants, filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66).(Hess-Mahan, Theodore) (Entered: 08/26/2005)
10/25/2005	23	STIPULATION and Proposed Order. (Abaid, Kim) (Entered: 10/26/2005)
10/31/2005	24	Judge Joseph L. Tauro : ORDER entered. STIPULATION AND ORDER(Abaid, Kim) (Entered: 11/02/2005)
11/16/2005	25	STIPULATION <i>And Agreement Of Compromise, Settlement And Release Of Securities Action</i> by Aspen Technology, Inc.,. (Attachments: # 1 Exhibit A# 2 Exhibit A, Attachment 1# 3 Exhibit A, Attachment 2# 4 Exhibit A, Attachment 3# 5 Exhibit B)(Dougherty, Thomas) (Entered: 11/16/2005)
11/16/2005	26	Joint MOTION for Hearing re 25 Stipulation, <i>Re Preliminary Approval</i> by Aspen

		Technology, Inc.,(Dougherty, Thomas) (Entered: 11/16/2005)
11/21/2005	27	Judge Joseph L. Tauro : Electronic ORDER entered granting 26 Motion for Hearing. The hearing will be held on December 12, 2005 at 11:00 a.m. PLEASE NOTE THIS IS AN ELECTRONIC NOTICE AND THERE IS NO DOCUMENT ATTACHED. (Lovett, Zita) (Entered: 11/21/2005)
11/21/2005		Set/Reset Hearings: Hearing set for 12/12/2005 11:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 11/21/2005)
11/28/2005		ELECTRONIC NOTICE, change in time: the approval hearing previously scheduled for 11:00 a.m. on December 12, 2005 has been changed for 10:00 a.m. 12/12/05. (Lovett, Zita) (Entered: 11/28/2005)
12/08/2005	28	NOTICE by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66) <i>LEAD PLAINTIFFS' SUPPLEMENTAL SUBMISSION IN CONNECTION WITH PRELIMINARY APPROVAL HEARING</i> (Attachments: # 1 Notice of Proposed Settlement of Class Action, Motion for Attorneys' Fees and Settlement Fairness Hearing)(Hess-Mahan, Theodore) (Entered: 12/08/2005)
12/12/2005	29	Judge Joseph L. Tauro : ORDER Preliminarily Approving Settlement, Providing for Notice and Scheduling Settlement Hearing. A Final Settlement Hearing will be held on March 6, 2006 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 12/12/2005)
12/14/2005	30	MOTION for Leave to Appear Pro Hac Vice by Ellen Gusikoff Stewart Filing fee \$ 50.00, receipt number 68916. by Todd Fener. (Attachments: # 1 Certification of Ellen Gusikoff Stewart)(Abaid, Kim) (Entered: 12/15/2005)
12/14/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting 30 Motion for Leave to Appear Pro Hac Vice Added Ellen Gusikoff Stewart for Todd Fener (Abaid, Kim) (Entered: 12/15/2005)
12/27/2005	31	NOTICE of Change of Address by Theodore M. Hess-Mahan, Thomas G. Shapiro (York, Steve) (Entered: 12/29/2005)
02/27/2006	32	MOTION for Settlement <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds</i> by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Text of Proposed Order # 2 Text of Proposed Order Exhibit 1)(Hess-Mahan, Theodore) (Entered: 02/27/2006)
02/27/2006	33	MEMORANDUM in Support re 32 MOTION for Settlement <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 02/27/2006)
02/27/2006	34	MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Appendix)(Hess-Mahan, Theodore)

		(Entered: 02/27/2006)
02/27/2006	35	AFFIDAVIT of Samuel Rudman in Support re 32 MOTION for Settlement <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds</i> , 34 MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 02/27/2006)
02/27/2006	36	AFFIDAVIT of Thomas G. Shapiro in Support re 34 MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Exhibit 1-3)(Hess-Mahan, Theodore) (Entered: 02/27/2006)
02/27/2006	37	AFFIDAVIT of Ellen Gusikoff Stewart in Support re 34 MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Exhibit A)(Hess-Mahan, Theodore) (Entered: 02/27/2006)
02/27/2006	38	AFFIDAVIT of Carole Sylvester in Support re 34 MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> filed by City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Attachments: # 1 Exhibit A)(Hess-Mahan, Theodore) (Entered: 02/27/2006)
03/01/2006	39	CERTIFICATE OF CONSULTATION re 34 MOTION for Attorney Fees <i>Lead Plaintiffs' Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses</i> by Theodore M. Hess-Mahan on behalf of City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 03/01/2006)
03/01/2006	40	CERTIFICATE OF CONSULTATION re 32 MOTION for Settlement <i>Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds</i> by Theodore M. Hess-Mahan on behalf of City of Roseville Employees' Retirement System, Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66). (Hess-Mahan, Theodore) (Entered: 03/01/2006)
03/06/2006	41	Judge Joseph L. Tauro : ORDER and Final Judgment.(Abaid, Kim) Additional attachment(s) added on 3/7/2006 (Abaid, Kim). (Entered: 03/06/2006)
03/06/2006		Civil Case Terminated. (Abaid, Kim) (Entered: 03/07/2006)
03/07/2006		Notice of correction to docket made by Court staff. Correction: Docket entry 41 corrected because: Replaced order with corrected copy. (Abaid, Kim) (Entered: 03/07/2006)

03/21/2006		Mail Returned as Undeliverable. Mail sent to Richard Maniskas (Abaid, Kim) (Entered: 03/21/2006)
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