

US Court Of Appeals Docket as of 4/11/2008
Retrieved from the court on Wednesday, April 16, 2008

General Docket
US Court of Appeals for the Second Circuit
Second Circuit Court of
Appeals

INDIV

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Court of Appeals Docket #: 06-3794-cv
Nsuit : 3850 STATUTES-Secur Comm Exchange

Teamsters Local 445 Freight Division Pension Fund v. Bombardier Inc Filed 9/27/06

Appeal SDNY (NEW YORK CITY)
from:

Case type information:

Civil

Private

None

Lower court information:

District: 05-cv-1898

Trial Judge: Shira A. Scheindlin

MagJudge:

Date Filed: 02/07/05

Date order/judgement: 8/1/2006

Date NOA filed: 9/26/2006

Fee status: None

Panel Assignment:

Panel: BDP JCH DAL 500 Pearl

Date of decision:

Prior cases: NONE

Current cases NONE

Official Caption 1/

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Docket No. [s] : 06-3794 -cv

Teamsters Local 445 Freight Division Pension Fun, on its own behalf and on the behalf of all those similarly situated,

Plaintiff-Appellant,

V.

Bombardier Inc, Bombardier Capital Inc., Bombardier Capital MortgageSecuritization Corpor, Laurent Beaudoin, Brian Peters, Robert Gillespie, Lawrence F. Assell, Credit Suisse First Boston, JPMorgan Chase, Prudential Equity Group,

Defendants-Appellees.

Authorized Abbreviated Caption 2/

Docket No. [s] : 06-3794 -cv

Teamsters Local 445 Freight Division Pension Fund v. Bombardier Inc

1/ Fed. R. App. P. Rule 12 [a] and 32 [a].
2/ For use on correspondence and motions only.

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Bombardier Capital Inc. Alfred Robert Pietrzak Esq.

Defendant-Appellee [LD ret]
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Bombardier Capital MortgageSecuritization Defendant-Appellee Alfred Robert Pietrzak Esq.(See above)
[LD ret]

Bombardier Inc
Defendant-Appellee
Alfred Robert Pietrzak Esq.(See above)
[LD ret]

Brian Peters
Defendant-Appellee
Alfred Robert Pietrzak Esq.(See above)
[LD ret]

Laurent Beaudoin
Defendant-Appellee
Alfred Robert Pietrzak Esq.(See above)
[LD ret]

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Lawrence F. Assell
Defendant-Appellee
Alfred Robert Pietrzak Esq.(See above)
[LD ret]

Robert Gillespie
Defendant-Appellee
Alfred Robert Pietrzak Esq.(See above)
[LD ret]

Teamsters Local 445 Freight
Division Pension Fund
Plaintiff-Appellant
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JPMorgan Chase
Defendant-Appellee
Patrick Michael McGuirk Esq.
(See above)
[LD ret]

Prudential Equity Group
Patrick Michael McGuirk Esq.

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Defendant-Appellee
(See above)
[LD ret]

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- 8/14/06 Petitioner Teamsters Local 445 Freight Division Pension Fund motion leave to Appeal 23(f) filed with proof of service. [Entry date Aug 15 2006] [GW]
- 8/23/06 Defendants Bombardier, Inc., Bombardier Capital, Inc. et al Answer in opposition to motion for leave to Appeal 23(f) filed with proof of service. [Entry date Aug 24 2006] [GW]
- 9/12/06 Notice to counsel re:Motion permission to appeal on the substantive motions calendar for Tuesday, September 26, 2006**ON SUBMISSION**. [Entry date Sep 12 2006] [AV]
- 9/26/06 Order filed stating: Petitioner Teamsters Local 445 Freight Division Pension Fund seeks permission to appeal, pursuant to Fed. R. Civ. P. 239(f), the district court`s order denying its motion for class certification. Upon due consideration, it is ORDERED that the Fed. R. Civ. P. 23 (f) petition is GRANTED. A scheduling order shall issue forthwith. [Entry date Sep 27 2006] [SG]
- 9/26/06 Certified copy of the order, filed 9/26/2006 issued to the district court, [informational only]. [Entry date Sep 26 2006] [SG]
- 9/26/06 Notice to counsel in re: Order filed 9/26/2006 [Entry date Sep 26 2006] [SG]
- 9/26/06 Copy of notice of appeal and district court docket entries on behalf of APPELLANT Teamsters Local 445 Freight Division Pension Fund, filed. [Entry date Oct 18 2006] [AM]
- 9/26/06 Order FILED GRANTING motion for leave to Appeal 23(f) by Petitioner Teamsters Local 445 Freight Division Pension Fund, endorsed on motion dated 8/14/2006. Before: Hon. JMW, PNL, RR, CJ.J {BY: LC} {see Order filed 9/26/2006} [Entry date Sep 27 2006] [SG]
- 10/6/06 APPELLANT Teamsters Local 445 Freight Division Pension Fund, Form C filed, with proof of service. [Entry date Oct 19 2006] [AM]
- 10/6/06 APPELLANT Teamsters Local 445 Freight Division Pension Fund, Form D filed, with proof of service. [Entry date Oct 19 2006] [AM]

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- 10/18/06 APPELLANT Teamsters Local 445 Freight Division Pension Fund, AMENDED Form C, filed, with proof of service. [Entry date Oct 23 2006] [AM]
- 10/20/06 Pre-Argument Conference Notice and Order from Stanley A. Bass, Scheduled For: 11/6/06 @10:45a.m., Filed. [Entry date Oct 23 2006] [AM]
- 10/20/06 Scheduling order #1 filed. Record on appeal due 11/20/2006. Appellants brief due 11/27/2006. Appellees brief due 12/27/2006. Ready week 2/5/2007. (SB) [Entry date Oct 23 2006] [AM]
- 10/24/06 Notice of appeal acknowledgment letter from Joel Laitman received. [Entry date Oct 27 2006] [NG]
- 10/31/06 Index in lieu of Record on Appeals Electronically Filed (Original documents remain in the originating court). [Entry date Nov 2 2006] [NG]
- 10/31/06 Letter from A. Robert Pietrzak, Esq. re: dates unavailable for oral argument, received. [Entry date Nov 2 2006] [NG]
- 10/31/06 Notice of appeal acknowledgment letter from Alfred Pietrzak received. [Entry date Nov 2 2006] [NG]
- 11/6/06 First pre-argument conference held by SB [Entry date Apr 17 2007] [EG]
- 11/7/06 Amended Scheduling order #1 filed. Appellants brief due 1/5/2007. Appellees brief due 2/5/2007. Ready week 3/19/2007. Record on appeal due 1/2/2007. (SB) [Entry date Nov 13 2006] [NG]
- 11/13/06 Notice to counsel in re: Amended Scheduling order filed 11/7/06. [Entry date Nov 13 2006] [NG]
- 11/28/06 Record on appeal index in lieu of record filed. [Entry date Nov 30 2006] [DT]
- 12/15/06 Scheduling order #2 filed. Appellants brief due 2/5/2007. Appellees brief due 3/7/2007. Ready week 4/16/2007. Record on appeal due 1/29/2007. (SB). [Entry date Dec 15 2006] [DT]

2/5/07 APPELLANT Teamsters Local 445 Freight
Division Pension Fund, sealed brief with

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proof of service received.

Note: Awaiting order to seal. [Entry date
Feb 7 2007] [DT]

2/5/07 Joint appendix received. APPELLANT
Teamsters Local 445 Freight Division Pension
Fund,

Note: Vol. 1 [Entry date Feb 7 2007]
[DT]

2/5/07 Sealed appendix received.

Note: Awaiting order to seal [Entry date
Feb 7 2007] [DT]

2/5/07 Notice of appearance form on behalf of
Joel Laitman , filed. (Orig in acco, copy to
Calendar and Admissions Dept.). [Entry
date Feb 7 2007] [DT]

2/7/07 APPELLANT Teamsters Local 445 Freight
Division Pension Fund, defective sealed
brief and appendix without order from
District Court to seal appendixes, filed.
Notice sent to party to correct by 02/14/07.
[Entry date Feb 7 2007] [DT]

2/9/07 Copy of district court Stipulated Protective
Order,
dated:11/07/05. Sealing certain documents
from the District Court.
Endorsed by: Hon. Shira A. Scheindlin (
USDJ), RECEIVED. [Entry date Feb 15 2007
] [DT]

2/15/07 Appellant Teamsters Local 445 Freight
Division Pension Fund motion to file brief
under seal filed with proof of service.
[Entry date Feb 20 2007] [AM]

2/26/07 APPELLANT Teamsters Local 445 Freight
Division Pension Fund, sealed brief FILED
with proof of service. [Entry date Mar 2
2007] [DT]

2/26/07 APPELLANT Teamsters Local 445 Freight
Division Pension Fund, joint appendix filed
w/pfs.

Vol. 1 & 2 [Entry date Mar 2 2007] [DT]

2/26/07 APPELLANT Teamsters Local 445 Freight

Division Pension Fund, defective document cured.

Note: Received order from district court to seal joint appendix. [Entry date Mar 14 2007] [DT]

2/26/07 Order FILED GRANTING motion to seal briefs by Appellant Teamsters Local 445 Freight Division Pension Fund, endorsed on motion dated 2/15/2007

Before Hon, Robert A. Katzman, Circuit Judge
Endorsed by AMH, Motions Staff Atty [Entry

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date Feb 27 2007] [DT]

2/27/07 Notice to counsel in re: Motion order granted [Entry date Feb 27 2007] [DT]

3/7/07 APPELLEE Bombardier Capital Inc.,
Bombardier Capital MortgageSecuritization Corporation, Bombardier Inc, Brian Peters, ET AL , brief filed with proof of service. [Entry date Mar 14 2007] [DT]

3/7/07 APPELLEE Bombardier Capital Inc.,
Bombardier Capital MortgageSecuritization Corporation, Bombardier Inc, Brian Peters, ET AL , supplemental appendix RECEIVED.

Note: awaiting for motion order to file supplemental appendix. [Entry date Mar 14 2007] [DT]

3/7/07 Appellee Bombardier Inc, Appellee Bombardier Capital Inc., Appellee Bombardier Capital MortgageSecuritization Corporation, et al motion to file a supplemental appendix, filed with proof of service. [Entry date Mar 14 2007] [DT]

3/15/07 Certificate of Service RECEIVED [Entry date Mar 23 2007] [DT]

3/15/07 Certificate of Service RECEIVED [Entry date Mar 23 2007] [DT]

3/21/07 APPELLANT Teamsters Local 445 Freight Division Pension Fund, sealed reply brief filed with proof of service. [Entry date Mar 23 2007] [DT]

3/23/07 Notice to counsel in re: Motion order dated 03/23/07. [Entry date Mar 23 2007] [DT]

3/23/07 APPELLEE Bombardier Capital Inc.,

Bombardier Capital MortgageSecuritization Corporation, Bombardier Inc, Brian Peters, ET AL , supplemental appendix filed with proof of service. [Entry date Mar 23 2007] [DT]

3/23/07 Order FILED GRANTING motion on consent to file supplemental appendix by Appellee Bombardier Inc, Appellee Bombardier Capital Inc., Appellee Bombardier Capital MortgageSecuritization Corporation, Appellee Laurent Beaudoin, Appellee Brian Peters, Appellee Robert Gillespie, Appellee Lawrence Assell, endorsed on motion dated 3/7/2007 (SB) [Entry date Mar 23 2007] [DT]

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1/4/08 Proposed for argument the week of 3/10/08 [Entry date Jan 4 2008] [CA]

2/14/08 Set for argument on 3/13/08 [Entry date Feb 14 2008] [CA]

2/15/08 Calendar argument notice mailed to attorneys/parties. [Entry date Feb 15 2008] [LY]

3/13/08 Case heard before PARKER, LIVINGSTON, C.JJ., HALL, D.J. (CT) CD Date: 3/13/08 [Entry date Mar 13 2008] [LY]

3/27/08 Letter received from Frank Schirripa(SSSL), requesting oral argument CD, fee paid, receipt # 192531, forwarded to calendar [Entry date Mar 27 2008] [NS]

4/11/08 Oral argument CD sent to Frank Schirripa [Entry date Apr 11 2008] [LY]

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