

United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10413-JLT

Williams v. Elan Corporation, PLC et al
Assigned to: Judge Joseph L. Tauro
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 03/04/2005
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Consolidated Plaintiff

Sidney D. Feldman Family Trust

represented by **David Pastor**
Gilman and Pastor, LLP
225 Franklin Street
16th Floor
Boston, MA 02110
617-742-9700
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Email: dpastor@gilmanpastor.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

William Haddad

represented by **Theodore M. Hess-Mahan**
Shapiro Haber & Urmy LLP
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Boston, MA 02108
617-439-3939
Fax: 617-439-0134
Email: ted@shulaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wendell Williams
Individually and on behalf of all others
similarly situated

represented by **Peter A. Lagorio**
Law Office of Peter A. Lagorio
63 Atlantic Avenue
Boston, MA 02110
617-367-4200
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Institutional Investor Group

represented by **Nancy F. Gans**
Moulton & Gans, P.C.
55 Cleveland Road
Wellesley, MA 02481
US
781-235-2246
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ATTORNEY TO BE NOTICED

Plaintiff

kyle newcomer

represented by **Justin S. Kudler**
Schatz & Nobel, P.C.
330 Main Stret
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V.

Defendant

Elan Corporation, PLC

represented by **Frances S. Cohen**
Bingham McCutchen LLP
150 Federal Street
Boston, MA 02110
617-951-8872
Fax: 617-951-8736
Email: frances.cohen@bingham.com
LEAD ATTORNEY
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Defendant

G. Kelly Martin

represented by **Frances S. Cohen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Lars Eckman

represented by **Frances S. Cohen**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Shane Cooke

represented by **Frances S. Cohen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

Conus Fund Group, LP

represented by **David Pastor**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/04/2005	1	COMPLAINT against all defendants Filing fee: \$ 250, receipt number 62516, filed by Wendell Williams. (Attachments: # 1 Complaint Continued# 2 Civil Cover Sheet)(Abaid, Kim) (Entered: 03/07/2005)
03/04/2005		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 Collings. (Abaid, Kim) (Entered: 03/07/2005)
03/04/2005		Summons Issued as to Elan Corporation, PLC, G. Kelly Martin, Lars Eckman, Shane Cooke. (Abaid, Kim) (Entered: 03/07/2005)
03/23/2005	2	AFFIDAVIT OF SERVICE Executed by Wendell Williams. Lars Eckman served on 3/16/2005, answer due 4/5/2005. Acknowledgement filed by Wendell Williams. (Lagorio, Peter) (Entered: 03/23/2005)
03/31/2005	3	AMENDED CLASS ACTION COMPLAINT against all defendants, filed by Wendell Williams.(Abaid, Kim) (Entered: 03/31/2005)
05/03/2005	4	MOTION to Consolidate Cases , <i>for Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> by Institutional Investor Group.(Gans, Nancy) (Entered: 05/03/2005)
05/03/2005	5	MEMORANDUM in Support re 4 MOTION to Consolidate Cases , <i>for Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> filed by Institutional Investor Group. (Gans, Nancy) (Entered: 05/03/2005)
05/03/2005	6	Proposed Document(s) submitted by Institutional Investor Group. Document received: [Proposed] Order Consolidating Actions, Appointing Lead Plaintiff and Approving Lead Plaintiff's Selection of Lead Counsel. (Gans, Nancy) (Entered: 05/03/2005)
05/03/2005	7	MOTION to Consolidate Cases , <i>Appointment as Lead Plaintiff Pursuant to Sect.</i>

		<i>21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> by Conus Fund Group, LP.(Pastor, David) (Entered: 05/03/2005)
05/03/2005	8	MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and Consolidated Cases</i> by William Haddad. (Attachments: # 1 Text of Proposed Order)(Hess-Mahan, Theodore) (Entered: 05/03/2005)
05/03/2005	9	MEMORANDUM in Support re 8 MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and Consolidated Cases</i> filed by William Haddad. (Hess-Mahan, Theodore) (Entered: 05/03/2005)
05/03/2005	10	AFFIDAVIT in Support re 8 MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and Consolidated Cases</i> by Theodore M. Hess-Mahan filed by William Haddad. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Hess-Mahan, Theodore) (Entered: 05/03/2005)
05/03/2005	11	DECLARATION re 4 MOTION to Consolidate Cases , <i>for Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> by Institutional Investor Group. (Attachments: # 1 Exhibit A# 2 Exhibit B (Part 1)# 3 Exhibit B (Part 2)# 4 Exhibit B (Part 3)# 5 Exhibit b (Part 4)# 6 Exhibit C# 7 Exhibit D# 8 Exhibit E# 9 Exhibit F)(Gans, Nancy) (Entered: 05/03/2005)
05/03/2005	12	MEMORANDUM in Support re 7 MOTION to Consolidate Cases , <i>Appointment as Lead Plaintiff Pursuant to Sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> filed by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	13	EXHIBIT A to Memorandum by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	14	EXHIBIT B to Memorandum by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	15	EXHIBIT C to Memorandum by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	16	EXHIBIT D to Memorandum by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	17	EXHIBIT E to Memorandum by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	18	AFFIDAVIT in Support re 7 MOTION to Consolidate Cases , <i>Appointment as Lead Plaintiff Pursuant to Sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> filed by Conus Fund Group, LP. (Pastor, David) (Entered: 05/03/2005)
05/03/2005	19	Proposed MOTION for Order to (I) Consolidating all Relating Actions; (II) Appointing the Conus Fund Group as Lead Plaintiff; and (III) Approving Lead Plaintiff's Selection of Lead Counsel by Conus Fund Group, LP.(Pastor, David) (Entered: 05/03/2005)
05/03/2005	20	MOTION to Appoint Lead Plaintiff and Approve Counsel by Kyle Newcomer. (Attachments: # 1 Text of Proposed Order)(Kudler, Justin) Modified on 5/4/2005

		(Abaid, Kim). (Entered: 05/03/2005)
05/03/2005	21	Memorandum in Support of Motion to Appoint Lead Plaintiff and Approve Counsel by Kyle Newcomer (Kudler, Justin) Modified on 5/4/2005 (Abaid, Kim). (Entered: 05/03/2005)
05/03/2005	22	AFFIDAVIT of Justin Kudler in Support re 20 MOTION <i>to Appoint Lead Plaintiff</i> and Approve Counsel, 21 Memorandum in Support of Motion to Appoint Lead Plaintiff filed by Kyle Newcomer. (Attachments: # 1 Exhibit certification# 2 Exhibit loss chart# 3 Exhibit notice# 4 Exhibit resume)(Kudler, Justin) Modified on 5/4/2005 (Abaid, Kim). (Entered: 05/03/2005)
05/03/2005		Motions terminated: 21 Memorandum in Support of Motion to Appoint Lead Plaintiff. (Abaid, Kim) (Entered: 05/04/2005)
05/03/2005	23	MOTION to Consolidate Cases, Appointment as Lead Plaintiff, and Approval of Its Selection of Lead Counsel by Wendell Williams.(Abaid, Kim) (Entered: 05/04/2005)
05/03/2005	24	MEMORANDUM in Support re 23 MOTION to Consolidate Cases, Motion for Appointment as Lead Plaintiff, and Approval of Its Selection of Lead Counsel filed by Wendell Williams. (Abaid, Kim) (Entered: 05/04/2005)
05/03/2005	25	CERTIFICATE OF SERVICE by Wendell Williams re 24 Memorandum in Support of Motion, 23 MOTION to Consolidate Cases. (Abaid, Kim) Additional attachment(s) added on 5/5/2005 (Abaid, Kim). (Entered: 05/04/2005)
05/05/2005		Notice of correction to docket made by Court staff. Correction: Docket Entry 25 corrected because: The wrong image was attached. Replaced with the correct image. (Abaid, Kim) (Entered: 05/05/2005)
05/12/2005	26	AFFIDAVIT OF SERVICE Executed by Wendell Williams. Lars Eckman served on 5/4/2005, answer due 5/24/2005. Acknowledgement filed by Wendell Williams. (Lagorio, Peter) (Entered: 05/12/2005)
05/17/2005	27	MEMORANDUM in Support re 4 MOTION to Consolidate Cases , <i>for Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel (FURTHER SUPPORT) and in Opposition to the Competing Motions</i> filed by Institutional Investor Group. (Gans, Nancy) (Entered: 05/17/2005)
05/17/2005	28	NOTICE of Withdrawal of 23 Motion for Consolidation of Related Cases and Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel by Wendell Williams. (Abaid, Kim) (Entered: 05/17/2005)
05/17/2005		Motions terminated: 23 MOTION to Consolidate Cases filed by Wendell Williams,. (Abaid, Kim) (Entered: 05/17/2005)
05/17/2005	29	RESPONSE to Motion re 4 MOTION to Consolidate Cases , <i>for Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel, 20</i> MOTION to Appoint Counsel <i>motion to appoint lead plaintiff, 7</i> MOTION to Consolidate Cases , <i>Appointment as Lead Plaintiff Pursuant to Sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel, 8</i> MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and</i>

		<i>Consolidated Cases</i> , 23 MOTION to Consolidate Cases filed by kyle newcomer. (Kudler, Justin) (Entered: 05/17/2005)
05/18/2005	30	NOTICE by William Haddad re 8 MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and Consolidated Cases NOTICE OF WITHDRAWAL OF MOTION</i> (Hess-Mahan, Theodore) (Entered: 05/18/2005)
05/18/2005		Motions terminated: 8 MOTION to Appoint Counsel , <i>Appoint Lead Plaintiff and Consolidated Cases</i> filed by William Haddad., (Abaid, Kim) (Entered: 05/19/2005)
05/24/2005	31	Assented to MOTION for Extension of Time to to a mutually agreed-upon time until after this Court shall appoint a lead plaintiff and a consolidated complaint is filed with the Court to File Response/Reply as to 1 Complaint by Lars Eckman.(Cohen, Frances) (Entered: 05/24/2005)
05/26/2005	32	NOTICE by Institutional Investor Group of <i>Non-Opposition to The Institutional Investor Group's Motion for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Co-Lead Counsel</i> (Gans, Nancy) (Entered: 05/26/2005)
06/01/2005	33	NOTICE of Change of Address by David Pastor (Pastor, David) (Entered: 06/01/2005)
06/06/2005	34	Judge Joseph L. Tauro : Electronic ORDER entered granting 4 Motion to Consolidate Cases, Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel. (Abaid, Kim) (Entered: 06/07/2005)
06/06/2005		Judge Joseph L. Tauro : Electronic ORDER entered denying 7 Motion to Consolidate Cases, finding as moot 19 Motion for Order, denying 20 Motion to Appoint Counsel (Abaid, Kim) (Entered: 06/07/2005)
06/06/2005	35	Judge Joseph L. Tauro : ORDER entered. ORDER consolidating cases, Appointing Lead Plaintiff and Approving Lead Plaintiff's Selection of Lead Counsel. PLEASE NOTE ALL DOCUMENTS ARE TO BE FILED UNDER THIS CASE NUMBER.(Abaid, Kim) (Entered: 06/07/2005)
06/07/2005		Notice of correction to docket made by Court staff. corrected because: Please Note that docket entry 34 is an electronic order and not an actual document, the number was accidentally added. (Abaid, Kim) (Entered: 06/07/2005)
07/01/2005	36	STIPULATION by Elan Corporation, PLC, G. Kelly Martin, Lars Eckman, Shane Cooke. (Cohen, Frances) (Entered: 07/01/2005)
08/18/2005	37	Joint MOTION to Transfer Case <i>To The United States District Court For the Southern District of New York</i> by Sidney D. Feldman Family Trust, Institutional Investor Group, Wendell Williams, William Haddad, Elan Corporation, PLC, G. Kelly Martin, kyle newcomer, Lars Eckman, Shane Cooke. (Attachments: # 1)(Cohen, Frances) (Entered: 08/18/2005)
08/26/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting 31 Motion for Extension of Time to File Response/Reply re 31 Assented to MOTION for Extension of Time to to a mutually agreed-upon time until after this Court shall appoint a lead plaintiff and a consolidated complaint is filed with the Court to File Response/Reply as to 1 Complaint (Lovett, Zita) (Entered: 08/26/2005)

08/29/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting 37 Motion to Transfer Case (Abaid, Kim) (Entered: 08/30/2005)
08/30/2005	38	Case transferred to the Southern District of New York;. Original file with documents numbered 1-37, certified copy of transfer order and docket sheet sent to Clerk in that district. (Abaid, Kim) (Entered: 08/30/2005)

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