

\

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:04-cv-00886-MHM**

**Siracusano, et al v. Matrixx Initiatives, et al**

**Date Filed:** Apr. 27, 2004  
**Status:** Closed  
**Nature of suit:** 850 Securities/Commodities  
**Demand:** \$0  
**Assigned to:** Judge Mary H Murguia  
**Case in other court:** Ninth Circuit, 06-15677  
**Cause:** 15:78m(a) Securities Exchange Act  
**Date terminated:** Mar. 08, 2006  
**Jurisdiction:** Federal Question  
**Jury demand:** Plaintiff

**Parties and Attorneys**

**Plaintiff**

**James V Siracusano**

Individually and on behalf of all others similarly situated (named as lead plaintiff pursuant to Order #59)

**Attorneys and Firms**

**Amy J Longo**

*OMelveny & Myers*  
610 Newport Center Dr  
17th Floor  
Newport Beach, CA 92660  
(949) 823-7175  
Fax: (949) 823-6994  
alongo@omm.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Andrew S Friedman**

*Bonnett Fairbourn Friedman & Balint PC*  
2901 N Central Ave  
Ste 1000  
Phoenix, AZ 85012-3311  
(602) 776-5903  
Fax: (602) 274-1199  
afriedman@bffb.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**David B Rosenbaum**

PO Box 36379  
Phoenix, AZ 85067-6379  
(602) 640-9000

Fax: (602) 640-6051  
drosenbaum@omlaw.com  
Osborn Maledon PA  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Maureen Beyers**  
2929 N Central Ave  
Phoenix, AZ 85012-2794  
(602) 640-9305  
Fax: (602) 664-2053  
mbeyers@omlaw.com  
Osborn Maledon PA  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Michael G Yoder**  
*OMelveny & Myers*  
610 Newport Center Dr  
17th Floor  
Newport Beach, CA 92660  
(949) 823-7936  
Fax: (949) 823-6994  
myoder@omm.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Molly J Magnuson**  
*OMelveny & Myers*  
610 Newport Center Dr  
17th Floor  
Newport Beach, CA 92660  
(949) 823-7167  
Fax: (949) 823-6994  
mmagnuson@omm.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**  
**Matrixx Initiatives, Inc.**

**Attorneys and Firms**  
**Amy J Longo**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**David B Rosenbaum**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**James R Condo**  
*Snell & Wilmer LLP*  
1 Arizona Ctr  
1 Arizona Ctr  
400 E Van Buren

Phoenix, AZ 85004-0001  
(602) 382-6000  
Fax: (602) 382-6070  
jcondo@swlaw.com  
TERMINATED: 08/05/2004  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Maureen Beyers**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Michael G Yoder**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Molly J Magnuson**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Defendant  
Carl J Johnson

Attorneys and Firms  
**Amy J Longo**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**David B Rosenbaum**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**James R Condo**  
(See above for address)  
TERMINATED: 08/05/2004  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Maureen Beyers**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Michael G Yoder**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**Molly J Magnuson**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Defendant

Attorneys and Firms

**William J Hemelt**

**Amy J Longo**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**David B Rosenbaum**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**James R Condo**

(See above for address)

TERMINATED: 08/05/2004

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Maureen Beyers**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Michael G Yoder**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Molly J Magnuson**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Movant**

**NECA-IBEW**

**Attorneys and Firms**

**Andrew S Friedman**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Francis Joseph Balint, Jr**

*Bonnett Fairbourn Friedman &  
Balint PC*

2901 N Central Ave

Ste 1000

Phoenix, AZ 85012-3311

(602) 274-1100

Fax: (602) 274-1199

fbalint@bffb.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Lucas F Olts**

*Lerach Coughlin Stoia Geller  
Rudman & Robbins LLP*

655 W Broadway

Ste 1900

San Diego, CA 92101

(619) 231-1058

LukeO@Lerachlaw.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Ramzi Abadou**

*Coughlin Stoia Geller Rudman &  
Robbins LLP*

655 W Broadway  
Ste 1900

San Diego, CA 92101

(619) 231-1058

Fax: (619) 231-7423

ramzia@csgrr.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Scott H Saham**

*Coughlin Stoia Geller Rudman &  
Robbins LLP*

655 W Broadway  
Ste 1900

San Diego, CA 92101

(619) 231-1058

ScottS@csgrr.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Plaintiff**

**Stanley Sved**

on Behalf of Himself and All Others Similarly Situated

TERMINATED: 03/04/2005

**Attorneys and Firms**

**Andrei V Rado**

*Labaton Sucharow LLP*

140 Broadway

New York, NY 10005

(212) 907-0821

Fax: (212) 883-7521

arado@labaton.com

TERMINATED: 03/04/2005

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Andrew S Friedman**

(See above for address)

TERMINATED: 03/04/2005

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Christopher A Seeger**

*Seeger Weiss LLP*

1 William St

New York, NY 10004

(212) 584-0700

TERMINATED: 03/04/2005

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**David R Buchanan**  
*Seeger Weiss LLP*  
1 William St  
New York, NY 10004  
(212) 584-0700  
TERMINATED: 03/04/2005  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Eric T Chaffin**  
*Seeger Weiss LLP*  
1 William St  
New York, NY 10004  
(212) 584-0700  
TERMINATED: 03/04/2005  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Francis Joseph Balint, Jr**  
(See above for address)  
TERMINATED: 03/04/2005  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Lori G Feldman**  
*Milberg Weiss Bershad & Schulman  
LLP*  
1001 4th Ave  
Ste 2550  
Seattle, WA 98154  
(206) 839-0730  
TERMINATED: 03/04/2005  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Marc S Henzel**  
*Law Office of Marc S Henzel*  
237 Montgomery Ave  
Ste 202  
Bala Cynwyd, PA 19004  
(610) 660-8000  
TERMINATED: 03/04/2005  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Stephen G Schulman**  
*Milberg Weiss Bershad & Schulman  
LLP*  
1 Pennsylvania Plaza  
New York, NY 10019  
(212) 594-5300  
Fax: (212) 868-1229  
sschulman@milbergweiss.com  
TERMINATED: 03/04/2005  
LEAD ATTORNEY

**Defendant****Timothy L Clarot****Docket Proceedings**[Reverse Proceedings](#)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">1</a>	Apr. 27, 2004	1	COMPLAINT FILED (LSP) (Entered: 04/29/2004)
<a href="#">2</a>	Jun. 10, 2004	2	ORDERED that pla Stanley Sved show cause for failure to comply with Local Rule 1.2(e) ; show cause hearing set for 1:30 7/12/04 for Stanley Sved before Judge Stephen M. McNamee (cc: all counsel/AL) (MAP) (Entered: 06/10/2004)
<a href="#">3</a>	Jun. 15, 2004	3	Party elects assignment of case to district judge ; mag election form ddl satisfied 6/15/04 ; show cause hearing ddl satisfied 6/15/04 (MAP) (Entered: 06/16/2004)
<a href="#">4</a>	Jun. 16, 2004	4	MINUTE ORDER that pursuant to Local Rule 1.2(e), a request has been received for a random reassignment of this case to a District Judge FURTHER ORDERED Case reassigned by random draw to Judge Mary H. Murguia All further papers/pleadings should now list the following COMPLETE case number: CIV-04-886-PHX-MHM FURTHER ORDERED that the Order to Show Cause hearing scheduled for 7/12/04 is hereby vacated (cc: all counsel/DKD/MHM) [4-2] (MAP) (Entered: 06/16/2004)
<a href="#">5</a>	Jun. 28, 2004	5	STIPULATION to extend time for Dfts to answer complaint [1-1] by pla, dfts [5-1] (MAP) (Entered: 06/29/2004)
<a href="#">6</a>	Jul. 02, 2004	6	NOTICE OF ATTORNEY APPEARANCE/ASSOCIATION for pla Stanley Sved by attorney(s) Steven G Schulman, Peter E Seidman, Andrei V Rado, Marc S Henzel, Christopher A Seeger, and David R Buchanan (KMG) (Entered: 07/08/2004)
<a href="#">7</a>	Jul. 12, 2004	7	MOTION to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-1] , and appointment as lead plaintiff by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-2] , and approval of selection of lead and liaison counsel by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-3] (LSP) Modified on 07/15/2004 (Entered: 07/15/2004)
<a href="#">8</a>	Jul. 12, 2004	8	MEMORANDUM IN SUPPORT by pla Stanley Sved of motion (of NECA-IBEW Fund) to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved [7-1], motion appointment as lead plaintiff by pla Stanley Sved [7-2], motion approval of selection of lead and liaison counsel by pla Stanley Sved [7-3] (LSP) (Entered: 07/15/2004)
<a href="#">9</a>	Jul. 12, 2004	9	DECLARATION of Andrew S. Friedman re motion (of NECA-IBEW Fund) to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved [7-1] re motion appointment as lead plaintiff by pla Stanley [7-2], re motion approval of selection of lead and liaison counsel by pla Stanley Sved [7-3] by pla Stanley Sved (LSP) (Entered: 07/15/2004)
<a href="#">10</a>	Jul. 12, 2004	10	MOTION of Jeffrey E. Kuhler, Stanley Sved, W.K. Hughey and Alex Costanzo to consolidate cases, CV 04-1212-PHX-SMM by pla Stanley Sved [10-1] , and to be appointed lead Plaintiff by pla Stanley Sved [10-2] , and for approval of their selection of lead and liaison counsel by pla

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Sved [10-3] (LSP) Modified on 07/15/2004 (Entered: 07/15/2004)
<a href="#">11</a>	Jul. 12, 2004	11	MEMORANDUM of Law IN SUPPORT by pla Stanley Sved of motion of Jeffrey E. Kuhler, Stanley Sved, W.K. Hughey and Alex Costanzo to consolidate cases, CV 04-1212-PHX-SMM by pla Stanley Sved [10-1] [10-1], motion to be appointed lead Plaintiff by pla Stanley Sved [10-2], motion for approval of their selection of lead and liaison counsel by pla Sved [10-3] (LSP) Modified on 07/15/2004 (Entered: 07/15/2004)
<a href="#">12</a>	Jul. 12, 2004	12	DECLARATION of Andrew S. Friedman in support motion of Jeffrey E. Kuhler, Stanley Sved, W.K. Hughey and Alex Costanzo to consolidate cases, CV 04-1212-PHX-SMM by pla Stanley Sved [10-1], re motion to be appointed lead Plaintiff by pla Stanley Sved [10-2], re motion for approval of their selection of lead and liaison counsel by pla Sved [10-3] by pla Stanley Sved (LSP) Modified on 07/15/2004 (Entered: 07/15/2004)
<a href="#">13</a>	Jul. 20, 2004	13	MOTION for admission pro hac vice as to Steven Schulman, atty for pla Stanley Sved [13-1] (DMT) (Entered: 07/21/2004)
<a href="#">14</a>	Jul. 21, 2004	14	ORDER by Judge Mary H. Murguia granting stipulation to extend time for Dfts to answer complaint 1 by pla, dfts 5 FURTHER ORDERED Dfts shall have 45 days from the filing of Pla's first amended complaint to file a responsive pleading; Pla shall have 45 days from the filing of any responsive pleading to oppose such pleading; and Dft shall have 30 days from the filing of any opposition to their responsive pleading to file their reply (cc: all counsel) (MAP) (Entered: 07/21/2004)
<a href="#">15</a>	Jul. 23, 2004		Pro Hac Vice \$25 Fee Paid as to Steven G Schulman (BAS) (Entered: 07/23/2004)
<a href="#">16</a>	Jul. 26, 2004	16	RESPONSE (OPPOSITION) by dfts to motions for approval of their selection of lead and liaison counsel by pla Sved [10-3], motion approval of selection of lead and liaison counsel by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-3] (MAP) (Entered: 07/27/2004)
<a href="#">17</a>	Jul. 26, 2004	18	MOTION for admission pro hac vice as to Marc S. Henzel, atty for pla Stanley Sved [18-1] (LSP) (Entered: 07/28/2004)
<a href="#">18</a>	Jul. 27, 2004		Pro Hac Vice \$25 Fee Paid as to Marc S Henzel (BAS) (Entered: 07/27/2004)
<a href="#">19</a>	Jul. 27, 2004	15	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Steven Schulman, atty for pla Stanley Sved [13-1] (cc: all counsel) re: order filed [15-1] (DMT) (Entered: 07/27/2004)
<a href="#">20</a>	Jul. 27, 2004	17	MOTION for Oral Argument re Motion for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel by pla Stanley Sved [17-1] (MAP) (Entered: 07/28/2004)
<a href="#">21</a>	Jul. 29, 2004	19	MEMORANDUM (response) IN FURTHER SUPPORT by pla of motion of Jeffrey E. Kuhler, Stanley Sved, W.K. Hughey and Alex Costanzo to consolidate cases, CV 04-1212-PHX-SMM by pla Stanley Sved [10-1] motion to be appointed lead Plaintiff by pla Stanley Sved [10-2] [10-2], motion for approval of their selection of lead and liaison counsel by pla Sved [10-3] [10-3] (DMT) Modified on 08/02/2004 (Entered: 08/02/2004)
<a href="#">22</a>	Jul. 29, 2004	20	MEMORANDUM IN FURTHER SUPPORT by pla of motion to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-1] [7-1], motion appointment as lead plaintiff by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-2] [7-2], motion approval of selection of lead and liaison counsel by pla Stanley

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Sved (of NECA-IBEW Pension Fund) [7-3] [7-3] (DMT) (Entered: 08/02/2004)
<a href="#">23</a>	Jul. 30, 2004	21	MOTION to substitute attorney D Rosenbaum and M Beyers replacing J Condo, by dft Matrixx Initiatives, dft Carl J Johnson, dft William J Hemelt [21-1] (DMT) (Entered: 08/02/2004)
<a href="#">24</a>	Aug. 02, 2004	22	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Marc S. Henzel, atty for pla Stanley Sved [18-1] (cc: all counsel) (DMT) (Entered: 08/02/2004)
<a href="#">25</a>	Aug. 05, 2004	23	ORDER by Judge Mary H. Murguia granting motion to substitute attorney D Rosenbaum and M Beyers replacing J Condo, by dft Matrixx Initiatives, dft Carl J Johnson, dft William J Hemelt [21-1]; terminating attorney James R Condo for William Hemelt, attorney James R Condo for Carl J Johnson, attorney James R Condo for Matrixx Initiatives and substituting attorneys David B Rosenbaum and Maureen Beyers ; Michael G Yoder and Amy J Longo of the firm O'Melveny & Meyers LLP remain as co-counsel for dfts (cc: all counsel) (LAD) (Entered: 08/05/2004)
<a href="#">26</a>	Aug. 05, 2004	24	MEMORANDUM IN FURTHER SUPPORT by pla Stanley Sved of motion to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-1] [7-1], motion appointment as lead plaintiff by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-2] [7-2], motion approval of selection of lead and liaison counsel by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-3] [7-3] (former emp) (Entered: 08/09/2004)
<a href="#">27</a>	Aug. 09, 2004		Pro Hac Vice \$25 Fee Paid as to Andrei V Rado (BAS) (Entered: 08/09/2004)
<a href="#">28</a>	Aug. 09, 2004	25	MEMORANDUM IN SUPPORT by pla Stanley Sved of motion approval of selection of lead and liaison counsel by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-3], motion appointment as lead plaintiff by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-2], motion to consolidate cases with CV04-1012PHX-SMM by pla Stanley Sved (of NECA-IBEW Pension Fund) [7-1] (LSP) (Entered: 08/11/2004)
<a href="#">29</a>	Aug. 09, 2004	26	MOTION for admission pro hac vice as to Andrei V. Rado, atty for pla Stanley Sved [26-1] (LSP) (Entered: 08/11/2004)
<a href="#">30</a>	Aug. 09, 2004	27	REPLY by pla Stanley Sved to response to motion for approval of their selection of lead and liaison counsel by pla Sved [10-3], motion to be appointed lead Plaintiff by pla Stanley Sved [10-2], motion of Jeffrey E. Kuhler, Stanley Sved, W.K. Hughey and Alex Costanzo to consolidate cases, CV 04-1212-PHX-SMM by pla Stanley Sved [10-1] (LSP) (Entered: 08/11/2004)
<a href="#">31</a>	Aug. 11, 2004	28	NOTICE by pla Stanley Sved of Change of Atty Firm Name to Lerach Coughlin Stoia Geller Rudman & Robbins (MAP) (Entered: 08/13/2004)
<a href="#">32</a>	Aug. 13, 2004	30	MOTION for admission pro hac vice as to Christopher A. Seeger, atty for pla Stanley Sved [30-1] (LSP) (Entered: 08/16/2004)
<a href="#">33</a>	Aug. 13, 2004	31	MOTION for admission pro hac vice as to David R. Buchanan, atty for pla Stanley Sved [31-1] (LSP) (Entered: 08/16/2004)
<a href="#">34</a>	Aug. 16, 2004	29	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Andrei V. Rado, atty for pla Stanley Sved [26-1] (cc: all counsel) (LAD) (Entered: 08/16/2004)
<a href="#">35</a>	Aug. 17, 2004		Pro Hac Vice \$25 Fee Paid as to Christopher A Seeger (BAS) (Entered: 08/17/2004)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			08/17/2004)
<a href="#">36</a>	Aug. 17, 2004		Pro Hac Vice \$25 Fee Paid as to David R Buchanan (BAS) (Entered: 08/17/2004)
<a href="#">37</a>	Aug. 23, 2004	32	MOTION for hearing on competing motions by dft Matrixx Initiatives, dft Carl J Johnson, dft William J Hemelt [32-1] (LAD) (Entered: 08/24/2004)
<a href="#">38</a>	Aug. 25, 2004	33	MOTION for admission pro hac vice as to Michael G Yoder, atty for dfts [33-1] (DMT) Modified on 08/30/2004 (Entered: 08/30/2004)
<a href="#">39</a>	Aug. 25, 2004	34	MOTION for admission pro hac vice as to Molly J Magnuson, atty for dfts [34-1] (DMT) (Entered: 08/30/2004)
<a href="#">40</a>	Aug. 25, 2004	35	MOTION for admission pro hac vice as to Amy J Longo, atty for dfts [35-1] (DMT) (Entered: 08/30/2004)
<a href="#">41</a>	Aug. 30, 2004	36	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Amy J Longo, atty for dfts [35-1] (cc: all counsel) (former emp) (Entered: 08/30/2004)
<a href="#">42</a>	Aug. 30, 2004	37	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Molly J Magnuson, atty for dfts [34-1] (cc: all counsel) (former emp) (Entered: 08/30/2004)
<a href="#">43</a>	Aug. 30, 2004	38	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Michael G Yoder, atty for dfts [33-1] (cc: all counsel) (former emp) (Entered: 08/30/2004)
<a href="#">44</a>	Aug. 30, 2004	39	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to David R. Buchanan, atty for pla Stanley Sved [31-1] (cc: all counsel) (former emp) (Entered: 08/30/2004)
<a href="#">45</a>	Aug. 30, 2004	40	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Christopher A. Seeger, atty for pla Stanley Sved [30-1] (cc: all counsel) (former emp) (Entered: 08/30/2004)
<a href="#">46</a>	Aug. 31, 2004		Pro Hac Vice \$25 Fee Paid as to Amy J Longo (BAS) (Entered: 08/31/2004)
<a href="#">47</a>	Aug. 31, 2004		Pro Hac Vice \$25 Fee Paid as to Molly J Magnuson (BAS) (Entered: 08/31/2004)
<a href="#">48</a>	Aug. 31, 2004		Pro Hac Vice \$25 Fee Paid as to Michael G Yoder (BAS) (Entered: 08/31/2004)
<a href="#">49</a>	Sep. 08, 2004	41	MINUTE ORDER: The Court ORDERS granting defendant's motion for hearing on competing motions [32-1] and plaintiff's motion for oral argument re Motion for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel pla Stanley Sved [17-1]. IT IS THEREFORE ORDERED setting counsel's competing motions for oral argument on Monday, October 18, 2004 at 4:00 p.m. before the Honorable Mary H. Murguia. (cc: MHM, all counsel) [41-1] (KSB) (Entered: 09/08/2004)
<a href="#">50</a>	Oct. 04, 2004	42	MOTION for admission pro hac vice as to Lori G Feldman, atty for pla Stanley Sved [42-1] (MAP) (Entered: 10/06/2004)
<a href="#">51</a>	Oct. 07, 2004		Pro Hac Vice \$25 Fee Paid as to Lori G Feldman (BAS) (Entered: 10/07/2004)
<a href="#">52</a>	Oct. 08, 2004	43	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the Motion Hearing regarding counsel's competing motions [docs 7 and 10] currently set on October 18, 2004 be RESET to October 22, 2004 at 3:00 p.m. before the Honorable Mary H. Murguia. (cc: MHM, all counsel) [43-1] (KSB) (Entered: 10/08/2004)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">53</a>	Oct. 12, 2004	44	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the Motion Hearing regarding the competing motions [docs 7 and 10] currently set on October 22, 2004 be RESET to October 27, 2004 at 2:30 p.m. before the Honorable Mary H. Murguia. (cc: MHM, all counsel) [44-1] (KSB) (Entered: 10/12/2004)
<a href="#">54</a>	Oct. 12, 2004	45	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Lori G Feldman, atty for pla Stanley Sved [42-1] (cc: all counsel) (MAP) (Entered: 10/12/2004)
<a href="#">55</a>	Oct. 20, 2004	46	MOTION for admission pro hac vice as to Eric T. Chaffin, atty for pla Stanley Sved [46-1] (MAP) (Entered: 10/21/2004)
<a href="#">56</a>	Oct. 22, 2004		Pro Hac Vice \$25 Fee Paid as to Eric T Chaffin (BAS) (Entered: 10/22/2004)
<a href="#">57</a>	Oct. 26, 2004	47	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Eric T. Chaffin, atty for pla Stanley Sved [46-1] (cc: all counsel) (DMT) (Entered: 10/26/2004)
<a href="#">58</a>	Oct. 26, 2004	48	MOTION (Application) of Attorney for Admission to Practice Pro Hac Vice Pursuant to Local Rule 1.5(b)(3) as to Ramzi Abadou, atty for movant NECA-IBEW [48-1] (SAT) (Entered: 10/26/2004)
<a href="#">59</a>	Oct. 26, 2004		Pro Hac Vice \$25 Fee Paid as to Ramzi Abadou (BAS) (Entered: 10/26/2004)
<a href="#">60</a>	Oct. 27, 2004	49	MINUTE ENTRY before Judge Mary H. Murguia. Crt Rptr: Marilyn Sanchez. Appearances: Ramzi Abadou, Stephen Weiss, Lori Feldman, Christopher Seeger, David Buchanan, and Francis Balint for the plaintiffs. David Rosenbaum, Amy Longo, and Maureen Beyers for the defendants. Also present is defendant, William Hemelt. Motions Hearing held. There being no objection, IT IS ORDERED granting the Motion to Consolidate CV 04-1012-PHX-SMM with this case [10, 7-1]. Oral argument held. IT IS FURTHER ORDERED taking under advisement the Motion to Appoint Lead Plaintiff [10,7-2] and for Approval of Their Selection of Lead Liaison Counsel [10,7-3]. The Court DIRECTS counsel to provide briefing on the conflict issue, if necessary, by November 10, 2004. [cc: MHM, docket clerk] [49-1] (KSB) Modified on 10/28/2004 (Entered: 10/28/2004)
<a href="#">61</a>	Oct. 29, 2004	50	ORDER by Judge Mary H. Murguia granting motion (Application) of Attorney for Admission to Practice Pro Hac Vice Pursuant to Local Rule 1.5(b)(3) as to Ramzi Abadou, atty for movant NECA-IBEW [48-1] (cc: all counsel) (KMG) (Entered: 10/29/2004)
<a href="#">62</a>	Nov. 01, 2004	51	Transcript Designation and Ordering Form by dfts re Pretrial Proceedings of 10/27/04 (MAP) (Entered: 11/05/2004)
<a href="#">63</a>	Nov. 04, 2004	52	Transcript Designation and Ordering Form by movant NECA-IBEW re Pretrial Proceedings of 10/27/04 (MAP) (Entered: 11/05/2004)
<a href="#">64</a>	Nov. 09, 2004	53	STIPULATION re Dfts' Opposition to Motions for Lead Pla and Lead Counsel by pla, dfts (MAP) (Entered: 11/17/2004)
<a href="#">65</a>	Nov. 10, 2004	54	POST -Hearing Submission by Kuhler Movants re conflict of interest (MAP) (Entered: 11/17/2004)
<a href="#">66</a>	Nov. 24, 2004	55	TRANSCRIPT of motions hearing by Court Reporter: Marilyn Sanchez for the following date(s): 10/27/04 (SRB) (Entered: 11/29/2004)
<a href="#">67</a>	Dec. 09, 2004	56	RETURN OF SERVICE EXECUTED summons/complaint (personal) upon dft William J Hemelt on 5/21/04 (MAP) (Entered: 12/13/2004)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">68</a>	Dec. 09, 2004	57	RETURN OF SERVICE EXECUTED summons/complaint upon William J Hemelt for dft Carl Johnson on 5/21/04 (MAP) (Entered: 12/13/2004)
<a href="#">69</a>	Dec. 09, 2004	58	RETURN OF SERVICE EXECUTED summons/complaint upon William J Hemelt for dft Matrixx Initiatives on 5/21/04 (MAP) (Entered: 12/13/2004)
<a href="#">70</a>	Jan. 18, 2005	59	ORDER by Judge Mary H. Murguia granting Pla NECA-Fund's motion to be appointed lead Pla, to appoint lead counsel, and to appoint liaison counsel is granted [Dkt #3-2, 3-3, 6-2, 6-3] FURTHER ORDERED denying Pla Sved-group's motion to be appointed lead pla, to appoint lead counsel, and to appoint liaison [Doc #7-2, 7-3, 10-2, 10-3] FURTHER ORDERED granting motion to substitute attorney David B Rosenbaum and Maureen Beyers of Osborn Maledon replacing James Condo of Snell & Wilmer (Michael Yoder and Amy Longo of O'Melveny & Meyers remain as co-counsel) by dft Matrixx Initiatives, dft Carl J Johnson, dft William J Hemelt [17-1] FURTHER ORDERED directing the Clk of Court to designate Pla James V Siracusano, individually and on behalf of all others similarly situated as named Pla in this action FURTHER ORDERED that the Court intends to resolve class certification on an expeditious basis ACCORDINGLY, setting a hearing re setting a schedule for class certification for 3:00 on 2/17/05 The Court directs Neca-Fund and Dft to meet and confer re a proposed schedule for class certification, addressing ddls for discovery and related issues. The partiers shall submit to the Court, preferably a joint proposed class certification sched order, nlt 2/10/05 (cc: all counsel) (MAP) (Entered: 01/18/2005)
<a href="#">71</a>	Jan. 21, 2005	60	MOTION for admission pro hac vice as to Scott Saham, atty for movant NECA-IBEW [60-1] (MAP) (Entered: 01/25/2005)
<a href="#">72</a>	Jan. 21, 2005	61	MOTION for admission pro hac vice as to Lucas F Olts, atty for movant NECA-IBEW [61-1] (MAP) (Entered: 01/25/2005)
<a href="#">73</a>	Jan. 26, 2005		Pro Hac Vice \$100 Fee Paid as to Lucas F Olts in 2:04-cv-00886 (BAS) Modified on 03/31/2005 (Entered: 01/26/2005)
<a href="#">74</a>	Jan. 26, 2005		Pro Hac Vice \$100 Fee Paid as to Scott H Saham in 2:04-cv-00886 (BAS) Modified on 03/31/2005 (Entered: 01/26/2005)
<a href="#">75</a>	Jan. 27, 2005	62	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Lucas F Olts, atty for movant NECA-IBEW [61-1] (cc: all counsel) (MAP) (Entered: 01/27/2005)
<a href="#">76</a>	Jan. 27, 2005	63	ORDER by Judge Mary H. Murguia granting motion for admission pro hac vice as to Scott Saham, atty for movant NECA-IBEW [60-1] (cc: all counsel) (MAP) (Entered: 01/27/2005)
<a href="#">77</a>	Jan. 27, 2005	64	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the hearing re: setting a schedule for class certification be reset from February 17, 2005 to March 3, 2005 at 3:00 p.m. before the Honorable Mary H. Murguia. (cc: MHM, all counsel) [64-2] (KSB) (Entered: 01/27/2005)
<a href="#">78</a>	Feb. 08, 2005	65	STIPULATION re Consolidated Amended Complaint by plas, dfts (MAP) (Entered: 02/14/2005)
<a href="#">79</a>	Feb. 24, 2005	66	ORDER by Judge Mary H. Murguia that the hearing re scheduling class certification scheduled for 3/3/05 is vacated FURTHER ORDERED that Pla shall file a consolidated amended complaint on/before 3/4/05 FURTHER ORDERED that Dfts shall naswer or otherwise respond to the

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			amended complaint on or before 4/4/05 FURTHER ORDERED that the parties will observe the standard briefing schedule provided in the Fed.R.Civ.P. and Local R.Civ.P. FURTHER ORDERED that Pla's motion for class certification shall be filed w/in 30 days from the issuance of an Order by this Court (cc: all counsel) (MAP) (Entered: 02/24/2005)
<a href="#">80</a>	Mar. 04, 2005	67	CONSOLIDATED AMENDED COMPLAINT by pla James V Siracusano [1-1]; terminating pla Stanley Sved, adding dft Timothy L Clarot (MAP) Modified on 05/19/2005 (Entered: 03/08/2005)
<a href="#">81</a>	Mar. 10, 2005	68	(NOTICE OF) ERRATA by pla James V Siracusano to complaint (amended) [67-1] (MAP) (Entered: 03/21/2005)
<a href="#">82</a>	Mar. 15, 2005	69	STIPULATION re Dfts' Motion to Dismiss Pla's Consolidated Amendeed Complaint by plas, dfts (MAP) (Entered: 03/21/2005)
<a href="#">83</a>	Mar. 24, 2005	70	ORDER by Judge Mary H. Murguia granting stipulation re Dfts' Motion to Dismiss Pla's Consolidated Amended Complaint by plas, dfts. That Dfts shall file a pleading or motion responsive to Pla's Consolidated Amended Complaint by 4/4/05; Pls ahll file an Opposition to any Motion to Dismiss by 4/25/05; Dfts shall file their Reply by 5/9/05 (cc: all counsel) (MAP) (Entered: 03/24/2005)
<a href="#">84</a>	Mar. 30, 2005	71	RETURN OF SERVICE EXECUTED summons/complaint upon Mrs Clarot for dft Timothy L Clarot in 2:04-cv-00886on 3/25/05 (MAP) (Entered: 04/01/2005)
<a href="#">85</a>	Apr. 04, 2005	72	MOTION to strike from Pla's Consolidated Amended Complaint, paragraphs 30 and 49 in their entirety, and paragraph 64 in part by dfts [72-1] (MAP) (Entered: 04/06/2005)
<a href="#">86</a>	Apr. 04, 2005	73	MOTION to dismiss case w/prejudice by dfts [73-1] (MAP) (Entered: 04/06/2005)
<a href="#">87</a>	Apr. 04, 2005	74	DECLARATION of Amy J. Longo in support of motion to dismiss case w/prejudice by dfts [73-1] and motion to strike from Pla's Consolidated Amended Complaint, paragraphs 30 and 49 in their entirety, and paragraph 64 in part by dfts [72-1] by dfts (MAP) (Entered: 04/06/2005)
<a href="#">88</a>	Apr. 25, 2005	75	RETURN OF SERVICE EXECUTED summons/complaint upon dft Timothy L Clarot in 2:04-cv-00886on 3/25/05 (SRB) (Entered: 04/25/2005)
<a href="#">89</a>	Apr. 25, 2005	76	RESPONSE by pla to motion to strike from Pla's Consolidated Amended Complaint, paragraphs 30 and 49 in their entirety, and paragraph 64 in part by dfts [72-1] (MAP) (Entered: 04/27/2005)
<a href="#">90</a>	Apr. 25, 2005	77	RESPONSE by pla James V Siracusano to motion to strike from Pla's Consolidated Amended Complaint, paragraphs 30 and 49 in their entirety, and paragraph 64 in part by dfts [72-1] (MAP) (Entered: 04/27/2005)
<a href="#">91</a>	May 09, 2005		Text not available. (Entered: 05/10/2005)
<a href="#">92</a>	May 09, 2005	78	REPLY by dfts in 2:04-cv-00886 to response to motion to strike from Pla's Consolidated Amended Complaint, paragraphs 30 and 49 in their entirety, and paragraph 64 in part by dfts [72-1] (DMT) (Entered: 05/10/2005)
<a href="#">93</a>	May 09, 2005	79	REPLY by dfts in 2:04-cv-00886 to response to motion to dismiss case w/prejudice by dfts [73-1] (DMT) (Entered: 05/10/2005)
<a href="#">94</a>	May 09, 2005	80	MOTION for hearing on their motion to dismiss and motion to strike by dfts in 2:04-cv-00886 [80-1] (DMT) (Entered: 05/10/2005)
<a href="#">95</a>	Aug. 18, 2005	81	Minute Order: The Court ORDERS granting the motion for hearing 80 .

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Oral argument as to the Motion to Strike 72 and the Motion to Dismiss 73 is scheduled on Wednesday, October 12, 2005 at 1:30 p.m. before the Honorable Mary H. Murguia. [This is a TEXT ONLY entry. There is no.pdf document attached.] (KSB) (Entered: 08/18/2005)
<a href="#">96</a>	Aug. 18, 2005		Copy of document number 81, mailed to R. Abadou on this date. (KSB) (Entered: 08/18/2005)
<a href="#">97</a>	Sep. 26, 2005	82	NOTICE of Change of Firm Address by Lucas F Olts, Scott H Saham: 655 West Broadway, Suite 1900; San Diego, CA 92101, Telephone: 619/231-1058. (DNH, ) (Entered: 09/29/2005)
<a href="#">98</a>	Oct. 12, 2005	83	Minute Entry for proceedings held before Judge Mary H Murguia: Motion Hearing held on 10/12/2005 re 72 Motion to Strike filed by Matrixx Initiatives, Inc., Carl J Johnson, and 73 Motion to Dismiss Case filed by Matrixx Initiatives, Inc., Carl J Johnson. (Court Reporter Marilyn Sanchez.) (KFZ) (Entered: 10/13/2005)
<a href="#">99</a>	Oct. 17, 2005	84	TRANSCRIPT DESIGNATION AND ORDER FORM by NECA-IBEW for proceedings held on 10/12/2005 before Judge Mary H Murguia. (BAS, ) (Entered: 10/18/2005)
<a href="#">100</a>	Oct. 20, 2005	85	TRANSCRIPT DESIGNATION AND ORDER FORM by Matrixx Initiatives, Inc. for oral argument proceedings held on 10/12/2005 before Judge Mary H Murguia. (BAS, ) (Entered: 10/24/2005)
<a href="#">101</a>	Nov. 14, 2005	86	TRANSCRIPT of Motion Hearing Proceedings held on 10/12/2005 before Judge Mary H Murguia. Court Reporter: Merilyn A Sanchez. (BAS, ) (Entered: 11/15/2005)
<a href="#">102</a>	Jan. 23, 2006	87	NOTICE of Change of Address by Scott H Saham (Saham, Scott) (Entered: 01/23/2006)
<a href="#">103</a>	Mar. 08, 2006	88	ORDER granting in part and denying in part 72 Motion to Strike FURTHER ORDERED granting 73 Motion to Dismiss. The First Amended Complaint is dismissed without prejudice. Signed by Judge Mary H Murguia on 12/15/05. (MAP, ) (Entered: 03/08/2006)
<a href="#">104</a>	Mar. 08, 2006	89	JUDGMENT that this Court having granted Defendants' Motion to Dismiss, Plaintiffs take nothing. This Complaint and action are hereby dismissed without prejudice.(MAP, ) (Entered: 03/08/2006)
<a href="#">105</a>	Mar. 10, 2006	90	Minute Order: The parties are hereby advised that the Order addressing doc. 72 and 73 was signed on December 15, 2005, but because adjustments associated with the recent transition to CM/ECF the order was not properly docketed. [This is a TEXT ONLY entry. There is no.pdf document attached.](KSP) (Entered: 03/10/2006)
<a href="#">106</a>	Apr. 03, 2006	91	NOTICE OF APPEAL to 9th Circuit, re 89 Judgment, 88 Order by James V Siracusano. (Attachments: # 1 Civil Appeals Docketing Statement)(Saham, Scott) Modified on 4/5/2006 (LSP). DOCKET TEXT MODIFIED TO CORRECT DOCUMENT LINKAGE. (Entered: 04/03/2006)
<a href="#">107</a>	Apr. 04, 2006		USCA Appeal Fees received \$ 255 receipt number PHX041352 re 91 Notice of Appeal filed by James V Siracusano, (LSP) (Entered: 04/05/2006)
<a href="#">108</a>	Apr. 05, 2006		COPY of CADS Sent re 91 Notice of Appeal: Civil Appeals Docketing Statement sent to 9th Circuit on this date; copy attached to Notice of Appeal; (NOTE: original must be submited for the Ninth Circuit) (LSP) (Entered: 04/05/2006)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">109</a>	Apr. 05, 2006		Appeal Remark re 91 Notice of Appeal: Member case number CV 04-1012 PHX-MHM notated on Copy of Notice of Appeal forwarded to the Ninth Circuit and Ramzi Abadou (LSP) (Entered: 04/05/2006)
<a href="#">110</a>	Apr. 05, 2006	92	Notice of Appeal Notification Form; Notice of Appeal and copy of docket sheet transmitted to Ninth Circuit and all parties re 91 Notice of Appeal (LSP) (Entered: 04/05/2006)
<a href="#">111</a>	Apr. 05, 2006		ORIGINAL CADS Sent re 91 Notice of Appeal: Civil Appeals Docketing Statement sent to 9th Circuit on this date. (LSP) (Entered: 04/05/2006)
<a href="#">112</a>	Apr. 18, 2006	93	Ninth Circuit Case Number 06-15677 for 91 Notice of Appeal. NOTE: Case Number taken from Time Schedule Order to Court Reporter Merilyn Sanchez (LSP) (Entered: 04/18/2006)
<a href="#">113</a>	Apr. 24, 2006	94	Ninth Circuit Case Number 06-15677 for 91 Notice of Appeal. (LSP) (Entered: 04/24/2006)
<a href="#">114</a>	May 02, 2006	95	APPEAL TRANSCRIPT REQUEST by James V Siracusano for proceedings held on 10/12/05 before Judge Mary H Murguia, re 91 Notice of Appeal Transcript filed as of 11/14/2005. (BAS, ) (Entered: 05/03/2006)
<a href="#">115</a>	May 08, 2006	96	CERTIFICATE OF RECORD TRANSMITTED TO 9TH CIRCUIT COURT OF APPEALS re 91 Notice of Appeal (LSP) (Entered: 05/08/2006)
<a href="#">116</a>	Sep. 15, 2007	97	Notice re Firm Name Change by NECA-IBEW (Saham, Scott) (Entered: 09/15/2007)