

**U.S. District Court**  
**District of Colorado (Denver)**  
CIVIL DOCKET FOR CASE #: 1:05-cv-01046-MSK-BNB

UFCW Local 880-Retail Food Employers Joint Pension Fund v. Date Filed: 06/08/2005  
Newmont Mining Corporation et al Jury Demand: Plaintiff  
Assigned to: Judge Marcia S. Krieger Nature of Suit: 160 Stockholders Suits  
Referred to: Magistrate Judge Boyd N. Boland Jurisdiction: Federal Question  
Member cases:

[1:05-cv-01100-MSK-BNB](#)

[1:05-cv-01141-MSK-BNB](#)

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

**Plaintiff**

**UFCW Local 880-Retail Food  
Employers Joint Pension Fund**  
*On Behalf of Itself and All Others  
Similarly Situated*

represented by **Henry Rosen**  
Lerach Coughlin Stoia Geller Rudman &  
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**LEAD ATTORNEY**  
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**Plaintiff**

**Pompano Beach Police and Firefighter's  
Retirement System**

represented by **Jeffrey Allen Berens**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kip Brian Shuman**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kamel Aouidad**  
*an individual*

represented by **Kip Brian Shuman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jeffrey Allen Berens**  
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**Consol Plaintiff**

**John S. Chapman**

represented by **Darby K. Kennedy**  
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**Kip Brian Shuman**  
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**Consol Plaintiff**

**Zoe Myerson**

represented by **Darby K. Kennedy**  
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*LEAD ATTORNEY*  
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**Kip Brian Shuman**  
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**Intervenor Plaintiff**

**PT Lebong Tandai**

represented by **James Wilmer Anderson, Jr.**  
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**Intervenor Plaintiff**

**PT Pukuafu Indah**

represented by **James Wilmer Anderson, Jr.**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven William Reifman**  
(See above for address)  
*LEAD ATTORNEY*  
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**Intervenor Plaintiff**

**PT Tanjung Sera Pung**

represented by **James Wilmer Anderson, Jr.**

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven William Reifman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Newmont Mining Corporation**

represented by **Lee David Foreman**  
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**Defendant**

**Wayne W. Murdy**

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

**Pamela Robillard Mackey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Pierre Lassonde**

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

**Pamela Robillard Mackey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Bruce D. Hansen**

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

**Pamela Robillard Mackey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**David H. Francisco**  
*an individual*

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

**Defendant**

**Thomas L. Enos**  
*an Individual*

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

**Defendant**

**Russell Ball**  
*an individual*

represented by **Lee David Foreman**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert J. Gallagher**  
*an individual*

represented by **Lee David Foreman**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Jack G. Blaz**

represented by **Gerald L. Bader, Jr.**  
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**Interested Party**

**Doris Staehr**

represented by **F. James Donnelly**  
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*LEAD ATTORNEY*  
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**Interested Party**

**Frank J. Donio**

represented by **F. James Donnelly**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/08/2005	1	Class Action COMPLAINT For Violation of the Federal Securities Laws against

		all defendants ( Filing fee \$ 250, Receipt Number 260722) Summons Issued, filed by UFCW Local 880-Retail Food Employers Joint Pension Fund.(bpm, ) (Entered: 06/09/2005)
06/29/2005	<a href="#">2</a>	NOTICE of Entry of Appearance by Lee David Foreman on behalf of Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen (Foreman, Lee) (Entered: 06/29/2005)
08/01/2005	<a href="#">3</a>	MOTION to Consolidate Cases [05-cv-01046-MSK-BNB; 05-cv-01084-WDM-MJW; 05-cv-01100-REB-CBS; 045-cv-01141-REB-BNB; 05-cv-01222-EWN-BNB; 05-cv-01226-WDM-PAC] by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Modified on 8/11/2005 to add case numbers) (dlb, ). (Entered: 08/01/2005)
08/04/2005	<a href="#">4</a>	ORDER REFERRING CASE to Magistrate Judge Boyd N. Boland by Judge Krieger. (erv, ) (Entered: 08/05/2005)
08/08/2005	<a href="#">5</a>	BRIEF in Opposition re <a href="#">3</a> MOTION to Consolidate Cases filed by Interested Party Jack G. Blaz. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(Taylor, Renee) (Entered: 08/08/2005)
08/08/2005	<a href="#">6</a>	MOTION for Appointment of the Pompano Group as Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Co-Lead Counsel by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund, Interested Parties Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidan. (Attachments: # <a href="#">1</a> Exhibit A (purchases and losses chart)# <a href="#">2</a> Exhibit B (plaintiff certification)# <a href="#">3</a> Exhibit C (class action press release)# <a href="#">4</a> Exhibit D (Lerach Coughlin firm resume)# <a href="#">5</a> Exhibit E (Schatz Nobel firm resume)# <a href="#">6</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 08/08/2005)
08/16/2005	<a href="#">7</a>	Stipulated MOTION for Extension of Time to File Answer by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Re: Stipulated Motion for Extension of Time to Answer)(Foreman, Lee) (Entered: 08/16/2005)
08/17/2005	<a href="#">8</a>	ORDER re: <a href="#">7</a> Stipulated MOTION for Extension of Time to File Answer <a href="#">3</a> MOTION to Consolidate Cases filed by Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen, any response or objection to these Motions shall be filed with the Court and served no later than September 9, 2005. Any Reply will be filed and served by September 30,2005. Set Hearings: Motion Hearing set for 11/1/2005 10:00 AM in Courtroom A 901 before Judge Marcia S. Krieger.. Signed by Judge Marcia S. Krieger on 8/17/05. (erv, ) (Entered: 08/17/2005)
08/19/2005	<a href="#">9</a>	NOTICE of Entry of Appearance by Pamela Robillard Mackey on behalf of all defendants (Mackey, Pamela) (Entered: 08/19/2005)
08/23/2005	<a href="#">10</a>	REPLY to Response to Motion re <a href="#">3</a> MOTION to Consolidate Cases for Violation of Federal Securities Laws and All Shareholder Derivative Actions filed by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Exhibit Case Law)(Mackey, Pamela) (Entered: 08/23/2005)

08/23/2005	<a href="#">11</a>	SUPPLEMENT/AMENDMENT <i>Submission of Authority in Support of Motion to Consolidate All Related Class Actions for Violation of Federal Securities Laws and All Shareholder Derivative Actions</i> by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Exhibit Case Law - Mayfield# <a href="#">2</a> Exhibit Case Law - Microsoft# <a href="#">3</a> Exhibit Case Law - Stiles)(Mackey, Pamela) (Entered: 08/23/2005)
08/29/2005	<a href="#">12</a>	NOTICE re <a href="#">6</a> MOTION for Appointment of <i>the Pompano Group as Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Co-Lead Counsel</i> by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund, Interested Parties Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidan (Berens, Jeffrey) (Entered: 08/29/2005)
09/09/2005	<a href="#">13</a>	BRIEF in Opposition re <a href="#">3</a> MOTION to Consolidate Cases filed by Movants Doris Staehr, Frank J. Donio. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F# <a href="#">7</a> Exhibit G# <a href="#">8</a> Exhibit H# <a href="#">9</a> Exhibit I# <a href="#">10</a> Exhibit J)(Donnelly, F.) (Entered: 09/09/2005)
09/09/2005	<a href="#">14</a>	DECLARATION of <i>Robert D. Foster</i> regarding Brief in Opposition to Motion, <a href="#">13</a> by Movants Doris Staehr, Frank J. Donio. (Donnelly, F.) (Entered: 09/09/2005)
09/09/2005	<a href="#">15</a>	DECLARATION of <i>F. James Donnelly</i> regarding Brief in Opposition to Motion, <a href="#">13</a> by Movants Doris Staehr, Frank J. Donio. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E)(Donnelly, F.) (Entered: 09/09/2005)
09/09/2005	<a href="#">16</a>	RESPONSE to Motion re <a href="#">3</a> MOTION to Consolidate Cases filed by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund, Interested Parties Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad. (Berens, Jeffrey) (Entered: 09/09/2005)
09/12/2005	<a href="#">17</a>	RESPONSE to Motion re <a href="#">3</a> MOTION to Consolidate Cases filed by Interested Party John S. Chapman. (Shuman, Kip) (Entered: 09/12/2005)
09/16/2005	<a href="#">18</a>	NOTICE of Change of Address by Kip Brian Shuman (Shuman, Kip) (Entered: 09/16/2005)
09/30/2005	<a href="#">19</a>	REPLY to Response to Motion re <a href="#">3</a> MOTION to Consolidate Cases <i>for Violation of Federal Securities Laws and All Shareholder Derivative Actions</i> filed by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Mackey, Pamela) (Entered: 09/30/2005)
10/31/2005	<a href="#">20</a>	NOTICE of Entry of Appearance by Jeffrey S. Nobel on behalf of Kamel Aouidad (Nobel, Jeffrey) (Entered: 10/31/2005)
11/01/2005	<a href="#">22</a>	Minute Entry for proceedings held before Judge Marcia S. Krieger : Motion Hearing held on 11/1/2005. Oral Order: <a href="#">3</a> MOTION to Consolidate Cases is granted in part and denied in part. The Court declines to consolidate all six cases and declines to jointly administer the six cases. The Court will consolidate 05-cv-01046-MSK-BNB, 05-cv-01100-REB-CBS and 05-cv-01141-REB-BNB. Those cases will be consolidated into a single action bearing the case number 05-cv-01046-MSK-BNB and will pend before Judge Marcia S. Krieger. Written order will issue.(Court Reporter Paul Zuckerman.) (mskcd, ) (Entered: 11/02/2005)

11/02/2005	<a href="#">21</a>	ORDER granting in part <a href="#">3</a> Motion to Consolidate Cases, insofar as Chapman v. Newmont Mining, 05-cv-01100-REB-CBS and Myerson v. Newmont Mining, 05-cv-01141-REB-BNB are consolidated into this case, DENIED IN PART, insofar as the Court declines to consolidate Staehr v. Murdy, 05-cv-01084-WDM-MJW; Donio v. Murdy, 05-cv-01222-EWN-BNB; or Blaz v. Murdy, 05-cv-01226-WDM-PAC into this case. The Clerk of the Court shall transfer the consolidated cases to the undersigned for further proceedings. granting in part <a href="#">7</a> Motion for Extension of Time to Answer insofar as the Defendants shall file a response to the Complaint(s) in this case within 15 days of the date of this Order, and DENIED IN PART, in all other respects. . Signed by Judge Marcia S. Krieger on 11/1/05. (erv, ) (Entered: 11/02/2005)
11/07/2005	<a href="#">23</a>	MINUTE ORDER In light of the Order, Granting, In Part, Motion to Consolidate and Motion for Extension of Time, entered by District Judge Krieger on November 1, 2005; is it hereby ORDERED that the status conference set for November 9, 2005, in 05-cv-01100-REB-CBS, is VACATED. by Magistrate Judge Craig B Shaffer on 11/7/05. (erv, ) (Entered: 11/07/2005)
11/09/2005	24	TRANSCRIPT of Hearing on Motion to Consolidate held on November 1, 2005 before Judge Marcia S. Krieger. Prepared by: Paul Zuckerman. Pages: 1-17. (certified copy) Text Only Entry - Available in paper format at the Clerk's Office (erv, ) (Entered: 11/10/2005)
11/10/2005	<a href="#">25</a>	ORDER, Set Hearings: Scheduling Conference set for 12/13/2005 09:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Signed by Magistrate Judge Boyd N. Boland on 11/10/05. (erv, ) (Entered: 11/10/2005)
11/14/2005	<a href="#">26</a>	Joint MOTION for Order to <i>Set a Briefing Schedule for the Consolidated Complaint</i> by Plaintiffs John S. Chapman, Zoe Myerson, UFCW Local 880-Retail Food Employers Joint Pension Fund, Interested Parties Kamel Aouidad, Pompano Beach Police and Firefighter's Retirement System, Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Shuman, Kip) (Entered: 11/14/2005)
11/15/2005	<a href="#">27</a>	Unopposed MOTION to Reset <i>Postpone Deadline for Filing Motions Until After Consolidated Complaint is Filed</i> by Defendant Newmont Mining Corporation. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Foreman, Lee) (Entered: 11/15/2005)
12/02/2005	<a href="#">28</a>	Joint MOTION to Vacate <a href="#">25</a> Order, Set/Reset Hearings by Plaintiffs John S. Chapman, Zoe Myerson, UFCW Local 880-Retail Food Employers Joint Pension Fund, Interested Parties Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad, Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 12/02/2005)
12/08/2005	<a href="#">29</a>	MINUTE ORDER the scheduling/planning conference set for December 13, 2005, and related deadlines established by the order of November 10, 2005, are VACATED, to be reset at a later date. IT IS FURTHER ORDERED that the plaintiff's shall file a status report within 10 days of any order entered by the district judge concerning the appointment of lead counsel and lead plaintiff. Signed by Magistrate Judge Boyd N. Boland on 12/8/05. (erv, ) (Entered: 12/08/2005)

03/29/2006	<a href="#">30</a>	ORDER Granting <a href="#">26</a> Motion for Order to set a briefing schedule, insofar as Local 880 shall file a Consolidated Complaint within 30 days of the dtate of this Order. The Defendants shall have 30 days to answer or move againstthe Consolidated Complaint. Briefing of any motion shall take place pursuant to D.C. Colo. L. Civ. R. 7.1(C), unless otherwise ordered. Granting <a href="#">6</a> Motion for Appointment of Local 880 as Lead Plaintiff of the putative class and the law firms of Lerach, Coughlin, Stoia, Geller, Rudman & Robbins, LLP and Schatz & Nobel, P.C. are approved as co-lead counsel and Dyer & Shuman, LLP are approved as liaison counsel representing the class.Signed by Judge Marcia S. Krieger on 3/29/06. (erv, ) (Entered: 03/30/2006)
04/26/2006	<a href="#">31</a>	Unopposed MOTION For Extension of Time to <i>File a Consolidated Complaint</i> by Consol Plaintiffs John S. Chapman, Zoe Myerson, Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 04/26/2006)
04/26/2006	<a href="#">32</a>	ORDER denying <a href="#">31</a> Motion for Extension of Time to file Consolidated Complaint. Signed by Judge Marcia S. Krieger on 4/26/06. (erv, ) (Entered: 04/27/2006)
04/27/2006	<a href="#">33</a>	MOTION for Reconsideration by Defendants Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 04/27/2006)
04/27/2006	<a href="#">34</a>	ORDER denying <a href="#">33</a> Motion for Reconsideration . Signed by Judge Marcia S. Krieger on 4/27/06. (erv, ) (Entered: 04/27/2006)
04/28/2006	<a href="#">35</a>	AMENDED COMPLAINT <i>PLAINTIFFS' CONSOLIDATED CLASS ACTION COMPLAINT FOR VIOLATION OF THE FEDERAL SECURITIES LAWS</i> against David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen, filed by UFCW Local 880-Retail Food Employers Joint Pension Fund.(Rosen, Henry) (Entered: 04/28/2006)
06/16/2006	<a href="#">36</a>	MINUTE ORDER, Set Hearings: Status Conference set for 7/10/2006 09:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. by Magistrate Judge Boyd N. Boland on 6/16/06. (erv, ) (Entered: 06/16/2006)
06/27/2006	<a href="#">37</a>	WAIVER OF SERVICE Returned Executed by UFCW Local 880-Retail Food Employers Joint Pension Fund, Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad. David H. Francisco waiver sent on 5/5/2005, answer due 7/4/2005. (Rosen, Henry) (Entered: 06/27/2006)
06/27/2006	<a href="#">38</a>	WAIVER OF SERVICE Returned Executed by UFCW Local 880-Retail Food Employers Joint Pension Fund, Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad. Thomas L. Enos waiver sent on 5/5/2006, answer due 7/5/2006. (Rosen, Henry) (Entered: 06/27/2006)
06/27/2006	<a href="#">39</a>	WAIVER OF SERVICE Returned Executed by UFCW Local 880-Retail Food Employers Joint Pension Fund, Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad. Russell Ball waiver sent on 5/5/2006, answer due 7/5/2006. (Rosen, Henry) (Entered: 06/27/2006)
06/27/2006	<a href="#">40</a>	WAIVER OF SERVICE Returned Executed by UFCW Local 880-Retail Food

		Employers Joint Pension Fund, Pompano Beach Police and Firefighter's Retirement System. Robert J. Gallagher waiver sent on 5/5/2006, answer due 7/5/2006. (Rosen, Henry) (Entered: 06/27/2006)
07/05/2006	<a href="#">41</a>	STATUS REPORT by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Berens, Jeffrey) (Entered: 07/05/2006)
07/10/2006	<a href="#">42</a>	Minute Entry-Courtroom Minutes for proceedings held before Magistrate Judge Boyd N. Boland. Status Conference held on 7/10/2006. (Court Reporter FTR-G. Mattei.) (bncbd, ) (Entered: 07/12/2006)
07/12/2006	<a href="#">43</a>	MOTION to Dismiss by Defendants David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 07/12/2006)
07/12/2006	<a href="#">44</a>	BRIEF in Support re <a href="#">43</a> MOTION to Dismiss filed by Defendants David H. Francisco, Thomas L. Enos, Robert J. Gallagher. (Foreman, Lee) (Entered: 07/12/2006)
07/12/2006	<a href="#">45</a>	BRIEF in Support re <a href="#">43</a> MOTION to Dismiss filed by Defendants Russell Ball, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 07/12/2006)
07/12/2006	<a href="#">46</a>	DECLARATION of <i>Lee D. Foreman and Request for Judicial Notice</i> regarding MOTION to Dismiss <a href="#">43</a> , Brief in Support of Motion <a href="#">45</a> by Defendants David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F# <a href="#">7</a> Exhibit G# <a href="#">8</a> Exhibit H# <a href="#">9</a> Exhibit I# <a href="#">10</a> Exhibit J# <a href="#">11</a> Exhibit K)(Foreman, Lee) (Entered: 07/12/2006)
07/12/2006	<a href="#">47</a>	CORPORATE DISCLOSURE STATEMENT of <i>Defendant Newmont Mining Corporation</i> by Defendants David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 07/12/2006)
07/21/2006	<a href="#">48</a>	Unopposed MOTION for Extension of Time to File Response/Reply as to <a href="#">43</a> MOTION to Dismiss, <a href="#">46</a> Declaration, by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 07/21/2006)
07/25/2006	<a href="#">49</a>	ORDER granting Unopposed <a href="#">48</a> Motion for Extension of Time to File Response to <a href="#">43</a> MOTION to Dismiss and Request for Judicial Notice to 8/15/06. Signed by Judge Marcia S. Krieger on 7/25/06. (gms, ) (Entered: 07/25/2006)
08/15/2006	<a href="#">50</a>	Unopposed MOTION to Stay <i>This Action in Connection with a Settlement in Principle and to Set Deadlines for Filing a Stipulation of Settlement and Motion For Preliminary Approval of Class Action Settlement</i> by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 08/15/2006)
08/15/2006	<a href="#">51</a>	MOTION to Intervene by PT Lebong Tandai, PT Tanjung Sera Pung and PT Puhuaifu Indah as Intervening Plaintiffs. (erv, ) (Entered: 08/16/2006)

08/15/2006	<a href="#">52</a>	BRIEF in Support re <a href="#">51</a> MOTION to Intervene filed by Intervenor Plaintiffs PT Lebong Tandai, PT Pukuafu Indah, PT Tanjung Sera Pung. (Attachments: # <a href="#">1</a> Exhibit)(erv, ) (Entered: 08/16/2006)
08/22/2006	<a href="#">53</a>	RESPONSE to Motion re <a href="#">50</a> Unopposed MOTION to Stay <i>This Action in Connection with a Settlement in Principle and to Set Deadlines for Filing a Stipulation of Settlement and Motion For Preliminary Approval of Class Action Settlement</i> filed by Intervenor Plaintiff PT Lebong Tandai. (Anderson, James) (Entered: 08/22/2006)
08/29/2006	<a href="#">54</a>	BRIEF in Opposition re <a href="#">50</a> Unopposed MOTION to Stay <i>This Action in Connection with a Settlement in Principle and to Set Deadlines for Filing a Stipulation of Settlement and Motion For Preliminary Approval of Class Action Settlement Supplemental Brief</i> filed by Intervenor Plaintiff PT Lebong Tandai. (Anderson, James) (Entered: 08/29/2006)
09/01/2006	<a href="#">55</a>	Opinion and ORDER denying Defendants Unopposed <a href="#">27</a> Motion to Postpone Deadlines, denying Parties' Joint <a href="#">28</a> Motion to Vacate Hearings, denying Defendant's <a href="#">43</a> Motion to Dismiss, without prejudice to refile should final settlement not be reached. Denying Plaintiffs' Unopposed <a href="#">50</a> Motion to Stay and denying Gideon Minerl's <a href="#">51</a> Motion to Intervene . Signed by Judge Marcia S. Krieger on 9/1/06. (gms, ) (Entered: 09/01/2006)
09/12/2006	<a href="#">56</a>	NOTICE re <a href="#">55</a> Order on Motion to Reset, Order on Motion to Vacate, Order on Motion to Dismiss, Order on Motion to Stay, Order on Motion to Intervene,,,,, <i>Order Denying Motion to Stay</i> by Intervenor Plaintiff PT Lebong Tandai (Anderson, James) (Entered: 09/12/2006)
10/01/2006	<a href="#">57</a>	MOTION to Intervene by Intervenor Plaintiff PT Lebong Tandai. (Attachments: # <a href="#">1</a> Exhibit Complaint for Intervention# <a href="#">2</a> Affidavit Dr. Jacques de Groote# <a href="#">3</a> Affidavit Special Audit Report by Independent Accountants# <a href="#">4</a> Exhibit Transcript from USDC SDNY# <a href="#">5</a> Exhibit Opinion and Order USDC SDNY J. Martin# <a href="#">6</a> Exhibit Defendant Newmont's SEC 10K)(Anderson, James) (Entered: 10/01/2006)
10/03/2006	<a href="#">58</a>	Amended MOTION to Intervene by Intervenor Plaintiff PT Lebong Tandai. (Attachments: # <a href="#">1</a> Exhibit Amended Intervening Complaint# <a href="#">2</a> Exhibit Ex A- de Groote Affidavit# <a href="#">3</a> Exhibit Ex B Auditor's Report of Proven and Probable Reserves# <a href="#">4</a> Exhibit Ex C-Transcript Judge Martin USDC SDNY# <a href="#">5</a> Exhibit Ex D- USDC SDNY Opinion and Order J. Martin# <a href="#">6</a> Exhibit Ex E-Def Newmont Mining Corp SEC Form 10K)(Reifman, Steven) (Entered: 10/03/2006)
10/03/2006	<a href="#">59</a>	NOTICE of Firm Name Change by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund (Berens, Jeffrey) (Entered: 10/03/2006)
10/04/2006	60	Docket Annotation: Motions terminated: <a href="#">57</a> MOTION to Intervene by Intervenor Plaintiff PT Lebong Tandai [Document amended by #58]. (Text only entry - no document attached). (dln, ) (Entered: 10/04/2006)
10/10/2006	<a href="#">61</a>	Unopposed MOTION For Extension of Time to <i>File Any Stipulation of Settlement and Related Documents</i> by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 10/10/2006)

10/11/2006	<a href="#">62</a>	ORDER granting <a href="#">61</a> Unopposed MOTION For Extension of Time to File Any Stipulation of Settlement and Related Documents by Plaintiff. The parties shall file any stipulation of settlement, motion for preliminary approval and related documents by 10/20/06. Signed by Judge Marcia S. Krieger on 10/11/06.(dln, ) (Entered: 10/11/2006)
10/11/2006	<a href="#">63</a>	ORDER: granting <a href="#">61</a> Unopposed MOTION For Extension of Time to File Any Stipulation of Settlement and Related Documents by Plaintiff. The parties shall file any stipulation of settlement, motion for preliminary approval and related documents by 10/20/06. Signed by Judge Marcia S. Krieger on 10/11/06.(dln, ) (Entered: 10/11/2006)
10/11/2006	64	Docket Annotation re: <a href="#">62</a> ORDER. [Incorrect PDF attached in error]. Text only entry - no document attached. (dln, ) (Entered: 10/11/2006)
10/18/2006	<a href="#">65</a>	RESPONSE to Motion re <a href="#">58</a> Amended MOTION to Intervene filed by Defendants David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 10/18/2006)
10/20/2006	<a href="#">66</a>	Unopposed MOTION for Order to <i>Preliminarily Approve Proposed Class Action Settlement</i> by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Berens, Jeffrey) (Entered: 10/20/2006)
10/20/2006	<a href="#">67</a>	STIPULATION of <i>Settlement</i> by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit A-1# <a href="#">3</a> Exhibit A-2# <a href="#">4</a> Exhibit A-3# <a href="#">5</a> Exhibit B)(Berens, Jeffrey) (Entered: 10/20/2006)
10/23/2006	<a href="#">68</a>	RESPONSE to Motion re <a href="#">58</a> Amended MOTION to Intervene filed by Plaintiff UFCW Local 880-Retail Food Employers Joint Pension Fund. (Berens, Jeffrey) (Entered: 10/23/2006)
11/02/2006	<a href="#">69</a>	AFFIDAVIT re <a href="#">58</a> Amended MOTION to Intervene <i>Certified Affidavit</i> by Intervenor Plaintiff PT Lebong Tandai. (Attachments: # <a href="#">1</a> )(Anderson, James) (Entered: 11/02/2006)
11/02/2006	<a href="#">70</a>	REPLY to Response to Motion re <a href="#">58</a> Amended MOTION to Intervene <i>REQUEST FOR ORDER GRANTING MOTION TO INTERVENE, REPLY IN OPPOSITION TO PROPOSED STIPULATED SETTLEMENT, REQUEST FOR SUMMARY JUDGEMENT IN FAVOR OF INTERVENING PLAINTIFFS AND FOR INJUNCTIVE RELIEF</i> filed by Plaintiffs UFCW Local 880-Retail Food Employers Joint Pension Fund, Pompano Beach Police and Firefighter's Retirement System, Kamel Aouidad. (Attachments: # <a href="#">1</a> # <a href="#">2</a> )(Anderson, James) (Entered: 11/02/2006)
11/02/2006	<a href="#">71</a>	REPLY to Response to Motion re <a href="#">58</a> Amended MOTION to Intervene <i>Proposed Order to Unopposed Motion to Intervene</i> filed by Intervenor Plaintiff PT Lebong Tandai. (Anderson, James) (Entered: 11/02/2006)
11/07/2006	72	Docket Annotation re: <a href="#">70</a> REPLY to Response to Motion re <a href="#">58</a> Amended MOTION to Intervene <i>REQUEST FOR ORDER GRANTING MOTION TO INTERVENE, REPLY IN OPPOSITION TO PROPOSED STIPULATED SETTLEMENT, REQUEST FOR SUMMARY JUDGEMENT IN FAVOR OF</i>

		INTERVENING PLAINTIFFS AND FOR INJUNCTIVE RELIEF filed by Plaintiffs. [Document to be refiled by Counsel as two separate documents, addressing the appropriate pending motion.] Text only entry - no document attached. (dln, ) (Entered: 11/07/2006)
11/07/2006	<a href="#">73</a>	REPLY to Response to Motion re <a href="#">58</a> Amended MOTION to Intervene <i>Reply Requesting Entry of Order Granting Motion to Intervene, Request for Summary Judgement in Favor of Intervening Plaintiffs and for Injunctive Relief</i> filed by Intervenor Plaintiff PT Leborg Tandai. (Anderson, James) (Entered: 11/07/2006)
11/07/2006	<a href="#">74</a>	RESPONSE to Motion re <a href="#">66</a> Unopposed MOTION for Order to <i>Preliminarily Approve Proposed Class Action Settlement Objections</i> filed by Intervenor Plaintiff PT Leborg Tandai. (Anderson, James) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order dated 03/30/2007) (dln, ). (Entered: 11/07/2006)
11/17/2006	<a href="#">75</a>	First MOTION for Entry of Default as to by Intervenor Plaintiff PT Leborg Tandai. (Anderson, James) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 11/17/2006)
11/28/2006	<a href="#">76</a>	Second MOTION for Entry of Default as to <i>Defendants</i> by Intervenor Plaintiff PT Leborg Tandai. (Anderson, James) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 11/28/2006)
11/29/2006	<a href="#">77</a>	RESPONSE to Motion re <a href="#">58</a> Amended MOTION to Intervene, <a href="#">76</a> Second MOTION for Entry of Default as to <i>Defendants</i> , <a href="#">75</a> First MOTION for Entry of Default as to filed by Defendants David H. Francisco, Thomas L. Enos, Russell Ball, Robert J. Gallagher, Newmont Mining Corporation, Wayne W. Murdy, Pierre Lassonde, Bruce D. Hansen. (Foreman, Lee) (Entered: 11/29/2006)
11/30/2006	<a href="#">78</a>	Third MOTION for Entry of Default as to <i>Defendants</i> by Intervenor Plaintiff PT Leborg Tandai. (Anderson, James) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 11/30/2006)
12/22/2006	<a href="#">79</a>	NOTICE <i>Request for Judicial Notice</i> by Intervenor Plaintiff PT Leborg Tandai (Attachments: # <a href="#">1</a> Exhibit IOSCO Memorandum of Understanding)(Reifman, Steven) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 12/22/2006)
01/05/2007	<a href="#">80</a>	AFFIDAVIT re <a href="#">75</a> First MOTION for Entry of Default as to <i>Non Military</i> by Intervenor Plaintiff PT Leborg Tandai. (Reifman, Steven) (Entered: 01/05/2007)
01/05/2007	<a href="#">81</a>	NOTICE re <a href="#">75</a> First MOTION for Entry of Default as to <i>NOTICE AND REQUEST TO JUDGE TO DIRECT CLERK TO ENTER DEFAULT</i> by Intervenor Plaintiff PT Leborg Tandai (Reifman, Steven) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 01/05/2007)
03/02/2007	82	MEMORANDUM regarding <a href="#">78</a> Third MOTION for Entry of Default as to <i>Defendants</i> filed by PT Leborg Tandai, <a href="#">76</a> Second MOTION for Entry of Default as to <i>Defendants</i> filed by PT Leborg Tandai, <a href="#">75</a> First MOTION for Entry of Default as to filed by PT Leborg Tandai. Motions referred to Magistrate Judge Boyd N. Boland by Judge Marcia S. Krieger on 3/1/07. (Text Only Entry - No Document Attached)(pap2, ) (Entered: 03/02/2007)
03/05/2007	<a href="#">83</a>	ORDER denying <a href="#">75</a> First MOTION for Entry of Default as to by Intervenor

		Plaintiff; <a href="#">76</a> Second MOTION for Entry of Default as to Defendants by Intervenor Plaintiff and <a href="#">78</a> Third MOTION for Entry of Default as to Defendants by Intervenor Plaintiff. Signed by Magistrate Judge Boyd N. Boland on 3/5/07.(dln, ) (Entered: 03/05/2007)
03/05/2007	<a href="#">84</a>	MOTION for Relief from <a href="#">83</a> Order on Motion for Entry of Default and Objection to Order of Magistrate by Intervenor Plaintiff PT Lebong Tandai. (Reifman, Steven) (Modified on 3/6/2007 to clarify entry) (dln, ). (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 03/05/2007)
03/06/2007	85	Docket Annotation re: <a href="#">84</a> MOTION for Relief from <a href="#">83</a> Order on Motion for Entry of Default and Objection to Order of Magistrate by Intervenor Plaintiff PT Lebong Tandai. [Entry modified for clarification]. Text only entry - no document attached. (dln, ) (Entered: 03/06/2007)
03/06/2007	<a href="#">87</a>	Letter from USCA - In Re Gideon Minerals, a petition for writ of mandamus was docketed in this case (USCA case no. 07-1090) (bjr, ) (Entered: 03/07/2007)
03/07/2007	<a href="#">86</a>	MOTION to Supplement <a href="#">84</a> MOTION for <i>Relief from Order and Objection to Order of Magistrate</i> by Intervenor Plaintiff PT Lebong Tandai. (Anderson, James) (Entered: 03/07/2007)
03/08/2007	88	Docket Annotation: Motions terminated: <a href="#">86</a> MOTION to Supplement <a href="#">84</a> MOTION for Relief from Order and Objection to Order of Magistrate by Intervenor Plaintiff. [Document is not a motion - to be refiled by Counsel as a Supplement/Amendment]. Text only entry - no document attached. (dln, ) (Entered: 03/08/2007)
03/08/2007	<a href="#">89</a>	<i>NOTICE OF THE PUBLIC ACCOUNTING OVERSIGHT BOARD OF THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION SECURITIES FRAUD INQUIRY OF DEFENDANT NEWMONT MINING COMPANY, ET AL</i> by Intervenor Plaintiff PT Lebong Tandai (Attachments: # <a href="#">1</a> Exhibit Auditors statement of communication per request of Public Company Accounting Oversight Board)(Anderson, James) (Modified on 4/2/2007 to indicate STRICKEN pursuant to order 03/30/2007) (dln, ). (Entered: 03/08/2007)
03/08/2007	<a href="#">90</a>	Supplemental MOTION to Supplement <a href="#">84</a> MOTION for <i>RELIEF FROM ORDER AND OBJECTION TO ORDER OF MAGISTRATE</i> by Intervenor Plaintiff PT Lebong Tandai. (Anderson, James) (Entered: 03/08/2007)
03/08/2007	91	Docket Annotation: Motions terminated: <a href="#">90</a> Supplemental MOTION to Supplement <a href="#">84</a> MOTION for RELIEF FROM ORDER AND OBJECTION TO ORDER OF MAGISTRATE by Intervenor Plaintiff PT Lebong Tandai. [Document is not a motion - it is a supplement to #84]. Text only entry - no document attached. (dlnsl, ) (Entered: 03/09/2007)
03/08/2007	<a href="#">92</a>	SUPPLEMENT/AMENDMENT to <a href="#">84</a> MOTION for Relief from <a href="#">83</a> Order on Motion for Entry of Default and Objection to Order of Magistrate. (dln, ) (Entered: 03/09/2007)
03/30/2007	<a href="#">93</a>	OPINION AND ORDER DENYING AMENDED MOTION TO INTERVENE AND DIRECTING COUNSEL TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED: <a href="#">58</a> Amended MOTION to Intervene by Intervenor

	<p>Plaintiff is DENIED. STRIKING [#74], [#75], [#76], [#78], [#79], [#81]; <a href="#">84</a> MOTION for Relief from <a href="#">83</a> Order on Motion for Entry of Default and Objection to Order of Magistrate by Intervenor Plaintiff; <a href="#">89</a> and <a href="#">92</a>. The Court directs Gideons counsel to show cause in writing within 14 days of the date of this Order, why counsel should not be sanctioned for violations. In addition, Gideons counsel is advised that if the Court finds that some or all of the identified conduct warrants sanctions, the Court intends to consider a monetary penalty assessed against Gideons counsel, personally. Signed by Judge Marcia S. Krieger on 3/30/07. (dln, ) (Entered: 04/02/2007)</p>
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