

U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:06-cv-00228-JLS-WMC

Brody, et al v. Dot Hill Systems, et al

Date Filed:	Jan. 31, 2006
Nature of suit:	850 Securities/Commodities
Demand:	\$0
Assigned to:	Judge Janis L. Sammartino
Case in other court:	USCA, 09-55602
Cause:	15:78m(a) Securities Exchange Act
Date terminated:	Mar. 18, 2009
Jurisdiction:	Federal Question
Jury demand:	Plaintiff
Member cases:	3:06-cv-00341-JLS-WMC <i>Jardin v. Dot Hill Systems, et al</i> 3:06-cv-00281-JLS-WMC <i>Naryznai v. Dot Hill Systems, et al</i> 3:06-cv-00662-JLS-WMC <i>Steinberg v. Dot Hill Sys Corp, et al</i>
Referred to:	Magistrate Judge William McCurine, Jr

Parties and Attorneys

Plaintiff

Matt Brody

On Behalf of Himself and All Others Similarly Situated
TERMINATED: 09/08/2006

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Docket Proceedings[Reverse Proceedings](#)

Req #	Filed	#	Docket Text
1	Jan. 31, 2006	1	Complaint Filed; (referred to Magistrate Judge William McCurine Jr.); Demand for Jury Trial; Receipt No/Amt of Fee: #120922/\$250.00 (atty maintenance) (kaj) (Entered: 02/01/2006)
2	Jan. 31, 2006	2	Summons issued (kaj) (Entered: 02/01/2006)
3	Jan. 31, 2006	3	Notice of Party with Financial Interest by Matt Brody (kaj) (Entered: 02/01/2006)
4	Feb. 07, 2006	4	Minutes: Enter Order by Judge John S. Rhoades; Judge John S. Rhoades recuses from the case and orders case be reassigned; Case reassigned to

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			Judge Thomas J. Whelan ; new case #06cv0228-W(WMc); Court Reporter: N/A (kaj) (Entered: 02/08/2006)
5	Feb. 22, 2006	5	Waiver of service of summons by defendant Dot Hill Systems on 2/3/06 (bar) (Entered: 02/23/2006)
6	Feb. 22, 2006	6	Waiver of service of summons by defendant James L Lambert on 2/3/06 (bar) (Entered: 02/23/2006)
7	Feb. 22, 2006	7	Waiver of service of summons by defendant Dana W Kammersgard on 2/3/06 (bar) (Entered: 02/23/2006)
8	Feb. 22, 2006	8	Waiver of service of summons by defendant Preston S Romm on 2/3/06 (bar) (Entered: 02/23/2006)
9	Feb. 22, 2006	9	Waiver of service of summons by defendant William R Sauvey on 2/3/06 (bar) (Entered: 02/23/2006)
10	Feb. 27, 2006	10	Stipulation and Order by Judge Thomas J. Whelan : regarding response to consolidated complaint (dkt clerk) (Entered: 02/28/2006)
11	Apr. 03, 2006	14	Notice of Motion and Motion by movant The Detroit Pension to consolidate related cases , for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel ;[motion(s) referred to Judge Thomas J. Whelan]; motion hrg set for 05/15/06 at 10:30 (dkt clerk) (Entered: 04/04/2006)
12	Apr. 03, 2006	15	Memorandum of points and authorities by movant The Detroit Pension in support of motion to consolidate related cases [14-1], in support of motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (dkt clerk) (Entered: 04/04/2006)
13	Apr. 03, 2006	16	Declaration of Michael Goldberg in support of movant The Detroit Pension re motion to consolidate related cases [14-1], re motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (dkt clerk) (Entered: 04/04/2006)
14	Apr. 03, 2006	17	Notice of Motion and Motion by plaintiff Matt Brody to consolidate related cases ; [motion(s) referred to Judge Thomas J. Whelan]; motion hrg set for 05/15/06 at 10:30 (dkt clerk) (Entered: 04/04/2006)
15	Apr. 03, 2006	18	Memorandum of points and authorities by plaintiff Matt Brody in support of motion to consolidate related cases [17-1] (dkt clerk) (Entered: 04/04/2006)
16	Apr. 03, 2006	19	Notice of Motion and Motion by plaintiff Matt Brody to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel ; [motion(s) referred to Judge Thomas J. Whelan]; motion hrg set for 05/15/06 at 10:30 (dkt clerk) (Entered: 04/04/2006)
17	Apr. 03, 2006	20	Memorandum of points and authorities by plaintiff Matt Brody in support of motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1] (dkt clerk) (Entered: 04/04/2006)
18	Apr. 03, 2006	21	Declaration of Tricia L. McCormick in support of plaintiff Matt Brody re motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1] (dkt clerk) (Entered: 04/04/2006)
19	Apr. 03, 2006	11	Notice of Motion and Motion by movant The Brucker Group for

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			appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 and to consolidate all related cases ; [motion(s) referred to Judge Thomas J. Whelan] ; motion hrg set for 05/15/06 at 10:30 (dkt clerk) (Entered: 04/04/2006)
20	Apr. 03, 2006	12	Memorandum of points and authorities by movant The Brucker Group in support of motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1], in support of motion to consolidate all related cases [11-2] (dkt clerk) (Entered: 04/04/2006)
21	Apr. 03, 2006	13	Declaration of Michiyo Michelle Furukaw in support of movant The Brucker Group re motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1], re motion to consolidate all related cases [11-2] (dkt clerk) (Entered: 04/04/2006)
22	Apr. 18, 2006	22	Pro Hac Vice approved by Judge Thomas J. Whelan on behalf of movant The Detroit Pension for Ira M Press (joeh) (Entered: 04/18/2006)
23	May 01, 2006	23	Opposition by movant The Detroit Pension to motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1], motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1], motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (dkt clerk) (Entered: 05/01/2006)
24	May 01, 2006	24	Opposition of City of Deerfield Beach Non-Uniform Employees Retirement Plan and by plaintiff Matt Brody to motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1], motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (dkt clerk) (Entered: 05/02/2006)
25	May 01, 2006	25	Declaration of Tricia L. McCormick in support of plaintiff Matt Brody re motion response [24-1] (dkt clerk) (Entered: 05/02/2006)
26	May 08, 2006	26	Reply by plaintiff Matt Brody and City of Deerfield Beach Non-Uniform Employees Retirement Plan to opposition to motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1] (dkt clerk) (Entered: 05/09/2006)
27	May 08, 2006	27	Reply by movant The Detroit Pension to opposition to motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (dkt clerk) (Entered: 05/09/2006)
28	May 08, 2006	28	Declaration of Ira M. Press in support of movant The Detroit Pension re motion reply [27-1] (dkt clerk) (Entered: 05/09/2006)
29	May 08, 2006	29	Notice of withdrawal of application for appointment as a lead plaintiff and class representative in this lawsuit by David Wetherell re movant The Detroit Pension (dkt clerk) (Entered: 05/09/2006)
30	May 09, 2006	30	Pro Hac Vice approved on behalf of movant The Detroit Pension for Peter S Linden (dkt clerk) (Entered: 05/09/2006)
31	May 09, 2006	31	Minutes: Enter Order by Judge Thomas J. Whelan; In Chambers Order; No parties present; The Court orders the following: that the motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1] is submitted, that the motion to consolidate all

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			related cases [11-2] is submitted, that the motion to consolidate related cases [14-1] is submitted, that the motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] is submitted, that the motion to consolidate related cases [17-1] is submitted, that the motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1] is submitted and that the hearing date of 05/15/06 vacated; Court Reporter: n/a (dkt clerk) (Entered: 05/09/2006)
32	May 24, 2006	32	Notice of filing list of cases filed recently by the Detroit Funds (dkt clerk) (Entered: 05/25/2006)
33	Jun. 08, 2006	33	Order by Judge Thomas J. Whelan; Case consolidated 3:06-cv-228 with member cases 3:06-cv-281, 3:06-cv-341, 3:06-cv-662; New Parties plaintiff Inna Naryznai, Joseph Chris Jardin, Yoel Steinberg ; ALL FUTURE DOCKETING WILL BE DONE IN THIS (LEAD) CASE: 06CV0228-W (WMC) (dkt clerk) Modified on 06/09/2006 (Entered: 06/09/2006)
34	Jun. 08, 2006	34	DISCREPANCY ORDER by Judge Thomas J. Whelan accepting document: Response from movant The Detroit Pension in 3:06-cv-00228, non-compliance with local rule other, document is to be filed nunc pro tunc to the date received (dkt clerk) (Entered: 06/09/2006)
35	Jun. 08, 2006	35	Response by movant The Detroit Pension in 3:06-cv-00228 to Post-Return-Date filing by Deerfield Beach and Brody; Nunc Pro Tunc 06/06/06 (dkt clerk) Modified on 06/09/2006 (Entered: 06/09/2006)
36	Jun. 14, 2006	36	DISCREPANCY ORDER by Judge Thomas J. Whelan accepting document: suppl updated response from movant The Detroit Pension in 3:06-cv-00228, non-compliance with local rule 15.1, document is to be filed nunc pro tunc to the date received (cag) (Entered: 06/15/2006)
37	Jun. 14, 2006	37	Suppl Updated Response by The Detroit Pension to 5/24/06 submission of recent lead pla filings; NUNC PRO TUNC to 6/13/06 (cag) Modified on 06/15/2006 (Entered: 06/15/2006)
38	Jun. 23, 2006	38	Order by Judge Thomas J. Whelan granting Detroit Group's motion for appointment as lead plaintiff and approval of lead plaintiff's selection of co-lead counsel [14-2] (mam) (Entered: 06/23/2006)
39	Jun. 29, 2006	39	Order by Judge Thomas J. Whelan denying motion to consolidate all related cases [11-2], denying motion to consolidate related cases [14-1], denying motion for appointment of lead plaintiffs and lead counsel pursuant to Section 21D of the SEC Act of 1934 [11-1], denying motion to appoint City of Deerfield Beach Non-Uniformed Employees Retirement Plan and Matt Brody as lead plaintiff and to approve lead plaintiff's selection of lead counsel [19-1] (kaj) (Entered: 06/30/2006)
40	Jul. 31, 2006	40	Stipulation and Order by Judge Thomas J. Whelan; pla shall file and serve their Consolidated Amended Complaint on or before 8/25/06; dfts shall answer or otherwise respond to the Consolidated Amended Complaint on or before Thursday, October 5, 2006; plas' opposition to any motion due 11/20/06; dfts' reply briefs due 12/12/06; the hrg on any responsive motion shall take place on a date and time that is convenient for the Court (kaj) (Entered: 07/31/2006)
41	Aug. 25, 2006	41	First Amended Consolidated complaint [1-1]; jury demand (mam)

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			(Entered: 08/28/2006)
42	Sep. 08, 2006	42	ORDER re notice on withdrawal of Matt Brody and atty Darren Robbins. Party and atty are terminated. Signed by Judge Thomas J. Whelan on 9/8/06. (mam) (Entered: 09/12/2006)
43	Oct. 05, 2006	43	MOTION to Dismiss Plaintiffs' Consolidated Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Cabrera, Guillermo) (Entered: 10/05/2006)
44	Oct. 05, 2006	44	Points and authorities filed MOTION to Dismiss Plaintiffs' Consolidated Complaint (Memorandum Of Points And Authorities In Support Thereof) by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Cabrera, Guillermo) Modified on 10/6/2006 (bar,). Modified on 10/6/2006 (bar,). (Entered: 10/05/2006)
45	Oct. 05, 2006	45	Request for Judicial Notice filed as MOTION to Dismiss Plaintiffs' Consolidated Complaint (Request For Judicial Notice And Supporting Documents) by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Exhibit A (pages 1 - 61)# 2 Exhibit A (pages 62 - 131)# 3 Exhibit A (pages 131 - 204)# 4 Exhibit B# 5 Exhibit C# 6 Exhibit D# 7 Exhibit E# 8 Exhibit F# 9 Exhibit G# 10 Declaration of Guillermo Cabrera# 11 Declaration of Kirsten Garvin# 12 Supplement [Proposed] Order# 13 Proof of Service)(Cabrera, Guillermo) Modified on 10/6/2006 (bar,). Modified on 10/6/2006 (bar,). (Entered: 10/05/2006)
46	Oct. 05, 2006	46	NOTICE by Dot Hill Systems Corporation of Party With Financial Interest (Attachments: # 1 Proof of Service)(Cabrera, Guillermo) (Entered: 10/05/2006)
47	Oct. 11, 2006	47	NOTICE of Appearance by Kara Michelle Wolke on behalf of Matt Brody (Wolke, Kara) (Entered: 10/11/2006)
48	Oct. 11, 2006	48	NOTICE of Appearance by Kara Michelle Wolke on behalf of all plaintiffs (Wolke, Kara) (Entered: 10/11/2006)
49	Nov. 20, 2006	49	RESPONSE in Opposition re 43 MOTION to Dismiss Plaintiffs' Consolidated Complaint PLAINTIFFS' MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS filed by Lead Plaintiffs. (Wolke, Kara) (Entered: 11/20/2006)
50	Nov. 20, 2006	50	CERTIFICATE OF SERVICE by Lead Plaintiffs re 49 Response in Opposition to Motion (Wolke, Kara) (Entered: 11/20/2006)
51	Dec. 12, 2006	51	REPLY to Response to Motion re 43 MOTION to Dismiss Plaintiffs' Consolidated Complaint filed by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Cabrera, Guillermo) (Entered: 12/12/2006)
52	Mar. 15, 2007	52	ORDER granting 43 Motion to Dismiss Plaintiffs' Consolidated Complaint with leave to amend. Plaintiffs' shall have no later than 4/20/2007 to file and serve a second consolidated amended complaint. Signed by Judge Thomas J. Whelan on 3/15/07. (aje)(bar,). (Entered: 03/15/2007)
53	Apr. 19, 2007	53	Joint MOTION for Extension of Time to File Response/Reply by Dot Hill Systems Corporation. (Attachments: # 1 Proof of Service)(Cabrera,

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			Guillermo) (Entered: 04/19/2007)
54	Apr. 20, 2007	54	SECOND AMENDED CONSOLIDATED COMPLAINT FOR VIOLATIONS OF FEDERAL SECURITIES LAWS against all defendants, filed by Lead Plaintiffs.(Wolke, Kara) Modified on 4/23/2007 to correct text (aje). (Entered: 04/20/2007)
55	Apr. 23, 2007	55	ORDER Granting 53 Joint Motion for Extension of Time to File Response/Reply and Setting Briefing Schedule - Defendants shall file a response to the complaint by 5/29/07 (the first court day following 45 calendar days after April 20). If Defendants file a motion to dismiss in response, the hearing date shall be 8/20/07. Plaintiffs shall file an opposition by 7/13/07, and Defendants shall file a reply by 8/13/07. Signed by Judge Thomas J. Whelan on 4/23/07. (aje) (bar,). (Entered: 04/24/2007)
56	May 17, 2007	57	ORDER Resetting Briefing Schedule - Having reviewed the order 55 dated 4/23/07, the court hereby VACATES that order in part and RESETS the briefing schedule as follows: Defendants shall file a response to the complaint by 6/4/07. If Defendants file a motion to dismiss in response, the hearing date shall be 8/27/07. Plaintiffs shall file an opposition by 7/20/07, and Defendants shall file a reply by 8/20/07. Unless the court orders otherwise, this briefing schedule shall supersede the usual 28-day schedule provided by Local Rule 7.1(e). Signed by Judge Thomas J. Whelan on 5/17/07. (aje) Modified on 5/18/2007 to add document link (aje).(mam). (Entered: 05/18/2007)
57	Jun. 04, 2007	58	MOTION to Dismiss Plaintiffs' Second Amended Consolidated Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Memo of Points and Authorities # 2 Declaration of Guillermo Cabrera # 3 Declaration of Kirsten Garvin # 4 Request for Judicial Notice # 5 Exhibit A pages 1 - 61# 6 Exhibit A pages 62-131# 7 Exhibit A pages 132 - 204# 8 Exhibit B # 9 Exhibit C # 10 Exhibit D # 11 Exhibit E # 12 Exhibit F # 13 Exhibit G # 14 Proof of Service)(Cabrera, Guillermo) Modified on 6/5/2007 to correct text(aje). (Entered: 06/04/2007)
58	Jul. 20, 2007	59	RESPONSE in Opposition re 58 MOTION to Dismiss Plaintiffs' Second Amended Consolidated Complaint filed by Lead Plaintiffs. (Wolke, Kara) (Entered: 07/20/2007)
59	Jul. 20, 2007	60	CERTIFICATE OF SERVICE by Lead Plaintiffs re 59 Response in Opposition to Motion (Wolke, Kara) (Entered: 07/20/2007)
60	Aug. 20, 2007	61	REPLY to Response to Motion re 58 MOTION to Dismiss Plaintiffs' Second Amended Consolidated Complaint filed by Dot Hill Systems Corporation. (Spieker, Meghan) Modified on 8/21/2007, notified atty a certificate of service needs to be filed (aje). (Entered: 08/20/2007)
61	Aug. 21, 2007	62	CERTIFICATE OF SERVICE by Dot Hill Systems Corporation re 61 Reply to Response to Motion, to Dismiss Second Amended Consolidated Complaint (Spieker, Meghan) (Entered: 08/21/2007)
62	Sep. 25, 2007	64	ORDER REASSIGNING CASE. Case reassigned to Judge Janis Sammartino for all further proceedings. New case number 06cv0228-JLS(WMc).(jsp) (Entered: 09/26/2007)
63	Sep. 26, 2007	63	NOTICE by The Detroit Pension Law Firm Name Change (Press, Ira) (mkz). (Entered: 09/26/2007)

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64	Nov. 28, 2007	65	Joint MOTION to Stay Litigation Pending Mediation by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Lead Plaintiffs, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Spieker, Meghan) (mkz). (Entered: 11/28/2007)
65	Nov. 30, 2007	66	ORDER granting 65 Joint Motion to Stay Litigation until 2/29/08: The parties shall have until 2/29/08 to apprise the Court of the outcome of the mediation. Signed by Judge Janis L. Sammartino on 11/30/2007. (mkz)(mam). (Entered: 12/03/2007)
66	Feb. 28, 2008	67	JOINT HEARING STATEMENT by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Lead Plaintiffs, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Tencer, Philip) (mkz). (Entered: 02/28/2008)
67	Feb. 29, 2008	68	NOTICE of Appearance by Darcie Tilly on behalf of all defendants (Tilly, Darcie) (mkz). (Entered: 02/29/2008)
68	Mar. 04, 2008	69	Minute Entry : Telephonic Status Conference re Motion to Dismiss 58 set for 3/5/2008 at 04:30 PM before Judge Janis L. Sammartino (acr) (Entered: 03/04/2008)
69	Mar. 05, 2008	70	Minute Entry for proceedings held before Judge Janis L. Sammartino : Telephonic Status Conference held on 3/5/2008. Defendants' Motion to Dismiss 58 vacated and withdrawn; Defense counsel to e-file Notice to Vacate and Withdraw Motion to Dismiss 58 by 3/14/08. Parties to refile motions and contact chambers for new motion hearing date (Court Reporter Gayle Wakefield / CRD A Ramos / Ira M. Press, Esq. / Peter S. Linden, Esq. / Peter Tencer, Esq.) (acr) (Entered: 03/06/2008)
70	Mar. 05, 2008		Utility Event : Motion to Dismiss 58 vacated and withdrawn (acr) (Entered: 03/06/2008)
71	Mar. 13, 2008	71	Joint MOTION to Dismiss Regarding Re-Briefing Defendants' Motion To Dismiss Plaintiffs' Second Amended Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Lead Plaintiffs, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Tencer, Philip) (mkz). (Entered: 03/13/2008)
72	Mar. 14, 2008	72	ORDER Regarding Re-Briefing Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint: Defendants' Motion to Dismiss Plaintiffs' Second Amended Consolidated Complaint is Vacated without Prejudice to the Defendants' ability to again move to dismiss Plaintiffs' Second Amended Consolidated Complaint. Defendants shall answer or respond to Plaintiffs' SACC by 5/1/08. Plaintiffs' opposition to any motion responsive to the SACC shall be filed by 6/19/08. Defendants' reply brief shall be filed by 7/24/08. The hearing on any responsive motion to Plaintiffs' SACC shall be held on 8/14/08 at 10:30 AM. Signed by Judge Janis L. Sammartino on 03/14/08. (mkz) (av1,). (Entered: 03/14/2008)
73	May 01, 2008	73	MOTION to Dismiss Plaintiff's Second Amended Consolidated Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Memo of Points and Authorities iso Motion to Dismiss Second Amended Consolidated Complaint, # 2 Request for Judicial Notice iso Motion to Dismiss Second Amended Consolidated Complaint, # 3 Declaration of Kirsten Garvin iso Motion to Dismiss Second Amended Consolidated Complaint, # 4 Exhibit A-C to Garvin Decl., # 5 Declaration of Philip C.

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			Tencer iso Motion to Dismiss Second Amended Consolidated Complaint, # 6 Exhibit A to Tencer Decl., # 7 Exhibit B to Tencer Decl., # 8 Exhibit C to Tencer Decl., # 9 Exhibit D Part 1 to Tencer Decl., # 10 Exhibit D Part 2 to Tencer Decl., # 11 Exhibit E to Tencer Decl., # 12 Exhibit F to Tencer Decl., # 13 Exhibit G to Tencer Decl., # 14 Exhibit H to Tencer Decl., # 15 Proof of Service Notice of Motion, # 16 Proof of Service P's and A's, # 17 Proof of Service Request for Judicial Notice, # 18 Proof of Service Garvin Decl., # 19 Proof of Service Tencer Decl.)(Tencer, Philip) (leh). (Entered: 05/01/2008)
74	Jun. 19, 2008	74	RESPONSE in Opposition re 73 MOTION to Dismiss Plaintiff's Second Amended Consolidated Complaint filed by Lead Plaintiffs. (Wolke, Kara) (mkz). (Entered: 06/19/2008)
75	Jun. 19, 2008	75	CERTIFICATE OF SERVICE by Lead Plaintiffs re 74 Response in Opposition to Motion to Dismiss (Wolke, Kara)(mkz). (Entered: 06/19/2008)
76	Jun. 27, 2008		Minute Order : On Court's own motion, the hearing time on Motion to Dismiss Plaintiff's 2nd Amended Consolidated Complaint 73 at 10:30 AM is reset for 1:30 PM on 8/14/2008 before Judge Janis L. Sammartino (rs/acr) (Entered: 06/27/2008)
77	Jul. 11, 2008	76	MOTION to Stay State Court Discovery Pursuant to The Securities Litigation Uniform Standards Act of 1998 by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauvey. (Attachments: # 1 Memo of Points and Authorities in Support of Defendants' Motion to Stay State Court Discovery Pursuant to the Securities Litigation Uniform Standards Act, # 2 Declaration of Philip C. Tencer in Support of Defendants' Motion to Stay State Court Discovery, # 3 Exhibit A to Declaration of Philip C. Tencer, # 4 Exhibit B to Declaration of Philip C. Tencer, # 5 Exhibit C to Declaration of Philip C. Tencer, # 6 Exhibit D to Declaration of Philip C. Tencer, # 7 Exhibit E to Declaration of Philip C. Tencer, # 8 Exhibit F to Declaration of Philip C. Tencer, # 9 Exhibit G to Declaration of Philip C. Tencer, # 10 Exhibit H to Declaration of Philip C. Tencer, # 11 Declaration I to Declaration of Philip C. Tencer, # 12 Exhibit J to Declaration of Philip C. Tencer, # 13 Exhibit K to Declaration of Philip C. Tencer, # 14 Exhibit L to Declaration of Philip C. Tencer, # 15 Exhibit M to Declaration of Philip C. Tencer)(Tencer, Philip) (vet). (Entered: 07/11/2008)
78	Jul. 16, 2008	77	NOTICE of Change of Address by Peter S Linden (Linden, Peter) (mkz). (Entered: 07/16/2008)
79	Jul. 24, 2008	78	REPLY to Response to Motion re 73 MOTION to Dismiss Plaintiff's Second Amended Consolidated Complaint filed by Dot Hill Systems Corporation. (Attachments: # 1 Proof of Service)(Tencer, Philip) (mkz). (Entered: 07/24/2008)
80	Jul. 28, 2008	79	AFFIDAVIT in Opposition re 76 MOTION to Stay State Court Discovery Pursuant to The Securities Litigation Uniform Standards Act of 1998 Declaration of Steven J. Simerlein filed by Linda Milman, Jeffrey Casden, Joanne Ognibene. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Simerlein, Steven) (mkz). (Entered: 07/28/2008)
81	Jul. 28, 2008	80	RESPONSE in Opposition re 76 MOTION to Stay State Court Discovery Pursuant to The Securities Litigation Uniform Standards Act of 1998

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			Specially-Appearing Derivative Plaintiffs' Opposition filed by Linda Milman, Jeffrey Casden, Joanne Ognibene. (Simerlein, Steven) (mkz). (Entered: 07/28/2008)
82	Aug. 04, 2008	81	SCHEDULING ORDER: The Court reschedules the time of the hearing on defendant's 73 Motion to Dismiss and 76 Motion to Stay to 8/14/2008 at 02:00 PM in Courtroom 06 before Judge Janis L. Sammartino. Signed by Judge Janis L. Sammartino on 08/04/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 08/04/2008)
83	Aug. 07, 2008	82	REPLY to Response to Motion re 76 MOTION to Stay State Court Discovery Pursuant to The Securities Litigation Uniform Standards Act of 1998 filed by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Tencer, Philip) (mkz). (Entered: 08/07/2008)
84	Aug. 12, 2008	83	CERTIFICATE OF SERVICE by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey re 82 Reply to Response to Motion, AMENDED (Tencer, Philip) (mkz). (Entered: 08/12/2008)
85	Aug. 14, 2008	84	Minute Entry for proceedings held before Judge Janis L. Sammartino : Hearing on Motion to Dismiss 73 and Motion to Stay 76 held and taken under submission. Court to issue written order (Court Reporter Gayle Wakefield / CRD A Ramos / Megan Speiker, Esq., Darcy Tilly, Esq., Peter S. Linden, Esq. and Steven J. Simerlein) (acr) (Entered: 08/18/2008)
86	Sep. 02, 2008	85	ORDER Granting Defendants' 73 Motion to Dismiss without Prejudice and Granting 76 Motion to Stay Discovery in State Court Actions: Plaintiffs may file a third amended consolidated class action complaint (TACC) within thirty days of the date this Order is electronically filed. If plaintiffs file a TACC, plaintiffs shall lodge and serve a redlined copy of the TACC within five business days of the electronic filing. The Court grants defendants' motion to stay discovery in In re Dot Hill Systems Corp. Derivative Litigation, San Diego County Superior Court Case No. GIN05287, and Brody v. Dot Hill Systems Corp., et al., San Diego County Superior Court Case No. 37-2007-00073096-CU-SL-CTL. The stay shall remain in effect until the Court denies a future motion to dismiss the complaint in this action or grants the motion to dismiss with prejudice. Signed by Judge Janis L. Sammartino on 09/02/08. (All non-registered users served via U.S. Mail Service). (cc: San Diego County Superior Court)(mkz) (Entered: 09/02/2008)
87	Sep. 29, 2008	86	Joint MOTION for Extension of Time to Amend Joint Unopposed Motion For Extension of Time for Plaintiffs to file Third Amended Complaint by Lead Plaintiffs. (Sohrn, Andy)(mkz). (Entered: 09/29/2008)
88	Sep. 30, 2008	87	ORDER Granting 86 Motion for an Extension of Time for Plaintiffs to File Third Amended Consolidated Complaint: Plaintiffs shall have until 10/10/08 to file a third amended consolidated class action complaint (TACC). Plaintiffs shall lodge and serve a redlined copy of the TACC within five business days of the electronic filing of the TACC. Signed by Judge Janis L. Sammartino on 09/30/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 09/30/2008)
89	Oct. 10, 2008	88	THIRD AMENDED COMPLAINT with Jury Demand THIRD AMENDED CONSOLIDATED CLASS ACTION COMPLAINT against

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			all defendants, filed by Police and Fire Retirement System of the City of Detroit, The General Retirement System of the City of Detroit. (Attachments: # 1 Exhibit A)(Wolke, Kara) (mkz). (Entered: 10/10/2008)
90	Oct. 15, 2008	89	Joint MOTION for Extension of Time to File Motion to Dismiss Plaintiffs' Third Amended Consolidated Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service)(Tencer, Philip) (mkz). (Entered: 10/15/2008)
91	Oct. 20, 2008	90	NOTICE by Lead Plaintiffs of Lodgment of Redlined Version of Third Amended Consolidated Class Action Complaint (Sohrn, Andy) (mkz). (Entered: 10/20/2008)
92	Oct. 20, 2008	91	ORDER Regarding Briefing Defendants' Motion to Dismiss Plaintiffs' Third Amended Consolidated Complaint: Defendants shall answer or otherwise respond by 11/24/08. Plaintiffs' opposition is due 1/8/09. Defendant's reply brief is due 1/28/09. The hearing on any responsive motion to Plaintiffs' TACC shall be held on 3/12/09 at 1:30 PM in Courtroom 6 before Judge Janis L. Sammartino. Signed by Judge Janis L. Sammartino on 10/20/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 10/20/2008)
93	Nov. 24, 2008	92	MOTION to Dismiss Plaintiffs' Third Amended Consolidated Complaint by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauey. (Attachments: # 1 Proof of Service for Notice of Motion and Motion, # 2 Memo of Points and Authorities In Support Of Defendants' Motion To Dismiss Plaintiffs' Third Amended Consolidated Complaint, # 3 Proof of Service for Memorandum of Points and Authorities, # 4 Declaration Of Philip C. Tencer, # 5 Exhibit A (Part 1) to Tencer Declaration, # 6 Exhibit Ex. A. (Part 2) to Tencer Declaration, # 7 Exhibit B to Tencer Declaration, # 8 Exhibit C to Tencer Declaration, # 9 Exhibit D to Tencer Declaration, # 10 Exhibit E to Tencer Declaration, # 11 Proof of Service for Tencer Declaration, # 12 Declaration of Kirsten Garvin, # 13 Exhibit A to Garvin Declaration, # 14 Exhibit B to Garvin Declaration, # 15 Exhibit C to Garvin Declaration, # 16 Proof of Service for Garvin Declaration, # 17 Request for Judicial Notice, # 18 Proof of Service for Request For Judicial Notice)(Tencer, Philip) (mkz). (Entered: 11/24/2008)
94	Jan. 07, 2009	93	Joint MOTION for Extension of Time to File Response/Reply to Defendants' Motion to Dismiss Plaintiffs' Third Third Amended Consolidated Complaint. by Police and Fire Retirement System of the City of Detroit, The General Retirement System of the City of Detroit. (Attachments: # 1 Affidavit Service)(Linden, Peter) (mkz). (Entered: 01/07/2009)
95	Jan. 09, 2009	94	ORDER Extending Time to Respond to Defendants' 92 Motion to Dismiss Plaintiffs' Third Amended Complaint: Responses due by 1/15/2009, Replies due by 2/5/2009. Consistent with the Court's prior 91 Order of 10/20/08, the hearing on any responsive motion to plaintiffs' TACC shall be held on 3/12/09 at 1:30 PM in Courtroom 6 before Judge Janis L. Sammartino. Signed by Judge Janis L. Sammartino on 1/9/09. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 01/09/2009)

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96	Jan. 15, 2009	95	RESPONSE in Opposition re 92 MOTION to Dismiss Plaintiffs' Third Amended Consolidated Complaint filed by Lead Plaintiffs. (Wolke, Kara) (mkz). (Entered: 01/15/2009)
97	Jan. 15, 2009	96	DECLARATION in Opposition re 92 MOTION to Dismiss Plaintiffs' Third Amended Consolidated Complaint OF PETER S. LINDEN filed by Lead Plaintiffs. (Wolke, Kara) Modified on 1/16/2009 to correct event, atty contacted (mkz). (Entered: 01/15/2009)
98	Feb. 05, 2009	97	REPLY to Response to Motion re 92 MOTION to Dismiss Plaintiffs' Third Amended Consolidated Complaint filed by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauvey. (Tencer, Philip) (mkz). (Entered: 02/05/2009)
99	Feb. 05, 2009	98	CERTIFICATE OF SERVICE by Dot Hill Systems Corporation, James L Lambert, Dana W Kammersgard, Preston S Romm, William R Sauvey re 97 Reply to Response to Motion (Tencer, Philip) (mkz). (Entered: 02/05/2009)
100	Mar. 12, 2009	99	Minute Entry for proceedings held before Judge Janis L. Sammartino : Hearing on Motion to Dismiss 92 held and taken under submission. Court to issue written order (Court Reporter Gayle Wakefield / CRD A Ramos / Plaintiff Attorney Peter Linden, Esq. / Defendant Attorney Meghan Spieker, Esq. & Darcie Tilly) (acr) (Entered: 03/12/2009)
101	Mar. 18, 2009	100	ORDER Granting Defendants' 92 Motion to Dismiss and Dismissing Without Prejudice: If Plaintiffs elect to file an amended complaint, they shall file within fourteen (14) days of the date this Order is electronically filed. If Plaintiffs file a Fourth Amended Consolidated Class Action Complaint, they shall lodge and serve a redlined copy within five (5) business days of the electronic filing. Signed by Judge Janis L. Sammartino on 3/18/09. (All non-registered users served via U.S. Mail Service).(pdc) (jrl). (Entered: 03/18/2009)
102	Mar. 31, 2009	101	Joint MOTION for Extension of Time to File Fourth Amended Complaint by Lead Plaintiffs. (Sohrn, Andy) (mkz). (Entered: 03/31/2009)
103	Apr. 01, 2009	102	ORDER Granting 101 Motion for Extension of Time for Plaintiffs to File Fourth Amended Consolidated Complaint: Plaintiffs shall have through and until 4/8/09 to file a fourth amended consolidated class action complaint. Signed by Judge Janis L. Sammartino on 4/1/09. (All non-registered users served via U.S. Mail Service).(mkz)(jrl). (Entered: 04/01/2009)
104	Apr. 17, 2009	103	NOTICE OF APPEAL as to 100 Order Granting Defendants' Motion to Dismiss and Dismissing Without Prejudice, 85 Order Granting Defendants' Motion to Dismiss without Prejudice, by the General Retirement System of the City of Detroit and the Police & Fire Retirement System of the City of Detroit. (Filing Fee: Paid, Receipt No. 162219). (akr) (Entered: 04/20/2009)
105	Apr. 20, 2009		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 103 Notice of Appeal. (akr) (Entered: 04/20/2009)
106	Apr. 23, 2009	104	USCA Case Number 09-55602 for 103 Notice of Appeal, filed by the General Retirement System of the City of Detroit and the Police & Fire Retirement System of the City of Detroit. (akr) (Entered: 04/23/2009)
107	Apr. 23, 2009	105	USCA Time Scheduling Order as to 103 Notice of Appeal, filed by Lead Plaintiffs. (cc: Court Reporter). (akr) (Entered: 04/23/2009)

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<u>108</u>	May 01, 2009	106	ORDER of USCA as to 103 Notice of Appeal, filed by the General Retirement System of the City of Detroit and the Police & Fire Retirement System of the City of Detroit. A review of the challenged order reflects that it may not be final and appealable because the USDC dismissed the third amended class action complaint with leave to amend. Within 21 days after the date of this order, appellant shall move for voluntary dismissal of this appeal or show cause why it should not be dismissed for lack of jurisdiction. If appellant elects to show cause, a response may be filed within 8 days after service of the memorandum. If appellant does not comply with this order, the USCA Clerk shall dismiss this appeal pursuant to Ninth Circuit Rule 42-1. Briefing is suspended pending further order of the USCA. (akr) (Entered: 05/04/2009)
<u>109</u>	May 15, 2009	107	NOTICE by Lead Plaintiffs OF INTENT NOT TO FILE A FOURTH AMENDED CONSOLIDATED COMPLAINT AND REQUEST FOR ENTRY OF JUDGMENT (Attachments: # 1 Exhibit A: NINTH CIRCUIT OSC, # 2 Exhibit B: PROPOSED JUDGMENT)(Sohrn, Andy) . Modified on 5/18/2009 (tkl). Emailed atty re Proposed Orders. (Entered: 05/15/2009)
<u>110</u>	May 18, 2009	108	FINAL JUDGMENT AND ORDER OF DISMISSAL: The within action is dismissed in its entirety with prejudice. Signed by Judge Janis L. Sammartino on 5/18/09. (mkz) Modified on 5/19/2009 to indicate all non registered users served via US Mail(mkz). (Entered: 05/19/2009)