

**U.S. District Court  
District of Utah (Central)  
CIVIL DOCKET FOR CASE #: 2:06-cv-00267-TS-SA**

Hyman v. Nature's Sunshine Products et al  
Assigned to: Judge Ted Stewart  
Referred to: Magistrate Judge Samuel Alba  
Member cases:

[2:06-cv-00287-TS](#)

[2:06-cv-00311-TS](#)

[2:06-cv-00350-TS](#)

[2:06-cv-00442-TS](#)

Cause: 15:0078m(a) Securities Exchange Act

Date Filed: 04/03/2006  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**Amie Hyman**

*On Behalf of Himself and All Others*

*Similarly Situated*

*TERMINATED: 03/05/2007*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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V.

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V.

**Consol Defendant**

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Date Filed	#	Docket Text
04/03/2006	<a href="#"><u>1</u></a>	COMPLAINT FOR VIOLATION OF THE FEDERAL SECURITIES LAWS against Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge (Filing fee \$ 250, receipt number 4681010070), filed by Amie Hyman. Assigned to Judge Ted Stewart (jtj, ) (Entered: 04/03/2006)
04/03/2006	<a href="#"><u>2</u></a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney William S. Lerach, Darren J. Robbins, for Plaintiff Amie Hyman (jtj, ) (Entered: 04/03/2006)
04/13/2006	3	ORDER REFERRING CASE to Magistrate Judge Samuel Alba under 28:636 (b)(1)(A), Magistrate to hear and determine all nondispositive pretrial matters.. Signed by Judge Ted Stewart on 4/13/06. (slm, ) (Entered: 04/13/2006)
04/18/2006	<a href="#"><u>4</u></a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Amie Hyman as to Nature's Sunshine Products served on 4/13/2006, answer due 5/3/2006. (jmr ) (Entered: 04/19/2006)
04/18/2006	<a href="#"><u>5</u></a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Amie Hyman as to Daren G. Hogge served on 4/13/2006, answer due 5/3/2006. (jmr ) (Entered: 04/19/2006)
04/18/2006	<a href="#"><u>6</u></a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Amie Hyman as to Douglas Faggioli served on 4/13/2006, answer due 5/3/2006. (jmr ) (Entered: 04/19/2006)
04/18/2006	<a href="#"><u>7</u></a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Amie Hyman as to Craig D. Huff served on 4/13/2006, answer due 5/3/2006. (jmr ) (Entered: 04/19/2006)
05/03/2006	<a href="#"><u>8</u></a>	NOTICE of Appearance by Raymond J Etcheverry on behalf of Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge (Etcheverry, Raymond) (Entered: 05/03/2006)
05/03/2006	<a href="#"><u>9</u></a>	NOTICE of Appearance by Kent O. Roche on behalf of Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge (Roche, Kent) (Entered: 05/03/2006)
05/03/2006	<a href="#"><u>10</u></a>	NOTICE of Appearance by Erik A. Christiansen on behalf of Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge (Christiansen, Erik) (Entered: 05/03/2006)
05/03/2006	<a href="#"><u>11</u></a>	Stipulated MOTION to Consolidate Cases <i>and to Set Schedule for Filing Consolidated Complaint and Briefing Certain Motions</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order to Consolidate Related Actions, and Schedule for Filing Consolidated Complaint and Briefing Certain Motions)(Etcheverry, Raymond) (Entered: 05/03/2006)
05/04/2006	<a href="#"><u>12</u></a>	ORDER CONSOLIDATING RELATED ACTIONS, AND SCHEDULE FOR

		FILING CONSOLIDATED COMPLAINT AND BRIEFING CERTAIN MOTIONS-granting <a href="#">11</a> Stipulated Motion to Consolidate Cases in actions 2:06cv267 TS(LEAD CASE), 2:06cv287 DB, 2:06cv311 DAK, and 2:06cv350 BSJ. This Order will be docketed in each member case. See order for details . Signed by Judge Ted Stewart on 5/3/06. (jmr ) (Entered: 05/04/2006)
05/04/2006	<a href="#">13</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of Phillip Kim for Jan Wall, Laurence M. Rosen for Jan Wall. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Dee Benson on 5/4/06. (jmr ) (Entered: 05/05/2006)
05/15/2006	<a href="#">14</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of Daniel S. Sommers for Nature's Sunshine Products, Elizabeth S. Finberg for Toshihiko Sanada, Steven J. Toll for Toshihiko Sanada. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Bruce S. Jenkins on 5/15/06. (jmr ) (Entered: 05/15/2006)
06/02/2006	<a href="#">15</a>	First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel filed by Consol Plaintiff Toshihiko Sanada. (Phillips, Gregory) (Entered: 06/02/2006)
06/02/2006	<a href="#">16</a>	First MEMORANDUM in Support re <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel filed by Consol Plaintiff Toshihiko Sanada. (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)(Phillips, Gregory) (Entered: 06/02/2006)
06/02/2006	<a href="#">17</a>	DECLARATION of Gregory D. Phillips re <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel filed by Toshihiko Sanada. (Phillips, Gregory) (Entered: 06/02/2006)
06/02/2006	<a href="#">18</a>	First MOTION to Appoint Counsel <i>as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> 2.?MEMORANDUM OF LAW IN SUPPORT OF MOTION TO APPOINT THE CROSETTO GROUP AS LEAD PLAINTIFFS AND FOR APPROVAL OF LEAD PLAINTIFFS? SELECTION OF COUNSEL# <a href="#">2</a> Text of Proposed Order # <a href="#">3</a> DECLARATION OF PHILLIP KIM IN SUPPORT OF MOTION TO APPOINT THE CROSETTO GROUP AS LEAD PLAINTIFFS AND FOR APPROVAL OF LEAD PLAINTIFFS? SELECTION OF COUNSEL# <a href="#">4</a> Exhibit A to Decl. of Phillip Kim# <a href="#">5</a> Exhibit B Decl. of Phillip Kim# <a href="#">6</a> Exhibit C to Decl. of Phillip Kim# <a href="#">7</a> Exhibit D to Decl. of Phillip Kim)(Kim, Phillip) (Entered: 06/02/2006)
06/02/2006	<a href="#">19</a>	CERTIFICATE OF SERVICE by Jan Wall re <a href="#">18</a> First MOTION to Appoint Counsel <i>as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> (Kim, Phillip) (Entered: 06/02/2006)
06/02/2006	<a href="#">20</a>	MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> filed by Plaintiff Amie Hyman. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Granting Motion to Appoint Lead Counsel)(Call, Scott) (Entered: 06/02/2006)

06/02/2006	<a href="#">21</a>	MEMORANDUM in Support re <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> filed by Plaintiff Amie Hyman. (Call, Scott) (Entered: 06/02/2006)
06/02/2006	<a href="#">22</a>	AFFIDAVIT of Scott A. Call in Support re <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> filed by Plaintiff Amie Hyman. (Attachments: # <a href="#">1</a> Exhibit Exhibit A- Pipefitters Certification# <a href="#">2</a> Exhibit Exhibit B-Pipefitters Losses# <a href="#">3</a> Exhibit Exhibit C- Notice of Pendency# <a href="#">4</a> Exhibit Exhibit D-Lerach Coughlin Resume# <a href="#">5</a> Exhibit Exhibit E-Anderson & Karrenberg Resume)(Call, Scott) (Entered: 06/02/2006)
06/02/2006	<a href="#">23</a>	MOTION to Appoint Counsel filed by Consol Plaintiff Worth Banner. (Pierce, Gary) (Entered: 06/02/2006)
06/02/2006	<a href="#">24</a>	MEMORANDUM in Support re <a href="#">23</a> MOTION to Appoint Counsel filed by Consol Plaintiff Worth Banner. (Attachments: # <a href="#">1</a> Exhibit Exhibit A)(Pierce, Gary) (Entered: 06/02/2006)
06/02/2006	<a href="#">25</a>	AFFIDAVIT of Marc A. Topaz in Support re <a href="#">23</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> filed by Consol Plaintiff Worth Banner. (Attachments: # <a href="#">1</a> Exhibit A-C# <a href="#">2</a> Exhibit D# <a href="#">3</a> Exhibit E)(Pierce, Gary) (Entered: 06/02/2006)
06/02/2006	<a href="#">26</a>	MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> filed by Consol Plaintiff Worth Banner. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Pierce, Gary) (Entered: 06/02/2006)
06/02/2006	<a href="#">27</a>	NOTICE of Motion of Dr. Jan Wade Wilbert to Consolidate all Similar Cases; to be Appointed Lead Plaintiff Pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934; and to Approve Proposed Lead Plaintiff's Choice of Counsel by Jan Wade Gilbert. (kla, ) (Entered: 06/06/2006)
06/02/2006	<a href="#">56</a>	MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, MOTION to Approve Lead Plaintiff's Choice of Counsel filed by Consol Plaintiff Jan Wade Gilbert. (This document was originally filed in case 2:06-CV-442 on 6/2/06. The document is being docketed in the lead case so that it may be considered in the current case. 8/10/06) (kla, ) Modified on 8/10/2006 to correct file date to 6/2/06(kla, ). (Entered: 08/10/2006)
06/02/2006	<a href="#">57</a>	MEMORANDUM in Support re <a href="#">56</a> MOTION to Appoint Counsel MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, filed by Consol Plaintiff Jan Wade Gilbert. (Attachments: # <a href="#">1</a> Exhibit 1 - Declaration of John Orlando# <a href="#">7</a> Exhibit A - Client certification of shares# <a href="#">8</a> Exhibit B - Notice of Hyman Complaint# <a href="#">4</a> Exhibit C - Climaco Firm Resume# <a href="#">5</a> Exhibit D - Resume of Hatch Firm# <a href="#">6</a> Exhibit E - Gilbert Complaint)(kla, ) Additional attachment(s) added on 8/10/2006 (kla, ). Modified on 8/10/2006 to correct Exhibits A and B that were incorrectly filed with this document.(kla, ). (Entered: 08/10/2006)
06/06/2006	<a href="#">28</a>	NOTICE of Filing by Jan Wade Gilbert re <a href="#">27</a> Notice (Other), Notice (Other), <a href="#">12</a> Order on Motion to Consolidate Cases, (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 - Complaint# <a href="#">2</a> Exhibit Exhibit 2 - Motion# <a href="#">3</a> Exhibit Exhibit 3 - Memorandum of Law# <a href="#">4</a> Exhibit Exhibit 4 - Declaration of John Orlando# <a href="#">5</a> Exhibit Exhibit 5 - Client Certification of

		Shares# <a href="#">6</a> Exhibit Exhibit 6 - Notice of Hyman Complaint# <a href="#">7</a> Exhibit Exhibit 7 - Climaco Resume# <a href="#">8</a> Exhibit Exhibit 8 - Hatch Firm Resume# <a href="#">9</a> Exhibit Exhibit 9 - Notice of Filing)(Hatch, Brent) (Entered: 06/06/2006)
06/12/2006	<a href="#">29</a>	MOTION to Consolidate Cases filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Attachments: # <a href="#">1</a> Text of Proposed Order Consolidating Gilbert Action Into This Proceeding)(Roche, Kent) (Entered: 06/12/2006)
06/13/2006	<a href="#">30</a>	ORDER CONSOLIDATING GILBERT ACTION INTO THIS PROCEEDING-granting <a href="#">29</a> Motion to Consolidate Cases 2:06cv442DB into this case 2:06cv267TS. Signed by Judge Ted Stewart on 6/12/06. (jmr ) (Entered: 06/14/2006)
06/14/2006	<a href="#">31</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of Kevin L. Oufnac for Jan Wade Gilbert, Lewis S. Kahn for Jan Wade Gilbert. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Dee Benson on 6/14/06. (asp, ) (Entered: 06/15/2006)
06/19/2006	<a href="#">32</a>	RESPONSE to Motion re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel, <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> , <a href="#">18</a> First MOTION to Appoint Counsel <i>as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> , <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Roche, Kent) (Entered: 06/19/2006)
06/19/2006	<a href="#">33</a>	First MEMORANDUM in Opposition re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel, <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> , <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff by the Crosetto Group</i> filed by Consol Plaintiff Jan Wall. (Kim, Phillip) (Entered: 06/19/2006)
06/19/2006	<a href="#">34</a>	AFFIDAVIT of Phillip Kim (Declaration) in Opposition re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> , <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> , <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel <i>by Crosetto Group</i> filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> Exhibit Crosetto Declarations# <a href="#">2</a> Press Release)(Kim, Phillip) (Entered: 06/19/2006)
06/19/2006	<a href="#">35</a>	CERTIFICATE OF SERVICE by Jan Wall re <a href="#">34</a> Affidavit in Opposition to Motion,, <a href="#">33</a> Memorandum in Opposition to Motion,, <i>by the Crosetto Group</i> (Kim, Phillip) (Entered: 06/19/2006)
06/20/2006	<a href="#">36</a>	MEMORANDUM in Opposition re <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by</i>

		<i>Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff, 15 First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel, 18 First MOTION to Appoint Counsel as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> filed by Consol Plaintiff Jan Wade Gilbert. (Hoffman, Jeremy) (Entered: 06/20/2006)
06/20/2006	<a href="#">37</a>	NOTICE of Appearance by Jeremy M. Hoffman on behalf of Jan Wade Gilbert (Hoffman, Jeremy) (Entered: 06/20/2006)
06/20/2006	<a href="#">38</a>	MEMORANDUM in Opposition re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel, <a href="#">26</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff, <a href="#">18</a> First MOTION to Appoint Counsel as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs filed by Plaintiff Amie Hyman. (Call, Scott) (Entered: 06/20/2006)
06/20/2006	<a href="#">39</a>	AFFIDAVIT of Scott A. Call in Opposition re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">26</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff, <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel, <a href="#">18</a> First MOTION to Appoint Counsel as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs filed by Plaintiff Amie Hyman. (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)(Call, Scott) (Entered: 06/20/2006)
06/20/2006	<a href="#">40</a>	CERTIFICATE OF SERVICE by Amie Hyman re <a href="#">38</a> Memorandum in Opposition to Motion,, <a href="#">39</a> Affidavit in Opposition to Motion,, (Call, Scott) (Entered: 06/20/2006)
06/22/2006	<a href="#">41</a>	Plaintiff's MEMORANDUM in Opposition re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">26</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff, <a href="#">20</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff, <a href="#">18</a> First MOTION to Appoint Counsel as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs filed by Consol Plaintiff Toshihiko Sanada. (Attachments: # <a href="#">1</a> Exhibit A)(Phillips, Gregory) (Entered: 06/22/2006)
06/23/2006	<a href="#">42</a>	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">18</a> First MOTION to Appoint Counsel as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs, <a href="#">26</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff, <a href="#">20</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff, <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel: Motion Hearing set for 8/28/2006 03:00 PM in Room 142 before Judge Ted Stewart. (slm, ) (Entered: 06/23/2006)
06/29/2006	<a href="#">43</a>	NOTICE of Withdrawal and Response to the Competing Motions for Appointment as Lead Plaintiff by Amie Hyman re <a href="#">20</a> MOTION to Appoint Counsel as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff (Call, Scott) (Entered: 06/29/2006)

07/03/2006	<a href="#">44</a>	REPLY BRIEF re <a href="#">41</a> Memorandum in Opposition to Motion,, <i>Reply of Gilbert to memorandum of law in oppostion to Dr. Jan Wade Gilbert's Motion for Appointment as lead plaintiff and Selection of Lead Counsel and Liaison Counsel</i> filed by Consol Plaintiff Jan Wade Gilbert. (Hoffman, Jeremy) Modified on 7/14/2006 by adding a link to the notice of motion <a href="#">27</a> re: appointment of lead plaintiff and selection of lead counsel and liaison counsel originally filed in 2:06cv00442DB, document 3. (ce, ). (Entered: 07/03/2006)
07/03/2006	<a href="#">45</a>	REPLY to Response to Motion re <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> , <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> , <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> Declaration of Phillip Kim# <a href="#">2</a> Exhibit A# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C# <a href="#">5</a> Exhibit D)(Kim, Phillip) (Entered: 07/03/2006)
07/05/2006	<a href="#">46</a>	REPLY to Response to Motion re <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> , <a href="#">18</a> First MOTION to Appoint Counsel <i>as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> filed by Consol Plaintiff Toshihiko Sanada. (Attachments: # <a href="#">1</a> Exhibit A)(Phillips, Gregory) (Entered: 07/05/2006)
07/14/2006	<a href="#">47</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney John R. Climaco, John A. Peca and Scott D. Simpkins for Consol Plaintiff Jan Wade Gilbert. (ce, ) (Entered: 07/14/2006)
07/26/2006	<a href="#">48</a>	MOTION for Admission Pro Hac Vice of Marc J. Sonnenfeld Registration fee \$ 15, receipt number 357677. filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Roche, Kent) (Entered: 07/26/2006)
07/26/2006	<a href="#">49</a>	MOTION for Admission Pro Hac Vice of Karen Pieslak Pohlmann Registration fee \$ 15, receipt number 357741. filed by Defendant Nature's Sunshine Products. (Roche, Kent) (Entered: 07/26/2006)
07/27/2006	<a href="#">50</a>	ORDER granting <a href="#">49</a> Motion for Admission Pro Hac Vice of Karen Pieslak Pohlman for Nature's Sunshine Products. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a></i> . Signed by Judge Ted Stewart on 7/16/06.(jmr ) Additional attachment(s) added on 7/28/2006 (kla, ). Modified on 7/28/2006 the incorrect image was originally attached to this entry. Replaced the image with the correct document(kla, ). (Entered: 07/27/2006)
07/27/2006	<a href="#">51</a>	ORDER granting <a href="#">48</a> Motion for Admission Pro Hac Vice of Marc J. Sonnenfeld for Nature's Sunshine Products and Daniel P. Howells. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a></i> . Signed by Judge Ted Stewart on 7/26/06.(kla, ) (Entered: 07/28/2006)
07/28/2006	<a href="#">52</a>	Modification of Docket: Error: The original image was incorrect. Correction: Attached

		the correct image re <a href="#">50</a> Order on Motion for Admission Pro Hac Vice. (kla, ) (Entered: 07/28/2006)
07/28/2006	<a href="#">53</a>	<b><u>NOTICE OF HEARING ON MOTION</u></b> AMENDED re: <a href="#">23</a> MOTION to Appoint Counsel, <a href="#">18</a> First MOTION to Appoint Counsel <i>as selected by proposed lead plaintiffs and motion to appoint the Crosetto Group Lead Plaintiffs</i> , <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> , <a href="#">15</a> First MOTION Toshihiko Sanada's Motion for Appointment as Lead Plaintiff and Approval and Appointment of His Selection of Lead and Liaison Counsel: Motion Hearing set for 8/15/2006 10:00 AM in Room 142 before Judge Ted Stewart. PLEASE NOTE NEW DATE AND TIME.(slm, ) (Entered: 07/28/2006)
08/03/2006	<a href="#">54</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of John R. Climaco for Jan Wade Gilbert, Scott D. Simpkins for Jan Wade Gilbert. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Ted Stewart on 7/21/06. (jmr ) (Entered: 08/03/2006)
08/03/2006	<a href="#">55</a>	DOCUMENTS LODGED consisting of Letter from Counsel re: misplaced Motion/Order Pro Hac Vice originally filed in a closed consolidated case 2:06cv442. Refiled in case 2:06cv267TS per chambers(TC). (jmr ) (Entered: 08/03/2006)
08/10/2006	<a href="#">58</a>	Modification of Docket: Error: Exhibits A and B were incorrect as they were duplicates of Exhibit 1. Attached to this document are the corrected Exhibit A and Exhibit B. Correction: Deleted the incorrect attachments and attached the correct exhibits re <a href="#">57</a> Memorandum in Support of Motion. (Attachments: # <a href="#">1</a> Exhibit B) (kla, ) (Entered: 08/10/2006)
08/10/2006	<a href="#">59</a>	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">56</a> MOTION to Appoint Counsel MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases,,: Motion Hearing set for 8/15/2006 10:00 AM in Room 142 before Judge Ted Stewart. COURT WILL HEAR ARGUMENT ON THIS MOTION AT THE EXISTING HEARING ON 8/15/06 AT 10:00 A.M. PLEASE MAKE NOTE.(slm, ) (Entered: 08/10/2006)
08/14/2006	<a href="#">60</a>	NOTICE of Appearance by Scott R. Ryther on behalf of all plaintiffs (Ryther, Scott) (Entered: 08/14/2006)
08/15/2006	<a href="#">62</a>	Minute Entry for proceedings held before Judge Ted Stewart : Motion Hearing held on 8/15/2006 re <a href="#">56</a> MOTION to Appoint Counsel MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, MOTION to be Appointed Lead Plaintiff re <a href="#">12</a> Order on Motion to Consolidate Cases, filed by Jan Wade Gilbert,, <a href="#">23</a> MOTION to Appoint Counsel filed by Worth Banner,, <a href="#">26</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff</i> filed by Worth Banner,, <a href="#">20</a> MOTION to Appoint Counsel <i>as Selected by Proposed Lead Plaintiff and Motion to Appoint the Pipefitters Group as Lead Plaintiff</i> filed by Amie Hyman,. Court hears argument on plaintiffs' motions for lead plaintiff. Court takes matter under advisement and will issue a ruling as soon as possible.Attorney for Plaintiff: Dan Sommers, Elizabeth Finberg, John Climaco, Phillip Kim, Attorney for Defendant Ray Etcheverry, Kent Roche, Erik Christiansen.(Court Reporter Patti Walker.) (slm, ) (Entered: 08/16/2006)
08/16/2006	<a href="#">61</a>	MEMORANDUM DECISION AND ORDER APPOINTING LEAD PLAINTIFFS,

		AND APPROVING LEAD PLAINTIFF'S SELECTION OF COUNSEL-, granting <a href="#">23</a> Motion to Appoint Counsel Appointed Gary D. E. Pierce for Worth Banner, denying <a href="#">26</a> Motion to Appoint Counsel Appointed Gary D. E. Pierce for Worth Banner, denying <a href="#">56</a> Motion to Appoint Counsel Appointed Gary D. E. Pierce for Worth Banner, denying <a href="#">56</a> Motion, denying <a href="#">15</a> Motion, denying <a href="#">18</a> Motion to Appoint Counsel Appointed Gary D. E. Pierce for Worth Banner. Signed by Judge Ted Stewart on 8/16/06. (jmr ) (Entered: 08/16/2006)
08/25/2006	<a href="#">63</a>	First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kim, Phillip) (Entered: 08/25/2006)
08/25/2006	<a href="#">64</a>	First MEMORANDUM in Support re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> Electronic Cases)(Kim, Phillip) (Entered: 08/25/2006)
08/25/2006	<a href="#">65</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs , Declaration of Phillip Kim</i> filed by Consol Plaintiff Jan Wall. (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)(Kim, Phillip) (Entered: 08/25/2006)
09/11/2006	<a href="#">66</a>	Defendant's MEMORANDUM in Opposition re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Etcheverry, Raymond) (Entered: 09/11/2006)
09/14/2006	<a href="#">67</a>	MOTION for Extension of Time Schedule to File Complaint filed by Consol Plaintiff Jan Wall. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kim, Phillip) (Entered: 09/14/2006)
09/15/2006	<a href="#">68</a>	NOTICE of Appearance by Rodney G. Snow on behalf of Daren G. Hogge (Snow, Rodney) (Entered: 09/15/2006)
09/15/2006	<a href="#">69</a>	NOTICE of Appearance by Jennifer A. James on behalf of Daren G. Hogge (James, Jennifer) (Entered: 09/15/2006)
09/21/2006	70	ORDER granting <a href="#">67</a> Motion for Extension of Time . Signed by Judge Samuel Alba on 9/21/06.(cas) (Entered: 09/21/2006)
09/22/2006	<a href="#">71</a>	Ex Parte (Not Sealed) MOTION for Hearing re 70 Order on Motion for Extension of Time re Request for a Ruling or a Hearing on Plaintiffs' Motion for Partial Lifting of PSLRA Discovery Stay, Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Attachments: # <a href="#">1</a> Exhibit A)(Etcheverry, Raymond) (Entered: 09/22/2006)
09/22/2006	<a href="#">72</a>	MEMORANDUM in Opposition re <a href="#">71</a> Ex Parte (Not Sealed) MOTION for Hearing re 70 Order on Motion for Extension of Time re Request for a Ruling or a Hearing on Plaintiffs' Motion for Partial Lifting of PSLRA Discovery StayEx Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a</i>

		<i>Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> filed by Consol Plaintiff Jan Wall. (Kim, Phillip) (Entered: 09/22/2006)
09/22/2006	<a href="#">73</a>	REPLY to Response to Motion re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Consol Plaintiff Jan Wall. (Kim, Phillip) (Entered: 09/22/2006)
09/22/2006	<a href="#">74</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs Reply Declaration</i> filed by Consol Plaintiff Jan Wall. (Kim, Phillip) (Entered: 09/22/2006)
09/28/2006	75	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> : Motion Hearing set for 10/11/2006 at 9:30 a.m. in Courtroom 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 09/28/2006)
09/29/2006	<a href="#">76</a>	Defendant's MOTION to Substitute Attorney <i>Application for Withdrawal of Counsel and Consent</i> filed by Defendant Daren G. Hogge. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order for Substitution of Counsel for Daren Hogge)(Snow, Rodney) (Entered: 09/29/2006)
10/02/2006	77	DOCKET TEXT ORDER granting <a href="#">76</a> Motion to Substitute Attorney. Rodney G. Snow and Jennifer A. James for Daren G. Hogge, replacing Raymond J. Etcheverry, Kent O. Roche, and Erik A. Christiansen. Signed by Judge Samuel Alba on 10/2/06.No attached document. (cas) (Entered: 10/02/2006)
10/03/2006	<a href="#">78</a>	Ex Parte (Not Sealed) MOTION for Leave to File a <i>Sur-Reply Memorandum</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Attachments: # <a href="#">1</a> Attachment A# <a href="#">2</a> Exhibit A# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C# <a href="#">5</a> Exhibit D# <a href="#">6</a> Exhibit E# <a href="#">7</a> Text of Proposed Order Granting Defendants Leave to File a Sur-Reply Memorandum)(Etcheverry, Raymond) (Entered: 10/03/2006)
10/06/2006	<a href="#">79</a>	REPLY to Response to Motion re <a href="#">71</a> Ex Parte (Not Sealed) MOTION for Hearing re 70 Order on Motion for Extension of Time re Request for a Ruling or a Hearing on Plaintiffs' Motion for Partial Lifting of PSLRA Discovery StayEx Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint and Request for Hearing</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(Etcheverry, Raymond) (Entered: 10/06/2006)
10/06/2006	80	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">71</a> Ex Parte (Not Sealed) MOTION for Hearing re 70 Order on Motion for Extension of Time re Request for a Ruling or a Hearing on Plaintiffs' Motion for Partial Lifting of PSLRA Discovery StayEx Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> Ex Parte (Not Sealed) MOTION to Vacate <i>Order Enlarging Time to File a Consolidated Amended Complaint</i> : Motion Hearing

		set for 10/11/2006 9:30 a.m. in Courtroom 248 before Magistrate Judge Samuel Alba. (cas, ) (Entered: 10/06/2006)
10/06/2006	<a href="#">81</a>	ORDER granting <a href="#">78</a> Motion for Leave to File a Sur-Reply Memorandum. Signed by Judge Samuel Alba on 10/6/06.(kla) (Entered: 10/10/2006)
10/06/2006	<a href="#">82</a>	SUR-REPLY MEMORANDUM in Opposition re <a href="#">63</a> First MOTION for Discovery , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Defendants Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge. (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)(kla) (Entered: 10/10/2006)
10/11/2006	<a href="#">84</a>	Minute Entry for proceedings held before Judge Samuel Alba.: Motion Hearing held on 10/11/2006 re <a href="#">67</a> MOTION for Extension of Time Schedule to File Complaint filed by Jan Wall, <a href="#">63</a> , <i>Lifting PSLRA Discovery Stay by Lead Plaintiffs</i> filed by Jan Wall. After hearing from counsel, Court denied the motion to lift the PSLRA discovery stay. Court ordered that plaintiffs may serve a document preservation subpoena on KPMG. Court also ordered the that plaintiffs amended complaint needs to be filed on or before 11/3/06. Mr. Etcheverry to prepare an order. Attorney for Plaintiff: Mark James, Attorney for Defendant Ray Etcheverry, Kent Roche, Jennifer James, Marc Sonnenfeld. Court Reporter: Electronic.(Time Start: 19:40, Time End: 39:19, Room 248.) (ss) (Entered: 11/03/2006)
10/20/2006	<a href="#">83</a>	ORDER granting in part and denying in part <a href="#">63</a> Motion for Discovery, granting <a href="#">71</a> Motion to Vacate . Signed by Judge Samuel Alba on 10/18/06.(asp, ) (Entered: 10/23/2006)
11/06/2006	<a href="#">85</a>	AMENDED CONSOLIDATED CLASS ACTION COMPLAINT against Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff with Jury Demand, filed by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (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)(asp, ) (Entered: 11/06/2006)
11/08/2006	<a href="#">86</a>	WAIVER OF SERVICE Returned Executed filed by Franz L. Cristiani as to Franz L. Cristiani Waiver sent on 11/8/2006, answer due 1/8/2007. (Roche, Kent) (Entered: 11/08/2006)
11/09/2006	<a href="#">87</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney G. Jeffrey Boujoukos, for Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff, Daren G. Hogge, Consol Defendants Daniel P. Howells, Eugene L. Hughes, Kristine L. Hughes (jwt, ) (Entered: 11/09/2006)
01/05/2007	<a href="#">88</a>	MOTION to Dismiss filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Etcheverry, Raymond) (Entered: 01/05/2007)
01/05/2007	<a href="#">89</a>	MEMORANDUM in Support re <a href="#">88</a> MOTION to Dismiss filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (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)(Etcheverry, Raymond) (Entered: 01/05/2007)
03/01/2007	<a href="#">90</a>	MOTION for Extension of Time to File Response/Reply filed by Consol Plaintiff Jan

		Wall. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(James, Mark) Modified on 3/2/2007 added all plas as filers (asp). (Entered: 03/01/2007)
03/05/2007	<a href="#">91</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Scott A. Call.Attorney Scott A. Call will no longer receive notice from the court in this case including final judgment. (Call, Scott) (Entered: 03/05/2007)
03/06/2007	<a href="#">92</a>	ORDER Enlarging time to File Plaintiffs' Opposition to Defendants' Motion to Dismiss <a href="#">90</a> . Plaintiffs' response due by 3/13/2007. Defendants' reply due 45 days thereafter. Signed by Judge Samuel Alba on 3/6/07. (cas) (Entered: 03/06/2007)
03/13/2007	<a href="#">93</a>	MEMORANDUM in Opposition re <a href="#">88</a> MOTION to Dismiss filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1 CAC and Exhibits# <a href="#">2</a> Exhibit 2 Historical Stock Price Chart of Nature's Common Stock# <a href="#">3</a> Exhibit 3 AU 333# <a href="#">4</a> Exhibit 4 FASB 154, Part 1 of 2# <a href="#">5</a> Exhibit 4 FASB 154, Part 2 of 2# <a href="#">6</a> Exhibit 5 Faggioli Form 4# <a href="#">7</a> Exhibit 6 Huttenstine v. Mast# <a href="#">8</a> Exhibit 7 In re ICG Communs, Inc.# <a href="#">9</a> Exhibit 8 In re OCA, Inc.# <a href="#">10</a> Exhibit 9 In re Aspeon, Inc.# <a href="#">11</a> Exhibit 10 SEC Releases# <a href="#">12</a> Exhibit 11 Rocker Management# <a href="#">13</a> Exhibit 12 Shriners Hospitals# <a href="#">14</a> Exhibit 13 Sorkin LLC# <a href="#">15</a> Exhibit 14 Nasdaq Marketplace Rule 4310# <a href="#">16</a> Exhibit 15 Jacobs v. Coopers & Lybrand LLP)(Kim, Phillip) (Entered: 03/13/2007)
03/15/2007	<a href="#">94</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Rodney G. Snow.Attorney Rodney G. Snow will no longer receive notice from the court in this case including final judgment. (Snow, Rodney) (Entered: 03/15/2007)
03/15/2007	<a href="#">95</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Jennifer A. James.Attorney Jennifer A. James will no longer receive notice from the court in this case including final judgment. (James, Jennifer) (Entered: 03/15/2007)
03/23/2007	96	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">88</a> MOTION to Dismiss : Motion Hearing set for 5/8/2007 02:00 AM in Room 142 before Judge Ted Stewart. (slm) (Entered: 03/23/2007)
04/02/2007	97	<b><u>CORRECTED NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">88</a> MOTION to Dismiss : Motion Hearing set for 5/8/2007 02:00 PM in Room 142 before Judge Ted Stewart. (slm) (Entered: 04/02/2007)
04/27/2007	<a href="#">98</a>	REPLY to Response to Motion re <a href="#">88</a> MOTION to Dismiss <i>Consolidated Class Action Complaint</i> filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (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)(Etcheverry, Raymond) (Entered: 04/27/2007)
05/08/2007	99	Minute Entry for proceedings held before Judge Ted Stewart : Motion Hearing held on 5/8/2007 re <a href="#">88</a> MOTION to Dismiss filed by Nature's Sunshine Products, Franz L. Cristiani, Craig D. Huff, Douglas Faggioli. Court hears argument on defendant's motion to dismiss. The matter is taken under advisement, and an order will be issued.Attorney for Plaintiff: Laurence Rosen, Phillip Kim, Mark James, Gary Dodge, Attorney for Defendant Ray Etcheverry, Kent Roche, Marc Sonnenfeld. Court Reporter: Patti Walker. (slm) (Entered: 05/08/2007)

05/21/2007	<a href="#">100</a>	MEMORANDUM DECISION granting in part and denying in part <a href="#">88</a> Motion to Dismiss. Signed by Judge Ted Stewart on 05/21/2007. (asp) (Entered: 05/21/2007)
05/30/2007	<a href="#">101</a>	Mail Returned as Undeliverable. Mail sent to John R. Climaco. (jmr) (Entered: 05/30/2007)
06/05/2007	<a href="#">102</a>	<i>Defendants'</i> ANSWER to Amended Complaint filed by Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff.(Etcheverry, Raymond) (Entered: 06/05/2007)
06/07/2007	103	<p><b><u>NOTICE OF INITIAL PRETRIAL CONFERENCE:</u></b> (Notice generated by Theresa Brown)</p> <p>The <b>Attorneys Planning Meeting Report</b> and <b>Proposed Scheduling Order</b> forms, available on the court web site at <a href="http://www.utd.uscourts.gov/documents/formpage.html">http://www.utd.uscourts.gov/documents/formpage.html</a>, should be prepared 30 days before the Initial Pretrial Conference hearing date.</p> <p><b><u>NOTICE TO COUNSEL,</u></b> The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel</p> <p>(a) file a stipulated <b>Attorneys Planning Meeting Report</b>; and</p> <p>(b) e-mail a <b>Proposed Scheduling Order</b> to <a href="mailto:ipt@utd.uscourts.gov">ipt@utd.uscourts.gov</a> 30 days before the scheduled hearing. See instructions at <a href="http://www.utd.uscourts.gov/documents/ipt.html">http://www.utd.uscourts.gov/documents/ipt.html</a></p> <p><b>Initial Pretrial Conference set for 8/22/2007 10:00 AM in Room 477 before Magistrate Judge David Nuffer.</b> (tab) (Entered: 06/07/2007)</p>
07/02/2007	<a href="#">104</a>	REPORT OF ATTORNEY PLANNING MEETING. (Attachments: # <a href="#">1</a> Text of Proposed Order Scheduling Order and Order Vacating Hearing)(Etcheverry, Raymond) (Entered: 07/02/2007)
07/05/2007	<a href="#">105</a>	SCHEDULING ORDER: Initial Pretrial Hearing set for 8/22/07 is vacated. Amended Pleadings due by 11/1/2007. Joinder of Parties due by 11/1/2007. Fact discovery due by 6/30/08. Expert discovery due by 11/28/2008. Motions due by 1/9/2009. Final Pretrial Conference set for 6/1/2009 at 02:30 PM in Room 142 before Judge Ted Stewart. 20 day Jury Trial set for 6/15/2009 at 08:30 AM in Room 142 before Judge Ted Stewart. Signed by Judge David Nuffer on 7/5/07. (kla) (Entered: 07/05/2007)
07/25/2007	<a href="#">106</a>	CERTIFICATE OF SERVICE by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>Plaintiffs' First Request For Production of Documents To Defendant Franz Cristiani</i> (Kim, Phillip) (Entered: 07/25/2007)
07/25/2007	<a href="#">107</a>	CERTIFICATE OF SERVICE by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>Plaintiffs' First Request For Production of Documents To Defendant Douglas Faggioli</i> (Kim, Phillip) (Entered: 07/25/2007)
07/25/2007	<a href="#">108</a>	CERTIFICATE OF SERVICE by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>of Plaintiffs' First Request For Production of Documents To Defendant Craig Huff</i> (Kim, Phillip) (Entered: 07/25/2007)
07/25/2007	<a href="#">109</a>	CERTIFICATE OF SERVICE by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>of Plaintiffs' First Request For Production of Documents To Defendant Nature's Sunshine Products</i> (Kim, Phillip) (Entered: 07/25/2007)

		07/25/2007)
07/31/2007	<a href="#">110</a>	CERTIFICATE OF SERVICE by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>Plaintiffs' Initial Disclosures Pursuant to Rule 26(a)(1)</i> (Kim, Phillip) (Entered: 07/31/2007)
07/31/2007	<a href="#">111</a>	CERTIFICATE OF SERVICE by Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff <i>of Defendants' Initial Disclosures</i> (Roche, Kent) (Entered: 07/31/2007)
08/07/2007	<a href="#">112</a>	NOTICE of of Amended Certification by Lee Tiah Hong (Attachments: # <a href="#">1</a> Exhibit 1 Amended Certification)(Kim, Phillip) (Entered: 08/07/2007)
09/04/2007	<a href="#">113</a>	Joint MOTION for Protective Order filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Attachments: # <a href="#">1</a> Exhibit Proposed Protective Order) Motions referred to Samuel Alba.(Etcheverry, Raymond) (Entered: 09/04/2007)
09/07/2007	<a href="#">114</a>	PROTECTIVE ORDER. Signed by Judge Samuel Alba on 09/07/2007. (asp) (Entered: 09/10/2007)
11/01/2007	<a href="#">115</a>	MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> filed by Plaintiffs Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order)(Kim, Phillip) (Entered: 11/01/2007)
11/01/2007	<a href="#">116</a>	MOTION for Leave to File Excess Pages filed by Plaintiffs Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Plaintiffs' Memorandum of Law in Support of Motion for Class Certification, Appointment of Class Representatives, and Appointment of Class Counsel# <a href="#">2</a> Appendix of unpublished decisions RE: Memorandum of Law# <a href="#">3</a> Text of Proposed Order [Proposed] Order Granting Leave to File Instanter A Memorandum of Law In Support of Class Certification, Appointment of Class Representatives, and Appointment of Class Counsel that Exceeds Ten (10) Pages) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 11/01/2007)
11/01/2007	<a href="#">117</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel Declaration of Phillip Kim</i> filed by Plaintiffs Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1, Declaration of Proposed Class Representatives# <a href="#">2</a> Exhibit 2, Rosen Law Firm Resume# <a href="#">3</a> Exhibit 3, Hatch James & Dodge Firm Resume)(Kim, Phillip) (Entered: 11/01/2007)
11/01/2007	<a href="#">118</a>	AFFIDAVIT of Scott D. Hakala, PhD, CFA in Support re <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel Declaration of Scott D. Hakala</i> filed by Plaintiffs Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit A, CV of Scott D. Hakala, PhD, CFA# <a href="#">2</a> Exhibit B, Price and Volume Data# <a href="#">3</a> Exhibit C, Identified Institutional Holdings# <a href="#">4</a> Exhibit D, Event Study Summary# <a href="#">5</a> Exhibit E, Comparison Chart)(Kim, Phillip) (Entered: 11/01/2007)
11/05/2007	<a href="#">119</a>	ORDER granting <a href="#">116</a> Motion for Leave to File Excess Pages. Signed by Judge Ted Stewart on 11/05/2007. (asp) (Entered: 11/05/2007)

01/09/2008	120	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> : (Notice generated by chambers/slm) Motion Hearing set for 3/11/2008 02:00 PM in Room 142 before Judge Ted Stewart. (slm) (Entered: 01/09/2008)
01/22/2008	<a href="#">122</a>	Joint MOTION for Extension of Time Regarding Briefing Schedule and Hearing Date on Plaintiffs' Motion for Class Certification filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Attachments: # <a href="#">1</a> Text of Proposed Order Setting Revised Briefing Schedule and Hearing Date on Plaintiffs' Motion for Class Certification) Motions referred to Samuel Alba.(Etcheverry, Raymond) (Entered: 01/22/2008)
01/24/2008	123	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> : (Notice generated by chambers/slm) Motion Hearing set for 4/10/2008 02:00 PM in Room 142 before Judge Ted Stewart. (slm) (Entered: 01/24/2008)
01/24/2008	<a href="#">124</a>	ORDER granting <a href="#">122</a> Motion for Extension of Time. 1) Defendants Memo in Opposition to Plaintiffs Motion for Class Certification shall be filed by 2/29/08. 2) Plaintiffs Reply Memo in Support of their Motion for Class Certification shall be filed by 3/31/08. 3) The hearing on Plaintiffs Motion for Class Certification is continued from March 11, 2008 to April 10, 2008 at 3:00 p.m. Signed by Judge Samuel Alba on 1/24/08. (ce) (Entered: 01/25/2008)
01/25/2008	125	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> : (Notice generated by Chambers) Motion Hearing RESET for 4/10/2008 03:00 PM in Room 142 before Judge Ted Stewart per order <a href="#">124</a> . (ce) (Entered: 01/25/2008)
02/01/2008	<a href="#">126</a>	Mail Returned as Undeliverable. Mail was sent to John R. Climaco. Documents 124 and 125 will be remailed to Mr. Climaco at 55 Public Square address. (jmr) (Entered: 02/01/2008)
02/29/2008	<a href="#">127</a>	Defendant's MEMORANDUM in Opposition re <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (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)(Etcheverry, Raymond) (Entered: 02/29/2008)
03/04/2008	<a href="#">128</a>	MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Plaintiffs Fred Crosetto, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 03/04/2008)
03/04/2008	<a href="#">129</a>	MEMORANDUM in Support re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Supplement Plaintiffs' Supplemental Listing of Requests, Objections, and Plaintiffs' Statements in Response, # <a href="#">2</a> Appendix Electronic Cases)(Kim, Phillip) (Entered: 03/04/2008)
03/04/2008	<a href="#">130</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena <i>Declaration of Phillip Kim</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann.

		(Attachments: # <a href="#">1</a> Exhibit 1 Subpoena to KPMG, # <a href="#">2</a> Exhibit 2 Defendants' Privilege and Work Product Designations, # <a href="#">3</a> Exhibit 3 KPMG's Objections)(Kim, Phillip) (Entered: 03/04/2008)
03/19/2008	<a href="#">131</a>	Cross MOTION for Protective Order filed by Defendant Nature's Sunshine Products. (Attachments: # <a href="#">1</a> Exhibit A) Motions referred to Samuel Alba.(Etcheverry, Raymond) (Entered: 03/19/2008)
03/19/2008	<a href="#">132</a>	Defendant's MEMORANDUM in Support re <a href="#">131</a> Cross MOTION for Protective Order filed by Defendant Nature's Sunshine Products. (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, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O)(Etcheverry, Raymond) (Entered: 03/19/2008)
03/19/2008	<a href="#">133</a>	Defendant's MEMORANDUM in Opposition re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Defendant Nature's Sunshine Products. (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, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O)(Etcheverry, Raymond) (Entered: 03/19/2008)
03/19/2008	<a href="#">134</a>	AFFIDAVIT of Pauline Hughes Francis re <a href="#">132</a> Memorandum in Support of Motion, <a href="#">131</a> Cross MOTION for Protective Order, <a href="#">133</a> Memorandum in Opposition to Motion, filed by Nature's Sunshine Products. (Etcheverry, Raymond) (Entered: 03/19/2008)
03/24/2008	<a href="#">137</a>	MEMORANDUM in Opposition re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Movant KPMG LLP. (asp) (Entered: 03/25/2008)
03/24/2008	<a href="#">138</a>	DECLARATION of David A. Greenwood re <a href="#">137</a> Memorandum in Opposition to Motion filed by KPMG LLP. (asp) (Entered: 03/25/2008)
03/25/2008	<a href="#">135</a>	MOTION for Leave to File Overlength Memorandum filed by KPMG. Motions referred to Samuel Alba.(asp) (Entered: 03/25/2008)
03/25/2008	<a href="#">136</a>	ORDER granting <a href="#">135</a> Motion for Leave to File. Signed by Magistrate Judge Samuel Alba on 03/24/2008. (asp) (Entered: 03/25/2008)
03/27/2008	<a href="#">139</a>	Consent MOTION for Leave to File A Single Brief in Reply to Defendants' Opposition to Plaintiffs' Motion to Compel and In Opposition to Defendants' Cross-Motion for Protective Order filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 03/27/2008)
03/31/2008	<a href="#">140</a>	MOTION for Leave to File Excess Pages <i>RE: Plaintiffs' Reply Memorandum of Law In Further Support of Motion For Class Certification</i> filed by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit Plaintiffs' Reply Memorandum of Law In Further Support of Motion for Class Certification, # <a href="#">2</a> Text of Proposed Order, # <a href="#">3</a> Appendix Unreported Cases to Reply Memorandum) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 03/31/2008)
03/31/2008	<a href="#">141</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel Declaration of Phillip Kim in Further Support</i> filed by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1, Declaration of Lee Tiah Hong Jane)(Kim, Phillip)

		(Entered: 03/31/2008)
03/31/2008	<a href="#">142</a>	ORDER granting <a href="#">139</a> Motion for Leave to File. Signed by Magistrate Judge Samuel Alba on 03/31/2008. (asp) (Entered: 04/01/2008)
04/03/2008	<a href="#">143</a>	REPLY to Response to Motion re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Kim, Phillip) (Entered: 04/03/2008)
04/03/2008	<a href="#">144</a>	APPENDIX to <a href="#">143</a> Reply Memorandum/Reply to Response to Motion filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann <i>Appendix of Unpublished Cases</i> . (Kim, Phillip) (Entered: 04/03/2008)
04/07/2008	<a href="#">145</a>	MEMORANDUM in Opposition re <a href="#">131</a> Cross MOTION for Protective Order, <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena <i>Plaintiffs' Joing Memorandum in Opposition to Defendant Nature's Sunshine Products, Inc.'s Motion for Protective Order and in Reply in Further Support of Plaintiffs' Motion to Compel KPMG LLP to Comply with Document Subpoena</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Appendix Unpublished Cases)(Kim, Phillip) (Entered: 04/07/2008)
04/07/2008	<a href="#">146</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena, <a href="#">131</a> Cross MOTION for Protective Order <i>Declaration of Phillip Kim in Opposition to Defendant Nature's Sunshine Products, Inc.'s Motion for Protective Order and in Reply in Further Support of Plaintiffs' Motion to Compel KPMG LLP to Comply with Document Subpoena</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11)(Kim, Phillip) (Entered: 04/07/2008)
04/10/2008	147	Minute Entry for proceedings held before Judge Ted Stewart: Motion Hearing held on 4/10/2008 re <a href="#">115</a> MOTION to Certify Class , <i>appoint class representatives, and appoint class counsel</i> filed by Loh Chee Kuang, Lee Tiah Hong, Peter Rathmann, Rick Kader. Court hears argument on plaintiff's motion to certify class, appoint each plaintiff as class representatives, and appoint class counsel. Court takes the motion under advisement and will issue a ruling as soon as possible. Attorney for Plaintiff: Larry Rosen, Gary Dodge, Mark James, Attorney for Defendant Ray Etcheverry, Kent Roche. Court Reporter: Patti Walker. (slm) (Entered: 04/10/2008)
04/11/2008	148	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena, <a href="#">131</a> Cross MOTION for Protective Order: Motion Hearing set for 4/28/2008 at 9:00 a.m. in courtroom 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 04/11/2008)
04/11/2008	<a href="#">149</a>	ORDER inviting further briefing. See order for details. Signed by Judge Ted Stewart on 04/11/2008. (asp) (Entered: 04/11/2008)
04/15/2008	150	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena, <a href="#">131</a> Cross MOTION for Protective Order : (Notice generated by ss) Motion Hearing set for 5/8/2008 09:00 AM before Magistrate Judge Samuel Alba. (ss)Hearing was moved at the request of Mr. Etcheverry. (Entered: 04/15/2008)

04/16/2008	<a href="#">151</a>	MOTION for Leave to File to file Sur-Reply and Declaration of <i>S. Craig Omer to Plaintiffs' Reply in Support of Motion to Compel KPMG LLP to Comply with Document Subpoena</i> filed by Movant KPMG LLP. (Attachments: # <a href="#">1</a> Exhibit A - Sur-Reply) Motions referred to Samuel Alba.(Greenwood, David) (Entered: 04/16/2008)
04/21/2008	<a href="#">152</a>	REPLY to Response to Motion re <a href="#">131</a> Cross MOTION for Protective Order filed by Defendant Nature's Sunshine Products. (Attachments: # <a href="#">1</a> Exhibit A)(Etcheverry, Raymond) (Entered: 04/21/2008)
04/23/2008	<a href="#">153</a>	RESPONSE to Motion re <a href="#">151</a> MOTION for Leave to File to file Sur-Reply and Declaration of <i>S. Craig Omer to Plaintiffs' Reply in Support of Motion to Compel KPMG LLP to Comply with Document Subpoena Response in Opposition</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Appendix Appendix of Unpublished Cases)(Kim, Phillip) (Entered: 04/23/2008)
04/29/2008	<a href="#">154</a>	REPLY to Response to Motion re <a href="#">151</a> MOTION for Leave to File to file Sur-Reply and Declaration of <i>S. Craig Omer to Plaintiffs' Reply in Support of Motion to Compel KPMG LLP to Comply with Document Subpoena</i> filed by Movant KPMG LLP. (Greenwood, David) (Entered: 04/29/2008)
05/01/2008	155	DOCKET TEXT ORDER denying <a href="#">151</a> Motion for Leave to File. Signed by Magistrate Judge Samuel Alba on 5/1/08. No attached document. (cas) (Entered: 05/01/2008)
05/08/2008	158	Minute Order. Proceedings held before Magistrate Judge Samuel Alba. After hearing arguments from counsel, the <a href="#">128</a> MOTION to Compel KPMG LLP to Comply with Document Subpoena filed by Loh Chee Kuang, Jane Kuang, Fred Crosetto, Peter Rathmann, Rick Kader was granted in part and denied in part. Mr. Etcheverry is to have the opportunity to review the documents prior to the production. Mr. Etcheverry is to notify the court within 30 days (6/16/08) as to how the review is going. This may be done in the form of a pleading. Court granted the <a href="#">131</a> Cross MOTION for Protective Order filed by Nature's Sunshine Products. Mr. Etcheverry to prepare an order for the Court's signature. Attorney for Plaintiff: Phillip Kim, Mark James, Attorney for Defendant Ray Etcheverry, Kent Roach, David Green. Court Reporter: Electronic.(Time Start: :00, Time End: 1:51:17, Room 248.) (ss) (Entered: 05/13/2008)
05/09/2008	<a href="#">156</a>	Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Etcheverry, Raymond) (Entered: 05/09/2008)
05/09/2008	<a href="#">157</a>	Defendant's MEMORANDUM in Support re <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (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)(Etcheverry, Raymond) (Entered: 05/09/2008)
05/14/2008	<a href="#">159</a>	MEMORANDUM in Opposition re <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1 In re Charter Communicatons, # <a href="#">2</a> Exhibit 2 Katz v. Image Innovations, # <a href="#">3</a> Exhibit 3 In re National Century, # <a href="#">4</a> Exhibit 4 In re DVI, # <a href="#">5</a> Exhibit 5 In re Able Labs)(Kim, Phillip)

		(Entered: 05/14/2008)
05/16/2008	160	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim : (Notice generated by Chambers/slm) Motion Hearing set for 7/30/2008 02:00 PM in Room 142 before Judge Ted Stewart. (slm) (Entered: 05/16/2008)
05/22/2008	<a href="#">161</a>	<p>TRANSCRIPT of Proceedings held on May 8, 2008-Motions Hearing before Judge Samuel Alba. Court Reporter/Transcriber Karen Murakami, CSR, RPR, Telephone number 801-328-4800.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at <a href="http://www.utd.uscourts.gov">www.utd.uscourts.gov</a>. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</b></p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/12/2008. Redacted Transcript Deadline set for 6/23/2008. Release of Transcript Restriction set for 8/20/2008. (jmr) Modified on 9/10/2008 removed restricted text(rak). (Entered: 05/22/2008)</p>
05/23/2008	<a href="#">164</a>	REPLY to Response to Motion re <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Etcheverry, Raymond) (Entered: 05/23/2008)
06/02/2008	<a href="#">165</a>	OBJECTIONS to 158 Order on Motion to Compel, Order on Motion for Protective Order, Motion Hearing,,,,,,,,, <i>Plaintiffs' Rule 72 Partial Objection to the Magistrate's Order Granting in Part Nature's Sunshine Products, Inc.'s Motion for Protective Order and Denying in Part Plaintiffs' Motion to Compel KPMG's Compliance to Document Subpoena</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1, Hearing Transcript part 1 of 2, # <a href="#">2</a> Exhibit 1, Hearing Transcript part 2 of 2, # <a href="#">3</a> Exhibit 2, Minutes, # <a href="#">4</a> Exhibit 3, Order)(Kim, Phillip) (Entered: 06/02/2008)
06/02/2008	<a href="#">166</a>	APPENDIX to <a href="#">165</a> Objections,, filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann <i>Appendix of Unpublished Cases</i> . (Kim, Phillip) (Entered: 06/02/2008)
06/02/2008	<a href="#">167</a>	ORDER re 158 Order on Motion to Compel, Order on Motion for Protective Order. Follows oral order of 05/08/2008. Signed by Magistrate Judge Samuel Alba on 06/02/2008. (asp) (Entered: 06/03/2008)
06/06/2008	168	<b>NOTICE OF HEARING:</b> (Notice generated by Chambers/slm) Miscellaneous Hearing set for 7/30/2008 02:00 PM in Room 142. PLEASE ADD THE OBJECTION TO THE MAGISTRATE'S ORDER (Docket No. 165) to the existing hearing.(slm) (Entered: 06/06/2008)
06/09/2008	<a href="#">169</a>	Joint MOTION for Extension of Time to Complete Discovery <i>Joint Motion to Revise</i>

		<i>Scheduling Order</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 06/09/2008)
06/16/2008	<a href="#">170</a>	ORDER granting <a href="#">169</a> Motion for Extension of Time to Complete Discovery. Signed by Judge Ted Stewart on 06/13/2008. (asp) (Entered: 06/16/2008)
06/16/2008	171	Set/Reset Scheduling Order Deadlines: Discovery due by 8/28/2009. Motions due by 10/9/2009. Final Pretrial Conference set for 4/5/2010 02:30 PM in Room 142 before Judge Ted Stewart. 20 day Jury Trial set for 4/19/2010 08:30 AM in Room 142 before Judge Ted Stewart. (asp) (Entered: 06/16/2008)
06/16/2008	<a href="#">172</a>	Consent MOTION for Extension of Time to Respond to Plaintiffs' Objection to Magistrate's Discovery Order filed by Defendant Nature's Sunshine Products. (Attachments: # <a href="#">1</a> Text of Proposed Order Order Granting Defendant's Consented Motion for Additional Time in Which to Respond to Plaintiffs' Objection to Magistrate's Discovery Order) Motions referred to Samuel Alba.(Etcheverry, Raymond) (Entered: 06/16/2008)
06/16/2008	<a href="#">173</a>	STATUS REPORT <i>on Privilege Review of KPMG Work Papers</i> by Nature's Sunshine Products. (Etcheverry, Raymond) (Entered: 06/16/2008)
06/17/2008	<a href="#">174</a>	ORDER granting <a href="#">172</a> Motion for Extension of Time. Signed by Judge Ted Stewart on 06/17/2008. (asp) (Entered: 06/17/2008)
06/17/2008	<a href="#">175</a>	MOTION for Extension of Time to File Response/Reply to <i>Plaintiffs' Objection to Magistrate's Discovery Order</i> filed by Movant KPMG LLP. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Vartabedian, Melanie) (Entered: 06/17/2008)
06/18/2008	<a href="#">176</a>	ORDER granting <a href="#">175</a> Motion for Extension of Time to File Response/Reply. Signed by Judge Ted Stewart on 06/17/2008. (asp) (Entered: 06/18/2008)
06/18/2008	177	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim AND Objection to Magistrate's Ruling: (Notice generated by Chambers/slm) Motion Hearing set for 8/4/2008 10:00 AM in Room 142 before Judge Ted Stewart. (slm) (Entered: 06/18/2008)
06/27/2008	<a href="#">179</a>	RESPONSE re <a href="#">165</a> Objections,,, to <i>Plaintiffs' Rule 72 Partial Objection to the Magistrate's Order Signed June 2, 2008</i> filed by Movant KPMG LLP. (Attachments: # <a href="#">1</a> Exhibit A - Order, # <a href="#">2</a> Exhibit B - Microsoft v. MBC Enter.)(Greenwood, David) (Entered: 06/27/2008)
06/27/2008	<a href="#">180</a>	Defendant's RESPONSE re <a href="#">165</a> Objections,,, to <i>Magistrate's Discovery Order</i> filed by Defendant Nature's Sunshine Products. (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)(Etcheverry, Raymond) (Entered: 06/27/2008)
07/14/2008	<a href="#">181</a>	Plaintiffs' Reply Brief to Defendant Nature's Sunshine Products, Inc.'s Response to Plaintiffs' Partial Rule 72 Objections BRIEF re <a href="#">180</a> Response (NOT to motion), Response (NOT to motion) filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1,

		Allied Irish Banks, # <a href="#">2</a> Exhibit 2, In re OM Secs. Litig., # <a href="#">3</a> Appendix of Unpublished Cases)(Kim, Phillip) (Entered: 07/14/2008)
07/14/2008	<a href="#">182</a>	Plaintiffs' Reply Brief to Non-Party KPMG's Response to Plaintiffs' Partial Rule 72 Objections BRIEF re <a href="#">179</a> Response (NOT to motion), Response (NOT to motion) filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Appendix of Unpublished Cases)(Kim, Phillip) (Entered: 07/14/2008)
07/15/2008	<a href="#">183</a>	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim and Objection to Magistrate Ruling: (Notice generated by Chambers/slm) Motion Hearing set for 9/22/2008 02:30 PM in Room 142 before Judge Ted Stewart. PLEASE NOTE NEW DATE AND TIME.(slm) (Entered: 07/15/2008)
08/19/2008	<a href="#">184</a>	Joint MOTION for Protective Order <i>Governing Documents Produced by Non Party Deloitte &amp; Touche LLP</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Protective Order) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 08/19/2008)
08/20/2008	<a href="#">185</a>	PROTECTIVE ORDER. Signed by Magistrate Judge Samuel Alba on 08/20/2008. (asp) (Entered: 08/21/2008)
09/05/2008	<a href="#">186</a>	NOTICE of SUPPLEMENTAL AUTHORITY by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann re <a href="#">159</a> Memorandum in Opposition to Motion, <a href="#">164</a> Reply Memorandum/Reply to Response to Motion (Attachments: # <a href="#">1</a> Exhibit 1, In re Bristol Myers Squibb Co)(Kim, Phillip) (Entered: 09/05/2008)
09/10/2008	<a href="#">187</a>	MOTION to Withdraw as Attorney <i>Elizabeth S. Finberg</i> filed by Consol Plaintiff Toshihiko Sanada. Motions referred to Samuel Alba.(Phillips, Gregory) (Entered: 09/10/2008)
09/11/2008	<a href="#">188</a>	ORDER granting <a href="#">187</a> Motion to Withdraw as Attorney. Attorney Elizabeth S. Finberg withdrawn from case for Toshihiko Sanada. Signed by Judge Ted Stewart on 09/11/2008. (asp) (Entered: 09/12/2008)
09/17/2008	<a href="#">189</a>	NOTICE of SUPPLEMENTAL AUTHORITY by Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff re <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim, <a href="#">164</a> Reply Memorandum/Reply to Response to Motion (Attachments: # <a href="#">1</a> Exhibit 1)(Etcheverry, Raymond) (Entered: 09/17/2008)
09/22/2008	<a href="#">190</a>	Minute Entry for proceedings held before Judge Ted Stewart: Motion Hearing held on 9/22/2008 re <a href="#">156</a> Defendant's MOTION to Dismiss " <i>Scheme Liability</i> " Claim filed by Nature's Sunshine Products, Franz L. Cristiani, Craig D. Huff, Douglas Faggioli. The Court first hears argument on plaintiff's objection to the magistrate's ruling on certain discovery issues; and next hears argument on defendant's motion to dismiss "scheme liability" claim. The Court takes the issues under advisement and will issue a ruling as soon as possible. Attorney for Plaintiff: Phillip Kim, Mark James, Gary Dodge, Attorney for Defendant Ray Etcheverry, Kent Roche; Interested Party (KPMG): David Greenwood, Melanie Vartabedian. Court Reporter: Patti Walekr. (slm) (Entered: 09/22/2008)

09/23/2008	<a href="#">191</a>	MEMORANDUM DECISION overruling <a href="#">165</a> OBJECTIONS. Signed by Judge Ted Stewart on 09/23/2008. (asp) (Entered: 09/23/2008)
09/23/2008	<a href="#">192</a>	MEMORANDUM DECISION granting <a href="#">156</a> Motion to Dismiss. Signed by Judge Ted Stewart on 09/23/2008. (asp) (Entered: 09/23/2008)
09/25/2008	<a href="#">193</a>	STIPULATION re <a href="#">185</a> Protective Order <i>RE: Grant Thornton LLP Addition</i> by Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Kim, Phillip) (Entered: 09/25/2008)
09/25/2008	<a href="#">194</a>	MEMORANDUM DECISION granting in part and denying in part <a href="#">115</a> Motion to Certify Class. See order for details. Signed by Judge Ted Stewart on 09/25/2008. (asp) (Entered: 09/25/2008)
11/20/2008	<a href="#">195</a>	Joint MOTION for Extension of Time for Submission of Proposed Class Notice filed by Defendants Franz L. Cristiani, Nature's Sunshine Products, Douglas Faggioli, Craig D. Huff. (Attachments: # <a href="#">1</a> Text of Proposed Order Extending Time for Submission of Proposed Class Notice) Motions referred to Samuel Alba.(Etcheverry, Raymond) (Entered: 11/20/2008)
11/24/2008	<a href="#">196</a>	ORDER granting <a href="#">195</a> Motion for Extension of Time. Signed by Judge Ted Stewart on 11/24/2008. (asp) (Entered: 11/24/2008)
12/22/2008	<a href="#">197</a>	NOTICE of Firm Name Change by Toshihiko Sanada (Phillips, Gregory) (Entered: 12/22/2008)
03/13/2009	<a href="#">198</a>	Joint MOTION for Extension of Time to Complete Discovery <i>Revise Scheduling Order (Docket no. 170)</i> filed by Plaintiffs Fred Crosetto, Lee Tiah Hong, Rick Kader, Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Kim, Phillip) (Entered: 03/13/2009)
03/13/2009	<a href="#">199</a>	Ex Parte (Not Sealed) MOTION to Withdraw as Attorney filed by Movant KPMG LLP. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Vartabedian, Melanie) Modified on 3/16/2009 added as Attorney to docket text (asp). (Entered: 03/13/2009)
03/13/2009	<a href="#">200</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Melanie J. Vartabedian. Attorney Melanie J. Vartabedian will no longer receive notice from the court in this case including final judgment. (Vartabedian, Melanie) (Entered: 03/13/2009)
03/16/2009	<a href="#">201</a>	ORDER granting <a href="#">199</a> Motion to Withdraw as Attorney. Attorney Melanie J. Vartabedian withdrawn from case for KPMG. Signed by Judge Ted Stewart on 03/16/2009. (asp) (Entered: 03/16/2009)
03/17/2009	<a href="#">202</a>	ORDER granting <a href="#">198</a> Motion for Extension of Time to Complete Discovery. Signed by Magistrate Judge Samuel Alba on 3/17/09. (cas) (Entered: 03/17/2009)
03/19/2009	203	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by Chambers/slm) Final Pretrial Conference set for 1/10/2011 03:00 PM in Room 142 before Judge Ted Stewart. 4-Week Jury Trial set for 1/24/2011 08:30 AM in Room 142 before Judge Ted Stewart. (slm) (Entered: 03/19/2009)
07/10/2009	<a href="#">204</a>	STATUS REPORT <i>Joint Status Report</i> by Fred Crosetto, Lee Tiah Hong, Rick Kader,

		Jane Kuang, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kim, Phillip) (Entered: 07/10/2009)
07/13/2009	<a href="#">205</a>	ORDER Setting Deadline for the Filing of Motion for Preliminary Approval of Class Action Settlement. Motions due: 09/14/2009. Signed by Judge Ted Stewart on 07/13/2009. (asp) (Entered: 07/13/2009)
09/14/2009	<a href="#">206</a>	SETTLEMENT AGREEMENT <i>Stipulation of Settlement</i> by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit A, Preliminary Approval Order, # <a href="#">2</a> Exhibit B, Proof of Claim, # <a href="#">3</a> Exhibit C, Notice, # <a href="#">4</a> Exhibit D, Summary Notice, # <a href="#">5</a> Exhibit E, Proposed Judgment)(Kim, Phillip) (Entered: 09/14/2009)
09/14/2009	<a href="#">207</a>	MOTION for Settlement <i>Unopposed Motion for Preliminary Approval of Class Action Settlement</i> filed by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Text of Proposed Order Preliminary Approval Order, # <a href="#">2</a> Exhibit A to Prelim. App. Order, # <a href="#">3</a> Exhibit B to Prelim. App. Order, # <a href="#">4</a> Exhibit C to Prelim. App. Order, # <a href="#">5</a> Exhibit D to Prelim App. Order)(Kim, Phillip) (Entered: 09/14/2009)
09/14/2009	<a href="#">208</a>	MEMORANDUM in Support re <a href="#">207</a> MOTION for Settlement <i>Unopposed Motion for Preliminary Approval of Class Action Settlement</i> filed by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Kim, Phillip) (Entered: 09/14/2009)
09/14/2009	<a href="#">209</a>	AFFIDAVIT of Phillip Kim in Support re <a href="#">207</a> MOTION for Settlement <i>Unopposed Motion for Preliminary Approval of Class Action Settlement</i> filed by Plaintiffs Rick Kader, Loh Chee Kuang, Peter Rathmann. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Kim, Phillip) (Entered: 09/14/2009)

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