

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:05-cv-02335-JLS-CAB**

**In Re Seracare Life, et al v. , et al**

**Date Filed:** Dec. 22, 2005  
**Status:** Open  
**Nature of suit:** 850 Securities/Commodities  
**Demand:** \$0  
**Assigned to:** Judge Janis L. Sammartino  
**Cause:** 15:78m(a) Securities Exchange Act  
**Jurisdiction:** Federal Question  
**Jury demand:** Plaintiff  
**Member cases:** [3:05-cv-02339-JLS-CAB](#) *Lowrey v. Seracare Life, et al*  
[3:05-cv-02356-JLS-CAB](#) *Silverstein v. Seracare Life, et al*  
[3:05-cv-02369-JLS-CAB](#) *McKay v. Seracare Life, et al*  
[3:06-cv-00013-JLS-CAB](#) *Smith v. Seracare Life, et al*  
[3:06-cv-00022-JLS-CAB](#) *Muenstermann v. Seracare Life, et al*  
[3:06-cv-00080-JLS-CAB](#) *Thorpe v. Seracare Life, et al*  
**Referred to:** Magistrate Judge Cathy Ann Bencivengo

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on Behalf of Himself and All Others Similarly Situated

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**Docket Proceedings**[Reverse Proceedings](#)

Req #	Filed	#	Docket Text
<a href="#">1</a>	Dec. 22, 2005	1	Complaint Filed; (referred to Magistrate Judge Nita L. Stormes ) Receipt No/Amt of Fee: 119788/\$250; t/w Jury demand (jrl) Modified on 12/27/2005 (Entered: 12/27/2005)
<a href="#">2</a>	Dec. 22, 2005	2	Summons issued (jrl) (Entered: 12/27/2005)
<a href="#">3</a>	Dec. 22, 2005	3	Notice of Party with Financial Interest by Joseph Wise (jrl) (Entered: 12/27/2005)
<a href="#">4</a>	Jan. 09, 2006	4	Order by Magistrate Judge Nita L. Stormes: Case referred to Magistrate Judge Cathy A. Bencivengo ; new case number 05cv2335-H(CAB) (r1r) (Entered: 01/09/2006)
<a href="#">5</a>	Jan. 19, 2006	5	Stipulation and Order by Judge Marilyn L. Huff : Case consolidated 3:05-cv-2335 with member cases 3:05-cv-2339, 3:05-cv-2356, 3:05-cv-2369, 3:06-cv-13, 3:06-cv-22; New Parties defendant Jerry L Burdick, plaintiff Philip Lowrey, Mark Silverstein, Bruce B McKay, Hubert D Smith, Muenstermann ; this order is entered without prejudice; All future docketing will be done in the lead case; dfts shall respond to the consolidated cmp within 45 days after service if dfts file any motions directed at operative cmp, the opposition shall be filed within 45 days of that motion, with the reply brief filed 30 days thereafter. (r1r) Modified on 01/26/2006 (Entered: 01/26/2006)
<a href="#">6</a>	Jan. 25, 2006	6	Notice of entry of order by defendant Seracare Life Michael F Crowley Jr , Craig A Hooson , Barry D Plost , Robert J Cresci , Jerry L Burdick (r1r) (Entered: 01/26/2006)
<a href="#">7</a>	Jan. 31, 2006	7	Return of Service executed upon defendant Seracare Life , defendant Michael F Crowley Jr , defendant Craig A Hooson , defendant Barry D Plost , defendant Robert J Cresci on 1/3/06 (r1r) (Entered: 02/01/2006)
<a href="#">8</a>	Feb. 21, 2006	8	Notice of Motion and Motion for appointment of lead pla , for approval of selection of lead counsel [ motion(s) referred to Judge Marilyn L. Huff ] motion hrg set for 3/27/06 at 10:30am (r1r) Modified on 02/23/2006 (Entered: 02/23/2006)
<a href="#">9</a>	Feb. 21, 2006	9	Memorandum of points and authorities in support of motion for appointment of lead pla [8-1], in support of motion for approval of selection of lead counsel [8-2] (r1r) Modified on 02/23/2006 (Entered: 02/23/2006)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			02/23/2006)
<a href="#">10</a>	Feb. 21, 2006	10	Declaration of Peter A. Binkow in support of motion for appointment of lead pla [8-1], re motion for approval of selection of lead counsel [8-2] (r1r) (Entered: 02/23/2006)
<a href="#">11</a>	Feb. 21, 2006	11	Notice of Motion and Motion of the Seracare Investors for consolidation for appointment as lead pla , and for approval of selection of lead counsel [ motion(s) referred to Judge Marilyn L. Huff ] motion hrg set for 3/27/06 at 10:30am (r1r) (Entered: 02/23/2006)
<a href="#">12</a>	Feb. 21, 2006	12	Memorandum of points and authorities in support of motion f the Seracare investors for consolidation for appointment as lead pla [11-1], in support of motion for approval of selection of lead counsel [11-2] (r1r) (Entered: 02/23/2006)
<a href="#">13</a>	Feb. 21, 2006	13	Declaration of Karen T Rogers in support of the Seracare Investors motion for consolidated appointment as lead pla [11-1], re motion for approval of selection of lead counsel [11-2] (r1r) (Entered: 02/23/2006)
<a href="#">14</a>	Feb. 23, 2006	14	DISCREPANCY ORDER by Judge Marilyn L. Huff accepting document: motion from defendant Seracare Life in non-compliance with local rule 5.1, document is to be filed nunc pro tunc to the date received (r1r) (Entered: 02/23/2006)
<a href="#">15</a>	Feb. 23, 2006	15	Massachusetts State Guaranteed Annuity Fund and Massachussets State Carpenters Pension Fund's Notice of Motion and Motion for appointment as lead pla , and for approval of their selection of lead counsel [ motion(s) referred to Judge Marilyn L. Huff ] motion hrg set for 3/27/06 at 10:30am; NUNC PRO TUNC 2/21/06 (r1r) Modified on 02/23/2006 (Entered: 02/23/2006)
<a href="#">16</a>	Feb. 23, 2006	16	Memorandum of points and authorities in support of motion for appointment as lead pla [15-1], in support of motion for approval of their selection of lead counsel [15-2]; NUNC PRO TUNC 2/21/06 (r1r) (Entered: 02/23/2006)
<a href="#">17</a>	Feb. 23, 2006	17	Declaration of Rami Abadou in support of Massachusetts State Guarateed Annuity Fund and Massachusetts State Carpenters Pension Fund re motion for appointment as lead pla [15-1], re motion for approval of their selection of lead counsel [15-2]; NUNC PRO TUNC 2/21/06 (r1r) (Entered: 02/23/2006)
<a href="#">18</a>	Mar. 09, 2006	18	Stipulation and Order by Judge Marilyn L. Huff :re extension of time; Answer due on or before 5/10/06 for Jerry L Burdick, for Robert J Cresci, for Barry D Plost, for Craig A Hooson, for Michael F Crowley Jr, for Seracare Life (r1r) (Entered: 03/09/2006)
<a href="#">19</a>	Mar. 13, 2006	23	Opposition by defendant Seracare Life, defendant Michael F Crowley Jr , defendant Craig A Hooson , defendant Barry D Plost in , defendant Robert J Cresci in , defendant Jerry L Burdick motion for appointment as lead pla [11-1], [15-1], [18-1] filed by Teddy Scwhab, Mark Silverstein and Carl Bilich; Richard Westlund, Jana Westlund, John Westlund, David Westlund and Lauren Westlund; and Massachussets State Guaranteed Annuity Fund and Massachussets State Carpenter's Pension Fund. (r1r) Modified on 03/15/2006 (Entered: 03/15/2006)
<a href="#">20</a>	Mar. 13, 2006	24	Declaration of Lori E. Romley in support of dft's joint response to motions for appointment of lead pla filed by: Teddy Scwhab, Mark Silverstein and Carl Bilich; Richard Westlund, Jana Westlund, John

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Westlund, David Westlund and Lauren Westlund; and Massachusetts State Guaranteed Annuity Fund and Massachusetts State Carpenter's Pension Fund. (r1r) (Entered: 03/15/2006)
<a href="#">21</a>	Mar. 14, 2006	19	DISCREPANCY ORDER by Judge Marilyn L. Huff accepting document: Memorandum of law (construed as opposition) , non-compliance with local rule 7.1 or 47.1, document is to be filed nunc pro tunc to the date received (r1r) (Entered: 03/14/2006)
<a href="#">22</a>	Mar. 14, 2006	20	Opposition to motion for appointment as lead pla [15-1], motion for approval of their selection of lead counsel [15-2]; NUNC PRO TUNC 3/10/06; (Filed as a memorandum of law) (r1r) (Entered: 03/14/2006)
<a href="#">23</a>	Mar. 14, 2006	21	DISCREPANCY ORDER by Judge Marilyn L. Huff accepting document: declaration , non-compliance with local rule 7.1 or 47.1, document is to be filed nunc pro tunc to the date received (r1r) (Entered: 03/14/2006)
<a href="#">24</a>	Mar. 14, 2006	22	Declaration of Peter A. Binkow in support of opposition [20-1]; NUNC PRO TUNC 3/10/06 (to be construed as a declaration in support of opposition to doc no. 15) (r1r) (Entered: 03/14/2006)
<a href="#">25</a>	Mar. 14, 2006	25	Attorney Substitution: signed by Judge Marilyn L. Huff terminating Schiffrin and Barroway, LLP and substituting attorney Edward M. Gergosian for pla Philip Lowry. (Edward Gergosian was already assigned to Philio Lowry) (r1r) (Entered: 03/15/2006)
<a href="#">26</a>	Mar. 14, 2006	26	Notice of withdrawal of motion of the Seracare Investors for consolidation, appointment as lead pla and approval of its selection of lead counsel. (r1r) (Entered: 03/15/2006)
<a href="#">27</a>	Mar. 14, 2006	27	Proof of service by defendant Seracare Life, defendant Michael F Crowley Jr , defendant Craig A Hooson , defendant Barry D Plost , defendant Robert J Cresci , defendant Jerry L Burdick of: joint response (r1r) (Entered: 03/15/2006)
<a href="#">28</a>	Mar. 16, 2006	29	DISCREPANCY ORDER by Judge Marilyn L. Huff accepting document: opposition from defendant Seracare Life in 3:05-cv-02335, non-compliance with local rule other: document opposing not on file, document is to be filed nunc pro tunc to the date received (r1r) (Entered: 03/17/2006)
<a href="#">29</a>	Mar. 16, 2006	28	The Massachusetts's Fund's Opposition to motion for appointment of lead pla [8-1], motion for approval of selection of lead counsel [8-2]; NUNC PRO TUNC 3/13/06 (r1r) (Entered: 03/17/2006)
<a href="#">30</a>	Mar. 20, 2006	30	Reply to opposition to motion for appointment of lead pla [8-1], motion for approval of selection of lead counsel [8-2] (r1r) (Entered: 03/21/2006)
<a href="#">31</a>	Mar. 20, 2006	31	Reply to opposition to motion for appointment as lead pla [15-1], motion for approval of their selection of lead counsel [15-2];Filed by the Westlund Family. (opposition filed on 3/14/06, doc #20) (r1r) (Entered: 03/21/2006)
<a href="#">32</a>	Mar. 20, 2006	32	The Massachusetts Funds Reply memorandum of law in support of their motion for appointment as lead pla [15-1], and approval of their selection of lead counsel [15-2] (r1r) (Entered: 03/21/2006)
<a href="#">33</a>	Mar. 20, 2006	33	Declaration of Ramzi Abadou in support of Massachusetts Funds reply memorandum of law in further support of their motion for appointment as lead pla and approval of their selection of lead counsel [32-1] (r1r) (Entered: 03/21/2006)
<a href="#">34</a>	Mar. 22, 2006	34	Order by Judge Marilyn L. Huff re hrg on motions to appoint lead pla;

Req #	Filed	#	Docket Text
			Argument will be heard on 3/27/06 at 10:30am before Judge Huff. (r1r) (Entered: 03/22/2006)
<a href="#">35</a>	Mar. 23, 2006	35	Notice by defendant Seracare Life in 3:05-cv-02335 of filing bankruptcy and stay of proceedings (r1r) (Entered: 03/27/2006)
<a href="#">36</a>	Mar. 27, 2006	36	Minutes: Enter Order by Judge Marilyn L. Huff: Motion hrg held; Court to prepare order. status conf set for 10:30 5/30/06 before Judge Marilyn Huff ; counsel may appear telephonically; Court Reporter: Nancy Cablay (r1r) (Entered: 03/28/2006)
<a href="#">37</a>	Mar. 29, 2006		Transcript filed of motion hrg held on 3/27/06 before Judge Marilyn Huff by Echo Reporting (r1r) (Entered: 03/29/2006)
<a href="#">38</a>	Apr. 03, 2006	37	Pro Hac Vice approved on behalf of movant Richard N Westlund in 3:05-cv-02335, movant Jana L Westlund in 3:05-cv-02335, movant John A Westlund in 3:05-cv-02335, movant David B Westlund in 3:05-cv-02335, movant Lauren N Westlund in 3:05-cv-02335 for Steven J Toll (joeh) (Entered: 04/03/2006)
<a href="#">39</a>	Apr. 07, 2006	38	Order by Judge Marilyn L. Huff Case consolidated 3:05-cv-2335 with member cases 3:06-cv-80New Parties plaintiff Rachel Thorpe to case(s) 3:05-cv-02335, The ct confirms that pla's Terry Schwab, Mark Silverstein, and Carl Bilich have withdrawn their motions regarding appointment of lead pla and lead counsel. Granting motion by Westlund family for appointment of lead pla [8-1], granting motion by Westlund Family for approval of selection of lead counsel [8-2]; Accordingly, the ct appoints the Westlund family as lead pla's, and Cohen, Milstein, & Toll, LLC, as lead counsel for these consolidated class actions proceedings. granting in part/denying in part motion for appointment as lead pla [15-1], granting in part/denying in part motion for approval of their of lead counsel [15-2]; The Massachusetts State Guaranteed Annuity Pension Fund may submit a declaration within 14 of the date of entry of this order stating that it is willing to serve a co-lead pla, at which time, the ct will enter appropriate order. a telephonic status conf set for 5/30/06 at 10:30 before Judge Huff ; In light of bankruptcy petition, lead pla shall not file a consolidated cmp until further order of the ct. All future docketing be done in the lead case. (r1r) Modified on 04/10/2006 (Entered: 04/10/2006)
<a href="#">40</a>	Apr. 21, 2006	39	The Massachusetts's Fund's Declaration in response to the 4/7/06 Order [38-1] (r1r) (Entered: 04/24/2006)
<a href="#">41</a>	Apr. 25, 2006	40	Order by Judge Marilyn L. Huff: appointing The Massachusetts State Guaranteed Annuity Pension Fund to serve as co-lead pla and ratifies its choice of Lerach Coughlin Stoia Gellar Rudman & Robbins LLP as co-lead counsel. (r1r) (Entered: 04/25/2006)
<a href="#">42</a>	May 26, 2006	41	Attorney Substitution: signed by Judge Marilyn L. Huff terminating Meredith N. Landy and substituting attorney Ethan J. Brown. (ksr) (Entered: 05/30/2006)
<a href="#">43</a>	May 26, 2006	42	Attorney Substitution: signed by Judge Marilyn L. Huff terminating Meredith N. Landy and substituting attorney Marc Dworsky for pla Barry D. Plost. (ksr) (Entered: 05/30/2006)
<a href="#">44</a>	May 26, 2006	45	Attorney Substitution: signed by Judge Marilyn L. Huff terminating attorney Meredith N Landy for Michael F Crowley and substituting attorney Charles G LaBella (r1r) (Entered: 06/01/2006)
<a href="#">45</a>	May 26, 2006	46	Proof of service by defendant Michael F Crowley Jr of: substitution of

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			atty (r1r) (Entered: 06/01/2006)
<a href="#">46</a>	May 30, 2006	43	Minutes: Enter Order by Judge Marilyn L. Huff: In chambers telephonic status conf held 10:30 5/30/06 ; consolidated cmp to be filed within 45 days. Seracare life has filed Bankruptcy and will not be named in the consolidated cmp; Court to prepare order. Court Reporter: Nancy Cablay (r1r) (Entered: 05/31/2006)
<a href="#">47</a>	Jun. 01, 2006	44	Order by Judge Marilyn L. Huff: On May 30, 2006, the ct convened a telephonic status conf. Co-lead pla's shall file a consolidated cmp within 45 days of the entry of this order. Dft's shall have 30 days after service of the consolidated cmp on which to file answers, or 45 days after in which to file appropriate motions. (r1r) (Entered: 06/01/2006)
<a href="#">48</a>	Jun. 08, 2006	47	Notice of Motion and Motion by plaintiff Joseph Wise in 3:05-cv-02335 to lift partially the PSLRA Discovery Stay [ motion(s) referred to Judge Marilyn L. Huff ] motion hrg set for 7/17/06 at 10:30am (r1r) (Entered: 06/09/2006)
<a href="#">49</a>	Jun. 08, 2006	48	Memorandum of points and authorities by plaintiff Joseph Wise in 3:05-cv-02335 in support of motion to lift partially the PSLRA Discovery Stay [47-1] (r1r) (Entered: 06/09/2006)
<a href="#">50</a>	Jun. 08, 2006	49	Declaration of Ted Minahan in support of lead pla's motion to lift partially the PSLRA Discovery Stay [47-1] (r1r) (Entered: 06/09/2006)
<a href="#">51</a>	Jun. 30, 2006	51	Declaration of John Kirby in support of memorandum of points and authorities in support of individual dft's opposition to Lead Pla's motion to lift partially the PSLRA discovery stay [50-1] (r1r) (Entered: 07/03/2006)
<a href="#">52</a>	Jul. 03, 2006	50	Joint Opposition by defendant Michael F Crowley Jr in 3:05-cv-02335 to motion to lift partially the PSLRA Discovery Stay [47-1] (r1r) (Entered: 07/03/2006)
<a href="#">53</a>	Jul. 03, 2006	52	Order by Judge M. J. Lorenz for Judge Marilyn Huff that the motion to lift partially the PSLRA Discovery Stay [47-1] is submitted and the date is vacated (r1r) Modified on 07/03/2006 (Entered: 07/03/2006)
<a href="#">54</a>	Jul. 10, 2006	53	Pro Hac Vice approved on behalf of plaintiff Richard N Westlund in 3:05-cv-02335, plaintiff Jana L Westlund in 3:05-cv-02335, plaintiff John A Westlund in 3:05-cv-02335, plaintiff David B Westlund in 3:05-cv-02335, plaintiff Lauren N Westlund in 3:05-cv-02335 for Joseph P Helm III (joeh) (Entered: 07/10/2006)
<a href="#">55</a>	Jul. 10, 2006	54	Pro Hac Vice approved on behalf of plaintiff Richard N Westlund in 3:05-cv-02335, plaintiff Jana L Westlund in 3:05-cv-02335, plaintiff John A Westlund in 3:05-cv-02335, plaintiff David B Westlund in 3:05-cv-02335, plaintiff Lauren N Westlund in 3:05-cv-02335 for Andrew N Friedman (joeh) (Entered: 07/10/2006)
<a href="#">56</a>	Jul. 13, 2006	55	Pro Hac Vice approved on behalf of plaintiff Richard N Westlund in 3:05-cv-02335, plaintiff Jana L Westlund in 3:05-cv-02335, plaintiff John A Westlund in 3:05-cv-02335, plaintiff David B Westlund in 3:05-cv-02335, plaintiff Lauren N Westlund in 3:05-cv-02335 for Steven J Toll (joeh) (Entered: 07/13/2006)
<a href="#">57</a>	Jul. 17, 2006	56	DISCREPANCY ORDER by Judge Marilyn L. Huff accepting document: reply from plaintiff Joseph Wise in 3:05-cv-02335, plaintiff Philip Lowrey in 3:05-cv-02335, plaintiff Mark Silverstein in 3:05-cv-02335, plaintiff Bruce B McKay in 3:05-cv-02335, plaintiff Hubert D Smith in 3:05-cv-02335, plaintiff Muenstermann in 3:05-cv-02335, plaintiff

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Richard N Westlund in 3:05-cv-02335, plaintiff Jana L Westlund in 3:05-cv-02335, plaintiff John A Westlund in 3:05-cv-02335, plaintiff David B Westlund in 3:05-cv-02335, plaintiff Lauren N Westlund in 3:05-cv-02335, plaintiff Rachel Thorpe in 3:05-cv-02335, plaintiff Massachusetts State in 3:05-cv-02335, non-compliance with local rule 5.1, document is to be filed nunc pro tunc to the date received (r1r) (Entered: 07/18/2006)
<a href="#">58</a>	Jul. 17, 2006	57	Reply by plaintiff Joseph Wise , Philip Lowrey , Silverstein , Bruce B McKay , Hubert D Smith , Muenstermann , Richard N Westlund , Jana L Westlund , John A Westlund , David B Westlund , Lauren N Westlund , Rachel Thorpe , Massachusetts State to opposition to motion to lift partially the PSLRA Discovery Stay [47-1]; NUNC PRO TUNC 7/10/06 (r1r) Modified on 07/18/2006 (Entered: 07/18/2006)
<a href="#">59</a>	Jul. 17, 2006	58	Consolidated Complaint Filed; demand for jury trial (r1r) (Entered: 07/20/2006)
<a href="#">60</a>	Jul. 26, 2006	59	Summons issued on amd cmp (r1r) (Entered: 07/28/2006)
<a href="#">61</a>	Aug. 01, 2006	60	Order by Judge Marilyn L. Huff denying motion to lift partially the PSLRA Discovery Stay [47-1] (r1r) (Entered: 08/01/2006)
<a href="#">62</a>	Aug. 17, 2006	61	Stipulation and Order by Judge Marilyn L. Huff : The briefing schedule set forth in the 5/31/06 order is vacated; On or before 9/1/06, the parties shall submit a revised briefing and hrg schedule to the court. (r1r) (Entered: 08/18/2006)
<a href="#">63</a>	Aug. 30, 2006	63	WAIVER OF SERVICE Returned Executed by plaintiff's for John F. Silvia, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, CO. (r1r) Modified on 9/6/2006 (r1r). (Entered: 09/06/2006)
<a href="#">64</a>	Aug. 30, 2006	64	WAIVER OF SERVICE Returned Executed by Plaintiff's as to Pecks Management Partners, Ltd. (r1r, ) (Entered: 09/06/2006)
<a href="#">65</a>	Aug. 30, 2006	65	WAIVER OF SERVICE Returned Executed by Plaintiff's as to Dr. Nelson Teng. (r1r, ) (Entered: 09/06/2006)
<a href="#">66</a>	Aug. 30, 2006	66	WAIVER OF SERVICE Returned Executed by the Plaintiff as to Dr. Bernard Kasten. (r1r) (Entered: 09/06/2006)
<a href="#">67</a>	Aug. 30, 2006	67	WAIVER OF SERVICE Returned Executed by the plaintiff as to Ezzat Jallad. (r1r, ) (Entered: 09/06/2006)
<a href="#">68</a>	Aug. 30, 2006	68	WAIVER OF SERVICE Returned Executed by the plaintiff as to Samuel Anderson. (r1r, ) (Entered: 09/06/2006)
<a href="#">69</a>	Aug. 30, 2006	69	SUMMONS Returned Executed by the plaintiff's. KPMG LLP served on 7/28/2006, answer due 8/17/2006. (r1r, ) (Entered: 09/06/2006)
<a href="#">70</a>	Aug. 30, 2006	70	SUMMONS Returned Executed by the Pla's. William Blair and Co served on 7/28/2006, answer due 8/17/2006. (r1r, ) (Entered: 09/06/2006)
<a href="#">71</a>	Aug. 30, 2006	71	WAIVER OF SERVICE Returned Executed by plaintiff's. Thomas Weisel waiver sent on 7/28/2006, answer due 8/17/2006. (r1r) (Entered: 09/06/2006)
<a href="#">72</a>	Aug. 30, 2006	72	SUMMONS Returned Executed by Plaintiff's. CIBC World Markets served on 7/28/2006, answer due 8/17/2006. (r1r) (Entered: 09/06/2006)
<a href="#">73</a>	Sep. 05, 2006	62	Stipulation and ORDER to set briefing schedule. All dft's shall file any motions against the consolidated cmp on or before 11/3/06; Pla shall file their oppositions to those motions on or before 12/22/06; dft's shall file any replies by 1/26/07; and the parties shall obtain a hearing consistent with this schedule. Signed by Judge Marilyn L. Huff on 9/1/06. (r1r) (Entered: 09/06/2006)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">74</a>	Nov. 01, 2006	73	Stipulation and ORDER setting briefing schedule. The dft's shall file any motions against the consolidated complaint on or before 12/1/06; Pla's shall file their oppositions to these motions on or before 1/26/07; dft's shall file any replies by 2/26/07; and court sets a hearing date for 3/19/07 at 10:30am.Signed by Judge Marilyn L. Huff on 10/31/06. (r1r) (Entered: 11/01/2006)
<a href="#">75</a>	Nov. 29, 2006	74	Joint MOTION to Vacate Motion to Dismiss Briefing Schedule for the Individual Defendants by Michael F Crowley, Jr. (Kirby, John) (Entered: 11/29/2006)
<a href="#">76</a>	Nov. 29, 2006	75	CERTIFICATE OF SERVICE by Michael F Crowley, Jr re 74 Joint MOTION to Vacate Motion to Dismiss Briefing Schedule for the Individual Defendants (Kirby, John) (Entered: 11/29/2006)
<a href="#">77</a>	Nov. 30, 2006	76	Joint MOTION for Extension of Time to File Response/Reply Against Consolidated Complaint by KPMG LLP. (Vick, Timothy) (Entered: 11/30/2006)
<a href="#">78</a>	Nov. 30, 2006	77	ORDER granting in part and denying in part 74 Motion to Vacate; Individual dft's shall respond by 01/15/2007, plaintiffs shall file their opposition by 03/15/2007, dft's shall file any reply no later than 04/15/2007 . Signed by Judge Marilyn L. Huff on 11/30/06. (agp) (Entered: 11/30/2006)
<a href="#">79</a>	Dec. 01, 2006	78	ORDER entending time for dft's CIBC World Markets, Thomas Weisel Partners LLC, Williams Blair & Co., LLC and KPMG LLP to file motions against the consolidated complaint. Signed by Judge Marilyn L. Huff on 12/01/06. (agp) (Entered: 12/01/2006)
<a href="#">80</a>	Dec. 01, 2006	79	CERTIFICATE OF SERVICE by KPMG LLP re 76 Joint MOTION for Extension of Time to File Response/Reply Against Consolidated Complaint (Vick, Timothy) (Entered: 12/01/2006)
<a href="#">81</a>	Dec. 01, 2006	80	NOTICE of Appearance by Daniel S Drosman on behalf of Massachusetts State Guaranteed Annuity Pension Fund (Drosman, Daniel) (Entered: 12/01/2006)
<a href="#">82</a>	Dec. 01, 2006	81	NOTICE of Appearance by Ted Joseph Minahan on behalf of Massachusetts State Guaranteed Annuity Pension Fund (Minahan, Ted) (Entered: 12/01/2006)
<a href="#">83</a>	Dec. 05, 2006	82	MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint by KPMG LLP. Responses due by 1/26/2007 (Vick, Timothy) (Entered: 12/05/2006)
<a href="#">84</a>	Dec. 05, 2006	83	NOTICE in support of motion to Dismiss by KPMG LLP. Responses due by 1/26/2007 (Vick, Timothy) Modified on 12/6/2006 to term motion and correct docket entry (agp). (Entered: 12/05/2006)
<a href="#">85</a>	Dec. 05, 2006	84	CERTIFICATE OF SERVICE by KPMG LLP re 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint, 83 MOTION to Dismiss Request for Judicial Notice (Vick, Timothy) (Entered: 12/05/2006)
<a href="#">86</a>	Dec. 05, 2006	85	MOTION to Dismiss UNDERWRITER DEFENDANTS' MOTION TO DISMISS THE FOURTH CLAIM FOR RELIEF OF THE CONSOLIDATED COMPLAINT by William Blair and Co, Thomas Weisel, CIBC World Markets. Responses due by 3/5/2007 (Attachments: # 1 Memo of Points and Authorities # 2 Proof of Service)(LeMoine, Robert) (Entered: 12/05/2006)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">87</a>	Dec. 05, 2006	86	Corporate Disclosure Statement by William Blair and Co, Thomas Weisel, CIBC World Markets. (LeMoine, Robert) (Entered: 12/05/2006)
<a href="#">88</a>	Dec. 06, 2006	87	CERTIFICATE OF SERVICE by William Blair and Co, Thomas Weisel, CIBC World Markets re 86 Corporate Disclosure Statement (LeMoine, Robert) (Entered: 12/06/2006)
<a href="#">89</a>	Dec. 06, 2006	88	MOTION to Amend/Correct 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint by KPMG LLP. (Vick, Timothy) (Entered: 12/06/2006)
<a href="#">90</a>	Dec. 06, 2006	89	NOTICE by KPMG LLP Corporate Disclosure Statement (Vick, Timothy) (Entered: 12/06/2006)
<a href="#">91</a>	Dec. 06, 2006	90	CERTIFICATE OF SERVICE by KPMG LLP re 89 Notice (Other), 88 MOTION to Amend/Correct 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint (Vick, Timothy) (Entered: 12/06/2006)
<a href="#">92</a>	Jan. 04, 2007	91	NOTICE of Appearance by Laurie Largent on behalf of Massachusetts State Guaranteed Annuity Pension Fund (Largent, Laurie) (Entered: 01/04/2007)
<a href="#">93</a>	Jan. 10, 2007	92	NOTICE by KPMG LLP Notice of Change of Firm Name (Vick, Timothy) (Entered: 01/10/2007)
<a href="#">94</a>	Jan. 12, 2007	93	Joint MOTION to Continue Briefing Schedule for the Individual Defendants by Michael F Crowley, Jr. (La Bella, Charles) (Entered: 01/12/2007)
<a href="#">95</a>	Jan. 12, 2007	94	CERTIFICATE OF SERVICE by Michael F Crowley, Jr re 93 Joint MOTION to Continue Briefing Schedule for the Individual Defendants (La Bella, Charles) (Entered: 01/12/2007)
<a href="#">96</a>	Jan. 16, 2007	95	ORDER granting 93 Motion to Continue Briefing Schedule for the individual defendants. Signed by Judge Marilyn L. Huff on 01/16/07. (agp) (Entered: 01/16/2007)
<a href="#">97</a>	Jan. 26, 2007	96	RESPONSE in Opposition re 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint, 88 MOTION to Amend/Correct 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint PLAINTIFFS' OPPOSITION TO KPMG LLP'S MOTION TO DISMISS THE FIRST AND FOURTH CLAIMS FOR RELIEF OF THE CONSOLIDATED COMPLAINT filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Declaration of Daniel S. Drosman# 2 Exhibit 1 to Drosman Declaration)(Drosman, Daniel) (Entered: 01/26/2007)
<a href="#">98</a>	Jan. 26, 2007	97	RESPONSE in Opposition re 85 MOTION to Dismiss UNDERWRITER DEFENDANTS' MOTION TO DISMISS THE FOURTH CLAIM FOR RELIEF OF THE CONSOLIDATED COMPLAINT filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Friedman, Andrew) (Entered: 01/26/2007)
<a href="#">99</a>	Feb. 05, 2007	98	Joint MOTION to Set the Response Date for the Defendants by Samuel Anderson, Ezzat Jallad, Bernard Kasten, Thomas Lawlor, Pecks Management Partners, LTD, Nelsen Teng, Michael F Crowley, Jr, Craig A Hooson, Barry D Plost, Robert J Cresci, Jerry L Burdick. (Landy, Meredith) (Entered: 02/05/2007)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">100</a>	Feb. 05, 2007	99	ORDER granting 98 Motion to set response date for the defendants . Signed by Judge Marilyn L. Huff on 02/05/07. (agp) (Entered: 02/06/2007)
<a href="#">101</a>	Feb. 13, 2007	100	Ex Parte MOTION for Order to file certain documents under seal by KPMG LLP. (Vick, Timothy) (Entered: 02/13/2007)
<a href="#">102</a>	Feb. 13, 2007	101	Ex Parte MOTION for Order Proposed Order for Motion 100 by KPMG LLP. (Vick, Timothy) (Entered: 02/13/2007)
<a href="#">103</a>	Feb. 14, 2007	102	RESPONSE in Opposition re 100 Ex Parte MOTION for Order to file certain documents under seal, filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) Modified on 2/15/2007 to correct attorneys docket text (agp). (Entered: 02/14/2007)
<a href="#">104</a>	Feb. 14, 2007	103	ORDER that plaintiff shall file any opposition to the application no later than 03/02/07. KPMG LLP shall file any reply no later than 03/09/07. A Motion Hearing is set for 3/19/2007 at 10:30 AM in Courtroom 13 before Judge Marilyn L. Huff . Signed by Judge Marilyn L. Huff on 02/14/07. (agp) (Entered: 02/15/2007)
<a href="#">105</a>	Feb. 20, 2007	104	CLARIFICATION REGARDING ITS EX PARTE APPLICATION FOR AN ORDER TO FILE CERTAIN DOCUMENTS UNDER SEAL by KPMG LLP. (Vick, Timothy) Modified on 2/21/2007 to correct attorneys docket entry (agp). (Entered: 02/20/2007)
<a href="#">106</a>	Feb. 21, 2007	105	CERTIFICATE OF SERVICE by KPMG LLP re 104 Ex Parte MOTION to Clarify REGARDING ITS APPLICATION FOR AN ORDER TO FILE CERTAIN DOCUMENTS UNDER SEAL (Vick, Timothy) (Entered: 02/21/2007)
<a href="#">107</a>	Feb. 26, 2007	106	RESPONSE in Support re 88 MOTION to Amend/Correct 82 MOTION to Dismiss 1st and 4th Claims for Relief of Consolidated Complaint , Reply filed by KPMG LLP. (Vick, Timothy) (Entered: 02/26/2007)
<a href="#">108</a>	Feb. 26, 2007	107	SUPPLEMENTAL DOCUMENT by KPMG LLP. (Attachments: # 1 Supplement Supplemental Request for Judicial Notice, Supp. to Doc. 83)(Vick, Timothy) (Entered: 02/26/2007)
<a href="#">109</a>	Feb. 26, 2007	108	CERTIFICATE OF SERVICE by KPMG LLP re 107 Supplemental Document, 106 Response in Support of Motion Reply (Vick, Timothy) (Entered: 02/26/2007)
<a href="#">110</a>	Feb. 26, 2007	109	REPLY to Response to Motion re 85 MOTION to Dismiss UNDERWRITER DEFENDANTS' MOTION TO DISMISS THE FOURTH CLAIM FOR RELIEF OF THE CONSOLIDATED COMPLAINT filed by William Blair and Co, Thomas Weisel, CIBC World Markets. (LeMoine, Robert) (Entered: 02/26/2007)
<a href="#">111</a>	Feb. 26, 2007	110	CERTIFICATE OF SERVICE by William Blair and Co, Thomas Weisel, CIBC World Markets re 109 Reply to Response to Motion to Dismiss the Fourth Claim for Relief of the Consolidated Complaint (LeMoine, Robert) (Entered: 02/26/2007)
<a href="#">112</a>	Mar. 01, 2007	111	Joint MOTION to set response date for the defendants by Michael F Crowley, Jr. (Kirby, John) Modified on 3/2/2007 to correct attorneys docket text (agp). (Entered: 03/01/2007)
<a href="#">113</a>	Mar. 01, 2007	112	CERTIFICATE OF SERVICE by Michael F Crowley, Jr re 111 Joint MOTION for Extension of Time to File Response/Reply for the

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Defendants (Kirby, John) (Entered: 03/01/2007)
<a href="#">114</a>	Mar. 02, 2007	113	RESPONSE in Opposition re 104 Ex Parte MOTION to Clarify REGARDING ITS APPLICATION FOR AN ORDER TO FILE CERTAIN DOCUMENTS UNDER SEAL PLAINTIFFS' OPPOSITION TO KPMG LLP'S CLARIFICATION REGARDING ITS EX PARTE APPLICATION FOR AN ORDER TO FILE CERTAIN DOCUMENTS UNDER SEAL filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Declaration of Daniel S. Drosman# 2 Exhibit 1 of Drosman Decl.)(Drosman, Daniel) (Entered: 03/02/2007)
<a href="#">115</a>	Mar. 05, 2007	114	ORDER granting 111 Motion for Extension of Time to File Response Date for the defendants; Responses due by 3/15/2007. Signed by Judge Marilyn L. Huff on 03/02/07. (agp) (Entered: 03/05/2007)
<a href="#">116</a>	Mar. 09, 2007	115	REPLY BRIEF in Support re 100 Ex Parte MOTION for an Order to file certain documents under seal filed by KPMG LLP. (Vick, Timothy) Modified on 3/12/2007 to correct attorneys docket text (agp). (Entered: 03/09/2007)
<a href="#">117</a>	Mar. 09, 2007	116	CERTIFICATE OF SERVICE re 115 Reply by KPMG LLP (Vick, Timothy) Modified on 3/12/2007 to correct attoreny's docket text (agp). (Entered: 03/09/2007)
<a href="#">118</a>	Mar. 16, 2007	117	ORDER: Granting Permission for plaintiffs to bring presentation equipment into the courtroom. Signed by Judge Marilyn L. Huff on 03/16/07. (agp) (Entered: 03/16/2007)
<a href="#">119</a>	Mar. 16, 2007	118	Joint MOTION for Extension of Time to File Answer to Set Response Date for the Defendants by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Light, Jeffrey) (Entered: 03/16/2007)
<a href="#">120</a>	Mar. 19, 2007	119	Minute Entry for proceedings held before Judge Marilyn L. Huff : Motion Hearing held on 3/19/2007 (Court Reporter ECR Nancy Cablay).(Plaintiff Attorney Dan Drosman, Andrew Friedman).(Defendant Attorney Thomas A. Nolan, Scott Vick, Gwyn Quillan). (tln) Modified on 3/19/2007 to correct spelling of names (tln). (Entered: 03/19/2007)
<a href="#">121</a>	Mar. 19, 2007	120	MINUTE ORDER ruling on motion: denying without prejudice 100 Ex Parte motion for order to file certain documents under seal (tln) (Entered: 03/19/2007)
<a href="#">122</a>	Mar. 19, 2007	121	MINUTE ORDER submitting 85 Motion to Dismiss, submitting 88 Motion to Amend/Correct (tln) (Entered: 03/19/2007)
<a href="#">123</a>	Mar. 19, 2007	122	ORDER granting without prejudice 85 Motion to Dismiss, granting without prejudice 88 Motion to Dismiss and denying without prejudice KPMG's motion to file certain documents under seal. Signed by Judge Marilyn L. Huff on 03/19/07. (agp) (Entered: 03/20/2007)
<a href="#">124</a>	Mar. 20, 2007	123	ORDER granting 118 Motion for Extension of Time to Answer Michael F Crowley, Jr answer due 3/30/2007; Samuel Anderson answer due 3/30/2007; Ezzat Jallad answer due 3/30/2007; Bernard Kasten answer due 3/30/2007; Thomas Lawlor answer due 3/30/2007; Pecks Management Partners, LTD answer due 3/30/2007; Nelsen Teng answer due 3/30/2007; Craig A Hooson answer due 3/30/2007; Barry D Plost answer due 3/30/2007; Robert J Cresci answer due 3/30/2007; Jerry L

Req #	Filed	#	Docket Text
			Burdick answer due 3/30/2007. Signed by Judge Marilyn L. Huff on 03/20/07. (agp, ) (Entered: 03/21/2007)
<a href="#">125</a>	Apr. 02, 2007	124	TRANSCRIPT of Proceedings held on 03/19/2007 before Judge Marilyn L. Huff. Court Reporter: Echo Reporting. (mxz) (Entered: 04/02/2007)
<a href="#">126</a>	Apr. 03, 2007	125	Joint MOTION to Continue Briefing Schedule For The Individual Defendants by Michael F Crowley, Jr. (Attachments: # 1 Proof of Service)(Kirby, John) (Entered: 04/03/2007)
<a href="#">127</a>	Apr. 03, 2007	126	ORDER granting 125 Motion to set response date for the defendants to 04/16/2007. Signed by Judge Marilyn L. Huff on 04/03/07. (agp) (Entered: 04/03/2007)
<a href="#">128</a>	Apr. 04, 2007	127	Joint MOTION for Extension of Time to File Schedule Regarding Filing Plaintiffs' Amended Complaint and Briefing Defendants' Response to Amended Complaint by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) (Entered: 04/04/2007)
<a href="#">129</a>	Apr. 06, 2007	128	ORDER granting 127 Motion for a schedule re filing plnt's amended complaint and briefing dft's response to amended complaint. Signed by Judge Marilyn L. Huff on 04/06/07. (agp) (Entered: 04/06/2007)
<a href="#">130</a>	Apr. 30, 2007	129	MOTION for Preliminary Approval of Partial Class Action Settlement by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Exhibit Stipulation of Partial Settlement# 2 Memo of Points and Authorities in Support of Motion for Preliminary Approval of Partial Class Action Settlement# 3 Proof of Service)(Light, Jeffrey) Modified on 5/1/2007 to correct attorneys docket text (agp). (Entered: 04/30/2007)
<a href="#">131</a>	May 02, 2007	130	ORDER that the preliminary fairness evaluation hearing and class certification hearing will be held on 5/29/2007 at 10:30 AM in Courtroom 13 before Judge Marilyn L. Huff. Signed by Judge Marilyn L. Huff on 05/02/07. (agp) (Entered: 05/02/2007)
<a href="#">132</a>	May 04, 2007	131	ORDER: Preliminary Scheduling Order regarding Fairness Hearing. Signed by Judge Marilyn L. Huff on 05/04/07. (agp) (Entered: 05/07/2007)
<a href="#">133</a>	May 07, 2007	132	MOTION to Substitute Attorney by Craig A Hooson. (Attachments: # 1 Order)(Gluck, Benjamin) (Entered: 05/07/2007)
<a href="#">134</a>	May 08, 2007	133	CERTIFICATE OF SERVICE by Craig A Hooson re 132 MOTION to Substitute Attorney AND ORDER THEREON (Gluck, Benjamin) (Entered: 05/08/2007)
<a href="#">135</a>	May 09, 2007	135	ORDER granting 132 Motion to Substitute Attorney. Attorney Meredith N Landy terminated . Added Benjamin J. Gluck. Signed by Judge Marilyn L. Huff on 5/9/07. (vet, ) (Entered: 05/11/2007)
<a href="#">136</a>	May 10, 2007	134	NOTICE by KPMG LLP NOTICE OF CHANGE OF FIRM NAME (Vick, Timothy) (Entered: 05/10/2007)
<a href="#">137</a>	May 11, 2007	136	CERTIFICATE OF SERVICE by Craig A Hooson re 133 Certificate of Service of Order Granting Substitution of Attorney (Gluck, Benjamin) (Entered: 05/11/2007)
<a href="#">138</a>	May 11, 2007	137	Joint MOTION to Continue Hearing Date by All Parties by KPMG LLP. (Vick, Timothy) (Entered: 05/11/2007)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">139</a>	May 11, 2007	138	CERTIFICATE OF SERVICE by KPMG LLP to Joint Motion to Extend Hearing Date (Vick, Timothy) (Entered: 05/11/2007)
<a href="#">140</a>	May 11, 2007	139	ORDER granting 137 Joint Motion to Continue Preliminary Fairness Hearing until 06/11/2007 . Signed by Judge Marilyn L. Huff on 05/11/07. (agp) (Entered: 05/14/2007)
<a href="#">141</a>	May 14, 2007	140	Joint MOTION for Extension of Time to File AN ORDER EXTENDING THE BRIEFING SCHEDULE REGARDING FILING PLAINTIFFS' AMENDED COMPLAINT AND DEFENDANTS' RESPONSES TO PLAINTIFFS' AMENDED COMPLAINT by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) (Entered: 05/14/2007)
<a href="#">142</a>	May 16, 2007	141	ORDER granting 140 Motion for an Order Extending the Briefing Schedule regarding filing plaintiffs' Amended Complaint and defendants' Response to Amended Complaint. Signed by Judge Marilyn L. Huff on 05/16/07. (agp) (Entered: 05/16/2007)
<a href="#">143</a>	May 29, 2007	142	NOTICE by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund re 129 MOTION for Settlement Notice of Motion and Motion for Preliminary Approval of Partial Class Action Settlement : Stipulation of Partial Settlement Exhibit B - [Proposed] Partial Final Judgment and Order of Dismissal with Prejudice (Attachments: # 1 Proof of Service)(Light, Jeffrey) (Entered: 05/29/2007)
<a href="#">144</a>	May 29, 2007	143	NOTICE of Change of Address by Brooke E. West (West, Brooke) (Entered: 05/29/2007)
<a href="#">145</a>	May 30, 2007	144	ORDER that the Final Fairness Hearing set for 09/03/2007 is rescheduled for 9/4/2007 at 10:30 AM in Courtroom 13 before Judge Marilyn L. Huff.. Signed by Judge Marilyn L. Huff on 05/30/07. (agp) (Entered: 05/30/2007)
<a href="#">146</a>	Jun. 01, 2007	145	MOTION JOINT MOTION FOR ORDER ALLOWING PLAINTIFFS TO FILE AMENDED COMPLAINT UNDER SEAL by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) (Entered: 06/01/2007)
<a href="#">147</a>	Jun. 04, 2007	146	ORDER denying 145 Joint Motion to File Amended Complaint Under Seal . Signed by Judge Marilyn L. Huff on 06/04/07. (agp) (Entered: 06/04/2007)
<a href="#">148</a>	Jun. 11, 2007	147	FIRST AMENDED CONSOLIDATED COMPLAINT for Violations of the Federal Securities Laws> against all defendants, filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11# 12 Exhibit 12# 13 Exhibit 13# 14 Exhibit 14# 15 Exhibit 15# 16 Exhibit 16# 17 Exhibit 17# 18 Exhibit 18# 19 Exhibit 19# 20 Exhibit 20# 21 Exhibit 21# 22 Exhibit 22# 23 Exhibit 23# 24 Exhibit 24# 25 Exhibit 25# 26 Exhibit 26# 27 Exhibit 27# 28 Exhibit 28)(Drosman, Daniel) Modified on 6/12/2007 to correct attorneys docket text (agp). (Entered: 06/11/2007)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">149</a>	Jun. 11, 2007	149	Minute Entry for proceedings held before Judge Marilyn L. Huff : Motion Hearing held on 6/11/2007 re 129 MOTION for Settlement Notice of Motion and Motion for Preliminary Approval of Partial Class Action Settlement filed by Richard N Westlund,, Jana L Westlund,, John A Westlund,, David B Westlund,, Lauren N Westlund,, Massachusetts State Guaranteed Annuity Pension Fund. Court will approved proposed order. Hearing dates will be set, order to follow. (Court Reporter Noemy Pellegrino).(Plaintiff Attorney Anderw W Friedman; Jeffrey Light; Paul J Couchot).(Defendant Attorney Robert James Herrington, Hartwell Harris). (gac) (Entered: 06/12/2007)
<a href="#">150</a>	Jun. 12, 2007	148	ORDER Preliminarily Approving Partial Settlement and Providing for Notice. Signed by Judge Marilyn L. Huff on 06/11/07. (agp) (Entered: 06/12/2007)
<a href="#">151</a>	Jul. 13, 2007	150	NOTICE of Appearance by Robert J Herrington on behalf of William Blair and Co, Thomas Weisel, CIBC World Markets (Herrington, Robert) (Entered: 07/13/2007)
<a href="#">152</a>	Jul. 16, 2007	151	MOTION to Dismiss First Amended Complaint by KPMG LLP. (Vick, Timothy) (Entered: 07/16/2007)
<a href="#">153</a>	Jul. 16, 2007	152	Declaration of Scott Vick by KPMG LLP. (Attachments: # 1 Exhibits Vol. 1 of 6 # 2 Exhibits Vol. 2 of 6 # 3 Exhibits Vol. 3 of 6 # 4 Exhibits Vol. 4 of 6 # 5 Exhibits Vol. 5 of 6 # 6 Exhibit Vol. 6 of 6)(Vick, Timothy) Modified on 7/17/2007 to correct attorneys docket text (agp). (Entered: 07/16/2007)
<a href="#">154</a>	Jul. 16, 2007	153	Request for Judicial Notice by KPMG LLP. (Vick, Timothy) Modified on 7/17/2007 to correct attorneys docket text (agp). (Entered: 07/16/2007)
<a href="#">155</a>	Jul. 16, 2007	154	Certificate of Service by KPMG LLP. (Vick, Timothy) Modified on 7/17/2007 to correct attorneys docket text (agp). (Entered: 07/16/2007)
<a href="#">156</a>	Jul. 16, 2007	155	MOTION to Dismiss the Fourth Claim for Relief of the First Amended Consolidated Complaint by William Blair and Co, Thomas Weisel and CIBC World Markets. (Attachments: # 1 Memo of Points and Authorities)(Herrington, Robert) Modified on 7/17/2007 to correct attorneys docket text (agp). (Entered: 07/16/2007)
<a href="#">157</a>	Jul. 16, 2007	156	CERTIFICATE OF SERVICE by William Blair and Co, Thomas Weisel, CIBC World Markets re 155 MOTION to Dismiss Underwriter Defendants' Notice of Motion and Motion to Dismiss the Fourth Claim for Relief of the First Amended Consolidated Complaint (Herrington, Robert) (Entered: 07/16/2007)
<a href="#">158</a>	Jul. 18, 2007	157	NOTICE of Appearance by Timothy Scott Vick on behalf of KPMG LLP (Attachments: # 1 Proof of Service Certificate of Service of Notice of Appearance of Quillen and Harris)(Vick, Timothy) (Entered: 07/18/2007)
<a href="#">159</a>	Aug. 08, 2007	158	Joint MOTION to Mail Supplemental Notice of Pendency and Proposed Partial Settlement of Class Action to Class Members by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Proof of Service)(Light, Jeffrey) (Entered: 08/08/2007)
<a href="#">160</a>	Aug. 22, 2007	159	ORDER granting 158 Joint Motion to Mail Supplemental Notice of Pendency and Proposed Partial Settlement of Class Action to Class Members. The Claims Administrator shall send a supplemental notice to Class Members. Signed by Judge Marilyn L. Huff on 08/22/2007.

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			(agp)(bar ). (Entered: 08/22/2007)
<a href="#">161</a>	Aug. 28, 2007	160	MOTION for Settlement Lead Plaintiffs' Notice of Unopposed Motion and Unopposed Motion for (1) Final Approval of Partial Settlement and Plan of Allocation of Settlement Proceeds; and (2) Lead Plaintiffs' Counsel's Request for an Award of Attorneys' Fees and Expenses by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Memo of Points and Authorities in Support of Unopposed Motion for Final Approval of Partial Settlement and Plan of Allocation of Settlement Proceeds# 2 Memo of Points and Authorities in Support of Unopposed Motion of Lead Plaintiffs' Counsel's Request for an Award of Attorneys' Fees and Expenses# 3 Declaration of Daniel S. Drosman and Andrew N. Friedman# 4 Declaration of Carole K. Sylvester Re: Notice Procedures# 5 Declaration of Jeffrey D. Light Filed on Behalf of Lerach Coughlin Stoia Geller Rudman & Robbins LLP# 6 Declaration of Andrew N. Friedman Filed on Behalf of Cohen, Milstein, Hausfeld & Toll, P.L.L.C.# 7 Proof of Service)(Light, Jeffrey) (Entered: 08/28/2007)
<a href="#">162</a>	Aug. 30, 2007	161	RESPONSE in Opposition re 151 MOTION to Dismiss First Amended Consolidated Complaint for Violations of the Federal Securities Laws filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund and Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) Modified on 9/4/2007 to correct attorneys docket text (agp). (Entered: 08/30/2007)
<a href="#">163</a>	Aug. 30, 2007	162	RESPONSE in Opposition re 153 Request for Judicial Notice filed by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund and Massachusetts State Guaranteed Annuity Pension Fund. (Drosman, Daniel) Modified on 9/4/2007 to correct attorneys docket text (agp). (Entered: 08/30/2007)
<a href="#">164</a>	Aug. 30, 2007	163	RESPONSE in Opposition re 155 MOTION to Dismiss Underwriter Defendants' Notice of Motion and Motion to Dismiss the Fourth Claim for Relief of the First Amended Consolidated Complaintfiled by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund and Massachusetts State Guaranteed Annuity Pension Fund. (Friedman, Andrew) Modified on 9/4/2007 to correct attorneys docket text (agp). (Entered: 08/30/2007)
<a href="#">165</a>	Sep. 04, 2007	164	Minute Entry for proceedings held before Judge Marilyn L. Huff : Miscellaneous Hearing held on 9/4/2007. Final Fairness Hearing - held. Court approves settlement. Parties may submit proposed amended order.(Court Reporter ECR Nancy Cablay).(Plaintiff Attorney Andrew Friedman, Jeffrey D. Light).(Defendant Attorney Meredith Landy, Hartwell Harris, Robert Herrington). (tlm) (Entered: 09/05/2007)
<a href="#">166</a>	Sep. 04, 2007	165	ORDER Approving Plan of Allocation of Settlement Proceeds. Signed by Judge Marilyn L. Huff on 09/04/07. (agp)(mam). (Entered: 09/05/2007)
<a href="#">167</a>	Sep. 04, 2007	166	ORDER granting 160 Motion for Order Awarding Attorneys' Fees and Reimbursement of Expenses. Signed by Judge Marilyn L. Huff on 09/04/07. (agp)(mam). (Entered: 09/05/2007)
<a href="#">168</a>	Sep. 05, 2007	167	Partial Final JUDGMENT and ORDER of Dismissal with Prejudice as to Robert J Cresci; Michael F Crowley, Jr; Craig A Hooson; Ezzat Jallad;

Req #	Filed	#	Docket Text
			Bernard Kasten; Thomas Lawlor; Pecks Management Partners, LTD; Barry D Plost; Seracare Life; Nelsen Teng; Samuel Anderson and Jerry L Burdick terminated.. Signed by Judge Marilyn L. Huff on 09/04/07. (agp)(mam). (Entered: 09/06/2007)
<a href="#">169</a>	Sep. 13, 2007	168	NOTICE by Massachusetts State Guaranteed Annuity Pension Fund of FIRM NAME CHANGE (Largent, Laurie) (Entered: 09/13/2007)
<a href="#">170</a>	Sep. 24, 2007	169	PRO HAC VICE APPOINTED: Avi Samuel Garbow appearing for Plaintiffs Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund and Lauren N Westlund (agp)(mam). (Entered: 09/24/2007)
<a href="#">171</a>	Sep. 24, 2007	170	RESPONSE in Support re 151 MOTION to Dismiss First Amended Complaint Defendant KPMG LLP's Reply Brief in Support of its Motion to Dismiss the First Amended Consolidated Complaint filed by KPMG LLP. (Vick, Timothy) (agp). (Entered: 09/24/2007)
<a href="#">172</a>	Sep. 24, 2007	171	REPLY re 153 MOTION to Dismiss Request for Judicial Notice Defendant KPMG LLP's Reply in Support of Request for Judicial Notice filed by KPMG LLP. (Vick, Timothy) (agp). (Entered: 09/24/2007)
<a href="#">173</a>	Sep. 24, 2007	172	DECLARATION re 170 Response in Support of Motion, 171 Reply Certificate of Service by Defendant KPMG LLP. (Vick, Timothy)(agp). (Entered: 09/24/2007)
<a href="#">174</a>	Sep. 24, 2007	173	REPLY to Response to Motion re 155 MOTION to Dismiss Underwriter Defendants' Notice of Motion and Motion to Dismiss the Fourth Claim for Relief of the First Amended Consolidated Complaint filed by William Blair and Co, Thomas Weisel, CIBC World Markets. (Herrington, Robert) (agp). (Entered: 09/24/2007)
<a href="#">175</a>	Sep. 24, 2007	174	CERTIFICATE OF SERVICE by William Blair and Co, Thomas Weisel, CIBC World Markets re 173 Reply to Response to Motion, Reply Memorandum Of Points And Authorities In Further Support Of The Underwriter Defendants' Motion To Dismiss The Fourth Claim For Relief Of The First Amended Consolidated Complaint (Herrington, Robert) (agp). (Entered: 09/24/2007)
<a href="#">176</a>	Sep. 27, 2007	175	ORDER REASSIGNING CASE. Case reassigned to Judge Janis Sammartino for all further proceedings. Case Number: 05CV2335-JLS(CAB). Judge Marilyn L. Huff no longer assigned to case. Signed by Judge Marilyn L. Huff on 9/27/07. (nsp) (Entered: 09/27/2007)
<a href="#">177</a>	Oct. 02, 2007	176	Minute Entry : Hearing on motion to dismiss first amended complaint (151) and motion to dismiss 4th claim for relief (155) set for 10/9/07 before the Honorable Janis L. Sammartino are taken under submission (CRD: A. Ramos) (acr) (Entered: 10/02/2007)
<a href="#">178</a>	Nov. 16, 2007	177	MOTION Ex Parte Application for Permission to File Notice of Recent Authority in Support of Lead Plaintiffs Opposition to Defendant KPMGs Motion to Dismiss the First Amended Consolidated Complaint by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Exhibit A# 2 Exhibit 1# 3 Exhibit 2# 4 Exhibit 3# 5 Exhibit 4# 6 Exhibit 5# 7 Exhibit 6# 8 Exhibit 7# 9 Exhibit 8# 10 Exhibit 9# 11 Exhibit 10# 12 Exhibit 11# 13 Exhibit 12)(Drosman, Daniel) (mkz). (Entered: 11/16/2007)
<a href="#">179</a>	Nov. 21, 2007	178	NOTICE by KPMG LLP of Intent to Oppose Plaintiffs' Ex Parte Application (Vick, Timothy) (mkz). (Entered: 11/21/2007)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#">180</a>	Nov. 30, 2007	179	RESPONSE in Opposition re 177 MOTION Ex Parte Application for Permission to File Notice of Recent Authority in Support of Lead Plaintiffs Opposition to Defendant KPMGs Motion to Dismiss the First Amended Consolidated Complaint filed by KPMG LLP. (Vick, Timothy) Modified on 12/3/2007, atty contacted re s/, proof of service, and incorrect filer (mkz). (Entered: 11/30/2007)
<a href="#">181</a>	Dec. 03, 2007	180	RESPONSE in Opposition re 177 MOTION Ex Parte Application for Permission to File Notice of Recent Authority in Support of Lead Plaintiffs Opposition to Defendant KPMGs Motion to Dismiss the First Amended Consolidated Complaint filed by KPMG LLP. (Attachments: # 1 Proof of Service)(Harris, Hartwell) (mkz). (Entered: 12/03/2007)
<a href="#">182</a>	Mar. 14, 2008	181	ORDER Granting In Part and Denying In Part KPMG's 151 Motion to Dismiss; Denying The Underwriter Defendants' 155 Motion to Dismiss; Granting Plaintiffs' 177 Ex Parte Application to File Notice of Recent Authority: The Court grants the motion to dismiss Plaintiffs' § 10(b) claim. The Court grants in part and denies in part the motion to dismiss the § 11 claim. The Court denies the motion to dismiss the § 11 claim based on KPMG statements allegedly made false by the underlying albumin sales to Wyeth and Biogen and accounting for inventory obtained in the BBI acquisition. The Court denies the Underwriter Defendants' motion to dismiss Plaintiffs' § 11 claim against them. To the extent that the Court grants KPMG's motion, the dismissal is without prejudice. Plaintiffs shall have thirty days from the date that this Order is electronically docketed to file a second amended complaint correcting the FAC's deficiencies in pleading the dismissed claims. Signed by Judge Janis L. Sammartino on 03/14/08. (mkz) (av1, ). (Entered: 03/14/2008)
<a href="#">183</a>	Apr. 09, 2008	182	MOTION for Reconsideration re 181 Order on Motion to Dismiss, by KPMG LLP. (Thomas, Dominique) Modified on 4/10/2008 to remove excess text, atty contacted re correct filer (mkz). (Entered: 04/09/2008)
<a href="#">184</a>	Apr. 14, 2008	183	Joint MOTION for Reconsideration re 181 Order on Motion to Dismiss Underwriter Defendants' Notice of Motion and Motion for Reconsideration of March 14, 2008 Order and Memorandum of Points and Authorities in Support Thereof by William Blair and Co, Thomas Weisel, CIBC World Markets. (Herrington, Robert) (mkz). Modified on 4/15/2008 (mkz). (Entered: 04/14/2008)
<a href="#">185</a>	Apr. 23, 2008	184	Joint MOTION for Extension of Time to File Answer Joint Motion By All Parties To Extend Time To Answer First Amended Consolidated Complaint To May 12, 2008 and Proof of Service by William Blair and Co, Thomas Weisel, CIBC World Markets. (Herrington, Robert) (mkz). (Entered: 04/23/2008)
<a href="#">186</a>	Apr. 24, 2008	185	ORDER Granting 184 Joint Motion to Extend Time to Answer First Amended Consolidated Complaint: KPMG LLP, CIBC World Markets Corp., Thomas Weisel Partners LLC, and William Blair and Co LLC shall file their answers to the First Amended Complaint by 5/12/2008. Signed by Judge Janis L. Sammartino on 04/24/08. (mkz) (Entered: 04/24/2008)
<a href="#">187</a>	May 12, 2008	186	ANSWER to 147 Amended Complaint, by KPMG LLP.(Quillen, Gwyn) Modified on 5/14/2008, atty contacted re incorrect atty filer(mkz). (Entered: 05/12/2008)
<a href="#">188</a>	May 12, 2008	187	Underwriter Defendants' ANSWER to 147 Amended Complaint, the First

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Amended Consolidated Complaint by William Blair and Co, Thomas Weisel, CIBC World Markets.(Herrington, Robert) (mkz). (Entered: 05/12/2008)
<a href="#">189</a>	May 12, 2008	188	Notice and Order for Early Early Neutral Evaluation Conference: An ENE will be held on 6/23/2008 at 02:00 PM in chambers before Magistrate Judge Cathy Ann Bencivengo. Signed by Magistrate Judge Cathy Ann Bencivengo on 05/12/08. (mkz) (Entered: 05/13/2008)
<a href="#">190</a>	Jun. 12, 2008	189	Joint MOTION to Continue Joint Motion By All Parties To Continue The Early Neutral Evaluation Conference Until July 11, 2008 by William Blair and Co, Thomas Weisel, CIBC World Markets. (Morrison, Peter) (mkz). (Entered: 06/12/2008)
<a href="#">191</a>	Jun. 16, 2008	190	ORDER Denying 189 Joint Motion to Continue the 6/23/08 Early Neutral Evaluation Conference: The ENE is converted to a telephonic conference with attorneys only. Signed by Magistrate Judge Cathy Ann Bencivengo on 06/16/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 06/16/2008)
<a href="#">192</a>	Jun. 23, 2008	191	REPORT of Rule 26(f) Planning Meeting. (Drosman, Daniel) (mkz). (Entered: 06/23/2008)
<a href="#">193</a>	Jun. 23, 2008	192	Minute Entry for proceedings held before Magistrate Judge Cathy Ann Bencivengo:Telephonic Early Neutral Evaluation held on 6/23/2008. A Mandatory Settlement Conference is set for 8/7/2008, at 02:00 PM before Magistrate Judge Cathy Ann Bencivengo. Confidential settlement statements shall be submitted directly to chambers no later than 8/1/2008.(mgl) (Entered: 06/23/2008)
<a href="#">194</a>	Jun. 27, 2008	193	PRO HAC VICE APPOINTED: Scott D. Musoff appearing for Defendants William Blair and Co, Thomas Weisel, CIBC World Markets (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 06/27/2008)
<a href="#">195</a>	Jun. 27, 2008	194	MOTION to Certify Class by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Attachments: # 1 Memo of Points and Authorities in Support of Motion for Class Certification, # 2 Declaration of Daniel S. Drosman, # 3 Exhibit 1 to Drosman Decl., # 4 Exhibit 2 to Drosman Decl., # 5 Declaration of Harry R. Dow, # 6 Exhibit A to Dow Decl.)(Drosman, Daniel) (mkz). (Entered: 06/27/2008)
<a href="#">196</a>	Jun. 27, 2008	195	NOTICE by Massachusetts State Guaranteed Annuity Pension Fund of Name Change of Co-Lead Plaintiff (Drosman, Daniel) (mkz). (Entered: 06/27/2008)
<a href="#">197</a>	Jul. 07, 2008	196	Document incomplete - replaced by 197 - REPORT of Rule 26(f) Planning Meeting. (Vick, Timothy) Modified on 7/8/2008 to clarify text (mjj) (Entered: 07/07/2008)
<a href="#">198</a>	Jul. 07, 2008	197	REPORT of Rule 26(f) Planning Meeting. (Vick, Timothy) (mjj) (Entered: 07/07/2008)
<a href="#">199</a>	Jul. 07, 2008	198	AFFIDAVIT re Proof of Service of Lead Plaintiffs' Initial Disclosures by Plaintiffs Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, Massachusetts State Guaranteed Annuity Pension Fund. (Largent, Laurie) Modified (mjj) (Entered: 07/07/2008)
<a href="#">200</a>	Jul. 07, 2008	199	ORDER Re: Notice of Name Change of Co-Lead Plaintiff. Signed by

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Judge Janis L. Sammartino on 7/7/2008. Clerk shall substitute New England Guaranteed Annuity Fund as co-lead plaintiff for Massachusetts State Guaranteed Annuity Fund. (Docket updated to reflect name change) (All non-registered users served via U.S. Mail Service). (jah) (Entered: 07/08/2008)
<a href="#">201</a>	Aug. 07, 2008	200	Minute Entry for proceedings held before Magistrate Judge Cathy Ann Bencivengo:Mandatory Settlement Conference held on 8/7/2008. The case did not settle. Order to follow. (mgl) (Entered: 08/07/2008)
<a href="#">202</a>	Aug. 08, 2008	201	Ex Parte Motion for Leave to File, filed as: NOTICE by KPMG LLP re Ex Parte Application of Defendant KPMG LLP for Permission to File Notice of Recent Authority in Support of Defendant KPMG's Motion for Reconsideration of March 19, 2008 Order (Vick, Timothy) Modified on 8/11/2008, atty contacted re event (mkz). (Entered: 08/08/2008)
<a href="#">203</a>	Aug. 08, 2008	202	NOTICE of Appearance by Julie A. Wilber on behalf of Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, New England Carpenters Guaranteed Annuity Fund (Wilber, Julie) (mkz). (Entered: 08/08/2008)
<a href="#">204</a>	Aug. 08, 2008	203	ORDER Regulating Discovery and Other Pretrial Proceedings: A Mandatory Settlement Conference was held on 8/7/08. A Mandatory Settlement Conference is set for 2/12/2009 at 02:00 PM in chambers before Magistrate Judge Cathy Ann Bencivengo. A Final Pretrial Conference is set for 8/13/2009 at 1:30 PM in Courtroom 06 before Judge Janis L. Sammartino. Memorandum of Contentions of Fact and Law due by 7/23/2009. Proposed Pretrial Order due by 8/6/2009. Signed by Magistrate Judge Cathy Ann Bencivengo on 08/08/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 08/11/2008)
<a href="#">205</a>	Aug. 15, 2008	204	ORDER Granting 201 Ex Parte Application of Defendant KPMG LLP for Permission to File Notice of Recent Authority in Support of KPMG's 182 Motion for Reconsideration of 3/14/08 Order. Signed by Judge Janis L. Sammartino on 08/15/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 08/15/2008)
<a href="#">206</a>	Aug. 22, 2008	205	Minute Entry:On August 22, 2008, the parties notified the Court they had reached a tentative agreement. Accordingly, for purposes of setting settlement dates, a telephonic Status Conference is set for August 26, 2008, at 01:30 PM before Magistrate Judge Cathy Ann Bencivengo. Counsel for Plaintiff shall coordinate and initiate the call. (mgl) (Entered: 08/22/2008)
<a href="#">207</a>	Aug. 26, 2008	206	Minute Entry for proceedings held before Magistrate Judge Cathy Ann Bencivengo:Status Conference held on 8/26/2008. Scheduling order to follow. (mgl) (Entered: 08/26/2008)
<a href="#">208</a>	Aug. 26, 2008	207	Order Setting Filing and Hearing Dates for Motion for Preliminary Approval of the Class Settlement: The parties shall file a joint motion for preliminary approval of the class settlement no later than 9/16/08. The hearing for the joint motion for preliminary approval of class settlement shall be held on 10/16/2008 at 01:30 PM in Courtroom 06 before Judge Janis L. Sammartino. Signed by Magistrate Judge Cathy Ann Bencivengo on 08/26/08. (All non-registered users served via U.S. Mail Service).(mkz) (Entered: 08/26/2008)
<a href="#">209</a>	Sep. 15, 2008	208	Joint MOTION for Extension of Time to File Joint Motion for

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Preliminary Approval of Class Settlement by Richard N Westlund, Jana L Westlund, John A Westlund, David B Westlund, Lauren N Westlund, New England Carpenters Guaranteed Annuity Fund. (Attachments: # 1 Proof of Service)(Light, Jeffrey) (Entered: 09/15/2008)