

US District Court Civil Docket as of September 15, 2009

Retrieved from the court on September 23, 2009

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:06-cv-00803-RJS

IN RE TAKE-TWO INTERACTIVE SECURITIES LITIGATION

Assigned to: Judge Richard J. Sullivan

Related Cases: [1:06-cv-00987-RJS](#)

[1:06-cv-01131-RJS](#)

[1:06-cv-01733-RJS](#)

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

Date Filed: 02/01/2006

Jury Demand: Plaintiff

Nature of Suit: 850 Securities/Commodities

Jurisdiction: Federal Question

Lead Plaintiff

NYC Pension Funds

represented by **Jonathan M. Plasse**

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Special Master

Charles G. Moerdler

Plaintiff

John Fenninger

Individually

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Plaintiff

John Fenninger
and on Behalf of all Others Similarly Situated

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Interactive Software, Inc.

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Defendant

Terry Donovan

Defendant

Sam Houser

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Movant

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Movant

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Movant

Teamsters Affiliates Pension Plan

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Movant

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Date Filed	#	Docket Text
02/02/2006	<u>1</u>	COMPLAINT against Take-Two Interactive Software, Inc., Paul Eibeler, Karl H. Winters, Gary Lewis. (Filing Fee \$ 250.00, Receipt Number 569110)Document filed by John Fenninger(Individually), John Fenninger(and on Behalf of all Others Similarly Situated).(es,) Additional attachment(s) added on 2/3/2006 (mbe,). (Entered: 02/02/2006)
02/02/2006		SUMMONS ISSUED as to Take-Two Interactive Software, Inc., Paul Eibeler, Karl H. Winters, Gary Lewis. (es,) (Entered: 02/02/2006)
02/02/2006		Magistrate Judge Henry B. Pitman is so designated. (es,) (Entered: 02/02/2006)

02/02/2006		Case Designated ECF. (es,) (Entered: 02/02/2006)
04/03/2006	2	MOTION to Appoint City of Tulsa, Oklahoma Municipal Employees' Retirement Plan and Max Kaplan to serve as lead plaintiff(s). Document filed by The TMERP Group. (Attachments: # 1 Text of Proposed Order)(Seidman, Peter) (Entered: 04/03/2006)
04/03/2006	3	MEMORANDUM OF LAW in Support re: 2 MOTION to Appoint City of Tulsa, Oklahoma Municipal Employees' Retirement Plan and Max Kaplan to serve as lead plaintiff(s).. Document filed by The TMERP Group. (Seidman, Peter) (Entered: 04/03/2006)
04/03/2006	4	DECLARATION of Peter E. Seidman in Support re: 2 MOTION to Appoint City of Tulsa, Oklahoma Municipal Employees' Retirement Plan and Max Kaplan to serve as lead plaintiff(s).. Document filed by The TMERP Group. (Attachments: # 1 Exhibit A - 1st Notice# 2 Exhibit B - Certifications# 3 Exhibit C - Loss Chart# 4 Exhibit D - Opinion# 5 Exhibit E - Firm Resume)(Seidman, Peter) (Entered: 04/03/2006)
04/03/2006	5	MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s). Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 04/03/2006)
04/03/2006	6	MEMORANDUM OF LAW in Support re: 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s).. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 04/03/2006)
04/03/2006	7	DECLARATION of Bruce E. Stanton, Esq. in Support re: 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s).. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 04/03/2006)
04/03/2006	8	DECLARATION of Jonathan Plasse, Esq. in Support re: 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s).. Document filed by NYC Pension Funds. (Attachments: # 1 Exhibit A - Loss Analysis# 2 Exhibit B - Notice of Filing# 3 Exhibit C - Firm Resume)(Plasse, Jonathan) (Entered: 04/03/2006)
04/03/2006	9	MOTION to Appoint City of Flint Employees? Retirement System, Teamsters Affiliates Pension Plan and John O'Reilly to serve as lead plaintiff(s). Document filed by City of Flint Employees' Retirement System, John O'Reilly, Teamsters Affiliates Pension Plan. (Attachments: # 1 Text of Proposed Order)(Alba, Mario) (Entered: 04/03/2006)
04/03/2006	10	DECLARATION of Mario Alba Jr. in Support re: 9 MOTION to Appoint City of Flint Employees?

		Retirement System, Teamsters Affiliates Pension Plan and John O'Reilly to serve as lead plaintiff(s).. Document filed by City of Flint Employees' Retirement System, John O'Reilly, Teamsters Affiliates Pension Plan. (Attachments: # 1 Exhibit A - notice of first filed action# 2 Exhibit B - loss chart# 3 Exhibit C - certifications# 4 Exhibit D - LCSGRR firm resume)(Alba, Mario) (Entered: 04/03/2006)
04/03/2006	11	MEMORANDUM OF LAW in Support re: 9 MOTION to Appoint City of Flint Employees' Retirement System, Teamsters Affiliates Pension Plan and John O'Reilly to serve as lead plaintiff(s).. Document filed by City of Flint Employees' Retirement System, John O'Reilly, Teamsters Affiliates Pension Plan. (Alba, Mario) (Entered: 04/03/2006)
04/03/2006	12	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liaison Counsel. Document filed by Mississippi Public Employees' Retirement System. (Attachments: # 1 Memorandum of Law in Support of Motion to Consolidate and Appoint Lead Plaintiff and Lead and Liaison Counsel# 2 Declaration of Evan Smith in Support of Motion to Consolidate and Appoint Lead Plaintiff and Lead and Liaison Counsel# 3 Exhibit A-C to Declaration# 4 Exhibit D to Declaration# 5 Exhibit E (Part I) to Declaration# 6 Exhibit E (Part II) to Declaration# 7 Exhibit F to Declaration# 8 Certificate of Service# 9 Proposed Order)(Smith, Evan) Modified on 4/4/2006 (kg,). (Entered: 04/03/2006)
04/03/2006	13	MOTION to Appoint City of Marietta Employees Pension Fund and Ruth Segal to serve as lead plaintiff(s). Document filed by The Marietta Group. (Attachments: # 1 Text of Proposed Order)(Lahm, James) (Entered: 04/03/2006)
04/03/2006	14	MEMORANDUM OF LAW in Support re: 13 MOTION to Appoint City of Marietta Employees Pension Fund and Ruth Segal to serve as lead plaintiff(s).. Document filed by The Marietta Group. (Lahm, James) (Entered: 04/03/2006)
04/03/2006	15	DECLARATION of James E. Lahm in Support re: 13 MOTION to Appoint City of Marietta Employees Pension Fund and Ruth Segal to serve as lead plaintiff(s).. Document filed by The Marietta Group. (Attachments: # 1 Exhibit A. - Notice# 2 Exhibit B - Plaintiff Certifications# 3 Exhibit C - Loss Chart# 4 Exhibit D - Firm R?sum?)(Lahm, James) (Entered: 04/03/2006)
04/03/2006	16	ENDORSED LETTER addressed to Judge Berman from Mario Alba dated 3/31/06: granting request for leae from complying with the pre motion conference requirement re motion for appointment as lead plaintiff. (Signed by Judge Richard M. Berman on 4/3/06) (cd,) Additional attachment(s) added on 4/4/2006 (cd,). (Entered: 04/04/2006)
04/04/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Evan Smith to RE-FILE Document 12 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liaison Counsel. ERROR(S): Filing Error of Attachments. Supporting Documents must be filed separately. (kg)

		(Entered: 04/04/2006)
04/04/2006	17	MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction). Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) (Entered: 04/04/2006)
04/04/2006	18	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - NOTICE of Re-e-filed Declaration per courts instruction re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction) (DECLARATION OF EVAN J. SMITH IN SUPPORT OF MOTION). Document filed by Mississippi Public Employees' Retirement System. (Attachments: # 1 Exhibits A-C to Declaration# 2 Exhibit D to Declaration# 3 Exhibit E (Part I) to Declaration# 4 Exhibit E (Part II) to Declaration# 5 Exhibit F to Declaration)(Smith, Evan) Modified on 4/5/2006 (kg). (Entered: 04/04/2006)
04/04/2006	19	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - NOTICE of Re-e-filing of Memorandum of law in support of motion per court's instruction re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction) (MEMORANDUM OF LAW IN SUPPORT OF MOTION). Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) Modified on 4/5/2006 (kg). (Entered: 04/04/2006)
04/04/2006	20	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - NOTICE of Re-e-filing of Proposed Order for Motion to consolidate and Appoint Lead Plaintiff and Lead and Liaison Counsel per Court's Instruction re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction) (PROPOSED ORDER). Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) Modified on 4/5/2006 (kg). (Entered: 04/04/2006)
04/04/2006	21	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - NOTICE of Re-e-filing of Certificate of Service per Court's Instructions re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction) (CERTIFICATE OF SERVICE). Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) Modified on 4/5/2006 (kg). (Entered: 04/04/2006)
04/05/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Evan Smith to RE-FILE Document 18 Notice (Other), Notice (Other), Notice (Other). Use the document type Declaration in support of motion found under the document list Responses and Replies. (kg) (Entered: 04/05/2006)
04/05/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Evan Smith to RE-FILE Document 19 Notice (Other), Notice (Other). Use the document type

		Memorandum of Law in support of Motion found under the document list Responses and Replies. (kg) (Entered: 04/05/2006)
04/05/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Evan J. Smith to E-MAIL pdf copy of order to orders_and_judgments@nysd.uscourts.gov Document No. 20 Proposed Order Consolidating Actions. This document is not filed via ECF. (kg) (Entered: 04/05/2006)
04/05/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Evan J. Smith to RE-FILE Document 21 Notice (Other), Notice (Other). Use the document type Certificate of Service Other found under the document list Service of Process. (kg) (Entered: 04/05/2006)
04/05/2006	22	DECLARATION of Evan J. Smith, Esquire in Support re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and <i>Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction)</i> .. Document filed by Mississippi Public Employees' Retirement System. (Attachments: # 1 Exhibits A-C# 2 Exhibit D# 3 Exhibit E (Part I)# 4 Exhibit E (Part II)# 5 Exhibit F)(Smith, Evan) (Entered: 04/05/2006)
04/05/2006	23	MEMORANDUM OF LAW in Support re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and <i>Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction)</i> . (Re-e-filed per Court's Instructions). Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) (Entered: 04/05/2006)
04/05/2006	24	ENDORSED LETTER addressed to Judge Shirley Wohl Kram from Christopher J. Keller dated 4/3/06 re: Counsel writes to request that the pre-motion conference be waived and that leave be granted to file the Lead Plaintiff Motion. The application is granted. So Ordered. (Signed by Judge Shirley Wohl Kram on 4/5/06) (jco,) (Entered: 04/05/2006)
04/05/2006	25	CERTIFICATE OF SERVICE of Notice of Motion to consolidate and appoint Lead Plaintiff and Lead and Liaison Counsel on April 4, 2006. Service was made by Mail. Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) (Entered: 04/05/2006)
04/10/2006	26	NOTICE OF APPEARANCE by Inbal Paz on behalf of Take-Two Interactive Software, Inc. (Paz, Inbal) (Entered: 04/10/2006)
04/10/2006	27	NOTICE OF APPEARANCE by Leonard D. Steinman on behalf of Take-Two Interactive Software, Inc. (Steinman, Leonard) (Entered: 04/10/2006)
04/20/2006	28	MEMORANDUM OF LAW in Opposition re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 and <i>Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction)</i> ., 13 MOTION to Appoint City of Marietta Employees Pension Fund and

		Ruth Segal to serve as lead plaintiff(s)., 2 MOTION to Appoint City of Tulsa, Oklahoma Municipal Employees' Retirement Plan and Max Kaplan to serve as lead plaintiff(s)., 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s).. Document filed by City of Flint Employees' Retirement System, John O'Reilly, Teamsters Affiliates Pension Plan. (Alba, Mario) (Entered: 04/20/2006)
04/20/2006	29	NOTICE of Withdrawal of Motion to Consolidate and For Appointment of Lead Plaintiff and Approval of Lead Plaintiff's Selection of Lead Counsel re: 17 MOTION to Consolidate Cases 1:06-cv-0987, 1:06-cv-1131, 1:06-cv-1733 <i>and Appoint Lead Plaintiff and Lead and Liason Counsel (Re-e-filed per court's instruction)</i> ., 23 Memorandum of Law in Support of Motion,. Document filed by Mississippi Public Employees' Retirement System. (Smith, Evan) (Entered: 04/20/2006)
04/20/2006	30	MEMORANDUM OF LAW in Opposition re: 13 MOTION to Appoint City of Marietta Employees Pension Fund and Ruth Segal to serve as lead plaintiff(s)., 2 MOTION to Appoint City of Tulsa, Oklahoma Municipal Employees' Retirement Plan and Max Kaplan to serve as lead plaintiff(s)., 9 MOTION to Appoint City of Flint Employees' Retirement System, Teamsters Affiliates Pension Plan and John O'Reilly to serve as lead plaintiff(s).. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 04/20/2006)
05/01/2006	31	REPLY MEMORANDUM OF LAW in Support re: 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s).. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 05/01/2006)
07/12/2006	32	SCHEDULING ORDER: lead plntf shall file a consolidated amended class action complaint no later than 60 days after entry of an order appointing it lead plaintiff. DEfts may serve and file motions to dismiss, if any, no later than 60 days after service of the consolidated Amended Complaint, and as further set forth in this document. (Signed by Judge Shirley Wohl Kram on 7/12/06) (cd,) (Entered: 07/13/2006)
07/12/2006	33	ORDER granting 5 MOTION to Appoint The New York City Employees' Retirement System, The New York City Police Pension Fund, and the New York City Fire Department Pension Fund to serve as lead plaintiff(s). filed by NYC Pension Funds. 06-803, lead case, is consolidated with member cases 06-987, 06-1131, 06-1733. The NYC Pension Funds are appointed as Lead Plaintiffs and Approving Lead Plaintiffs' Selection of Lead Counsel. (Signed by Judge Shirley Wohl Kram on 7/12/06) (cd,) (Entered: 07/13/2006)
09/11/2006	34	CONSOLIDATED AMENDED CLASS ACTION COMPLAINT amending 1 Complaint, against Ryan Brant, Donovan, Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc., Paul Eibeler, Karl H. Winters.Document filed by NYC Pension Funds. Related document: 1 Complaint, filed by John Fenninger.(db,) Additional attachment(s) added on 9/21/2006 (db,).

		(Entered: 09/14/2006)
09/28/2006	35	SUMMONS RETURNED EXECUTED Summons and Amended Complaint, served. Ryan Brant served on 9/25/2006, answer due 11/24/2006. Service was accepted by Ben Fischer. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 09/28/2006)
09/28/2006	36	SUMMONS RETURNED EXECUTED Summons and Amended Complaint, served. Donovan served on 9/21/2006, answer due 11/20/2006. Service was accepted by Dan Hemerson, Vice President Associate Counsel. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 09/28/2006)
09/28/2006	37	SUMMONS RETURNED EXECUTED Summons and Amended Complaint, served. Houser served on 9/21/2006, answer due 11/20/2006. Service was accepted by Dan Hemerson, Vice President Associate Counsel. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 09/28/2006)
10/06/2006	38	SUMMONS RETURNED EXECUTED. Houser served on 10/3/2006, answer due 12/4/2006. Service was accepted by Colleen Faulkner, Executive Assistant. Service was made by Mail. Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 10/06/2006)
10/17/2006	39	NOTICE OF APPEARANCE by Molly S. Boast on behalf of Donovan, Houser (Boast, Molly) (Entered: 10/17/2006)
11/09/2006	40	MOTION for John B. Missing to Appear Pro Hac Vice. Document filed by Donovan, Houser. (jco,) (Entered: 11/13/2006)
11/15/2006	41	ORDER ADMITTING ATTORNEY PRO HAC VICE. Attorney John B. Missing for Donovan and Houser admitted Pro Hac Vice. (Signed by Judge Shirley Wohl Kram on 11/15/06) (js,) (Entered: 11/16/2006)
11/15/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 41 Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (js,) (Entered: 11/16/2006)
11/15/2006	42	STIPULATED AMENDED SCHEDULING ORDER: dft's may serve and file motions to dismiss by 12/22/2006. Dfts. need not answer, move against or otherwise respond to the Amended Complaint prior to 12/22/06. Dft's replies due by 3/27/2007. (Signed by Judge Shirley Wohl Kram on 11/15/06) (js,) Modified on 11/16/2006 (pl,). (Entered: 11/16/2006)
11/15/2006		Set Answer Due Date purs. to 42 Scheduling Order as to Ryan Brant answer due on 12/22/2006; Donovan answer due on 12/22/2006; Houser answer due on 12/22/2006; Rockstar Games, Inc. answer due on 12/22/2006; Take-Two Interactive Software, Inc. answer

		due on 12/22/2006; Paul Eibeler answer due on 12/22/2006; Karl H. Winters answer due on 12/22/2006. (js,) (Entered: 11/16/2006)
12/05/2006		CASHIERS OFFICE REMARK in the amount of \$25.00, paid on 11/9/2006, Receipt Number 596479. JOHN B. MISSING (gm,) (Entered: 12/05/2006)
12/06/2006	43	NOTICE OF APPEARANCE by Clairborne Wirt Porter on behalf of Paul Eibeler (Porter, Clairborne) (Entered: 12/06/2006)
12/06/2006	44	NOTICE OF APPEARANCE by James Drew Miller on behalf of Paul Eibeler (Miller, James) (Entered: 12/06/2006)
12/06/2006	45	NOTICE OF APPEARANCE by David Meister on behalf of Paul Eibeler (Meister, David) (Entered: 12/06/2006)
12/21/2006	46	MOTION for Steven L. Caponi to Appear Pro Hac Vice. Document filed by Take-Two Interactive Software, Inc. (jco,) (Entered: 12/21/2006)
01/03/2007	47	ORDER granting 46 Motion for Steven Caponi to Appear Pro Hac Vice. . (Signed by Judge Shirley Wohl Kram on 1/3/07) (dle,) (Entered: 01/03/2007)
01/03/2007		Transmission to Attorney Admissions Clerk. Transmitted re: 47 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (dle,) (Entered: 01/03/2007)
01/03/2007	48	STIPULATION AND AMENDED SCHEDULING ORDER: plaintiffs may serve and file a second amended complaint as further set forth in this order; dfts will move against or otherwise respond to the amended complaint as further set forth in this order. (Signed by Judge John G. Koeltl on 1/3/07) (dle,) (Entered: 01/03/2007)
01/03/2007	49	STIPULATED AMENDED SCHEDULING ORDER: Plaintiffs may serve and file a Second Amended Complaint, if any, no later than 45 days after the later to occur of:(a) a public announcement or tother notice, if any, that state the conclusions of the Investigation, or(b) the filing with the Securities and Exchange Commission by Take-Two of restated financial statements. Defednants will move against or otherwise respond to the Amended Complaint(or Second Amended Complaint, whichever is then operative) no later than 45 days from the earlier to occur of(a) the service and filing of a Second Amended Complaint as authorized by paragraph 1 above,or (b)service of written notice by PLaintiffs that Plaintiffs will not file a Second Amended Complaint as authorized by paragraph 1 above. Notwithstanding the foregoing, if nether(a)nor(b) of paragraph 1 occurs before February 28, 2007 then Defendants will move against or ortheise respond to the Amended Complaint on or before April 16, 2007. Responses due by 4/16/2007 (Signed by Judge Shirley Wohl Kram on 1/3/2007) (jmi,)

		(Entered: 01/05/2007)
01/08/2007		CASHIERS OFFICE REMARK on 47 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 12/21/2006, Receipt Number 600840. (jd,) (Entered: 01/08/2007)
02/21/2007	50	NOTICE OF APPEARANCE by James Vincent Masella, III on behalf of Take-Two Interactive Software, Inc. (Attachments: # 1 Affidavit Certificate of Service)(Masella, James) (Entered: 02/21/2007)
04/16/2007	51	CONSOLIDATED SECOND AMENDED CLASS ACTION COMPLAINT amending 34 Amended Complaint, against Ryan Brant, Donovan, Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc., Paul Eibeler, Karl H. Winters, Gary Lewis.Document filed by NYC Pension Funds. Related document: 34 Amended Complaint, filed by NYC Pension Funds.(jco) (Entered: 04/19/2007)
04/26/2007	52	WAIVER OF SERVICE RETURNED EXECUTED. Robert Flug waiver sent on 4/26/2007, answer due 6/25/2007. Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 04/26/2007)
04/27/2007	53	WAIVER OF SERVICE RETURNED EXECUTED. Oliver R. Grace, Jr waiver sent on 4/27/2007, answer due 6/26/2007. Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 04/27/2007)
05/08/2007	54	WAIVER OF SERVICE RETURNED EXECUTED. Todd Emmel waiver sent on 5/7/2007, answer due 7/6/2007. Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 05/08/2007)
05/08/2007	55	WAIVER OF SERVICE RETURNED EXECUTED. Rockstar Games, Inc. waiver sent on 5/7/2007, answer due 7/6/2007. Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 05/08/2007)
05/16/2007	56	NOTICE OF APPEARANCE by Molly S. Boast on behalf of Rockstar Games, Inc. (Boast, Molly) (Entered: 05/16/2007)
05/18/2007	57	NOTICE OF APPEARANCE by Charles A. Stillman on behalf of Oliver R. Grace, Jr (Stillman, Charles) (Entered: 05/18/2007)
05/18/2007	58	NOTICE OF APPEARANCE by Michael John Grudberg on behalf of Oliver R. Grace, Jr (Grudberg, Michael) (Entered: 05/18/2007)
05/18/2007	59	NOTICE OF APPEARANCE by Nathaniel Ian Kolodny on behalf of Oliver R. Grace, Jr (Kolodny, Nathaniel) (Entered: 05/18/2007)

05/22/2007	60	NOTICE OF APPEARANCE by John B. Missing on behalf of Rockstar Games, Inc., Take-Two Interactive Software, Inc. (Missing, John) (Entered: 05/22/2007)
05/22/2007	61	NOTICE OF APPEARANCE by Stephen Chan Lee on behalf of Donovan, Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc. (Lee, Stephen) (Entered: 05/22/2007)
05/23/2007	62	STIPULATION AND ORDER OF SUBSTITUTION OF COUNSEL: It is hereby stipulated and agreed, by and between the undersigned, that Debevoise & Plimpton LLP. is hereby substituted for Blank Rome LLP. as counsel of record for defendant Take two Interactive software, Inc. in the above captioned action. Debevoise & Plimpton LLP. respectfully requests that a copy of all papers in this proceeding be served upon Molly S. Boast, a member of the firm, at the firm's offices at 919 Third Avenue, New York, N.Y. 10022. (Signed by Judge Shirley Wohl Kram on 5/23/07) (js) (Entered: 05/24/2007)
05/30/2007	63	ENDORSED LETTER addressed to Judge Shirley W. Kram from Jonathan M. Plasse dated 5/16/2007 re: plt's request that the Court (i) authorize them to file a motion for partial summary judgment, without a pre-motion conference, or (ii) schedule a pre-motion conference. Endorsement: After considering the parties' submissions on this issue, the Court denies the plaintiffs' request for leave to file a motion for partial summary judgment prior to its resolution of the forthcoming motions to dismiss, and the subsequent commencement of discovery, if appropriate. The Court also denies the plt's request for a pre-motion conference, which would not assist its analysis of this matter. SO ORDERED. (Signed by Judge Shirley Wohl Kram on 5/30/2007) (jar) (Entered: 05/31/2007)
05/30/2007	64	STIPULATED SCHEDULING ORDER: Deft's motion to dismiss the SAC shall be due as follows: Opening briefs of Take-Two, Rockstar Games, Inc., Terry Donovan, and Sam Houser due by 6/18/2007. Opening briefs of all other defts due by 7/2/2007. Omnibus opposition brief of plts due 8/27/2007. Reply briefs of all defts due thirty (30) days after receipt of Plts' opposition brief. Motions due by 6/18/2007. Responses due by 8/27/2007. (Signed by Judge Shirley Wohl Kram on 5/30/2007) (jar) M. (Entered: 05/31/2007)
05/31/2007	65	NOTICE OF APPEARANCE by Andrew Chapman Hruska on behalf of Todd Emmel (Attachments: # 1 Certificate of Good Standing)(Hruska, Andrew) (Entered: 05/31/2007)
05/31/2007	66	NOTICE OF APPEARANCE by Corey Elanor Delaney on behalf of Todd Emmel (Attachments: # 1 Certificate of Service)(Delaney, Corey) (Entered: 05/31/2007)
06/05/2007	67	NOTICE OF APPEARANCE by Gandolfo Vincent DiBlasi on behalf of Robert Flug (DiBlasi, Gandolfo) (Entered: 06/05/2007)
06/20/2007	68	STIPULATED SCHEDULING ORDER: defendants' motion to dismiss the SAC shall be due as follows: motion of Take-Two, Rockstar, Terry Donovan, and Sam House due 6/25/2007, motion for all other defendants due 7/9/2007, opposition of plaintiffs due by 9/3/2007,

		replies of all defendants due thirty days after the receipt of plaintiff's opposition. If any defendant elects to answer the SAC in lieu of moving to dismiss, such defendant's answer shall be due 7/9/2007. (Signed by Judge Shirley Wohl Kram on 6/20/07) (kco) (Entered: 06/21/2007)
06/25/2007	69	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Take-Two Interactive Software, Inc..(Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	70	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Rockstar Games, Inc..(Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	71	MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> . Document filed by Donovan, Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc..(Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	72	MEMORANDUM OF LAW in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> . / <i>Defendant Take-Two Interactive Software, Inc.'s Memorandum of Law in Support of its Motion to Dismiss the Consolidated Second Amended Class Action Complaint (Grand Theft Auto: San Andreas)</i> . Document filed by Take-Two Interactive Software, Inc.. (Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	73	MEMORANDUM OF LAW in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> . / <i>Defendant Take-Two Interactive Software, Inc.'s Memorandum of Law in Support of its Motion to Dismiss the Consolidated Second Amended Class Action Complaint (Options)</i> . Document filed by Take-Two Interactive Software, Inc.. (Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	74	MEMORANDUM OF LAW in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> . / <i>Defendants Sam Houser, Terry Donovan, and Rockstar Games, Inc.'s Memorandum of Law in Support of Their Motion to Dismiss the Consolidated Second Amended Class Action Complaint</i> . Document filed by Donovan, Houser, Rockstar Games, Inc.. (Lee, Stephen) (Entered: 06/25/2007)
06/25/2007	75	DECLARATION of Stephen Chahn Lee in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> .. Document filed by Donovan, Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc.. (Attachments: # 1 Exhibit 1 to Lee Declaration# 2 Exhibit 2 to Lee Declaration# 3 Exhibit 3 to Lee Declaration# 4 Exhibit 4 to Lee Declaration# 5 Exhibit 5 to Lee Declaration# 6 Exhibit 6 to Lee Declaration# 7 Exhibit 7 to Lee Declaration# 8 Exhibit 8 to Lee Declaration# 9 Exhibit 9 to Lee Declaration# 10 Exhibit 10 to Lee Declaration# 11 Exhibit 11 to Lee Declaration# 12 Exhibit 12 to Lee Declaration# 13 Exhibit 13 to Lee Declaration# 14 Exhibit 14 to Lee Declaration# 15 Exhibit 15 to Lee Declaration# 16 Exhibit 16 to Lee Declaration)(Lee, Stephen) (Entered: 06/25/2007)

07/09/2007	76	MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> . Document filed by Paul Eibeler.(Miller, James) (Entered: 07/09/2007)
07/09/2007	77	MEMORANDUM OF LAW in Support re: 76 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Paul Eibeler. (Miller, James) (Entered: 07/09/2007)
07/09/2007	78	JOINDER to join re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> ., 74 Memorandum of Law in Support of Motion, 73 Memorandum of Law in Support of Motion, 72 Memorandum of Law in Support of Motion, <i>the Motions to Dismiss the Consolidated Second Amended Class Action Complaint and Supporting Memoranda of Law filed by Defendants' Take-Two Interactive Software, Inc., Sam Houser, Terry Donovan, and Rockstar Games, Inc.</i> . Document filed by Paul Eibeler.(Miller, James) (Entered: 07/09/2007)
07/09/2007	79	MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> . Document filed by Todd Emmel.Responses due by 9/3/2007 (Attachments: # 1 Certificate of Service)(Hruska, Andrew) (Entered: 07/09/2007)
07/09/2007	80	MEMORANDUM OF LAW in Support re: 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Todd Emmel. (Attachments: # 1 Certificate of Service)(Hruska, Andrew) (Entered: 07/09/2007)
07/09/2007	81	DECLARATION of Corey E. Delaney in Support re: 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Todd Emmel. (Attachments: # 1 Exhibits No. 1 to 6# 2 Exhibit Nos. 7 to 11# 3 Certificate of Service)(Delaney, Corey) (Entered: 07/09/2007)
07/09/2007	82	MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> . Document filed by Robert Flug, Oliver R. Grace, Jr.(DiBlasi, Gandolfo) (Entered: 07/09/2007)
07/09/2007	83	DECLARATION of Aaron S. Foldenauer in Support re: 82 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Robert Flug, Oliver R. Grace, Jr. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(DiBlasi, Gandolfo) (Entered: 07/09/2007)
07/09/2007	84	MEMORANDUM OF LAW in Support re: 82 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Robert Flug, Oliver R. Grace, Jr. (DiBlasi, Gandolfo) (Entered: 07/09/2007)
07/09/2007	85	NOTICE OF APPEARANCE by Edward M. Spiro on behalf of Ryan Brant (Spiro, Edward) (Entered: 07/09/2007)

07/09/2007	86	MOTION to Dismiss. Document filed by Ryan Brant.(Spiro, Edward) (Entered: 07/09/2007)
07/09/2007	87	DECLARATION of Edward M. Spiro in Support re: 86 MOTION to Dismiss.. Document filed by Ryan Brant. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3)(Spiro, Edward) (Entered: 07/09/2007)
07/09/2007	88	MEMORANDUM OF LAW in Support re: 86 MOTION to Dismiss.. Document filed by Ryan Brant. (Spiro, Edward) (Entered: 07/09/2007)
07/09/2007	89	CERTIFICATE OF SERVICE of Motion to Dismiss, Declaration of Edward M. Spiro, and Memorandum of Law served on all counsel of record on July 9, 2007. Document filed by Ryan Brant. (Spiro, Edward) (Entered: 07/09/2007)
07/09/2007	90	NOTICE OF APPEARANCE by Lawrence Iason on behalf of Ryan Brant (Iason, Lawrence) (Entered: 07/09/2007)
07/10/2007	91	MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint</i> . Document filed by Karl H. Winters.(Lawler, Andrew) (Entered: 07/10/2007)
07/10/2007	92	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - MOTION to Dismiss (Declaration of Andrew M. Lawler in support of Motion to Dismiss). Document filed by Karl H. Winters.(Lawler, Andrew) Modified on 7/11/2007 (KA). (Entered: 07/10/2007)
07/10/2007	93	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - MOTION to Dismiss (Memorandum of Law in Support of Motion). Document filed by Karl H. Winters.(Lawler, Andrew) Modified on 7/11/2007 (KA). (Entered: 07/10/2007)
07/10/2007	94	MOTION to Dismiss <i>Notice of Motion</i> . Document filed by Karl H. Winters.(Lawler, Andrew) (Entered: 07/10/2007)
07/11/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Andrew Michael Lawler to RE-FILE Document 92 MOTION to Dismiss (Declaration). Use the document type Declaration in Support of Motion found under the document list Replies, Opposition and Supporting Documents. (KA) (Entered: 07/11/2007)
07/11/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Andrew Michael Lawler to RE-FILE Document 93 MOTION to Dismiss (Memorandum of Law in Support of Motion). Use the document type Memorandum of Law in Support of Motion found under the document list Replies, Opposition and Supporting Documents. (KA) (Entered: 07/11/2007)

07/11/2007	95	DECLARATION of Andrew M. Lawler in Support re: 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint.</i> . Document filed by Karl H. Winters. (Lawler, Andrew) (Entered: 07/11/2007)
07/11/2007	96	MEMORANDUM OF LAW in Support re: 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint.</i> . Document filed by Karl H. Winters. (Lawler, Andrew) (Entered: 07/11/2007)
07/24/2007	97	AMENDED RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying OppenheimerFunds, Inc., FMR Corp. and Unicredito Italiano S.p.A. as corporate parents. Document filed by Take-Two Interactive Software, Inc..(Lee, Stephen) Modified on 7/25/2007 (Lewis, Diahan). (Entered: 07/24/2007)
09/04/2007	98	MEMORANDUM OF LAW in Opposition re: 76 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss.</i> , 82 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 86 MOTION to Dismiss., 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint. / PLAINTIFFS' OMNIBUS MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS THE CONSOLIDATED SECOND AMENDED COMPLAINT.</i> Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 09/04/2007)
09/04/2007	99	DECLARATION of ETHAN D. WOHL in Opposition re: 76 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss.</i> , 82 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint.</i> , 86 MOTION to Dismiss., 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint.</i> . Document filed by NYC Pension Funds. (Attachments: # 1 Exhibit 1-16# 2 CERTIFICATE OF SERVICE)(Wohl, Ethan) (Entered: 09/04/2007)
09/20/2007	100	NOTICE of Change of Firm Name and Address. Document filed by NYC Pension Funds. (Wohl, Ethan) (Entered: 09/20/2007)
10/02/2007	101	ENDORSED LETTER addressed to Judge Shirley Wohl Kram from John B. Missing dated 10/1/07 re: a request by defendants for permission to file a reply that collectively totals 25 pages-five pages more than the page limit set forth in the stipulated scheduling order. ENDORSEMENT: Application granted. Take-Two and the Rockstar defendants may file reply briefs that collectively total up to 25 pages. SO ORDERED (Signed by Judge Shirley Wohl Kram on 10/2/07) (kco) (Entered: 10/02/2007)
10/04/2007	102	DECLARATION of Erin W. Sheehy in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss.</i> . Document filed by Terry Donovan, Sam Houser, Rockstar Games, Inc., Take-Two Interactive Software, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit 2)(Sheehy, Erin) (Entered: 10/04/2007)

		10/04/2007)
10/04/2007	103	REPLY MEMORANDUM OF LAW in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> .. Document filed by Rockstar Games, Inc., Terry Donovan, Sam Houser. (Sheehy, Erin) (Entered: 10/04/2007)
10/04/2007	104	REPLY MEMORANDUM OF LAW in Support re: 71 MOTION to Dismiss / <i>Notice of Motion to Dismiss</i> .. Document filed by Take-Two Interactive Software, Inc.. (Sheehy, Erin) (Entered: 10/04/2007)
10/04/2007	105	FILING ERROR - WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY - REPLY MEMORANDUM OF LAW in Support re: 76 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Paul Eibeler. (Miller, James) Modified on 10/5/2007 (GF). (Entered: 10/04/2007)
10/04/2007	106	REPLY MEMORANDUM OF LAW in Support re: 76 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> . [CORRECTED BRIEF]. Document filed by Paul Eibeler. (Miller, James) (Entered: 10/04/2007)
10/04/2007	107	REPLY MEMORANDUM OF LAW in Support re: 82 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Robert Flug, Oliver R. Grace, Jr. (DiBlasi, Gandolfo) (Entered: 10/04/2007)
10/04/2007	108	JOINDER to join re: 104 Reply Memorandum of Law in Support of Motion to Dismiss <i>the Second Amended Class Action Complaint and Motion to Dismiss the Second Amended Class Action Complaint filed by Defendant Take-Two Interactive Software, Inc.</i> Document filed by Paul Eibeler.(Miller, James) (Entered: 10/04/2007)
10/04/2007	109	REPLY MEMORANDUM OF LAW in Support re: 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Todd Emmel. (Attachments: # 1 Certificate of Service)(Hruska, Andrew) (Entered: 10/04/2007)
10/04/2007	110	DECLARATION of Corey E. Delaney in Support re: 79 MOTION to Dismiss <i>the Consolidated Second Amended Class Action Complaint</i> .. Document filed by Todd Emmel. (Attachments: # 1 Exhibit 1 - Kasowitz Report# 2 Certificate of Service)(Hruska, Andrew) (Entered: 10/04/2007)
10/04/2007	111	REPLY MEMORANDUM OF LAW in Support re: 86 MOTION to Dismiss.. Document filed by Ryan Brant. (Spiro, Edward) (Entered: 10/04/2007)
10/04/2007	112	CERTIFICATE OF SERVICE of Reply Memorandum of Law in Support of Defendant Ryan A. Brant's Motion to Dismiss served on All Counsel of Record on October 4, 2007. Document filed by Ryan Brant. (Spiro, Edward) (Entered: 10/04/2007)

10/04/2007	113	REPLY MEMORANDUM OF LAW in Support re: 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint</i> .. Document filed by Karl H. Winters. (Lawler, Andrew) (Entered: 10/04/2007)
10/04/2007	114	DECLARATION of Sharon D. Feldman in Support re: 91 MOTION to Dismiss <i>Consolidated Second Amended Class Action Complaint</i> .. Document filed by Karl H. Winters. (Lawler, Andrew) (Entered: 10/04/2007)
10/04/2007	115	CERTIFICATE OF SERVICE of Reply Memorandum of Law in Support of Defendant Karl Winters' Motion to Dismiss Plaintiffs' Consolidated Second Amended Class Action Complaint, and Declaration of Sharon D. Feldman in Support of Defendant Karl Winters' Motion to Dismiss the Consolidated Second Amended Class Action Complaint served on All Parties on 10/04/2007. Document filed by Karl H. Winters. (Lawler, Andrew) (Entered: 10/04/2007)
12/19/2007	116	LETTER addressed to Clerk, USDC from Stephe Chahn Lee, Esq. dated 12/13/07 re: counsel notifies the court that he is no longer working on the captioned matter; and requests that his name be removed from docket sheet and list of electronic notification recipients. Document filed by Donovan, Houser, Rockstar Games, Inc.(djc) (Entered: 12/26/2007)
04/16/2008	117	OPINION AND ORDER #95974: in summary, Defendants' motions to dismiss the SAC are granted in part and denied in part. Count I of the SAC is dismissed insofar as it rests upon the GTA:SA Fraud, and inasmuch as it asserts claims against defendants Eibeler, Winters, Donovan, Houser, and Rockstar. Count II of the SAC is dismissed insofar as it is premised upon the GTA:SA Fraud, and inasmuch as it asserts claims against Eibeler and Winters. Counts II and IV of the SAC are dismissed in their entirety. Lead Plaintiffs' further amended complaint, along with a memorandum explaining how their amendments have cured the defects specified herein by the Court, shall be filed on or before 5/19/08. Defendants' memorandum in opposition to Lead Plaintiffs' further amended complaint shall be filed on or before 6/16/08. Lead Plaintiffs' reply memorandum shall be filed on or before 6/30/08. Any request for modification of this schedule shall be made in writing and shall state good cause therefor. (Signed by Judge Shirley Wohl Kram on 4/16/08) (tro) Modified on 4/17/2008 (mr). Modified on 4/17/2008 (mr). (Entered: 04/16/2008)
04/16/2008		Set Deadlines/Hearings: Amended Pleadings due by 5/19/2008. Responses due by 6/16/2008 Replies due by 6/30/2008. (tro) (Entered: 04/16/2008)
05/01/2008	119	LETTER addressed to Judge Shirley Wohl Kram from Jonathan M. Plasse dated 4/30/2008 re: Plaintiffs hereby move, as authorized by the Court, for an Order granting leave to inspect the compiled binary code for the Grand Theft Auto: San Andreas video game (the GTA Code) now in their possession, on the terms set forth herein. Document filed by NYC Pension Funds, John Fenninger(Individually), John Fenninger(and on Behalf of all Others Similarly Situated).(jpo) (jpo). (Entered: 05/16/2008)

05/06/2008	120	LETTER addressed to Judge Shirley Wohl Kram from John B. Missing dated 5/5/2008 re: Defendants submit this letter in opposition to Plaintiffs' April 30, 2008 letter brief, requesting access to and discovery of the compiled binary code for Grand Theft Auto: San Andreas. Document filed by Rockstar Games, Inc., Terry Donovan, Sam Houser, Take-Two Interactive Software, Inc.(jpo) (Entered: 05/16/2008)
05/07/2008	118	ORDER, The court hereby stays the briefing schedule for Lead Plaintiffs' motion to amend until it has rendered a decision on Lead plaintiffs' request to view GTA;SA's binary code. On May 14, 2008, court will place upon the public docket lead plaintiffs' letter motion denied dated April 30, 2008, the defendants' opposition letter dated May 5, 2008, and lead plaintiffs' reply letter dated May 6, 2008, as well as all accompanying documentation, unless one or more parties to this dispute show good cause to maintain the entirety or portions of these documents under seal. (Signed by Judge Shirley Wohl Kram on 5/7/2008) (mme) (Entered: 05/07/2008)
05/07/2008	121	LETTER addressed to Judge Shirley Wohl Kram from Jonathan M. Plasse dated 5/6/2008 re: In further support of Plaintiffs' motion for an order granting leave to inspect the compiled binary code for Grand Theft Auto: San Andreas. Document filed by NYC Pension Funds, John Fenninger(Individually).(jpo) (Entered: 05/16/2008)
05/21/2008	122	NOTICE OF APPOINTMENT OF SPECIAL MASTER, Pursuant to Federal Rules of Civil Procedure 53, the court hereby notifies the parties that it will appoint Charles G. Moerdler, Esq., of Stroock & Stroock & Laven L.L.P., 180 Maiden Lane, New York, N.Y., as special master for the purpose of overseeing discovery and settlement obligations in this litigation. Under Federal Rule of Civil procedure 53(b)(1), the parties may object to Mr. Moerdler's appointment as special master. Objections must be submitted in writing no later than 19 days from receipt of this order. (Signed by Judge Shirley Wohl Kram on 5/21/2008) (mme) (Entered: 05/21/2008)
06/10/2008	123	ORDER APPOINTING SPECIAL MASTER: The parties have not objected to the appointment of Charles G. Moerdler as special master. Therefore, in accordance with the notice issued on May 21, 2008, the Court hereby appoints Mr. Moerdler as special master for the purpose of overseeing discovery and settlement negotiations in this litigation. Mr. Moerdler shall have the power and duties set forth in the Notice of Appointment. The parties shall contact Mr. Moerdler as soon as practicable in order to arrange a procedure to resolve their current dispute regarding access to the compiled binary code of Grand Theft Auto: San Andreas. After that dispute is resolved, the Court will issue a modified briefing schedule for Lead Plaintiff's pending motion to amend the Second Amended Complaint. The parties may continue the mediation process they have already begun, as described in Take-Two's letter to the Court. The parties shall regularly inform Mr. Moerdler of the progress of the mediation. If Mr. Moerdler deems that the mediation is progressing at an unreasonably slow pace, or that it is unlikely to bear fruit, he shall reply to the Court for permission to assume direct oversight of the parties settlement negotiations. (Signed by Judge Shirley Wohl Kram on 6/10/2008) (jfe) Modified on 6/23/2008 (jfe). (Entered: 06/10/2008)

06/10/2008	124	CASE REFERRED to Special Master. Charles G. Moerdler appointed Special Master. (jfe) (jfe). (Entered: 06/10/2008)
08/06/2008		***STRICKEN DOCUMENT. Deleted document number (125) from the case record. The document was stricken from this case pursuant to 130 Opinion and Order. (tro) (Entered: 08/21/2008)
08/08/2008	126	ORDER For the reasons set forth in this order, the court requires further briefing on the appropriate standard for evaluating the defendants request to expunge the determination. ON or before August 18, 2008, the defendants shall file a memorandum not exceeding ten pages, which address (1) whether the balancing frame work described in this order should apply to the defendants request for expunction of the determination and order, or whether some other framework more properly applies; and (2) whether the defendants request is justified under the applicable legal standard. (Signed by Judge Shirley Wohl Kram on 8/8/08) (mme) (Entered: 08/08/2008)
08/08/2008		Set/Reset Deadlines: Motions due by 8/18/2008. (mme) (Entered: 08/08/2008)
08/18/2008	127	STIPULATION AND ORDER EXTENDING TIME: It is hereby stipulated and agreed that the time for Defendant Take-Two Interactive Software Inc., to file its objections or motion for modification, pursuant to F.R.C.P. 53(f)(2), of Special Master Charles G. Moerdler's Determination and order dated August 6, 2008, be extended until 20 days after the Court's decision on Take-Two's August 7, 2008, request to expunge, if such request is denied. (Signed by Judge Shirley Wohl Kram on 8/18/2008) (jfe) (Entered: 08/18/2008)
08/18/2008	128	MEMORANDUM OF LAW in Support re: 126 Order,, / <i>Memorandum in Support of Take-Two Interactive Inc.'s Unopposed Application to Have August 6, 2008 Determination and Order Expunged or Sealed</i> . Document filed by Take-Two Interactive Software, Inc.. (Missing, John) (Entered: 08/18/2008)
08/21/2008	129	STIPULATION AND ORDER REGARDING THE AUGUST 6, 2008 DETERMINATION AND ORDER OF THE SPECIAL MASTER AND ACCESS TO COMPUTER CODE: Plaintiffs do not oppose Take-Two's request that the Court expunge or, in the alternative, seal the Determination. Plaintiffs agree that the Parties' negotiate resolution of the GTA Code motion, which is contingent on the Court's entry of an Order expunging or sealing the Determination, will render Plaintiffs' motion moot upon entry of such an Order. If the Court enters an Order expunging or sealing the Determination, the then the Parties will not use or refer to any of the findings, determinations and conclusions set forth in the Determination for any purpose in the above-captioned action or any other action or proceeding. Take-Two grants Plaintiffs leave to inspect the GTA Code on the terms set forth in Plaintiffs' letter motion to the Honorable Shirley Wohl Kram dated 4/30/08, contingent on, and effective upon the entry of an Order expunging or sealing the Determination. (Signed by Judge Shirley Wohl Kram on 8/21/08)

		(tro) (Entered: 08/21/2008)
08/21/2008	130	OPINION AND ORDER #96407: In summary, the parties agreement granting Lead Plaintiffs access to GTA:SAs binary code moots the issues addressed in the D&O. Because the parties private interest in vacatur is more compelling than any countervailing public interest, the Court hereby grants the defendants motion and vacates the D&O as moot. The Clerk of Court is directed to remove the D&O from the public docket. Given that the parties agreement resolves Lead Plaintiffs request to access GTA:SAs binary code, Lead Plaintiffs anticipated motion to amend the Second Amended Complaint is now ready for briefing. See 06 Cv. 803 (SWK), Dkt. No. 118. It is hereby ordered that: (1) Lead Plaintiffs shall file their anticipated motion to amend, along with a copy of their Third Amended Complaint, on or before September 12, 2008; (2) the defendants shall file their opposition briefs on or before October 10, 2008; and (3) Lead Plaintiffs shall file their reply briefs on or before October 24, 2008. (Signed by Judge Shirley Wohl Kram on 8/21/08) (tro) Modified on 8/22/2008 (jpo). (Entered: 08/21/2008)
08/21/2008	131	CONFIDENTIALITY AGREEMENT...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Special Master Charles G. Moerdler on 8/14/08) (tro) (Entered: 08/21/2008)
09/10/2008	132	STIPULATION AND ORDER REGARDING PAGE LIMITATIONS ON BRIEFING WITH RESPECT TO THE CONSOLIDATED THIRD AMENDED COMPLAINT, plaintiffs' opening brief may be up to 40 pages in length. The undersigned defendants' opposition brief may be up to 40 pages in length. Plaintiffs' reply brief may be up to 1/2 the total length of the opposition briefs filed by all defendants. (Signed by Judge Shirley Wohl Kram on 9/10/08) (cd) (Entered: 09/10/2008)
09/12/2008	133	MEMORANDUM OF LAW <i>IN SUPPORT OF THE CONSOLIDATED THIRD AMENDED COMPLAINT</i> . Document filed by NYC Pension Funds. (Attachments: # 1 Appendix)(Wohl, Ethan) (Entered: 09/12/2008)
09/15/2008	134	THIRD AMENDED COMPLAINT amending 51 Amended Complaint, against Ryan Brant, Donovan, Houser, Rockstar Games, Inc., Robert Flug, Oliver R. Grace, Jr, Todd Emmel, Terry Donovan, Sam Houser, Take-Two Interactive Software, Inc..Document filed by NYC Pension Funds. Related document: 51 Amended Complaint, filed by NYC Pension Funds.(dle) (Additional attachment(s) added on 9/16/2008: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit) (dle). (Entered: 09/15/2008)
09/15/2008	135	NOTICE OF APPEARANCE by Louisa Banks Childs on behalf of Todd Emmel (Childs, Louisa) (Entered: 09/15/2008)
09/15/2008	136	NOTICE OF APPEARANCE by Jeffrey E. Livingston on behalf of Todd Emmel (Livingston, Jeffrey)

		(Entered: 09/15/2008)
09/25/2008	137	MOTION for Ada Fernandez Johnson to Appear Pro Hac Vice. Document filed by Take-Two Interactive Software, Inc.(dle) (Entered: 09/26/2008)
10/08/2008	138	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting 137 Motion for Ada Fernandez Johnson to Appear Pro Hac Vice. (Signed by Judge Shirley Wohl Kram on 10/8/08) (mme) (Entered: 10/08/2008)
10/08/2008		Transmission to Attorney Admissions Clerk. Transmitted re: 138 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (mme) (Entered: 10/08/2008)
10/08/2008	139	It is hereby stipulated and agreed that defendants opposition briefs will be due on or before October 24, 2008 and plaintiffs reply brief will be due on or before November 21, 2008. (Signed by Judge Shirley Wohl Kram on 10/2/08) (mme) (Entered: 10/08/2008)
10/09/2008		CASHIERS OFFICE REMARK on 138 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 9/25/08, Receipt Number 664083. (Quintero, Marcos) (Entered: 10/09/2008)
10/24/2008	140	OPPOSITION BRIEF re: 133 Memorandum of Law / <i>Defendants' Opposition to Lead Plaintiffs' Motion to Amend</i> . Document filed by Rockstar Games, Inc., Terry Donovan, Sam Houser, Take-Two Interactive Software, Inc..(Johnson, Ada) (Entered: 10/24/2008)
10/24/2008	141	DECLARATION of Ada Fernandez Johnson re: 140 Opposition Brief / <i>Declaration of Ada Fernandez Johnson in Support of Defendants' Opposition to Lead Plaintiffs' Motion to Amend</i> . Document filed by Rockstar Games, Inc., Terry Donovan, Sam Houser, Take-Two Interactive Software, Inc.. (Attachments: # 1 Exhibit 1 (Part 1), # 2 Exhibit 1 (Part 2), # 3 Exhibit 1 (Part 3), # 4 Exhibit 1 (Part 4), # 5 Exhibit 1 (Part 5), # 6 Exhibit 1 (Part 6))(Johnson, Ada) (Entered: 10/24/2008)
10/24/2008	142	OPPOSITION BRIEF re: 133 Memorandum of Law, 134 Amended Complaint,, Document filed by Ryan Brant.(Spiro, Edward) (Entered: 10/24/2008)
10/24/2008	143	JOINDER to join 140 OPPOSITION BRIEF re 133 Memorandum of Law / <i>Opposition of Defendants Rockstar Games, Inc., Terry Donovan, Sam Houser, and Take-Two Interactive Software, Inc. to Lead Plaintiffs' Motion to Amend and 141 Declaration of Ada Fernandez Johnson in Support of Defendants' Opposition to Lead Plaintiffs' Motion to Amend</i> .. Document filed by Robert Flug, Oliver R. Grace, Jr, Todd Emmel.(Hruska, Andrew) (Entered: 10/24/2008)
11/21/2008	144	REPLY MEMORANDUM OF LAW in Support re: 134 <i>Third Amended Complaint</i> . Document filed by NYC Pension Funds. (Plasse, Jonathan) (Entered: 11/21/2008)

11/21/2008	145	DECLARATION of Ethan D. Wohl <i>in Support of the Consolidated Third Amended Complaint</i> . Document filed by NYC Pension Funds. (Attachments: # 1 Exhibits 1 - 4)(Wohl, Ethan) (Entered: 11/21/2008)
09/02/2009	146	NOTICE OF CASE REASSIGNMENT to Judge Richard J. Sullivan. Judge Shirley Wohl Kram is no longer assigned to the case. (ldi) (Entered: 09/02/2009)
09/15/2009	147	ORDER: This action has been reassigned to my docket. Accordingly, the parties are hereby ORDERED to appear for a status conference before the undersigned on October 13, 2009 at 10:00 a.m. in the United States District Court, 500 Pearl Street, New York, New York, Courtroom 21 C. IT IS FURTHER ORDERED that, within fourteen (14) calendar days of the date of this Order, the parties shall jointly submit a letter, not to exceed ten (10) pages, providing, in separate paragraphs, as further set forth in this Order. All letters submitted to the Court pursuant to this Order should be emailed directly to chambers at sullivannysdchambers@nysd.uscourts.gov , and not filed on the Court's ECF system. Please consult my Individual Rules with respect to communications with chambers and related matters. (Signed by Judge Richard J. Sullivan on 9/15/09) (tro) (Entered: 09/16/2009)

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