

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
CIVIL DOCKET FOR CASE #: 1:03-cv-04391-GEL

Norman v. Salomon Smith Barney  
Assigned to: Judge Gerard E. Lynch  
Demand: \$0  
Related Case: [1:02-cv-03687-DLC](#)  
Case in other court: USDC-DC, 03-cv-2(TPJ)  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 06/17/2003  
Date Terminated: 05/18/2006  
Jury Demand: None  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**W. Caffey Norman, III**  
*as Custodian on behalf of himself and all  
others similarly situated*

represented by **Linda P. Nussbaum**  
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V.

**Defendant**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/17/2003		Original file, certified copy of transfer order and docket sheet received from the District of District of Columbia, Docket No.: 03cv0002 (TPJ). (gf) (Entered: 06/18/2003)
06/17/2003		Mail notice to the USDC - District of Columbia acknowledging receipt of their entire file, a certified copy of transfer order and docket entries. (gf) (Entered: 06/18/2003)
06/17/2003		Mailed notice with Rules 2 and 3 to the attorney(s) of record. (gf) (Entered: 06/18/2003)
06/17/2003		CASE REFERRED TO Judge Gerald E. Lynch as possibly related to 1:02cv3687. (gf) (Entered: 06/18/2003)
06/27/2003		Case accepted as related to 1:02cv3687. Notice of assignment to follow. (jjm) (Entered: 06/27/2003)
06/27/2003	1	Notice of Case Assignment to Judge Gerard E. Lynch . Copy of notice and judge's rules mailed to Attorney(s) of record: Richard A. Rosen, Lauren A. McMillen, Eric S. Goldstein, Robert P. Parker, Steven J. Toll, Thomas Earl Patton . (jjm) (Entered: 06/27/2003)
06/27/2003		Magistrate Judge Debra C. Freeman is so designated. (jjm) (Entered: 06/27/2003)
07/03/2003	2	STIPULATION and ORDER, the Norman Action shall be coordinated with the nine consolidated actions in the Salomon Analyst Litigation. The briefing schedule for defendant's motion to dismiss is as follows: (1) defendant shall file its motion to dismiss the complaint in the Norman Action 30 days following entry of the Stipulation and Order, or May 15, 2003, whichever date is later; (2) Plaintiff shall respond to this motion within 30 days from its filing, or 6/16/03, whichever date is later; and (3) Defendant shall reply to plaintiff's response within 21 days, or 7/7/03, whichever date is later . ( signed by Judge Gerard E. Lynch ) (kw) (Entered: 07/08/2003)

07/15/2003		Received returned mail re: [1-1] assign judge . Mail was addressed to Robert P. Parker at 1616 L. Street Washington, DC 20036 and was returned for the following reason(s): Forwarding Order Expired. (jjm) (Entered: 07/15/2003)
08/07/2003	3	NOTICE OF MOTION by Salomon Smith Barney for an order dismissing with prejudice the class action complaint . Return Date not indicated. (dle) (Entered: 08/09/2003)
08/07/2003	4	MEMORANDUM OF LAW by Salomon Smith Barney in support of [3-1] motion for an order dismissing with prejudice the class action complaint . (dle) (Entered: 08/09/2003)
08/07/2003	5	DECLARATION of Richard A. Rosen by Salomon Smith Barney in support Re: [3-1] motion for an order dismissing with prejudice the class action complaint . (dle) (Entered: 08/09/2003)
08/12/2003	6	Memo-Endorsement on letter addressed to Judge Lynch from Richard A. Rosen, dated 8/1/03, granting deft's request for leave to submit a brief of up to 30 pages in length in support of SSB's motion to dismiss ( signed by Judge Gerard E. Lynch ); (cd) (Entered: 08/12/2003)
09/05/2003	7	STIPULATION and ORDER, The date by which plaintiff shall file papers in opposition to defendant's [3-1] motion to dismiss the complaint shall be 9/29/03. Reply papers shall be filed by the defendant on or before 10/20/03. ( signed by Judge Gerard E. Lynch ) (sb) (Entered: 09/09/2003)
10/06/2003	8	STIPULATION and ORDER, plaintiff's Response, not exceed 30 pages in length, to Motion reset for 10/6/03 re: [3-1] motion for an order dismissing with prejudice the class action complaint ; defendant's Reply to Response to, not to exceed 15 pages in length, Motion reset for 10/30/03 re: [3-1] motion for an order dismissing with prejudice the class action complaint. No further extension of time shall be sought for filing of plaintiff's opposition memorandum of law . ( signed by Judge Gerard E. Lynch ) (kw) (Entered: 10/07/2003)
10/06/2003	9	MEMORANDUM OF LAW by W. Caffey Norman III in opposition to [3-1] motion for an order dismissing with prejudice the class action complaint . (yv) (Entered: 10/08/2003)
10/30/2003	10	MEMORANDUM OF LAW by Salomon Smith Barney in support of [3-1] motion for an order dismissing with prejudice the class action complaint . (dle) (Entered: 11/03/2003)
10/30/2003	11	DECLARATION of Lauren A. McMillen by Salomon Smith Barney in further support of: [3-1] motion for an order dismissing with prejudice the class action complaint . (dle) (Entered: 11/03/2003)
06/09/2004	12	MEMORANDUM AND OPINION # 90204 re: [3] Motion to Dismiss filed by Salomon Smith Barney Inc.; Salomon's motion to dismiss is denied. Status Conference set for 6/25/2004 02:30 PM before Judge Gerard E. Lynch. (Signed by Judge Gerard E. Lynch on 6/8/04) (sac, ) (Entered: 06/10/2004)
08/10/2004	13	ANSWER to the Class Action Complaint. Document filed by Salomon Smith Barney Inc..(rag, ) (Entered: 08/11/2004)

08/10/2004	14	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Salomon Smith Barney Inc..(rag, ) (Entered: 08/11/2004)
08/23/2004	15	ORDER ADMITTING ATTORNEY Terry Rose Saunders PRO HAC VICE. (Signed by Judge Gerard E. Lynch on 8/23/04) (cd, ) (Entered: 08/24/2004)
08/23/2004		Transmission to Attorney Admissions Clerk. Transmitted re: [15] Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd, ) (Entered: 08/24/2004)
10/26/2004	16	STIPULATION AND PROTECTIVE ORDER; regarding procedures that shall govern the handling confidential material during the course of these proceedings; (Signed by Judge Gerard E. Lynch on 10/22/04) (djc, ) (Entered: 10/27/2004)
12/14/2004	17	AGREED ORDER: Plaintiff's motion for class certification due by 1/28/2005. Response due by 4/1/2005. Reply due by 4/29/2005. (Signed by Judge Gerard E. Lynch on 12/10/04) (kw, ) (Entered: 12/16/2004)
01/28/2005	19	PLAINTIFF'S MOTION for Class Certification. Document filed by W. Caffey Norman, III. (rw, ) (Entered: 02/07/2005)
03/29/2005	20	Stipulation and ORDER:The Defendants'time to serve and file its papers in opposition to plaintiff's motion for class certification is extneded to and including 4/25/2005. Plaintiffs'time to serve and file any reply papers is extended to and including 5/23/2005. (Signed by Judge Gerard E. Lynch on 3/21/2005) (jsa, ) (Entered: 03/30/2005)
04/25/2005	21	MEMORANDUM OF LAW in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	22	AFFIDAVIT of Edward Spitzer in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	23	AFFIDAVIT in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	24	AFFIDAVIT of Elisabeth Kuchma in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	25	AFFIDAVIT of Peggy Chen in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	26	AFFIDAVIT of Andre Weiser in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	27	AFFIDAVIT of Ken Wides in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	28	AFFIDAVIT of Jin Kniffin in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	29	AFFIDAVIT of Allan W. Kleidon in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)

04/25/2005	30	AFFIDAVIT of Marshall Kaplan in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/28/2005)
04/25/2005	32	MOTION for an order granting judgment on the pleadings dismissing with prejudice the second and third causes of action in the complaint on the ground that SLUSA preempts those causes of action in their entirety. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/29/2005)
04/25/2005	33	DECLARATION of Justin D. Lerer to place before the court a document referred to in SSB's memorandum of law in support of its motion for judgment on the pleadings. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/29/2005)
04/25/2005	34	MEMORANDUM OF LAW in Support re: [32] MOTION for Judgment on the Pleadings.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/29/2005)
04/26/2005	31	ENDORSED LETTER addressed to Judge Lynch from Richard A. Rosen dated 4/22/05 re: granting counsel's request for permission to file an oversized memorandum of law not to exceed sixty pages in opposition to plaintiff's motion for class certification... plaintiff would be allowed to file a reply brief of commensurate length.. (Signed by Judge Gerard E. Lynch on 4/25/05) (djc, ) (Entered: 04/28/2005)
04/26/2005	35	AFFIDAVIT of Allan W. Kleidon in Opposition re: [19] MOTION to Certify Class.. Document filed by Salomon Smith Barney Inc.. (dle, ) (Entered: 04/29/2005)
05/11/2005	36	AGREED ORDER; Plaintiff's reply to [19] MOTION to Certify Class due by 6/6/05; [32] MOTION for Judgment on the Pleadings: Plaintiff's Responses due by 5/23/2005; Replies due by 6/16/2005. (Signed by Judge Gerard E. Lynch on 5/9/05) (sac, ) (Entered: 05/12/2005)
05/23/2005	37	MEMORANDUM OF LAW in Opposition re: [32] MOTION for Judgment on the Pleadings. Document filed by W. Caffey Norman, III. (dle, ) (Entered: 05/24/2005)
06/09/2005	38	AGREED ORDER; that the parties having agreed, plaintiff shall serve and file his reply in support of class certification motion be extended to 6/16/05. (Signed by Judge Gerard E. Lynch on 6/3/05) (pl, ) (Entered: 06/13/2005)
06/16/2005	39	REPLY MEMORANDUM OF LAW in Support re: [32] MOTION for Judgment on the Pleadings.. Document filed by Salomon Smith Barney Inc.. (mde, ) (Entered: 06/20/2005)
06/16/2005	40	DECLARATION of Justin D. Lerer in Support re: [32] MOTION for Judgment on the Pleadings.. Document filed by Salomon Smith Barney Inc.. (mde, ) (Entered: 06/20/2005)
06/16/2005	41	REPLY MEMORANDUM OF LAW in Support re: [19] MOTION to Certify Class.. Document filed by W. Caffey Norman, III. (mde, ) (Entered: 06/20/2005)
06/21/2005	42	ENDORSED LETTER addressed to Judge Gerard E. Lynch from Steven J. Toll dated 6/16/05 re: granting plaintiff permission to file an oversized reply memorandum of 22 pages. (Signed by Judge Gerard E. Lynch on 6/20/05) (sac, )

		(Entered: 06/22/2005)
08/12/2005	43	NOTICE of Change of Address by W. Caffey Norman, III. New Address: Saunders & Doyle 20 South Clark Street Ste 1720 Chicago, Ill 60603. (cd, ) (Entered: 08/17/2005)
09/30/2005	44	STIPULATION AND ORDER request for an extension of the time to serve responses and /or objections to the Document Request. The original due date for those responses and/or objections was September 26,2005. (Signed by Judge Gerard E. Lynch on 9/19/2005) (jmi, ) (Entered: 10/03/2005)
10/07/2005	45	ORDER withdrawing document [32] Motion for Judgment on the Pleadings . (Signed by Judge Gerard E. Lynch on 9/21/2005) (jmi, ) (Entered: 10/11/2005)
10/19/2005	46	ORDER that the following motions are deemed withdrawn, without prejudice to their reinstatement if the parties fail to reach a settlement re: [19] MOTION to Certify Class. filed by W. Caffey Norman, III, [32] MOTION for Judgment on the Pleadings. filed by Salomon Smith Barney Inc., (Signed by Judge Gerard E. Lynch on 9/21/05) (cd, ) (Entered: 10/20/2005)
01/17/2006	47	MOTION for an Order Preliminarily Approving Proposed Settlement, Directing the Issuance of Notice to the Class, and Setting a Fairness Hearing. Document filed by W. Caffey Norman, III. Exhibits attached. Return Date set for 1/20/2006 11:00 AM. (kco, ) (Entered: 01/19/2006)
01/20/2006	48	PLAINTIFF'S MOTION for an Order Preliminarily Approving Proposed Settlement, Directing the Issuance of Notice to the Class, and Setting a Fairness Hearing. Document filed by W. Caffey Norman, III. (jmi, ) (Entered: 01/23/2006)
03/13/2006	49	ORDER: The Court hereby files the attached order, which is identical in all respects to the 1/20/2006, order, except that the fairness hearing is set for 5/12/2006 at 3:00 p.m.; the deadline for sending notice is set as 3/13/2006; and the deadline for submitting proofs of claim is set as 7/14/2006. (Signed by Judge Gerard E. Lynch on 3/9/2006) (lb, ) (Entered: 03/14/2006)
03/13/2006	50	ORDER: preliminarily approving proposed settlement, directing the issuance of notice to the class, and setting a fairness hearing. (Signed by Judge Gerard E. Lynch on 3/9/2006) (lb, ) (Entered: 03/14/2006)
04/03/2006	51	ENDORSED LETTER addressed to Judge Gerard E. Lynch from Steven J. Toll dated 3/24/2006 re: to if the Court believes that a Supplemental Notice is necessary, we will prepare a short Supplemental Notice and submit it to Your Honor for approval.ENDORSEMENT: Further notice to the claim is not required. So Ordered. (Signed by Judge Gerard E. Lynch on 3/30/2006) (jmi, ) (Entered: 04/04/2006)
04/05/2006	52	Proposed Supplemental Stipulation of Settlement. Document filed by Salomon Smith Barney Inc.. (djc, ) (Entered: 04/06/2006)
04/12/2006	53	MOTION to Approve proposed settlement., MOTION for Attorney Fees., MOTION to Certify Class. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 04/13/2006)
04/12/2006	54	DECLARATION of Thomas Doyle in Support re: [53] MOTION to Approve

		proposed settlement. MOTION for Attorney Fees. MOTION to Certify Class.. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 04/13/2006)
04/12/2006	55	DECLARATION of Terry Saunders and Steven Toll in Support re: [53] MOTION to Approve proposed settlement. MOTION for Attorney Fees. MOTION to Certify Class.. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 04/13/2006)
04/12/2006	56	MEMORANDUM OF LAW in Support re: [53] MOTION to Approve proposed settlement. MOTION for Attorney Fees. MOTION to Certify Class.. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 04/13/2006)
04/12/2006	57	MEMORANDUM OF LAW in Support re: [53] MOTION to Approve proposed settlement. MOTION for Attorney Fees. MOTION to Certify Class.. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 04/13/2006)
05/05/2006	58	PLAINTIFF'S REPORT ON ADEQUACY OF NOTICE TO THE CLASS. Document filed by W. Caffey Norman, III. (db, ) (Entered: 05/05/2006)
05/18/2006	59	ORDER APPROVING PLAN OF ALLOCATION; the Court finds that the Plan of Allocation has a reasonable and rational basis, and further finds that the Plan of Allocation is in all respects a fair and reasonable method for allocating settlement proceeds among members of the Plaintiff Class in this litigation. The Court hereby approves the Plan of Allocation. (Signed by Judge Gerard E. Lynch on 5/12/06) (sac, ) (Entered: 05/18/2006)
05/18/2006	60	JUDGMENT approving settlement and dismissing action. (Signed by Judge Gerard E. Lynch on 5/12/06) (jf, ) (Entered: 05/19/2006)
05/19/2006	61	TRANSCRIPT of proceedings held on 5/12/06 before Judge Gerard E. Lynch. (tro, ) (Entered: 05/19/2006)
06/29/2006	62	MOTION by Plaintiff's Counsel for Supplemental Reimbursement of Expenses. Document filed by W. Caffey Norman, III. (cd, ) (Entered: 06/30/2006)
07/13/2006	63	ORDER granting [62] Motion for supplemental reimbursement of expenses; Plaintiff's counsel is authorized to withdraw the sum of \$87,009.19 from the settlement fund for the purposes set forth in said motion. . (Signed by Judge Gerard E. Lynch on 7/5/06) (dle, ) (Entered: 07/13/2006)
11/15/2006	64	ENDORSED LETTER addressed to Judge Gerard E. Lynch from Terry Rose Saunders dated 11/10/06 re: plaintiffs requests write with an Interim Report regarding the administration of the settlement in this class action litigation and propose to send a letter to each of those 45,915 class members who have not yet filed claims, alerting them that, under the Court-approved plan of allocation, their individual shares of the Net Settlement Fund would likely exceed \$100.00. So Ordered.(Signed by Judge Gerard E. Lynch on 11/14/06) (pl, ) Modified on 11/15/2006 (pl, ). (Entered: 11/15/2006)
02/01/2007	65	MOTION for Supplemental Reimbursement of Expenses and Counsel's Interim Status Report. Document filed by W. Caffey Norman, III.(jar) (Entered: 02/06/2007)
02/07/2007	66	ORDER granting [65] Motion for For supplemental Reimbursement of expenses. Plaintiff's Counsel is authorized to withdraw the sum of \$40,108.13 from the

		Settlement Fund for the purposes set forth in the motion.. (Signed by Judge Gerard E. Lynch on 2/2/07) (js) (Entered: 02/08/2007)
06/29/2007	67	MOTION for Approval of Proposed Distribution of the Net Settlement Fund. Document filed by W. Caffey Norman, III.(dj) (Entered: 07/06/2007)
06/29/2007	68	JOINT DECLARATION of Terry Rose Saunders and Steven J. Toll in Support re: [67] MOTION to Approve of Proposed Distribution of the Net Settlement Funds Document filed by W. Caffey Norman, III. (dj) (Entered: 07/06/2007)
07/09/2007	69	CORRECTED AFFIDAVIT of Terry Rose Saunders in Support re: [62] MOTION, [53] MOTION to Approve proposed settlement. MOTION for Attorney Fees. MOTION to Certify Class. (jco) (Entered: 07/11/2007)
07/11/2007	70	ORDER granting [67] Motion for Approval of Proposed Distribution of the Net Settlement Fund. From the Net Settlement Fund, plaintiff's counsel may disburse the amounts of which are for expenses properly incurred in connection with claims administration as stated in this order. (Signed by Judge Gerard E. Lynch on 7/6/07) (kco) (Entered: 07/13/2007)

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