

**U.S. District Court  
District of Utah (Central)  
CIVIL DOCKET FOR CASE #: 2:06-cv-00570-DAK-PMW**

In Re NPS Pharmaceuticals, Inc. Securities Litigation  
Assigned to: Judge Dale A. Kimball  
Referred to: Magistrate Judge Paul M. Warner  
Member cases:

[2:06-cv-00597-DAK](#)

[2:06-cv-00647-DAK](#)

[2:06-cv-00648-DAK](#)

[2:06-cv-00699-DAK](#)

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

Date Filed: 07/12/2006  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

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*on Behalf of Himself and All Others  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/12/2006	<a href="#"><u>1</u></a>	COMPLAINT against NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel (Filing fee \$ 350, receipt number 4681012333),

		filed by Brian Roffe. Assigned to Judge Paul G. Cassell (jtj, ) (Entered: 07/12/2006)
07/12/2006	<a href="#">2</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney William S. Lerach, Darren J. Robbins, for Plaintiff Brian Roffe (jtj, ) (Entered: 07/12/2006)
07/12/2006	<a href="#">3</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Jack G. Fruchter, for Plaintiff Brian Roffe (jtj, ) (Entered: 07/12/2006)
07/12/2006	<a href="#">4</a>	AFFIDAVIT - Certification of Brian Roffe in Support of Class Action Complaint re <a href="#">1</a> Complaint filed by Brian Roffe. (kla, ) (Entered: 07/13/2006)
07/12/2006	<a href="#">5</a>	AMENDED COMPLAINT against NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel with Jury Demand, filed by Brian Roffe.(kla, ) (Entered: 07/13/2006)
07/17/2006	<a href="#">6</a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Brian Roffe as to NPS Pharmaceutical served on 7/14/2006, answer due 8/3/2006. (Attachments: # <a href="#">1</a> Return of Service)(Call, Scott) (Entered: 07/17/2006)
07/25/2006	<a href="#">7</a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by Brian Roffe as to Morgan R. Brown served on 7/17/2006, answer due 8/7/2006. (Attachments: # <a href="#">1</a> Return of Service)(Call, Scott) (Entered: 07/25/2006)
08/07/2006	<a href="#">8</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of Jeffrey S. Abraham for Brian Roffe, Jack G. Fruchter for Brian Roffe. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Paul G. Cassell on 8/7/06. (kla, ) (Entered: 08/08/2006)
08/16/2006	<a href="#">9</a>	MOTION for Admission Pro Hac Vice of Daniel S. Drosman Registration fee \$ 15. Fee Status: Paid. Filed by Plaintiff Brian Roffe. (kla, ) (Entered: 08/18/2006)
08/18/2006	<a href="#">10</a>	ORDER granting <a href="#">9</a> Motion for Admission Pro Hac Vice of Daniel Drosman for Brian Roffe. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a></i> . Signed by Judge Paul G. Cassell on 8/18/06.(kla, ) (Entered: 08/18/2006)
09/01/2006	<a href="#">11</a>	WAIVER OF SERVICE Returned Executed filed by Brian Roffe as to N. Anthony Coles Waiver sent on 8/12/2006, answer due 10/11/2006; Juergen Lasowski Waiver sent on 8/12/2006, answer due 10/11/2006; Gerard J. Michel Waiver sent on 8/12/2006, answer due 10/11/2006. (Attachments: # <a href="#">1</a> Summons in a Civil Action-Michel# <a href="#">2</a> Summons in a Civil Action-Lasowski# <a href="#">3</a> Summons in a Civil Action-Coles)(Call, Scott) (Entered: 09/01/2006)
09/06/2006	<a href="#">12</a>	NOTICE of Appearance by Raymond J. Etcheverry on behalf of NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel (Etcheverry, Raymond) (Entered: 09/06/2006)
09/06/2006	<a href="#">13</a>	NOTICE of Appearance by Kent O. Roche on behalf of NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel (Roche, Kent) (Entered: 09/06/2006)
09/06/2006	<a href="#">14</a>	Stipulated MOTION to Consolidate Cases <i>and to Set Schedule for Filing Consolidated</i>

		<i>Complaint and Briefing Certain Motions</i> filed by Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Etcheverry, Raymond) (Entered: 09/06/2006)
09/11/2006	<a href="#">15</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney William S. Lerach and Darren J. Robbins, for Plaintiff Brian Roffe. (kla, ) (Entered: 09/11/2006)
09/11/2006	<a href="#">16</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Paul H. Dawes and Michele F. Kyrouz, for Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (kla, ) (Entered: 09/11/2006)
09/11/2006	<a href="#">17</a>	MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7) filed by Plaintiff Brian Roffe. (Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">18</a>	MOTION to Consolidate Cases, MOTION Appointing Lead Plaintiff filed by Plaintiff Brian Roffe. (Attachments: # <a href="#">1</a> Exhibit A-Proposed Order Consolidating the Actions, Appointing Lead Plaintiff and Approving Selection of Lead and Liaison Counsel)(Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">19</a>	MEMORANDUM in Support re <a href="#">17</a> MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7), <a href="#">18</a> MOTION to Consolidate Cases MOTION Appointing Lead Plaintiff MOTION Appointing Lead Plaintiff filed by Plaintiff Brian Roffe. (Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">20</a>	NOTICE of Appearance by Richard D Burbidge on behalf of PHARMA/wHEALTH Management (Burbidge, Richard) Modified on 9/12/2006 by removing the incorrect filer (Roffe) and replacing with PHARMA/wHEALTH Management (ce, ). (Entered: 09/11/2006)
09/11/2006	<a href="#">21</a>	MOTION Appoint Lead Plaintiff and Lead Counsel [By PHARMA/wHEALTH Management Company S.A.] filed by Plaintiff Brian Roffe. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Burbidge, Richard) (Entered: 09/11/2006)
09/11/2006	<a href="#">22</a>	AFFIDAVIT of Scott A. Call in Support re <a href="#">17</a> MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7), <a href="#">18</a> MOTION to Consolidate Cases MOTION Appointing Lead Plaintiff MOTION Appointing Lead Plaintiff filed by Plaintiff Brian Roffe. (Attachments: # <a href="#">1</a> Exhibit A-Notice# <a href="#">2</a> Exhibit B-Loss Chart# <a href="#">3</a> Exhibit C-Certification# <a href="#">4</a> Exhibit D-Lerach Resume# <a href="#">5</a> Exhibit E-A&K Resume)(Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">23</a>	MEMORANDUM in Support re <a href="#">21</a> MOTION Appoint Lead Plaintiff and Lead Counsel [By PHARMA/wHEALTH Management Company S.A.] filed by Plaintiff Brian Roffe. (Burbidge, Richard) (Entered: 09/11/2006)
09/11/2006	<a href="#">24</a>	CERTIFICATE OF SERVICE by Brian Roffe re <a href="#">17</a> MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7), <a href="#">19</a> Memorandum in Support of Motion,, <a href="#">22</a> Affidavit in Support of Motion,, <a href="#">18</a> MOTION to Consolidate Cases MOTION Appointing Lead Plaintiff MOTION Appointing Lead Plaintiff (Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">25</a>	DECLARATION of Richard D. Burbidge re <a href="#">22</a> Affidavit in Support of Motion, <i>to Appoint Lead Counsel/Lead Plaintiff [By PHARMA/wHealth Management Company,</i>

		S.A. filed by Brian Roffe. (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit)(Burbidge, Richard) (Entered: 09/11/2006)
09/11/2006	<a href="#">26</a>	NOTICE of Filing by Brian Roffe re <a href="#">17</a> MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7), <a href="#">19</a> Memorandum in Support of Motion,, <a href="#">22</a> Affidavit in Support of Motion,, <a href="#">24</a> Certificate of Service,, <a href="#">18</a> MOTION to Consolidate Cases MOTION Appointing Lead Plaintiff MOTION Appointing Lead Plaintiff (Call, Scott) (Entered: 09/11/2006)
09/11/2006	<a href="#">31</a>	MOTION to Consolidate Cases, MOTION to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel. (kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">32</a>	MOTION to Consolidate Cases, MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel filed by Consol Plaintiff Audie Leventhal. (Attachments: # <a href="#">1</a> Text of Proposed Order)(kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">33</a>	MEMORANDUM in Support re <a href="#">31</a> MOTION to Consolidate Cases MOTION to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel filed by Interested Parties Robert Rains, John Williams. (Attachments: # <a href="#">1</a> Declaration of Marc A. Topaz# <a href="#">2</a> Exhibit A# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C# <a href="#">5</a> Exhibit D-1# <a href="#">6</a> Exhibit D-2# <a href="#">7</a> Exhibit E)(kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">34</a>	MOTION to Consolidate Cases, MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel filed by Consol Plaintiff Rudolf Skubella. (Attachments: # <a href="#">1</a> Text of Proposed Order)(kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">35</a>	MEMORANDUM in Support re <a href="#">34</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel filed by Consol Plaintiff Rudolf Skubella, Interested Party Randhir Singh Judge. (kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">36</a>	DECLARATION of Arthur L. Shingler III re <a href="#">34</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel filed by Rudolf Skubella, Randhir Singh Judge. (Attachments: # <a href="#">1</a> Exhibits to the Declaration of Arthur L Shingler)(kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">37</a>	MOTION to Consolidate Cases, MOTION for Appointment as Lead Plaintiff and for Approval of Choice of Lead Counsel filed by Consol Plaintiff Steven McCormick. (Attachments: # <a href="#">1</a> Text of Proposed Order)(kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">38</a>	MEMORANDUM in Support re <a href="#">37</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Choice of Lead Counsel filed by Consol Plaintiff Steven McCormick. (kla, ) (Entered: 09/18/2006)
09/11/2006	<a href="#">39</a>	DECLARATION of Joel T. Zenger re <a href="#">37</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Choice of Lead Counsel filed by Steven McCormick. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D)(kla, ) (Entered: 09/18/2006)
09/12/2006	27	Modification of Docket: Correction re <a href="#">20</a> Notice of Appearance : PHARMA/wHEALTH Management has been added to this case as an interested party. Entry <a href="#">20</a> has been modified to show Richard Burbidge is counsel for PHARMA/wHEALTH Management instead of plaintiff Roffe. (ce, ) (Entered: 09/12/2006)

		09/12/2006)
09/15/2006	<a href="#">28</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Samuel H. Rudman, David A. Rosenfeld and Mario Alba, Jr., for Plaintiff Brian Roffe. (kla, ) (Entered: 09/15/2006)
09/15/2006	<a href="#">29</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Stuart J. Guber and Lauren S. Antonino, for Interested Party PHARMA/wHEALTH Management. (kla, ) (Entered: 09/15/2006)
09/15/2006	<a href="#">30</a>	ORDER granting <a href="#">14</a> Motion to Consolidate Cases. The caption of the consolidated cases shall be <i>In re NPS Pharmaceuticals, Inc. Securities Litigation</i> " and the files of this action shall be maintained in one file under Master File No. <b>2:06-CV-570 PGC</b> . See order for further instructions and deadlines. Signed by Judge Paul G. Cassell on 9/14/06.(kla, ) (Entered: 09/18/2006)
09/18/2006	<a href="#">40</a>	ORDER REFERRING CASE to Magistrate Judge Paul M. Warner under 28:636 (b)(1)(A), Magistrate to hear and determine all nondispositive pretrial matters.All portions of the motions relating to consolidation of cases are now moot. The remaining non-dispositive motions are referred to Magistrate Judge Warner.Signed by Judge Paul G. Cassell on 9/15/2006. (yre) (Entered: 09/18/2006)
09/25/2006	<a href="#">41</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Stuart L. Berman and Sean M. Handler, for Consol Plaintiff Richard Baird. (kla, ) (Entered: 09/25/2006)
09/25/2006	<a href="#">42</a>	NOTICE OF REQUIREMENTS for appearance phv mailed to attorney Robert M. Roseman, Andrew D. Abramowitz and Richard A. Kraemer, for Consol Plaintiff Steven McCormick. (kla, ) (Entered: 09/25/2006)
09/25/2006	<a href="#">43</a>	*FILED IN ERROR PER <a href="#">44</a> * NOTICE of Voluntary Dismissal of Steven McCormick filed by Consol Plaintiff Steven McCormick (Zenger, Joel) Modified on 9/29/2006 to note that this entry was filed in error per doc. <a href="#">44</a> (kla). (Entered: 09/25/2006)
09/25/2006	<a href="#">44</a>	NOTICE OF FILING of ERROR re <a href="#">43</a> Notice of Voluntary Dismissal of <i>Complaint</i> filed by Consol Plaintiff Steven McCormick. (Zenger, Joel) (Entered: 09/25/2006)
09/25/2006	<a href="#">45</a>	WITHDRAWAL OF MOTION by Consol Plaintiff Steven McCormick re <a href="#">37</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Choice of Lead Counsel filed by Steven McCormick,. (Zenger, Joel) (Entered: 09/25/2006)
09/25/2006	<a href="#">46</a>	MOTION for Admission Pro Hac Vice of Lauren S. Antonino. Registration fee \$ 15, receipt number 4681013723. Fee Status: Paid filed by Interested Party PHARMA/wHEALTH Management. (kla, ) (Entered: 09/25/2006)
09/26/2006	<a href="#">47</a>	ORDER granting <a href="#">46</a> Motion for Admission Pro Hac Vice of Lauren S. Antonino for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Paul G. Cassell on 9/26/06.(kla, ) (Entered: 09/26/2006)
09/27/2006	<a href="#">48</a>	WITHDRAWAL OF MOTION by Consol Plaintiff Rudolf Skubella re <a href="#">34</a> MOTION

		to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel filed by Rudolf Skubella,, Randhir Singh Judge,, (Dodge, Gary) (Entered: 09/27/2006)
09/29/2006	<a href="#">49</a>	NOTICE of Appearance by Robert J. Shelby on behalf of PHARMA/wHEALTH Management (Shelby, Robert) (Entered: 09/29/2006)
09/29/2006	<a href="#">50</a>	OBJECTIONS to <a href="#">33</a> Memorandum in Support of Motion, <i>JOHN WILLIAMS AND ROBERT RAINS RESPONSE IN OPPOSITION TO COMPETING MOTIONS FOR APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL</i> filed by Interested Parties Robert Rains, John Williams. (Topaz, Marc) (Entered: 09/29/2006)
09/29/2006	<a href="#">51</a>	MEMORANDUM in Opposition re <a href="#">31</a> MOTION to Consolidate Cases MOTION to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel, <a href="#">21</a> MOTION Appoint Lead Plaintiff and Lead Counsel [By PHARMA/wHEALTH Management Company S.A.] filed by Consol Plaintiff Audie Leventhal. (Attachments: # <a href="#">1</a> Exhibit A -- In re Discovery Labs Sec. Litig.# <a href="#">2</a> Exhibit B -- PHARMA Report Cover Page)(Call, Scott) (Entered: 09/29/2006)
09/29/2006	<a href="#">52</a>	MEMORANDUM in Opposition re <a href="#">31</a> MOTION to Consolidate Cases MOTION to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel, <a href="#">17</a> MOTION for Approval of Selection of Lead and Liaison Counsel (Proposed Order Attached to Document Number 7), <a href="#">32</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel, <a href="#">37</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Choice of Lead Counsel, <a href="#">34</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel filed by Interested Party PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit)(Shelby, Robert) (Entered: 09/29/2006)
10/09/2006	<a href="#">53</a>	REPLY to Response to Motion re <a href="#">21</a> MOTION Appoint Lead Plaintiff and Lead Counsel [By PHARMA/wHEALTH Management Company S.A.] filed by Interested Party PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit # <a href="#">6</a> Exhibit)(Shelby, Robert) (Entered: 10/09/2006)
10/10/2006	<a href="#">54</a>	MOTION for Admission Pro Hac Vice of Peter T. Snow Registration fee \$ 15, receipt number 399840. filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (Roche, Kent) (Entered: 10/10/2006)
10/10/2006	<a href="#">55</a>	MOTION for Admission Pro Hac Vice of Paul H. Dawes Registration fee \$ 15, receipt number 399865. filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (Roche, Kent) (Entered: 10/10/2006)
10/10/2006	<a href="#">56</a>	MOTION for Admission Pro Hac Vice of Michele F. Kyrouz Registration fee \$ 15, receipt number 399866. filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (Roche, Kent) (Entered: 10/10/2006)
10/11/2006	<a href="#">57</a>	ORDER granting <a href="#">54</a> Motion for Admission Pro Hac Vice of Peter T. Snow, granting <a href="#">55</a> Motion for Admission Pro Hac Vice of Paul H. Dawes, granting <a href="#">56</a> Motion for

		<p>Admission Pro Hac Vice of Michele F. Kyrouz for Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel.</p> <p><i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i></p> <p>Signed by Judge Paul G. Cassell on 10/11/06.(kla) (Entered: 10/12/2006)</p>
10/11/2006	<a href="#">58</a>	<p>MOTION for Admission Pro Hac Vice of Stuart L. Berman and Sean M. Handler. Registration fee \$ 15. Fee Status: Paid filed by Consol Plaintiff Richard Baird, Interested Parties Robert Rains, John Williams. (kla) (Entered: 10/12/2006)</p>
10/12/2006	<a href="#">59</a>	<p>ORDER granting <a href="#">58</a> Motion for Admission Pro Hac Vice of Stuart L. Berman for Richard Baird and Robert Rains, Sean M. Handler for Richard Baird and Robert Rains.</p> <p><i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i></p> <p>Signed by Judge Paul G. Cassell on 10/12/06.(kla) (Entered: 10/13/2006)</p>
10/16/2006	<a href="#">60</a>	<p>REPLY to Response to Motion re <a href="#">31</a> MOTION to Consolidate Cases MOTION to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel filed by Consol Plaintiff Richard Baird, Interested Parties Robert Rains, John Williams. (Attachments: # <a href="#">1</a> Affidavit # <a href="#">2</a> Exhibit A-C)(Pierce, Gary) (Entered: 10/16/2006)</p>
10/16/2006	<a href="#">61</a>	<p>DECLARATION of Lauren S. Antonino re <a href="#">21</a> MOTION Appoint Lead Plaintiff and Lead Counsel [By PHARMA/wHEALTH Management Company S.A.] filed by PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit)(Gross, Jefferson) (Entered: 10/16/2006)</p>
10/16/2006	<a href="#">62</a>	<p>REPLY to Response to Motion re <a href="#">32</a> MOTION to Consolidate Cases MOTION for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel filed by Consol Plaintiff Audie Leventhal. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Certificate of Service)(Call, Scott) (Entered: 10/16/2006)</p>
10/23/2006	<a href="#">63</a>	<p>MOTION for Admission Pro Hac Vice of Samuel H. Rudman Registration fee \$ 15, receipt number 4681014277. Fee Status: Paid filed by Plaintiff Brian Roffe. (kla) (Entered: 10/23/2006)</p>
10/23/2006	<a href="#">64</a>	<p>MOTION for Admission Pro Hac Vice of Mario Alba, Jr. Registration fee \$ 15, receipt number 4681014278. Fee Status: Paid filed by Plaintiff Brian Roffe. (kla) (Entered: 10/23/2006)</p>
10/23/2006	<a href="#">65</a>	<p>MOTION for Admission Pro Hac Vice of David A. Rosenfeld Registration fee \$ 15, receipt number 4681014278. Fee Status: Paid filed by Plaintiff Brian Roffe. (kla) (Entered: 10/23/2006)</p>
10/23/2006	<a href="#">66</a>	<p>ORDER granting <a href="#">63</a> Motion for Admission Pro Hac Vice of Samuel H. Rudman for Brian Roffe, granting <a href="#">64</a> Motion for Admission Pro Hac Vice of Mario Alba, Jr for Brian Roffe, granting <a href="#">65</a> Motion for Admission Pro Hac Vice of David A. Rosenfeld for Brian Roffe.</p> <p><i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i></p> <p>Signed by Judge Paul G. Cassell on 10/23/06.(kla) (Entered: 10/25/2006)</p>

11/17/2006	<a href="#">67</a>	MEMORANDUM DECISION and Order Appointing Lead Plaintiff and Approving Lead Plaintiff's Selection of Counsel, finding as moot <a href="#">31</a> Motion to Consolidate Cases, denying <a href="#">31</a> Motion for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel, finding as moot <a href="#">32</a> Motion to Consolidate Cases, denying <a href="#">32</a> Motion for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel, denying <a href="#">17</a> Motion for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel, finding as moot <a href="#">18</a> Motion to Consolidate Cases, denying <a href="#">18</a> Motion for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel, granting <a href="#">21</a> Motion for Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel. Signed by Judge Paul M. Warner on 11/17/06. (kla) (Entered: 11/17/2006)
01/12/2007	<a href="#">68</a>	MOTION for Admission Pro Hac Vice of Ann Kimmel Ritter, Registration fee \$ 15, receipt number 4681015637, Fee Status: Paid, filed by Plaintiff PHARMA/wHEALTH Management. (kla) (Entered: 01/16/2007)
01/16/2007	<a href="#">69</a>	MOTION for Admission Pro Hac Vice of Stuart J. Guber and John F. Rice, Registration fee \$ 30, receipt number 4681015647, Fee Status: Paid, filed by Plaintiff PHARMA/wHEALTH Management. (kla) (Entered: 01/16/2007)
01/16/2007	<a href="#">70</a>	AMENDED COMPLAINT against Hunter Jackson, Alan Rauch, Thomas Marriott, Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel with Jury Demand, filed by PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Part 2 of Amended Complaint# <a href="#">2</a> Part 3 of Amended Complaint)(kla) (Entered: 01/16/2007)
01/16/2007	<a href="#">71</a>	CORPORATE DISCLOSURE STATEMENT under FRCP 7.1 filed by Plaintiff PHARMA/wHEALTH Management identifying Bank Sal. Oppenheim Jr. & Cie (Switzerland) AG and Mesco Ltd as Corporate Parent. (kla) (Entered: 01/16/2007)
01/16/2007	<a href="#">72</a>	ORDER granting <a href="#">68</a> Motion for Admission Pro Hac Vice of Ann Kimmel Ritter for PHARMA/wHEALTH Management; granting <a href="#">69</a> Motion for Admission Pro Hac Vice of Stuart J. Guber for PHARMA/wHEALTH Management, Joseph F. Rice for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Paul G. Cassell on 1/16/07. (kla) (Entered: 01/17/2007)
01/17/2007	<a href="#">73</a>	CERTIFICATE OF SERVICE by PHARMA/wHEALTH Management, Richard Baird, Audie Leventhal, Rudolf Skubella, Steven McCormick, Brian Roffe re <a href="#">71</a> Rule 7 Corporate Disclosure Statement, <a href="#">70</a> Amended Complaint, (Gross, Jefferson) (Entered: 01/17/2007)
03/02/2007	<a href="#">74</a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by PHARMA/wHEALTH Management as to Alan L. Mueller served on 2/23/2007, answer due 3/15/2007. (Gross, Jefferson) (Entered: 03/02/2007)
03/02/2007	<a href="#">75</a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by PHARMA/wHEALTH Management as to Robert K. Merrell served on 2/23/2007, answer due 3/15/2007. (Gross, Jefferson) (Entered: 03/02/2007)
03/05/2007	<a href="#">76</a>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by

		PHARMA/wHEALTH Management as to David L. Clark served on 2/27/2007, answer due 3/19/2007. (Gross, Jefferson) (Entered: 03/05/2007)
03/05/2007	<a href="#">77</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Scott A. Call. Attorney Scott A. Call will no longer receive notice from the court in this case including final judgment. (Call, Scott) (Entered: 03/05/2007)
03/13/2007	<a href="#">78</a>	MOTION for Leave to File Excess Pages <i>in support of Motion to Dismiss</i> filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Paul M. Warner.(Etcheverry, Raymond) (Entered: 03/13/2007)
03/14/2007	<a href="#">79</a>	ORDER granting <a href="#">78</a> Motion for Leave to File Excess Pages. Signed by Judge Paul G. Cassell on 3/14/07. (kla) (Entered: 03/14/2007)
03/15/2007	80	ORDER TO SHOW CAUSE- IT IS HEREBY ORDERED that within fifteen days all counsel of record in this case who are not registered e-filers in the court's electronic filing system shall register as electronic filers or shall file an affidavit or declaration stating their reasons for not complying. "As of May 1, 2006, all members of the Court's Bar, active and pro hac vice, must electronically file all civil case filings. All criminal case filings by attorneys must be filed electronically as of November 1, 2005." <a href="http://www.utd.uscourts.gov/documents/announce8.html">http://www.utd.uscourts.gov/documents/announce8.html</a> The Court appreciates counsel's co-operation. (This is a Docket text order and there is no image attached.) Signed by Judge Paul G. Cassell on 3/15/07. (kla) (Entered: 03/15/2007)
03/19/2007	<a href="#">81</a>	REQUEST for Judicial Notice In Support Of Motion To Dismiss Consolidated Amended Complaint filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Snow, Peter) (Entered: 03/19/2007)
03/19/2007	<a href="#">82</a>	NOTICE OF CONVENTIONAL FILING of Exhibits To Request For Judicial Notice In Support Of Defendants' Motion To Dismiss Consolidated Complaint filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel re <a href="#">81</a> Request, (Attachments: # <a href="#">1</a> Exhibit Certificate of Service of Exhibits to Request for Judicial Notice In Support Of Motion To Dismiss Consolidated Amended Complaint)(Snow, Peter) (Entered: 03/19/2007)
03/19/2007	<a href="#">83</a>	MOTION to Dismiss <i>Consolidated Amended Complaint</i> filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Snow, Peter) (Entered: 03/19/2007)
03/19/2007	<a href="#">84</a>	MEMORANDUM in Support re <a href="#">83</a> MOTION to Dismiss <i>Consolidated Amended Complaint</i> filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan

		R. Brown, Gerard J. Michel. (Attachments: # <u>1</u> Appendix Appendix A to Memorandum In Support Of Motion To Dismiss Consolidated Amended Complaint)(Snow, Peter) (Entered: 03/19/2007)
03/19/2007	<u>85</u>	APPENDIX to <u>81</u> Request, <u>84</u> Memorandum in Support of Motion, filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel <i>Appendix of Unpublished Decisions Cited in Defendants' Memorandum and Request for Judicial Notice In Support of Motion To Dismiss Consolidated Amended Complaint.</i> (Attachments: # <u>1</u> Exhibit Exhibit One# <u>2</u> Exhibit Exhibit Two# <u>3</u> Exhibit Exhibit 3# <u>4</u> Exhibit Exhibit 4# <u>5</u> Exhibit Exhibit 5# <u>6</u> Exhibit Exhibit 6# <u>7</u> Exhibit Exhibit Seven)(Snow, Peter) (Entered: 03/19/2007)
03/19/2007	86	EXHIBITS to Defendants' Request for Judicial Notice in Support of Motion to Dismiss filed by Hunter Jackson, Alan Rauch, Thomas Marriott, Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel re <u>83</u> MOTION to Dismiss <i>Consolidated Amended Complaint.</i> {Exhibits are not scanned and are located in 3 expandable folders on the shelf in the clerk's office.} (kla) (Entered: 03/20/2007)
03/21/2007	87	<b><u>NOTICE OF INITIAL PRETRIAL CONFERENCE:</u></b> (Notice generated by PMW chambers) The <b>Attorneys Planning Meeting Report</b> and <b>Proposed Scheduling Order</b> forms, available on the court web site at <a href="http://www.utd.uscourts.gov/documents/formpage.html">http://www.utd.uscourts.gov/documents/formpage.html</a> , should be prepared 30 days before the Initial Pretrial Conference hearing date.  <b><u>NOTICE TO COUNSEL,</u></b> The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel (a) file a stipulated <b>Attorneys Planning Meeting Report</b> ; and (b) e-mail a <b>Proposed Scheduling Order</b> to ipt@utd.uscourts.gov 30 days before the scheduled hearing. See instructions at <a href="http://www.utd.uscourts.gov/documents/ipt.html">http://www.utd.uscourts.gov/documents/ipt.html</a>  <b>Initial Pretrial Conference set for 5/16/2007 11:00 AM in Room 477 before Magistrate Judge David Nuffer.</b> (ksm) (Entered: 03/21/2007)
03/22/2007	88	<b><u>AMENDED NOTICE OF INITIAL PRETRIAL CONFERENCE:</u></b> (Notice generated by PMW chambers) The <b>Attorneys Planning Meeting Report</b> and <b>Proposed Scheduling Order</b> forms, available on the court web site at <a href="http://www.utd.uscourts.gov/documents/formpage.html">http://www.utd.uscourts.gov/documents/formpage.html</a> , should be prepared 30 days before the Initial Pretrial Conference hearing date.  <b><u>NOTICE TO COUNSEL,</u></b> The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel (a) file a stipulated <b>Attorneys Planning Meeting Report</b> ; and (b) e-mail a <b>Proposed Scheduling Order</b> to ipt@utd.uscourts.gov 30 days before the scheduled hearing. See instructions at

		<p><a href="http://www.utd.uscourts.gov/documents/ipt.html">http://www.utd.uscourts.gov/documents/ipt.html</a></p> <p><b>Initial Pretrial Conference reset for 8/22/2007 11:00 AM in Room 477 before Magistrate Judge David Nuffer. NOTE DATE CHANGE.</b> (ksm) (Entered: 03/22/2007)</p>
04/05/2007	<a href="#">89</a>	** <b>RESTRICTED DOCUMENT</b> ** SUMMONS Returned Executed by PHARMA/wHEALTH Management as to G. Thomas Heath served on 3/12/2007, answer due 4/2/2007. (Gross, Jefferson) (Entered: 04/05/2007)
04/13/2007	<a href="#">90</a>	Plaintiff's MOTION Leave to File Lengthy Memorandum in Opposition to Defendants' Motion to Dismiss filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) Motions referred to Paul M. Warner.(Shelby, Robert) (Entered: 04/13/2007)
04/13/2007	<a href="#">91</a>	CERTIFICATE OF SERVICE by PHARMA/wHEALTH Management re <a href="#">90</a> Plaintiff's MOTION Leave to File Lengthy Memorandum in Opposition to Defendants' Motion to Dismiss (Shelby, Robert) (Entered: 04/13/2007)
04/17/2007	<a href="#">92</a>	ORDER granting <a href="#">90</a> Motion for Leave to File Overlength Memorandum. Signed by Judge Paul G. Cassell on 4/17/07. (kla) (Entered: 04/17/2007)
05/18/2007	<a href="#">93</a>	MEMORANDUM in Opposition re <a href="#">83</a> MOTION to Dismiss <i>Consolidated Amended Complaint</i> filed by Plaintiffs PHARMA/wHEALTH Management, Brian Roffe, Consol Plaintiffs Richard Baird, Audie Leventhal, Rudolf Skubella, Steven McCormick. (Burbidge., Richard) (Entered: 05/18/2007)
05/18/2007	<a href="#">94</a>	CERTIFICATE OF SERVICE by PHARMA/wHEALTH Management, Richard Baird, Audie Leventhal, Rudolf Skubella, Steven McCormick, Brian Roffe re <a href="#">93</a> Memorandum in Opposition to Motion, (Burbidge., Richard) (Entered: 05/18/2007)
05/18/2007	<a href="#">95</a>	APPENDIX to <a href="#">93</a> Memorandum in Opposition to Motion, filed by Plaintiff PHARMA/wHEALTH Management, Consol Plaintiffs Richard Baird, Audie Leventhal, Steven McCormick. (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit)(Burbidge., Richard) (Entered: 05/18/2007)
06/29/2007	<a href="#">96</a>	Defendant's MOTION for Leave to File Excess Pages filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Juergen Lasowski, Gerard J. Michel. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Paul M. Warner.(Petrogeorge, Michael) (Entered: 06/29/2007)
06/29/2007	<a href="#">97</a>	ORDER granting <a href="#">96</a> Motion for Leave to File Excess Pages. Signed by Judge Paul G. Cassell on 6/29/07. (kla) (Entered: 06/29/2007)
07/02/2007	<a href="#">98</a>	REPLY to Response to Motion re <a href="#">83</a> MOTION to Dismiss <i>Consolidated Amended Complaint Defendants' Reply Memorandum In Support Of Motion To Dismiss Consolidated Amended Complaint</i> filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Snow, Peter) (Entered: 07/02/2007)

07/02/2007	<a href="#">99</a>	APPENDIX to <a href="#">98</a> Reply Memorandum/Reply to Response to Motion, filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel <i>Appendix Of Unpublished Decisions Cited In Defendants' Reply Memorandum.</i> (Attachments: # <a href="#">1</a> Tab 1 (Unpublished Decision)# <a href="#">2</a> Tab 2 (Unpublished Decision)# <a href="#">3</a> Tab 3 (Unpublished Decision)# <a href="#">4</a> Tab 4 (Unpublished Decision)# <a href="#">5</a> Tab 5 (Unpublished Decision)# <a href="#">6</a> Tab 6 (Unpublished Decision))(Snow, Peter) (Entered: 07/02/2007)
07/03/2007	<a href="#">100</a>	ORDER denying <a href="#">83</a> Motion to Dismiss. Signed by Judge Paul G. Cassell on 7/3/07. (kla) (Entered: 07/03/2007)
07/18/2007	<a href="#">101</a>	<i>DEFENDANTS' ANSWER</i> to Amended Complaint filed by Hunter Jackson, Alan Rauch, Thomas Marriott, Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel.(Snow, Peter) (Entered: 07/18/2007)
07/23/2007	<a href="#">102</a>	REPORT OF ATTORNEY PLANNING MEETING. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Gross, Jefferson) (Entered: 07/23/2007)
07/23/2007	<a href="#">103</a>	CERTIFICATE OF SERVICE by PHARMA/wHEALTH Management, Richard Baird, Audie Leventhal, Rudolf Skubella, Steven McCormick, Brian Roffe re <a href="#">102</a> Attorney Planning Meeting (Gross, Jefferson) (Entered: 07/23/2007)
08/01/2007	<a href="#">104</a>	SCHEDULING ORDER: Initial Pretrial Hearing set for 8/22/07 is vacated. Amended Pleadings due by 4/30/2008. Joinder of Parties due by 4/30/2008. Fact discovery due by 5/30/08. Expert discovery due by 9/14/2008. Motions due by 11/14/2008. Final Pretrial Conference set for 4/6/2009 at 03:00 PM in Room 103 before Judge Paul G. Cassell. 20 day Jury Trial set for 4/20/2009 at 08:00 AM in Room 103 before Judge Paul G. Cassell. Signed by Judge David Nuffer on 8/1/07. (kla) (Entered: 08/01/2007)
08/27/2007	<a href="#">105</a>	NOTICE of REMOVING COUNSEL FROM SERVICE LIST filed by Gary D. E. Pierce.Attorney Gary D. E. Pierce will no longer receive notice from the court in this case including final judgment. (Pierce, Gary) (Entered: 08/27/2007)
10/11/2007	<a href="#">106</a>	MOTION for Admission Pro Hac Vice of Vincent I. Parrett, Registration fee \$ 15, receipt number 4681020531, Fee Status: paid. filed by Plaintiff PHARMA/wHEALTH Management. (blk) (Entered: 10/11/2007)
10/11/2007	<a href="#">107</a>	MOTION for Admission Pro Hac Vice of William H. Narwold, Registration fee \$ 15, receipt number 4681020531, Fee Status: paid. filed by Plaintiff PHARMA/wHEALTH Management. (blk) (Entered: 10/11/2007)
10/15/2007	<a href="#">108</a>	MOTION for Leave to File Excess Pages <i>in Support of Class Certification Motion</i> filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Paul M. Warner.(Gross, Jefferson) (Entered: 10/15/2007)
10/15/2007	<a href="#">109</a>	ORDER granting <a href="#">106</a> Motion for Admission Pro Hac Vice of William H. Narwold for PHARMA/wHEALTH Management; granting <a href="#">107</a> Motion for Admission Pro Hac Vice of Vincent I Parrett for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local</i>

		<i>rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a> . Signed by Judge Paul G. Cassell on 10/15/07. (blk) (Entered: 10/16/2007)</i>
10/17/2007	<a href="#">110</a>	MOTION for Protective Order filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Attachments: # <a href="#">1</a> Stipulated Protective Order) Motions referred to Paul M. Warner.(Snow, Peter) (Entered: 10/17/2007)
10/17/2007	<a href="#">111</a>	ORDER granting <a href="#">108</a> Motion for Leave to File Excess Pages. Signed by Judge Paul M. Warner on 10/17/07. (blk) (Entered: 10/17/2007)
10/18/2007	<a href="#">112</a>	STIPULATED PROTECTIVE ORDER, granting <a href="#">110</a> Motion for Protective Order. Signed by Judge Paul M. Warner on 10/18/07. (blk) (Entered: 10/18/2007)
10/24/2007	<a href="#">113</a>	MOTION for Admission Pro Hac Vice of Nancy A. Kulesa, Registration fee \$ 15, receipt number 4681020727, Fee Status: paid, filed by Plaintiff PHARMA/wHEALTH Management. (blk) (Entered: 10/25/2007)
10/24/2007	<a href="#">114</a>	MOTION for Admission Pro Hac Vice of Jeffrey S. Nobel, Registration fee \$ 15, receipt number 4681020727, Fee Status: paid. filed by Plaintiff PHARMA/wHEALTH Management. (blk) (Entered: 10/25/2007)
10/24/2007	<a href="#">115</a>	MOTION for Admission Pro Hac Vice of Andrew M. Schatz, Registration fee \$ 15, receipt number 4681020727, Fee Status: paid. filed by Plaintiff PHARMA/wHEALTH Management. (blk) (Entered: 10/25/2007)
10/25/2007	<a href="#">116</a>	ORDER granting <a href="#">113</a> <a href="#">114</a> <a href="#">115</a> Motion for Admission Pro Hac Vice of Nancy A. Kulesa for PHARMA/wHEALTH Management, Jeffrey S. Nobel for PHARMA/wHEALTH Management, Andrew M. Schatz for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a> . Signed by Judge Paul G. Cassell on 10/25/07. (blk) (Entered: 10/25/2007)</i>
11/01/2007	<a href="#">117</a>	MOTION to Certify Class filed by Plaintiff PHARMA/wHEALTH Management. (Narwold, William) (Entered: 11/01/2007)
11/01/2007	<a href="#">118</a>	MEMORANDUM in Support re <a href="#">117</a> MOTION to Certify Class filed by Plaintiff PHARMA/wHEALTH Management. (Narwold, William) (Entered: 11/01/2007)
11/09/2007	<a href="#">119</a>	MOTION to Dismiss filed by Consol Plaintiff Audie Leventhal, Plaintiff Brian Roffe. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Call, Scott) (Entered: 11/09/2007)
11/09/2007	120	NOTICE OF CASE REASSIGNMENT: Case Reassigned to Judge Dale A. Kimball. Judge Paul G. Cassell no longer assigned to the case. <b>Case number will now appear as 2:06-cv-00570-DAK. Please make changes to document captions accordingly.</b> <i>Docket text only - no attachment.</i> (blk) (Entered: 11/09/2007)
11/09/2007	121	NOTICE AFFIRMING PRIOR ORDER OF REFERENCE re <a href="#">40</a> Order Referring Case to Magistrate Judge. Orders of the prior judge are affirmed including the order of reference to Magistrate Judge Warner under 28:636 (b)(1)(A). (blk) (Entered: 11/09/2007)

		11/09/2007)
11/14/2007	<a href="#">122</a>	ORDER granting <a href="#">119</a> Motion to Dismiss. Cases 2:06cv570 and 2:06cv647 are dismissed without prejudice. Cases Closed. (CLERK'S NOTE: Counsel should continue to docket pleadings in the lead case even though it has been dismissed.) Signed by Judge Dale A. Kimball on 11/14/07. (jwt) (Entered: 11/15/2007)
12/28/2007	<a href="#">123</a>	NOTICE of Withdrawal of Appearance of Stuart J. Guber and Lauren S. Antonino by PHARMA/wHEALTH Management (Narwold, William) (Entered: 12/28/2007)
01/15/2008	<a href="#">124</a>	MOTION for Leave to File Excess Pages filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Paul M. Warner.(Snow, Peter) (Entered: 01/15/2008)
01/15/2008	<a href="#">126</a>	MOTION for Admission Pro Hac Vice of Deborah Muscha Sturman, filed by Plaintiff PHARMA/wHEALTH Management. Registration fee \$ 15, receipt number 4681022232, Fee Status: Paid. (Attachments: # <a href="#">1</a> Application for Admission Pro Hac Vice# <a href="#">2</a> Electronic Case Filing Registration Form)(jwt) (Entered: 01/17/2008)
01/16/2008	<a href="#">125</a>	ORDER granting <a href="#">124</a> Motion for Leave to File Excess Pages. Defendants have leave to file an argument section of up to twenty (20) pages in its opposing memorandum. Signed by Judge Dale A. Kimball on 1/16/2008. (rlr) (Entered: 01/16/2008)
01/17/2008	<a href="#">127</a>	ORDER granting <a href="#">126</a> Motion for Admission Pro Hac Vice of Deborah Muscha Sturman for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>.</i> Signed by Judge Dale A. Kimball on 1/16/08. (jwt) (Entered: 01/17/2008)
01/30/2008	<a href="#">128</a>	MEMORANDUM in Opposition re <a href="#">117</a> MOTION to Certify Class filed by Consol Defendants Hunter Jackson, Alan Rauch, Thomas Marriott, Defendants Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J. Michel. (Attachments: # <a href="#">1</a> Appendix)(Kyrouz, Michele) (Entered: 01/30/2008)
02/04/2008	129	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">117</a> MOTION to Certify Class : (Notice generated by Kim Jones) Motion Hearing set for 3/26/2008 03:00 PM in Room 220 before Judge Dale A. Kimball. (kmj) (Entered: 02/04/2008)
02/15/2008		Reset Deadlines as to <a href="#">117</a> MOTION to Certify Class. Motion Hearing reset for 4/1/2008 03:00 PM in Room 220 before Judge Dale A. Kimball at the request of Jeff Gross, Esq. (kmj) (Entered: 02/15/2008)
02/29/2008	<a href="#">130</a>	REPLY to Response to Motion re <a href="#">117</a> MOTION to Certify Class filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit Feinstein Report, # <a href="#">2</a> Exhibit Case, # <a href="#">3</a> Exhibit Case)(Gross, Jefferson) (Entered: 02/29/2008)
03/19/2008	<a href="#">131</a>	STIPULATION AND [PROPOSED] ORDER GRANTING STAY PENDING MEDIATION by Hunter Jackson, Alan Rauch, Thomas Marriott, Edward F. Nemeth, James U. Jensen, Robert K. Merrell, David L. Clark, G. Thomas Heath, Alan L. Mueller, NPS Pharmaceutical, N. Anthony Coles, Morgan R. Brown, Gerard J.

		Michel. (Snow, Peter) (Entered: 03/19/2008)
03/21/2008	<a href="#">132</a>	ORDER STAYING CASE Pending Mediation. Signed by Judge Dale A. Kimball on 3/20/08. (jwt) (Entered: 03/21/2008)
08/13/2008	133	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by Kim Jones) Status Conference set for 8/21/2008 10:30 AM in Room 220 before Judge Dale A. Kimball. (kmj) (Entered: 08/13/2008)
08/15/2008		Deadlines/Hearings terminated: Status conference set for 8/21/08 at 10:30 AM has been stricken from the calendar, to be rescheduled in 30 days, as per the request from Raymond Etcheverry, Esq. (kmj) (Entered: 08/15/2008)
02/09/2009	<a href="#">134</a>	Consent MOTION for Leave to File Excess Pages <i>With Regard to Motion for Preliminary Approval</i> filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Paul M. Warner.(Narwold, William) (Entered: 02/09/2009)
02/10/2009	<a href="#">135</a>	ORDER granting <a href="#">134</a> Motion for Leave to File Excess Pages. Signed by Judge Dale A. Kimball on 2/10/09. (jwt) (Entered: 02/10/2009)
02/26/2009	<a href="#">136</a>	Plaintiff's MOTION to Certify Class <i>Preliminarily</i> , MOTION for Hearing re Final Settlement Approval Hearing, MOTION for Settlement <i>Preliminary Approval</i> filed by Plaintiff PHARMA/wHEALTH Management. Motions referred to Paul M. Warner.(Narwold, William) (Entered: 02/26/2009)
02/26/2009	<a href="#">137</a>	Plaintiff's MEMORANDUM in Support re <a href="#">136</a> Plaintiff's MOTION to Certify Class <i>Preliminarily</i> MOTION for Hearing re Final Settlement Approval Hearing MOTION for Settlement <i>Preliminary Approval</i> filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit Exhibit I pt 1, # <a href="#">2</a> Exhibit Exhibit I pt. 2, # <a href="#">3</a> Exhibit Exhibit II, # <a href="#">4</a> Exhibit Exhibit III)(Narwold, William) (Entered: 02/26/2009)
03/12/2009	<a href="#">139</a>	ORDER granting <a href="#">136</a> Motion to Certify Class; granting <a href="#">136</a> Motion for Hearing; granting <a href="#">136</a> Motion for Settlement. Signed by Judge Dale A. Kimball on 3/12/09. (Attachments: # <a href="#">1</a> Exhibit A - Stipulation of Settlement, # <a href="#">2</a> Exhibit B - Notice of Pendency and Proposed Settlement of Class Action, # <a href="#">3</a> Exhibit C - Proof of Claim, # <a href="#">4</a> Exhibit D - Summary of Pendency of Settlement Class Action, Proposed Settlement and Settlement Hearing) (jwt) (Entered: 03/12/2009)
03/12/2009	140	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by jwt) Settlement Conference set for 6/18/2009 03:00 PM in Room 220 before Judge Dale A. Kimball per <a href="#">139</a> order. (jwt) (Entered: 03/12/2009)
03/18/2009		Deadlines/Hearings terminated: the Motion to Certify Class hearing set for 4/1/09, the Final Pretrial Conference set for 4/6/09 and the Jury Trial set for 4/20/09 are all stricken from the calendar. (kmj) (Entered: 03/18/2009)
05/21/2009	<a href="#">141</a>	MOTION for Admission Pro Hac Vice of Lance Victor Oliver, Registration fee \$ 15, receipt number 4681030626, Fee Status: Paid. Filed by Plaintiff PHARMA/wHEALTH Management. (las) (Entered: 05/22/2009)
05/22/2009	<a href="#">142</a>	ORDER granting <a href="#">141</a> Motion for Admission Pro Hac Vice of Lance Victor Oliver for PHARMA/wHEALTH Management. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local</i>

		<i>rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a></i> . Signed by Judge Dale A. Kimball on 5/22/09. (las) (Entered: 05/22/2009)
05/26/2009	<a href="#">143</a>	Correspondence from ZoeAnne Arrington, PhD (not a party to this case) re: Objection to Proposed Lead Counsels' application for award of attorney fees, costs and expenses and reimbursement in the amount of nearly \$4,000,000. (ce) (Entered: 05/27/2009)
05/28/2009	<a href="#">144</a>	Correspondence from Richard G. Clemens re: Objection to the Proposed Settlement as described in the Notice of Pendency and Proposed Settlement of Class Action dated 3/20/09. (ce) (Entered: 06/01/2009)
06/08/2009	<a href="#">145</a>	Final MOTION to Certify Class filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit Part 1, # <a href="#">6</a> Exhibit Part 2, # <a href="#">7</a> Exhibit Part 3, # <a href="#">8</a> Exhibit Part 4, # <a href="#">9</a> Exhibit, # <a href="#">10</a> Exhibit, # <a href="#">11</a> Exhibit, # <a href="#">12</a> Exhibit, # <a href="#">13</a> Exhibit, # <a href="#">14</a> Exhibit, # <a href="#">15</a> Exhibit, # <a href="#">16</a> Exhibit, # <a href="#">17</a> Exhibit, # <a href="#">18</a> Exhibit, # <a href="#">19</a> Exhibit, # <a href="#">20</a> Exhibit)(Oliver, Lance) (Entered: 06/08/2009)
06/08/2009	<a href="#">146</a>	Final MOTION for Settlement <i>Approval</i> filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Memorandum of Law)(Oliver, Lance) (Entered: 06/08/2009)
06/08/2009	<a href="#">147</a>	MOTION for Attorney Fees filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Memorandum of Law) Motions referred to Paul M. Warner.(Oliver, Lance) (Entered: 06/08/2009)
06/10/2009	<a href="#">148</a>	Plaintiff's RESPONSE re <a href="#">144</a> Correspondence, of <i>Richard G. Clemens</i> filed by Plaintiff PHARMA/wHEALTH Management. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Oliver, Lance) (Entered: 06/10/2009)
06/12/2009	<a href="#">149</a>	NOTICE of Appearance by Robert P. Mooney on behalf of PHARMA/wHEALTH Management (Mooney, Robert) (Entered: 06/12/2009)
06/15/2009	<a href="#">150</a>	Correspondence from from Richard G. Clemens re:seeking to intervene (jwt) (Entered: 06/15/2009)
06/18/2009	151	Minute Order. Proceedings held before Judge Dale A. Kimball: Motion Hearing held on 6/18/2009 re <a href="#">145</a> Final MOTION to Certify Class filed by PHARMA/wHEALTH Management, <a href="#">147</a> MOTION for Attorney Fees filed by PHARMA/wHEALTH Management, <a href="#">146</a> Final MOTION for Settlement <i>Approval</i> filed by PHARMA/wHEALTH Management. After hearing the arguments presented by Mr. Narwold, the Court granted <a href="#">145</a> Motion to Certify Class; granted <a href="#">146</a> Motion for Settlement; and granted <a href="#">147</a> Motion for Attorney Fees, with findings on the record. Mr. Narwold provided the Court with exhibits A & B to be attached to the order. Written Order to follow oral order: Yes. Attorney for Plaintiff: William Narwold, Robert Mooney, Lance Oliver. Attorney for Defendants: Michele Kyrouz. Court Reporter: Kelly Hicken. (kmj) (Entered: 06/18/2009)
06/19/2009	<a href="#">152</a>	ORDER re 151 Motion Hearing, Order on Motion to Certify Class; Order on Motion for Settlement; Order on Motion for Attorney Fees. Follows oral order of 6/18/09. For details see order. Signed by Judge Dale A. Kimball on 6/18/09. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(las) (Entered: 06/19/2009)
06/22/2009	<a href="#">153</a>	Correspondence from Richard G. Clemens re: seeking to intervene. (las) (Entered: 06/22/2009)

	06/23/2009)
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