

U.S. District Court
District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:06-cv-02235-JMR-FLN

Ziolkowski v. United Health Group, Inc. et al
Assigned to: Chief Judge James M Rosenbaum
Referred to: Magistrate Judge Franklin L Noel
Lead case: [0:06-cv-01691-JMR-FLN](#)

Member cases:

[0:06-cv-01784-JMR-FLN](#)

[0:06-cv-02051-JMR-FLN](#)

[0:06-cv-02228-JMR-FLN](#)

[0:06-cv-02235-JMR-FLN](#)

[0:06-cv-02797-JMR-FLN](#)

[0:06-cv-02939-JMR-FLN](#)

Cause: 28:1331 Fed. Question: Securities Violation

Date Filed: 06/02/2006
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

James Ziolkowski

*on behalf of himself and all others
similarly situated*

represented by **Arthur N Abbey**
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V.

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Defendant

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Defendant

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Defendant

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Defendant

**Unitedhealth Institutional Investor
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ATTORNEY TO BE NOTICED

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Movant

James C Krause

represented by **Carolyn Glass Anderson**
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ATTORNEY TO BE NOTICED

Robert C Moilanen
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Movant

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Movant

CIS Unit Managers

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Movant

Jae R Lee

represented by **Donald R McNeil, Jr**
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Movant

Capital Management LLC
TERMINATED: 07/14/2006

represented by **Joseph-NA M Barton**
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Movant

Neil Zussman

Date Filed	#	Docket Text
06/02/2006	1	COMPLAINT with Jury Demand against United Health Group, Inc., William W McGuire, Patrick J Erlandson, Stephen J Hemsley (Filing fee \$ 350 receipt number 4004172) assigned to Senior Judge David S. Doty per Securities List referred to Magistrate Judge Jeanne J. Graham, filed by James Ziolkowksi. (Attachments: # 1 Civil Cover Sheet)(SEA) (Entered: 06/05/2006)
06/02/2006		Summons Issued as to United Health Group, Inc., William W McGuire, Patrick J Erlandson, Stephen J Hemsley. (SEA) (Entered: 06/05/2006)
06/14/2006	2	ORDER FOR REASSIGNMENT OF RELATED CASES. Case reassigned to Chief Judge James M Rosenbaum and Magistrate Judge Franklin L Noel for all further proceedings. Judge David S Doty and Magistrate Judge Jeanne J Graham no longer assigned to case. The new case number is 0:06-cv-02235-JMR-FLN. Signed by Chief Judge James M Rosenbaum and Judge David S Doty on 06/13/06 and Judge Joan N Ericksen on 06/14/06. (JGG) (Entered: 06/14/2006)
06/22/2006	3	NOTICE OF HEARING ON MOTION re: 5 Motion to Consolidate cases, Motion Hearing set for 8/7/2006 11:00 AM in Minneapolis - Courtroom 8E before Magistrate Judge Franklin L Noel. (Attachments: # 1 Certificate of Service)(Anderson, Carolyn) Modified link on 6/26/2006 (gjs) (Entered: 06/22/2006)
06/23/2006	4	WAIVER OF SERVICE Returned Executed filed by James Ziolkowksi. United Health Group, Inc. waiver sent on 6/6/2006, answer due 8/5/2006. (Anderson, Carolyn) (Entered: 06/23/2006)
06/23/2006	5	MOTION to Consolidate Cases by James C Krause. (Attachments: # 1 Certificate of Service)(Anderson, Carolyn) (Entered: 06/23/2006)

06/29/2006	6	LETTER TO CLERK'S OFFICE from Lauren S. Antonio, Esq.. (Anderson, Carolyn) (Entered: 06/29/2006)
06/29/2006	7	LETTER TO CLERK'S OFFICE from Stuart J. Guber, Esq.. (Anderson, Carolyn) (Entered: 06/29/2006)
06/29/2006	8	WAIVER OF SERVICE Returned Executed filed by James Ziolkowksi. William W McGuire waiver sent on 6/6/2006, answer due 8/5/2006; Patrick J Erlandson waiver sent on 6/6/2006, answer due 8/5/2006; Stephen J Hemsley waiver sent on 6/6/2006, answer due 8/5/2006. (Anderson, Carolyn) (Entered: 06/29/2006)
07/05/2006	9	STIPULATION re 1 Complaint, <i>Extending Deadline to Answer, Move, or Otherwise Respond</i> by James Ziolkowksi patrick Erlandson, Stephen Hemsley, William McGuire and United Health Group. (Moilanen, Robert) Modified on 7/6/2006 (gjs). (Entered: 07/05/2006)
07/05/2006	10	CERTIFICATE OF SERVICE by James Ziolkowksi re 9 Stipulation (Moilanen, Robert) (Entered: 07/05/2006)
07/06/2006	11	ORDER - GRANTING re 9 Stipulation to Extend Time to Answer. Signed by Magistrate Judge Franklin L Noel on 7/6/06. (GJS) (Entered: 07/06/2006)
07/07/2006	12	MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel</i> by James C Krause. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	13	MEMORANDUM in Support re 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel</i> filed by James C Krause. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	14	AFFIDAVIT of Donald J. Enright in SUPPORT OF 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel</i> filed by James C Krause. (Attachments: # 1 Exhibit(s) A-E# 2 Exhibit(s) F-H)(Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	15	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by James C Krause re 13 Memorandum in Support of Motion filed by James C Krause. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	16	CERTIFICATE OF SERVICE by James C Krause re 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel</i> , 13 Memorandum in Support of Motion, 15 LR7.1 Word Count Compliance Certificate, 14 Affidavit in Support of Motion, (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	17	MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> by United Health Institutional Investor Group. (Moilanen, Robert) Modified on 7/12/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	18	MEMORANDUM in Support re 17 MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> filed by United Health Institutional Investor Group .

		(Moilanen, Robert) Modified on 7/12/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	19	AFFIDAVIT of Robert C. Moilanen in SUPPORT OF 17 MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel</i> filed by United Health Institutional Investor Group, . (Attachments: # 1 Exhibit(s) A-C# 2 Exhibit(s) D# 3 Exhibit(s) D-1# 4 Exhibit(s) E)(Moilanen, Robert) Modified on 7/12/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	20	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by United Health Group, Inc. re 18 Memorandum in Support of Motion filed by United Health Institutional Investor Group. (Moilanen, Robert) Modified on 7/12/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	21	CERTIFICATE OF SERVICE by United Health Group, Inc. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	22	MOTION Appointment as Lead Plaintiffs by MH Kim and JR Lee. (McNeil, Donald) (Entered: 07/07/2006)
07/07/2006	23	MEMORANDUM in Support re 22 MOTION Appointment as Lead Plaintiffs filed by MH Kim and JR Lee. (Attachments: # 1 LR7.1 Word Count Compliance Certificate # 2 Certificate of Service Certificate of Service)(McNeil, Donald) Modified text on 7/10/2006 (GJS). (Entered: 07/07/2006)
07/07/2006	24	AFFIDAVIT of R.A. Speirs in SUPPORT OF 22 MOTION Appointment as Lead Plaintiffs filed by MH Kim and JR Lee. (Attachments: # 1 Exhibit Index# 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit E# 7 Exhibit F)(McNeil, Donald) Modified text on 7/10/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	25	MOTION to Consolidate Cases <i>Related Actions, for Appointment of Lead Plaintiff, and for Approval of Lead Plaintiff's Choice of Counsel for the Class</i> by CIS Unit Managers. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	26	MEMORANDUM in Support re 25 MOTION to Consolidate Cases <i>Related Actions, for Appointment of Lead Plaintiff, and for Approval of Lead Plaintiff's Choice of Counsel for the Class</i> filed by CIS Unit Managers. (Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	27	AFFIDAVIT of Robert C. Moilanen in SUPPORT OF 25 MOTION to Consolidate Cases <i>Related Actions, for Appointment of Lead Plaintiff, and for Approval of Lead Plaintiff's Choice of Counsel for the Class</i> filed by CIS Unit Managers. (Attachments: # 1 Exhibit(s) # 2 Exhibit(s) # 3 Exhibit(s))(Moilanen, Robert) (Entered: 07/07/2006)
07/07/2006	28	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE re: 26 MEMORANDUM IN SUPPORT OF MOTION to Consolidate Cases <i>Related Actions, for Appointment of Lead Plaintiff, and for Approval of Lead Plaintiff's Choice of Counsel for the Class</i> filed by CIS Unit Managers, . (Moilanen, Robert) Modified text and link on 7/10/2006 (GJS). (Entered: 07/07/2006)
07/07/2006	29	CERTIFICATE OF SERVICE by CIS Unit Managers re 25 MOTION to Consolidate Cases <i>Related Actions, for Appointment of Lead Plaintiff, and for Approval of Lead Plaintiff's Choice of Counsel for the Class</i> , 27 Affidavit in

		Support of Motion,, 28 LR7.1 Word Count Complaint Certificate 26 Memorandum in Support of Motion (Moilanen, Robert) Modified TEXT on 7/10/2006 (gjs). (Entered: 07/07/2006)
07/07/2006	30	MOTION for Order to Appoint Lead Plaintiff and and Approval of its Selection of Lead Counsel by Capital Management LLC. (GJS) (Entered: 07/12/2006)
07/07/2006	31	MEMORANDUM in Support re 30 MOTION for Order to Appoint Counsel filed by Capital Management LLC. (GJS) (Entered: 07/12/2006)
07/07/2006	32	Declaration of Joseph M. Barton in Support of 30 MOTION for Order to Appoint Lead Plaintiff filed by Capital Management LLC. (Attachments: # 1 Exhibit A & B# 2 Exhibit C)(GJS) (Entered: 07/12/2006)
07/07/2006	33	CERTIFICATE OF SERVICE by Capital Management LLC re 30 MOTION for Order to Appoint Lead Plaintiff, 32 Declaration in Support, 31 Memorandum in Support of Motion. (GJS) (Entered: 07/12/2006)
07/14/2006	34	NOTICE OF WITHDRAWAL OF MOTION by Capital Management LLC re 30 MOTION for Order to Appoint Counsel. (GJS) (Entered: 07/14/2006)
07/24/2006	35	MOTION to Consolidate Cases <i>Consolidate Related Actions, Create Leadership Committee, and Appoint Heins Mills & Olson as Committee Chair</i> by Ruth Polishook. (Williams, Brian) (Entered: 07/24/2006)
07/24/2006	36	NOTICE by Ruth Polishook re 35 MOTION to Consolidate Cases <i>Consolidate Related Actions, Create Leadership Committee, and Appoint Heins Mills & Olson as Committee Chair</i> (Williams, Brian) (Entered: 07/24/2006)
07/24/2006	37	MEMORANDUM in Support re 35 MOTION to Consolidate Cases <i>Consolidate Related Actions, Create Leadership Committee, and Appoint Heins Mills & Olson as Committee Chair</i> filed by Ruth Polishook. (Attachments: # 1 Certificate of Service # 2 LR7.1 Word Count Compliance Certificate)(Williams, Brian) (Entered: 07/24/2006)
07/24/2006	38	AFFIDAVIT of Brian L. Williams in SUPPORT OF 35 MOTION to Consolidate Cases <i>Consolidate Related Actions, Create Leadership Committee, and Appoint Heins Mills & Olson as Committee Chair</i> filed by Ruth Polishook. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit. D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G)(Williams, Brian) Modified text on 7/25/2006 (gjs). (Entered: 07/24/2006)
07/25/2006	39	CERTIFICATE OF SERVICE by Ruth Polishook re 37 Memorandum in Support of Motion, <i>Amended Certificate of Service</i> (Williams, Brian) (Entered: 07/25/2006)
07/31/2006	40	MEMORANDUM by Neil Zussman re 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel in Further Support of Motion and in Opposition to the Competing Motions</i> filed by Neil Zussman. (Attachments: # 1 LR7.1 Word Count Compliance Certificate)(Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	41	AFFIDAVIT of Michael G. McLellan in SUPPORT OF 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel</i> filed by Neil Zussman.

		(Attachments: # 1 Exhibit(s) Exhibits A-B# 2 Exhibit(s) Exhibits C-D# 3 Exhibit(s) Exhibits E-F# 4 Exhibit(s) Exhibits G-I)(Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	42	CERTIFICATE OF SERVICE by Neil Zussman re 40 Memorandum,, 41 Affidavit in Support of Motion, (Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	43	MEMORANDUM by Ruth Polishook <i>Respecting Plaintiff California Public Employees' Retirement System's Motion for Consolidation of the Related Actions, Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Choice of Lead Counsel</i> filed by Ruth Polishook. (Attachments: # 1 Certificate of Service # 2 LR7.1 Word Count Compliance Certificate)(Williams, Brian) (Entered: 07/31/2006)
07/31/2006	44	RESPONSE in Support re 17 MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel and in Opposition to Competing Motions</i> filed by Unitedhealth Institutional Investor Group. (Attachments: # 1 LR7.1 Word Count Compliance Certificate)(Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	45	AFFIDAVIT of Robert C. Moilanen in SUPPORT OF 17 MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel and in Opposition to Competing Motions</i> filed by Unitedhealth Institutional Investor Group. (Attachments: # 1 Exhibit(s) A# 2 Exhibit(s) B# 3 Exhibit(s) C# 4 Exhibit(s) D# 5 Exhibit(s) E# 6 Exhibit(s) F# 7 Exhibit(s) G# 8 Exhibit(s) H# 9 Exhibit(s) I# 10 Exhibit(s) J# 11 Exhibit(s) K# 12 Supplement L# 13 Exhibit(s) M# 14 Exhibit(s) N# 15 Exhibit(s) O# 16 Exhibit(s) P# 17 Exhibit(s) Q# 18 Exhibit(s) R)(Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	46	CERTIFICATE OF SERVICE by Unitedhealth Institutional Investor Group re 45 Affidavit in Support of Motion,, 44 Response in Support of Motion, (Anderson, Carolyn) (Entered: 07/31/2006)
07/31/2006	47	MEMORANDUM in Opposition re 12 MOTION to Consolidate Cases <i>Class Actions, to Appoint Neil Zussman as Lead Plaintiff and to Approve Lead Plaintiff's Choice of Lead Counsel, 17</i> MOTION to Consolidate Cases <i>to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel, 22</i> MOTION Appointment as Lead Plaintiffs, 35 MOTION to Consolidate Cases <i>Consolidate Related Actions, Create Leadership Committee, and Appoint Heins Mills & Olson as Committee Chair</i> filed by CIS Unit Managers. (Federman, William) (Entered: 07/31/2006)
07/31/2006	48	Declaration of William B. Federman in Support of 47 Memorandum in Opposition to Motion,, filed by CIS Unit Managers. (Attachments: # 1 Exhibit(s) Analysis for CIS (long)# 2 Exhibit(s) Analysis for CIS (short)# 3 Exhibit(s) Analysis for Allegheny# 4 Exhibit(s) Analysis for Ernst# 5 Exhibit(s) Analysis for PKA# 6 Exhibit(s) Analysis for AP7# 7 Exhibit(s) Cases)(Federman, William) (Entered: 07/31/2006)
07/31/2006	49	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by CIS Unit Managers re 47 Memorandum in Opposition to Motion,, filed by CIS Unit Managers. (Federman, William) (Entered: 07/31/2006)
07/31/2006	50	CERTIFICATE OF SERVICE by CIS Unit Managers re 48 Declaration in

		Support,, 47 Memorandum in Opposition to Motion,,, 49 LR7.1 Word Count Compliance Certificate (Federman, William) (Entered: 07/31/2006)
08/07/2006	51	Minute Entry for proceedings held before Magistrate Judge Franklin L Noel : Motion Hearing held on 8/7/2006 re 12 5 17 22 25 35 Motions to Consolidate Cases and to Appoint Lead Plaintiff. Motions taken under advisement. Order to be issued. (Court Reporter Kristine Mousseau) (GJS) Modified on 8/7/2006 (gjs. (Entered: 08/07/2006)
08/14/2006	52	ORDER - GRANTING 12 Motion to Consolidate Cases. The above captioned cases are hereby consolidated. This matter shall be identified as "In Re: UnitedHealth Group Incorporated PSLRA Litigation - Civil Action No. 1691 JMR/FLN", and the files of the action shall be maintained in one file. Each paper filed in the case shall bear that caption. Appointment of lead plaintiff or a committee of plaintiffs, and appointment of lead counsel or a committee of counsel will be ruled on after additional materials requested have been reviewed. Signed by Magistrate Judge Franklin L Noel on 8/11/06. (GJS) (Entered: 08/14/2006)
09/18/2006	53	TRANSCRIPT of Motion to Consolidate Cases Hearing held on 8/7/06 before Magistrate Judge Franklin L. Noel. Court Reporter: Kristine Mousseau. (34pgs) FILED CONVENTIONALLY. (Original Transcript is filed in main case no. 06-1691). (GJS) (Entered: 09/19/2006)

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