

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:07-cv-01111-IEG-RBB**

**Construction Laborers Pension Trust of Greater St. Louis v. Neurocrine Biosciences Inc et  
al**

**Date Filed:** Jun. 19, 2007  
**Status:** Closed  
**Nature of suit:** 850 Securities/Commodities  
**Assigned to:** [Judge Irma E. Gonzalez](#)  
**Cause:** 15:78m(a) Securities Exchange Act  
**Date terminated:** Sep. 23, 2008  
**Jurisdiction:** Federal Question  
**Jury demand:** Both  
**Referred to:** Magistrate Judge Ruben B. Brooks

**Parties and Attorneys**

**Plaintiff**

**Construction Laborers Pension Trust of Greater St. Louis**  
On Behalf of Itself and All Others Similarly Situated

**Attorneys and Firms**

**Daniel S Drosman**  
*Coughlin Stoia Geller Rudman &  
Robbins LLP*  
655 West Broadway  
Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
Fax: (619) 231-7423  
DanD@csgrr.com  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
**David C Walton**  
*Coughlin Stoia Geller Rudman &  
Robbins LLP*  
655 West Broadway  
Suite 1900  
San Diego, CA 92101-3301  
(619) 231-1058  
Fax: (619) 231-7423

davew@lerachlaw.com  
ATTORNEY TO BE NOTICED  
LEAD ATTORNEY

**Michael J Dowd**

*Coughlin Stoia Geller Rudman &  
Robbins*

655 West Broadway  
Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
Fax: (619) 231-7423  
MikeD@csgrr.com

ATTORNEY TO BE NOTICED

**Ramzi Abadou**

*Coughlin Stoia Geller Rudman and  
Robbins*

655 West Broadway  
Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
ramzia@csgrr.com

ATTORNEY TO BE NOTICED

**Plaintiff**

**Ph.D. Gopal Batra**

**Attorneys and Firms**

**Evan Jason Smith**

*Brodsky & Smith, LLC*  
9595 Wilshire Boulevard, Suite 900  
Beverly Hills, CA 90212  
(310) 300-8425  
Fax: (310) 247-0160  
esmith@brodsky-smith.com  
ATTORNEY TO BE NOTICED  
LEAD ATTORNEY

**Plaintiff**

**Charles N. Seiji**

**Attorneys and Firms**

**Daniel S Drosman**

LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
(See above for address)

**Laurie Largent**

*Coughlin Stoia Geller Rudman &  
Robbins LLP*

655 West Broadway  
Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
Fax: (619) 231-7423  
llargent@csgrr.com  
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Michael J Dowd**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Ramzi Abadou**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Stuart L Berman**

*Schiffirin and Barroway*

280 King of Prussia Road

Radnor, PA 19087-3481

(610) 667-7706

sberman@sbclasslaw.com

ATTORNEY TO BE NOTICED

LEAD ATTORNEY

**Jennifer L. Keeney**

*Schiffirin Barroway Topaz &  
Kessler, LLP*

280 King of Prussia Road

Randor, PA 19087

(610) 667-7706

jkeeney@sbtclaw.com

ATTORNEY TO BE NOTICED

**Karen E. Reilly**

*Schiffirin Barroway Topaz & Kessler  
LLP*

280 King of Prussia Road

Radnor, PA 19087

(610) 667-7706

Fax: (610) 667-7056

kreilly@sbtclaw.com

ATTORNEY TO BE NOTICED

**Katherine M. Ryan**

*Schiffirin Barroway Topaz & Kessler*

280 King of Prussia Road

Radnor, PA 19087

(610) 667-7706

ATTORNEY TO BE NOTICED

**Plaintiff**

**Raymond J. Mertz**

**Attorneys and Firms**

**Daniel S Drosman**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Laurie Largent**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Michael J Dowd**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Ramzi Abadou**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Stuart L Berman**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Jennifer L. Keeney**

(See above for address)

ATTORNEY TO BE NOTICED

**Karen E. Reilly**

(See above for address)

ATTORNEY TO BE NOTICED

**Katherine M. Ryan**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Neurocrine Biosciences Inc**

**Attorneys and Firms**

**Aaron F Olsen**

*Cooley Godward Kronish*

4401 Eastgate Mall

San Diego, CA 92121-9109

(858) 550-6000

Fax: (858) 550-6420

aolsen@cooley.com

ATTORNEY TO BE NOTICED

**Koji F Fukumura**

*Cooley Godward Kronish*

4401 Eastgate Mall

San Diego, CA 92121-9109

(858) 550-6000

Fax: (858) 550-6420

kfukumura@cooley.com

ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**

*Cooley Godward Kronish*

4401 Eastgate Mall

San Diego, CA 92121-9109

(858) 550-6000

Fax: (858) 550-6420

mkkelley@cooley.com

ATTORNEY TO BE NOTICED

**Ryan E Blair**

*Cooley Godward Kronish*  
4401 Eastgate Mall  
San Diego, CA 92121  
(858) 550-6000  
Fax: (858) 550-6420  
rblair@cooley.com  
ATTORNEY TO BE NOTICED

**William E Grauer**  
*Cooley Godward Kronish*  
4401 Eastgate Mall  
San Diego, CA 92121-9109  
(858) 550-6000  
Fax: (858) 550-6420  
wgrauer@cooley.com  
ATTORNEY TO BE NOTICED

**Defendant**

**Gary A Lyons**

**Attorneys and Firms**

**Aaron F Olsen**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Koji F Fukumura**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Ryan E Blair**  
(See above for address)  
ATTORNEY TO BE NOTICED

**William E Grauer**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Paul H Hawran**

**Attorneys and Firms**

**Aaron F Olsen**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Koji F Fukumura**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Ryan E Blair**  
(See above for address)  
ATTORNEY TO BE NOTICED

**William E Grauer**  
(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Wendell D Wierenga**

**Attorneys and Firms**

**Aaron F Olsen**

(See above for address)

ATTORNEY TO BE NOTICED

**Koji F Fukumura**

(See above for address)

ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**

(See above for address)

ATTORNEY TO BE NOTICED

**Ryan E Blair**

(See above for address)

ATTORNEY TO BE NOTICED

**William E Grauer**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Henry Y Pan**

**Attorneys and Firms**

**Aaron F Olsen**

(See above for address)

ATTORNEY TO BE NOTICED

**Koji F Fukumura**

(See above for address)

ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**

(See above for address)

ATTORNEY TO BE NOTICED

**Ryan E Blair**

(See above for address)

ATTORNEY TO BE NOTICED

**William E Grauer**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Richard F Pops**

**Attorneys and Firms**

**Aaron F Olsen**

ATTORNEY TO BE NOTICED

(See above for address)

**Koji F Fukumura**

(See above for address)

ATTORNEY TO BE NOTICED

**Mary Kathryn Kelley**

(See above for address)

ATTORNEY TO BE NOTICED

**Ryan E Blair**

(See above for address)  
ATTORNEY TO BE NOTICED  
**William E Grauer**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**  
**Wylie W Vale**

**Attorneys and Firms**  
**Aaron F Olsen**  
(See above for address)  
ATTORNEY TO BE NOTICED  
**Koji F Fukumura**  
(See above for address)  
ATTORNEY TO BE NOTICED  
**Mary Kathryn Kelley**  
(See above for address)  
ATTORNEY TO BE NOTICED  
**Ryan E Blair**  
(See above for address)  
ATTORNEY TO BE NOTICED  
**William E Grauer**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**  
**James D Willard**

**Movant**  
**James D Willard**

**Attorneys and Firms**  
**Patrice Lyn Bishop**  
*Stull Stull and Brody*  
10940 Wilshire Boulevard  
Suite 2300  
Los Angeles, CA 90024-3907  
(310) 209-2468  
Fax: (310) 209-2087  
service@ssbla.com  
ATTORNEY TO BE NOTICED

**Movant**  
**Sam Sawyer**

**Attorneys and Firms**  
**Patrice Lyn Bishop**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Movant**  
**Steven Toomey**

**Attorneys and Firms**  
**Patrice Lyn Bishop**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Movant**

**Charles N. Seiji**

**Attorneys and Firms**

**Jennifer L. Keeney**

(See above for address)  
ATTORNEY TO BE NOTICED

**Karen E. Reilly**

(See above for address)  
ATTORNEY TO BE NOTICED

**Katherine M. Ryan**

(See above for address)  
ATTORNEY TO BE NOTICED

**Ramzi Abadou**

(See above for address)  
ATTORNEY TO BE NOTICED

**Movant**

**Raymond J. Mertz**

**Attorneys and Firms**

**Ian Berg**

*Schiffrin Barroway Topaz and  
Kessler*

280 King of Prussia Raod  
Radnor, PA 19087

(610) 667-7706

Fax: (610) 667-7056

ecf\_filings@sbtclaw.com

ATTORNEY TO BE NOTICED

**Jennifer L. Keeney**

(See above for address)  
ATTORNEY TO BE NOTICED

**Karen E. Reilly**

(See above for address)  
ATTORNEY TO BE NOTICED

**Katherine M. Ryan**

(See above for address)  
ATTORNEY TO BE NOTICED

**Ramzi Abadou**

(See above for address)  
ATTORNEY TO BE NOTICED

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

Req #	Filed	#	Docket Text
<a href="#">1</a>	Jun. 19, 2007	1	COMPLAINT against all defendants ( Filing fee \$ 350.00 paid; receipt number 139505.), filed by Construction Laborers Pension Trust of Greater St. Louis.t/w Jury Demand.(lao, )(mam). (Entered: 06/19/2007)
<a href="#">2</a>	Jun. 19, 2007	2	Summons Issued. (lao, ) (Entered: 06/19/2007)
<a href="#">3</a>	Jun. 19, 2007	3	NOTICE of Party With Financial Interest by Construction Laborers Pension Trust of Greater St. Louis. (jah) (Entered: 06/20/2007)
<a href="#">4</a>	Jun. 22, 2007	4	NOTICE of Appearance by William E Grauer on behalf of all defendants (Attachments: # 1 Proof of Service)(Grauer, William) (Entered: 06/22/2007)

Req #	Filed	#	Docket Text
			06/22/2007)
<a href="#">5</a>	Jun. 22, 2007	5	NOTICE of Appearance by Koji F Fukumura on behalf of all defendants (Attachments: # 1 Proof of Service)(Fukumura, Koji) (Entered: 06/22/2007)
<a href="#">6</a>	Jun. 22, 2007	6	NOTICE of Appearance by Aaron F Olsen on behalf of all defendants (Attachments: # 1 Proof of Service)(Olsen, Aaron) (Entered: 06/22/2007)
<a href="#">7</a>	Jun. 22, 2007	7	Joint MOTION Regarding Response to Complaint by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Olsen, Aaron) Modified on 6/25/2007 to correct attorneys docket text (agp). (Entered: 06/22/2007)
<a href="#">8</a>	Jun. 27, 2007	8	ORDER granting 7 Motion regarding response to complaint. A consolidated complaint shall be filed by lead plaintiff within 45 days of the Court's designation of lead plaintiff and lead counsel. Defendant will have 45 days from service to respond. Lead plaintiff shall have 45 days to file and serve responsive brief. Defendants shall have 25 days to file and serve their reply. Signed by Judge Irma E. Gonzalez on 6/25/07. (bar) (Entered: 06/27/2007)
<a href="#">9</a>	Aug. 20, 2007	9	MOTION by James D. Willard, Sam Sawyer and Steven Toomey for Appointment as Lead Plaintiffs and for Appointment of Their Choice of Lead Counsel Pursuant to Section 21D of the Securities Exchange Act of 1934 by James D Willard, Sam Sawyer, Steven Toomey. (Attachments: # 1 Memo of Points and Authorities # 2 Declaration of Patrice L. Bishop # 3 Exhibits A-D to the Declaration of Patrice L. Bishop)(Bishop, Patrice). Modified on 8/21/2007 - Edited text and attachment description to remove extra text (jah). Modified on 10/9/2007 - Motion termed. Withdrawn by filer. Notice of Withdrawal 25 filed 10/8/2007 (jah). (Entered: 08/20/2007)
<a href="#">10</a>	Aug. 20, 2007	10	CERTIFICATE OF SERVICE by James D Willard, Sam Sawyer, Steven Toomey re 9 MOTION Motion by James D. Willard, Sam Sawyer and Steven Toomey for Appointment as Lead Plaintiffs and for Appointment of Their Choice of Lead Counsel Pursuant to Section 21D of the Securities Exchange Act of 1934 (Bishop, Patrice) (Entered: 08/20/2007)
<a href="#">11</a>	Aug. 20, 2007	11	Waiver of Service of Summons Executed by Construction Laborers Pension Trust of Greater St. Louis. Wylie W Vale served on 6/20/2007, answer due 7/10/2007; Neurocrine Biosciences Inc served on 6/20/2007, answer due 7/10/2007; Gary A Lyons served on 6/20/2007, answer due 7/10/2007; Paul H Hawran served on 6/20/2007, answer due 7/10/2007; Wendell D Wierenga served on 6/20/2007, answer due 7/10/2007; Henry Y Pan served on 6/20/2007, answer due 7/10/2007; Richard F Pops served on 6/20/2007, answer due 7/10/2007. (Abadou, Ramzi). Modified on 8/21/2007 - Wrong event used, should be Waiver of Service Executed. Corrected text (jah). (Entered: 08/20/2007)
<a href="#">12</a>	Aug. 20, 2007	12	DUPLICATE FILING - MOTION to Consolidate Cases , Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel by Charles N. Seiji, Raymond J. Mertz. (Abadou, Ramzi) Modified on 8/21/2007 Document refiled correctly in 13 . Motion termed (mjj, ). (Entered: 08/20/2007)
<a href="#">13</a>	Aug. 20, 2007	13	MOTION to Consolidate Cases , Appointment as Lead Plaintiff and

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Approval of Selection of Lead Counsel by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Memo of Points and Authorities # 2 Declaration # 3 Exhibit A# 4 Exhibit B# 5 Exhibit C# 6 Exhibit D# 7 Exhibit E)(Abadou, Ramzi) (Entered: 08/20/2007)
<a href="#">14</a>	Aug. 21, 2007	14	NOTICE of Appearance by Ramzi Abadou on behalf of Construction Laborers Pension Trust of Greater St. Louis (Abadou, Ramzi) (Entered: 08/21/2007)
<a href="#">15</a>	Aug. 21, 2007	15	NOTICE of Appearance by Daniel S Drosman on behalf of Construction Laborers Pension Trust of Greater St. Louis (Drosman, Daniel) (Entered: 08/21/2007)
<a href="#">16</a>	Aug. 21, 2007	16	NOTICE of Appearance by Michael J Dowd on behalf of Construction Laborers Pension Trust of Greater St. Louis (Dowd, Michael) (Entered: 08/21/2007)
<a href="#">17</a>	Aug. 22, 2007	17	NOTICE by Construction Laborers Pension Trust of Greater St. Louis of Related Case (Abadou, Ramzi) (Entered: 08/22/2007)
<a href="#">18</a>	Aug. 30, 2007	18	RESPONSE to Motion re 13 MOTION to Consolidate Cases , Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel filed by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Request for Judicial Notice # 2 Declaration)(Olsen, Aaron) (Entered: 08/30/2007)
<a href="#">19</a>	Aug. 30, 2007	19	CERTIFICATE OF SERVICE by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 18 Response to Motion, (Olsen, Aaron) (Entered: 08/30/2007)
<a href="#">20</a>	Sep. 06, 2007	20	CERTIFICATE OF SERVICE by Construction Laborers Pension Trust of Greater St. Louis re 13 MOTION to Consolidate Cases , Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel (Abadou, Ramzi) (Entered: 09/06/2007)
<a href="#">21</a>	Sep. 12, 2007	21	NOTICE by Construction Laborers Pension Trust of Greater St. Louis of Firm Name Change (Dowd, Michael) (Entered: 09/12/2007)
<a href="#">22</a>	Sep. 25, 2007	22	RESPONSE in Opposition re 13 MOTION to Consolidate Cases, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel filed by James D Willard, Sam Sawyer, Steven Toomey. (Bishop, Patrice). (jah) (Entered: 09/25/2007)
<a href="#">23</a>	Sep. 25, 2007	23	RESPONSE in Support re 13 MOTION to Consolidate Cases, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel and in Opposition to the Competing Motion filed by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Proof of Service)(Abadou, Ramzi). (jah) (Entered: 09/25/2007)
<a href="#">24</a>	Oct. 02, 2007	24	REPLY to Response to Motion re 13 MOTION to Consolidate Cases, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel filed by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Declaration of Ramzi Abadou# 2 Exhibit A# 3 Proof of Service)(Abadou, Ramzi). (jah). (Entered: 10/02/2007)
<a href="#">25</a>	Oct. 05, 2007	26	PRO HAC VICE APPOINTED: Attorney Ian Berg appearing for Movant Raymond J. Mertz. (jah) (Entered: 10/09/2007)
<a href="#">26</a>	Oct. 08, 2007	25	NOTICE OF WITHDRAWAL OF DOCUMENT by James D Willard,

Req #	Filed	#	Docket Text
			Sam Sawyer, Steven Toomey re 9 MOTION by James D. Willard, Sam Sawyer and Steven Toomey for Appointment as Lead Plaintiffs and for Appointment of Their Choice of Lead Counsel Pursuant to Section 21D of the Securities Exchange Act of 1934 filed by Sam Sawyer, James D Willard, Steven Toomey. (Bishop, Patrice). (jah). (Entered: 10/08/2007)
<a href="#">27</a>	Oct. 09, 2007	27	Minute Order. Proceedings held before Judge Irma E. Gonzalez : Motion Hearing held on 10/9/2007, granting 13 Motion to Consolidate Cases; 9 MOTION by James D. Willard, Sam Sawyer and Steven Toomey for Appointment as Lead Plaintiffs and for Appointment of Their Choice of Lead Counsel Pursuant to Section 21D of the Securities Exchange Act of 1934 filed by Sam Sawyer, James D Willard, Steven Toomey, 12 MOTION to Consolidate Cases , Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel filed by Raymond J. Mertz, Charles N. Seiji. Case to be consolidated with 07cv1152. (Court Reporter Frank Rangus.)(Plaintiff Attorney David C Walton; Ramzi Abadou; Ian D Berg; Daniel Drosman; Michael Down).(Defendant Attorney William Grauer). (gac) Modified on 10/12/2007 (gac, ). (Entered: 10/10/2007)
<a href="#">28</a>	Oct. 11, 2007	28	CERTIFICATE OF SERVICE by Charles N. Seiji, Raymond J. Mertz (Abadou, Ramzi). (jah). (Entered: 10/11/2007)
<a href="#">29</a>	Oct. 16, 2007	29	ORDER granting Charles N. Seiji and Raymond J. Mertz's 13 MOTION to Consolidate Cases, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel. Case consolidated w/ member case 07cv1152-IEG(RBB). All further filings shall be done in lead case, 07cv1111-IEG(RBB). Charles N. Seiji and Raymond J. Mertz are appointed as lead plaintiff. Selection of co-lead copunsel is approved. Coughlin Stoia Geller Rudman & Robbins LLP and Shiffrin Barroway Tpez & Kessler LLP are appointed as co-lead counsel for the class. Consolidated Complaint shall be filed w/in 45 days of this Order. Dfts shall have 45 days from service to respond to the consolidated complaint. Lead Pla shall have 45 days to any responsive brief. Dfts shall have 25 days to file reply brief. Signed by Judge Irma E. Gonzalez on 10/16/2007. (Attachments: # 1 Consolidation Letter) (jah) (Entered: 10/18/2007)
<a href="#">30</a>	Oct. 29, 2007	30	PRO HAC VICE APPOINTED: Katherine M. Ryan appearing for Petitioner Charles N. Seiji, Plaintiff Raymond J. Mertz, Movants Charles N. Seiji, Raymond J. Mertz. (jah) (Entered: 10/30/2007)
<a href="#">31</a>	Oct. 29, 2007	31	PRO HAC VICE APPOINTED: Karen E. Reilly appearing for Plaintiffs Charles N. Seiji, Raymond J. Mertz, Movants Charles N. Seiji, Raymond J. Mertz. (jah) (Entered: 10/30/2007)
<a href="#">32</a>	Oct. 29, 2007	32	PRO HAC VICE APPOINTED: Jennifer L. Keeney appearing for Plaintiffs Charles N. Seiji, Raymond J. Mertz, Movants Charles N. Seiji, Raymond J. Mertz. (jah) (Entered: 10/30/2007)
<a href="#">33</a>	Nov. 30, 2007	33	CONSOLIDATED AMENDED COMPLAINT with Demand for Jury Trial for Violation of Securities Laws against Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops, filed by Charles N. Seiji, Raymond J. Mertz.(Dowd, Michael). Modified on 12/3/2007 - Edited text. Proof of Service missing Notice List, Atty filing Amended Proof of Service (jah). (Entered: 11/30/2007)

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
<a href="#"><u>34</u></a>	Dec. 03, 2007	34	AMENDED CERTIFICATE OF SERVICE by Charles N. Seiji, Raymond J. Mertz re 33 Amended Complaint (Dowd, Michael). Modified on 12/4/2007 -Edited text (jah). (Entered: 12/03/2007)
<a href="#"><u>35</u></a>	Dec. 04, 2007	35	NOTICE of Appearance by Laurie Largent on behalf of Charles N. Seiji, Raymond J. Mertz (Largent, Laurie). (jah). (Entered: 12/04/2007)
<a href="#"><u>36</u></a>	Jan. 11, 2008	36	MOTION to Dismiss the Consolidated Amended Complaint by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Memo of Points and Authorities)(Grauer, William). (jah). (Entered: 01/11/2008)
<a href="#"><u>37</u></a>	Jan. 11, 2008	37	Request for Judicial Notice by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 36 MOTION to Dismiss the Consolidated Amended Complaint (Kelley, Mary). Modified on 1/11/2008 - Corrected text (jah). (Entered: 01/11/2008)
<a href="#"><u>38</u></a>	Jan. 11, 2008	38	DECLARATION of Mary Kathryn Kelley re 37 Request for Judicial Notice, 36 MOTION to Dismiss the Consolidated Amended Complaint by Defendants Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # Exhibit A# Exhibit B# 3 Exhibit C# Exhibit D# 5 Exhibit E# Exhibit F# 7 Exhibit G# Exhibit H# Exhibit I# Exhibit J# Exhibit K# Exhibit L# Exhibit M# 14 Exhibit N# Exhibit O# Exhibit P# Exhibit Q# Exhibit R# Exhibit S# 20 Exhibit T# Exhibit U# 22 Exhibit V# 23 Exhibit W# 24 Exhibit X# 25 Exhibit Y# 26 Exhibit Z# 27 Exhibit AA# 28 Exhibit AB# 29 Exhibit AC# 30 Exhibit AD# 31 Exhibit AE# 32 Exhibit AF# 33 Exhibit AG# 34 Exhibit AH# 35 Exhibit AI# 36 Exhibit AJ# 37 Exhibit AK# 38 Exhibit AL# 39 Exhibit AM# 40 Exhibit AN)(Kelley, Mary). Modified on 1/11/2008 - Edited text (jah). Additional attachment(s) added on 3/26/2008 (jah). Additional attachment(s) added on 3/26/2008 (jah). Additional attachment(s) added on 3/26/2008 (jah). Modified on 3/26/2008: Re-attached pdfs for Exhibits A,B,D,F,H-M,O-S,U, and AJ-AN, stricken in error (jah). (Entered: 01/11/2008)
<a href="#"><u>39</u></a>	Jan. 11, 2008	39	CERTIFICATE OF SERVICE by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 37 Notice (Other), Notice (Other), 38 Declaration 36 MOTION to Dismiss the Consolidated Amended Complaint (Kelley, Mary). (jah). (Entered: 01/11/2008)
<a href="#"><u>40</u></a>	Feb. 28, 2008	40	RESPONSE in Opposition re 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Charles N. Seiji, Raymond J. Mertz. (Drosman, Daniel). (jah). (Entered: 02/28/2008)
<a href="#"><u>41</u></a>	Mar. 10, 2008	41	MOTION to Strike, or, Convert 36 MOTION to Dismiss the Consolidated Amended Complaint by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Memo of Points and Authorities)(Drosman, Daniel). Modified on 3/11/2008 - Edited text and attachment description (jah). (Entered: 03/10/2008)
<a href="#"><u>42</u></a>	Mar. 19, 2008	42	NOTICE of Appearance by Ryan E Blair on behalf of Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops (Blair, Ryan). (jah). (Entered: 03/19/2008)

Req #	Filed	#	Docket Text
			03/19/2008)
<a href="#">43</a>	Mar. 19, 2008	43	NOTICE of Appearance by Mary Kathryn Kelley on behalf of Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops (Attachments: # 1 Proof of Service)(Kelley, Mary). (jah). (Entered: 03/19/2008)
<a href="#">44</a>	Mar. 19, 2008	44	Joint MOTION to Continue the Hearing on Defendants' Motion to Dismiss and Plaintiffs' Motion to Strike by Charles N. Seiji, Raymond J. Mertz. (Dowd, Michael). (jah). (Entered: 03/19/2008)
<a href="#">45</a>	Mar. 24, 2008	46	RESPONSE in Opposition re 41 MOTION to Strike 36 MOTION to Dismiss the Consolidated Amended Complaint MOTION to Strike 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Grauer, William). Modified on 3/25/2008 - Missing Proof of Service. Email sent to Atty (jah). (Entered: 03/24/2008)
<a href="#">46</a>	Mar. 24, 2008	47	REPLY to Response to Motion re 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Grauer, William). Modified on 3/25/2008 - Missing Proof of Service. Email sent to Atty (jah). (Entered: 03/24/2008)
<a href="#">47</a>	Mar. 24, 2008	48	SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 36 MOTION to Dismiss the Consolidated Amended Complaint (Kelley, Mary). Modified on 3/26/2008 - Edited text (jah). (Entered: 03/24/2008)
<a href="#">48</a>	Mar. 24, 2008	49	DECLARATION re 36 MOTION to Dismiss the Consolidated Amended Complaint Supplemental Dec of Mary Kathryn Kelley iso Defendants' Motion to Dismiss the Consolidated Amended Complaint by Defendants Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Exhibit AO-AT)(Kelley, Mary).(jah). (Entered: 03/24/2008)
<a href="#">49</a>	Mar. 24, 2008	50	CERTIFICATE OF SERVICE by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 46 Response in Opposition to Motion, 47 Reply to Response to Motion, 49 Declaration, 48 Notice (Other), Notice (Other) (Kelley, Mary). (jah). (Entered: 03/24/2008)
<a href="#">50</a>	Mar. 24, 2008	51	ORDER granting Dft's 44 Motion to Continue Hearing on Dfts' Motion to Dismiss and Pla's Motion to Strike. Signed by Judge Irma E. Gonzalez on 3/23/2008. Hearing on Dfts' Motion to Dismiss and Plaintiffs' Motion to Strike is continued to 4/22/2008 10:30am in Courtroom 1 before Judge Irma E. Gonzalez. All deadlines relating to the Motions will be based on the 4/7/2008 hearing date. (jah) (Entered: 03/24/2008)
<a href="#">51</a>	Mar. 25, 2008	52	MOTION to Strike Defendants' Supplemental Request for Judicial Notice or, in the Alternative Motion to Convert Defendants' Motion to Dismiss into Motion for Summary Judgment by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Memo of Points and Authorities)(Largent, Laurie). Modified on 3/26/2008 - Edited

Req #	Filed	#	Docket Text
			attachment description (jah). (Entered: 03/25/2008)
<a href="#">52</a>	Mar. 26, 2008	53	RESPONSE in Opposition re 52 MOTION to Strike Defendants' Supplemental Request for Judicial Notice or, in the Alternative Motion to Convert Defendants' Motion to Dismiss into Motion for Summary Judgment filed by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Grauer, William). (jah). (Entered: 03/26/2008)
<a href="#">53</a>	Mar. 28, 2008	54	REPLY to Response to Motion re 41 MOTION to Strike 36 MOTION to Dismiss the Consolidated Amended Complaint MOTION to Strike 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Declaration of Laurie L. Largent # 2 Exhibit 1)(Largent, Laurie). Modified on 4/1/2008 - Edited attachment description (jah). (Entered: 03/28/2008)
<a href="#">54</a>	Apr. 07, 2008	55	ORDER Resetting Time of Motion Hearing. Signed by Judge Irma E. Gonzalez on 4/7/2008. Time for the 4/22/2008 hearing on Dft's Motion to Dismiss 36 is reset to 9:30am. Date of motion hearing and filing deadlines remain unchanged. (jah) (Entered: 04/08/2008)
<a href="#">55</a>	Apr. 15, 2008	56	REPLY re 52 MOTION to Strike Defendants' Supplemental Request for Judicial Notice or, in the Alternative Motion to Convert Defendants' Motion to Dismiss into Motion for Summary Judgment filed by Raymond J. Mertz. (Largent, Laurie). (jah). (Entered: 04/15/2008)
<a href="#">56</a>	Apr. 22, 2008	57	Minute Order. for proceedings held before Judge Irma E. Gonzalez:Motion Hearing held on 4/22/2008. Court Submits- 52 MOTION to Strike Defendants' Supplemental Request for Judicial Notice or, in the Alternative Motion to Convert Defendants' Motion to Dismiss into Motion for Summary Judgment filed by Raymond J. Mertz, Charles N. Seiji, Submits- 41 MOTION to Strike. Submits- 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Raymond J. Mertz, Charles N. Seiji, Submits- 36 MOTION to Dismiss the Consolidated Amended Complaint filed by Richard F Pops, Paul H Hawran, Neurocrine Biosciences Inc, Wylie W Vale, Wendell D Wierenga, Henry Y Pan, Gary A Lyons. Court to prepare written order. (Court Reporter F. Rangus.)(Plaintiff Attorney Michael Dowd/ Daniel Drosman/ Jennifer Keeney/ Karen Reilly).(Defendant Attorney William Grauer / Ryan Blair / Mary Katherine Kelly). (lsf) (Entered: 04/22/2008)
<a href="#">57</a>	May 13, 2008	58	ORDER granting Defendants' 36 Motion to Dismiss the Complaint; granting in part and denying in part Plaintiffs' 41 Motion to Strike; granting in part and denying part Dfts' Requests for Judicial Notice 37 48 ; granting in part and denying in part Plaintiffs' 52 Motion to Strike. Court grants plaintiffs 30 days leave to file an amended complaint. If plaintiffs file an amended complaint, they shall also file a "redlined" version indicating changes made. Dfts request for judicial notice of Exhibits A,B,C,F and I is denied and Plaintiffs' motion to strike those exhibits is granted. Request for judicial notice of Exhibits C, G, T, W-Z, and AA-AI is granted. Dfts' request for judicial notice of Exhibits J-M,O-S, U, and AJ-AP is granted. Plaintiffs motion to strike those exhibits is denied. Court finds Exhibit E, H, N, V, and AQ-AT unnecessary to consider and denies as moot Dfts request for judicial notice of these

Req #	Filed	#	Docket Text
			exhibits, and Plaintiffs motion to strike those exhibits is denied as moot. Signed by Judge Irma E. Gonzalez on 5/12/2008. (jah). Modified on 5/13/2008 - Corrected spelling (jah). (Entered: 05/13/2008)
<a href="#">58</a>	May 16, 2008	59	Joint MOTION for Order To Set Briefing Schedule for Second Consolidated Amended Complaint and Response Thereto by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Blair, Ryan). (jah). (Entered: 05/16/2008)
<a href="#">59</a>	May 21, 2008	60	ORDER denying 59 Joint Motion for Order to Modify Briefing Schedule. Signed by Judge Irma E. Gonzalez on 5/20/2008. Court finds the proposed extensions unnecessary for a second motion to dismiss. Parties shall comply w/ Court's deadline and any motion directed to the Second Amended Complaint shall be heard by 8/25/2008. (jah) (Entered: 05/21/2008)
<a href="#">60</a>	May 22, 2008	61	Joint MOTION for Order to Set Briefing Schedule for Second Consolidated Amended Complaint and Response Thereto by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Blair, Ryan). (jah). (Entered: 05/22/2008)
<a href="#">61</a>	May 29, 2008	62	ORDER Setting Briefing Schedule for Second Consolidated Amended Complaint and Response Thereto: Plaintiff shall file the Second Amended Complaint by 6/11/08. Defendants shall file a response to the Second Amended Complaint by 7/8/08. Plaintiffs shall have until 8/1/08 to file an opposition. Defendants shall have until 8/11/08 to file their reply brief. The Court will hear the motions on 8/18/08 at 10:30 AM in Courtroom 1 before Judge Irma E. Gonzalez. Signed by Judge Irma E. Gonzalez on 05/29/08. (mkz) (Entered: 05/29/2008)
<a href="#">62</a>	Jun. 02, 2008	63	ORDER Resetting Hearing Date. Signed by Judge Irma E. Gonzalez on 6/2/2008. Hearing date on any motion to dismiss the second amended complaint is reset to 9/2/2008 at 10:30am. Briefing schedule set in Court's 5/29/2008 Order 62 remains in effect. (jah) (Entered: 06/02/2008)
<a href="#">63</a>	Jun. 11, 2008	64	SECOND AMENDED COMPLAINT with Jury Demand against Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, filed by Charles N. Seiji, Raymond J. Mertz. (Attachments: # 1 Red-lined Version)(Dowd, Michael) (mjj). Modified on 7/3/2008 - Edited to remove duplicate text (jah). (Entered: 06/11/2008)
<a href="#">64</a>	Jul. 08, 2008	65	MOTION to Dismiss Second Amended Consolidated Complaint by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Memo of Points and Authorities, # 2 Proof of Service re Motion, # 3 Proof of Service re Points and Authorities)(Grauer, William). Modified on 7/9/2008 - Edited attachment description (jah). (Entered: 07/08/2008)
<a href="#">65</a>	Jul. 08, 2008	66	DECLARATION of Ryan E. Blair re 65 MOTION to Dismiss Second Amended Consolidated Complaint by Defendants Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Exhibit AU,

Req #	Filed	#	Docket Text
			# 2 Proof of Service)(Blair, Ryan). Modified on 7/9/2008 - Edited text (jah). (Entered: 07/08/2008)
<a href="#">66</a>	Jul. 08, 2008	67	Second Supplemental Request for Judicial Notice by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re 66 Declaration, 65 MOTION to Dismiss Second Amended Consolidated Complaint (Attachments: # 1 Proof of Service)(Blair, Ryan). Modified on 7/9/2008 - Edited text (jah). (Entered: 07/08/2008)
<a href="#">67</a>	Aug. 01, 2008	68	RESPONSE in Opposition re 65 MOTION to Dismiss Second Amended Consolidated Complaint filed by Charles N. Seiji, Raymond J. Mertz. (Dowd, Michael). (jah). (Entered: 08/01/2008)
<a href="#">68</a>	Aug. 11, 2008	69	REPLY to Response to Motion re 65 MOTION to Dismiss Second Amended Consolidated Complaint filed by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Grauer, William). (jah). (Entered: 08/11/2008)
<a href="#">69</a>	Aug. 26, 2008	70	ORDER of Judge Irma E. Gonzalez: Court SUBMITS- 65 Motion to Dismiss second amended consolidated complaint by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. Court to prepare written order. Motion hearing set 9/2/2008 is vacated. (lsf) (Entered: 08/26/2008)
<a href="#">70</a>	Sep. 23, 2008	71	ORDER granting Dfts' 65 Motion to Dismiss the Second Amended Complaint. Signed by Judge Irma E. Gonzalez on 9/23/2008. Court grants in part and denies in part Dfts' Second Supplemental Request for Judicial Notice 67 . Plaintiffs granted leave to file an Amended Complaint w/in 30 days of the date of this Order. If Amended Complaint is filed, Plaintiffs' shall file a "red-lined" version indicating changes made. Any motion to dismiss third amended complaint shall be filed w/in 30 of the filing of the Third Amended Complaint. Court dismisses w/ prejudice, Dfts Pops and Vale. Case closed. (All non-registered users served via U.S. Mail Service). (jah) (Entered: 09/24/2008)
<a href="#">71</a>	Oct. 07, 2008	72	Joint MOTION for Order to Set Briefing Schedule for Third Consolidated Amended Complaint and Response Thereto by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops. (Attachments: # 1 Proof of Service)(Blair, Ryan). (jah). (Entered: 10/07/2008)
<a href="#">72</a>	Oct. 08, 2008	73	ORDER granting 72 Joint Motion for Order to Set Briefing Schedule for Third Consolidated Amended Complaint. Signed by Judge Irma E. Gonzalez on 10/8/2008. Plaintiffs shall file Third Amended Complaint by 10/23/2008. Dfts' response to the Third Amended Complaint, including any motion to dismiss, shall be filed by 11/21/2008. Plaintiffs' opposition to motion to dismiss shall be filed by 12/12/2008. Dfts' reply shall be filed by 12/22/2008. Hearing on Dfts' motion set for 1/12/2009 10:30am before Judge Irma E. Gonzalez. (All non-registered users served via U.S. Mail Service). (jah) (Entered: 10/09/2008)
<a href="#">73</a>	Oct. 23, 2008	74	NOTICE of Lead Plaintiffs' Election to Stand on the Second Amended Consolidated Complaint for Violation of Securities Laws by Charles N. Seiji, Raymond J. Mertz (Drosman, Daniel) (mjj) (Entered: 10/23/2008)
<a href="#">74</a>	Oct. 31, 2008	75	ORDER for Entry of Judgment. Pursuant to lead plaintiffs' 74 Notice of

<b>Req #</b>	<b>Filed</b>	<b>#</b>	<b>Docket Text</b>
			Election to Stand on the Second Amended Consolidated Complaint for Violation of Securities Law filed by Raymond J. Mertz, Charles N. Seiji and their request that final judgment be entered, Clerk is directed to enter judgment against plaintiffs' and close the case. Signed by Judge Irma E. Gonzalez on 10/31/2008. (All non-registered users served via U.S. Mail Service). (jah) (Entered: 11/03/2008)
<a href="#"><u>75</u></a>	Nov. 03, 2008	76	CLERK'S JUDGMENT. IT IS SO ORDERED AND ADJUDGED that pursuant to the lead plaintiffs' 74 Notice of Election to Stand on the Second Amended Consolidated Complaint and request for entry of final judgment, Judgment is entered against plaintiffs. Case is closed. (All non-registered users served via U.S. Mail Service). (jah) (Entered: 11/03/2008)
<a href="#"><u>76</u></a>	Nov. 03, 2008	77	CERTIFICATE OF SERVICE by Wylie W Vale, Neurocrine Biosciences Inc, Gary A Lyons, Paul H Hawran, Wendell D Wierenga, Henry Y Pan, Richard F Pops re Order for Entry of Judgment and Judgment in a Civil Case (Blair, Ryan). (jah). (Entered: 11/03/2008)