

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-00975-HB

Electrical Workers Pension Fund, Local 103, I.B.E.W. v.
Nuvelo, Inc. et al
Assigned to: Judge Harold Baer
Related Cases: [1:07-cv-01229-HB](#)
[1:07-cv-01953-HB](#)
[1:07-cv-01777-HB](#)
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 02/09/2007
Date Terminated: 07/20/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Lead Plaintiff

Juan Pablo Cabrera

represented by **Mario Alba, Jr**
Lerach, Coughlin, Stoia, Geller, Rudman
& Robbins, LLP(LIs)
58 South Service Road
Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: malba@lerachlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicolette Tropiano
Schiffrin Barroway Topaz & Kessler, LLP
280 King of Prussia Road
Radnor, PA 19087
(610) 667-7706
Fax: (610) 667-7056
ATTORNEY TO BE NOTICED

Plaintiff

**Electrical Workers Pension Fund, Local
103, I.B.E.W.**
*On Behalf of itself and all others similarly
situated*

represented by **David Avi Rosenfeld**
Lerach, Coughlin, Stoia, Geller, Rudman
& Robbins, LLP(LIs)
58 South Service Road
Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: drosefeld@lerachlaw.com
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Samuel Howard Rudman

Lerach, Coughlin, Stoia, Geller, Rudman
& Robbins, LLP(LIs)

58 South Service Road

Suite 200

Melville, NY 11747

631-367-7100

Fax: 631-367-1173

Email: srudman@lerachlaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Nuvelo, Inc.

represented by **Marisa Megur Seifan**

Cooley Godward Kronish LLP

1114 Avenue of the Americas

New York, NY 10036

212 479-6204

Fax: 212 479 6275

Email: mseifan@cooley.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Grant P. Fondo

Cooley Godward Kronish, LLP (Palo
Alto)

5 Palo Alto Square, 3000 El Camino Real

Palo Alto, CA 94306

(650)-843-5458

Fax: (650)-857-0663

Email: gfondo@cooley.com

ATTORNEY TO BE NOTICED

Scott Davis Devereaux

Cooley, Godward Kronish, LLP

3000 El Camino Real

Palo Alto, CA 94306

(650) 843-5000

Fax: (650) 857-0663

Email: sdevereaux@cooley.com

ATTORNEY TO BE NOTICED

Defendant

Ted W. Love

represented by **Marisa Megur Seifan**

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

Grant P. Fondo
(See above for address)
ATTORNEY TO BE NOTICED

Scott Davis Devereaux
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gary S. Titus

represented by **Marisa Megur Seifan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Grant P. Fondo
(See above for address)
ATTORNEY TO BE NOTICED

Scott Davis Devereaux
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Shelly D. Guyer

represented by **Marisa Megur Seifan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Grant P. Fondo
(See above for address)
ATTORNEY TO BE NOTICED

Scott Davis Devereaux
(See above for address)
ATTORNEY TO BE NOTICED

Movant

The Lidard Group

represented by **Evan J Smith**
Brodsky & Smith, L.L.C.
240 Mineola Blvd.
Mineola, NY 11501
516-741-4977
Email: esmith@brodsky-smith.com

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Movant

The Petronis Group

represented by **Christopher J. Keller**
Labaton Rudoff & Sucharow LLP
100 Park Avenue
12th Floor
New York, NY 10017
(212) 907-0853
Fax: (212) 883-7053
Email: ckeller@labaton.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/09/2007	1	COMPLAINT against Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Filing Fee \$ 350.00, Receipt Number 605492)Document filed by Electrical Workers Pension Fund, Local 103, I.B.E.W..(tro) (Entered: 02/13/2007)
02/09/2007		SUMMONS ISSUED as to Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (tro) (Entered: 02/13/2007)
02/09/2007		Magistrate Judge Henry B. Pitman is so designated. (tro) (Entered: 02/13/2007)
02/09/2007		Case Designated ECF. (tro) (Entered: 02/13/2007)
02/09/2007	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Electrical Workers Pension Fund, Local 103, I.B.E.W..(tro) (Entered: 02/13/2007)
03/07/2007	3	LETTER addressed to Mr. Rosenfeld from The Chambers of the Honorable Harold Baer dated 3/2/07 re: Pre-Trial Conference in this case set for 4/19/07 at 4:15PM, room 2230. (tro) (Entered: 03/07/2007)
03/07/2007		Set Deadlines/Hearings: Pretrial Conference set for 4/19/2007 04:15 PM before Judge Harold Baer. (tro) (Entered: 03/07/2007)
04/10/2007	4	MOTION to Appoint Juan Pablo Cabrera to serve as lead plaintiff(s). Document filed by Juan Pablo Cabrera. (Attachments: # 1 Text of Proposed Order)(Alba, Mario) (Entered: 04/10/2007)
04/10/2007	5	MEMORANDUM OF LAW in Support re: 4 MOTION to Appoint Juan Pablo Cabrera to serve as lead plaintiff(s).. Document filed by Juan Pablo Cabrera. (Alba, Mario) (Entered: 04/10/2007)
04/10/2007	6	DECLARATION of Mario Alba Jr. in Support re: 4 MOTION to Appoint Juan Pablo Cabrera to serve as lead plaintiff(s).. Document filed by Juan Pablo Cabrera. (Attachments: # 1 Exhibit A - first notice# 2 Exhibit B - loss chart# 3 Exhibit C -

		certification# 4 Exhibit D - LC firm resume# 5 Exhibit E - SN firm resume)(Alba, Mario) (Entered: 04/10/2007)
04/10/2007	7	MOTION to Consolidate Cases 07-1229, 07-1777, 07-1953, <i>and to Appoint Lead Plaintiff and Lead and Liaison Counsel</i> . Document filed by The Lidard Group. (Attachments: # 1 Exhibit A)(Smith, Evan) (Entered: 04/10/2007)
04/10/2007	8	MEMORANDUM OF LAW in Support re: 7 MOTION to Consolidate Cases 07-1229, 07-1777, 07-1953, <i>and to Appoint Lead Plaintiff and Lead and Liaison Counsel</i> .. Document filed by The Lidard Group. (Smith, Evan) (Entered: 04/10/2007)
04/10/2007	9	DECLARATION of Evan J. Smith, Esquire in Support re: 7 MOTION to Consolidate Cases 07-1229, 07-1777, 07-1953, <i>and to Appoint Lead Plaintiff and Lead and Liaison Counsel</i> .. Document filed by The Lidard Group. (Attachments: # 1 Echibits A-C# 2 Exhibit D# 3 Exhibit E)(Smith, Evan) (Entered: 04/10/2007)
04/10/2007	10	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The Petronis Group.(Keller, Christopher) (Entered: 04/10/2007)
04/10/2007	11	CERTIFICATE OF SERVICE of Notice of Motion to Consolidate and Appoint Lead Plaintiff and Lead and Liaison Counsel, Memorandum of Law in Support Thereof, Declaration of Evan J. Smith, Esquire, Proposed Order and Proof of Mailing served on All Counsel of Record on April 10, 2007. Service was made by ECF. Document filed by The Lidard Group. (Smith, Evan) (Entered: 04/10/2007)
04/10/2007	12	MOTION For Consolidation, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel. Document filed by The Petronis Group.(Keller, Christopher) (Entered: 04/10/2007)
04/10/2007	13	MEMORANDUM OF LAW in Support re: 12 MOTION For Consolidation, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel.. Document filed by The Petronis Group. (Keller, Christopher) (Entered: 04/10/2007)
04/10/2007	14	DECLARATION of Christopher J. Keller in Support re: 12 MOTION For Consolidation, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel.. Document filed by The Petronis Group. (Attachments: # 1 Exhibit A.# 2 Exhibit B.# 3 Exhibit C.# 4 Exhibit D.# 5 Exhibit E.# 6 Exhibit F.# 7 Exhibit G.)(Keller, Christopher) (Entered: 04/10/2007)
04/10/2007	15	CERTIFICATE OF SERVICE. Document filed by The Petronis Group. (Keller, Christopher) (Entered: 04/10/2007)
04/16/2007	23	MOTION for Scott D. Devereaux to Appear Pro Hac Vice. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer.(jco) (Entered: 04/19/2007)
04/16/2007	24	MOTION for Grant P. Fondo to Appear Pro Hac Vice. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer.(jco) (Entered: 04/19/2007)
04/17/2007	25	MOTION for Scott D. Devereaux to Appear Pro Hac Vice. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer.(jco) (Entered: 04/23/2007)

04/17/2007	26	MOTION for Grant P. Fondo to Appear Pro Hac Vice. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer.(jco) (Entered: 04/23/2007)
04/18/2007	16	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. NO Corporate Parent. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer.(Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	17	MOTION to Transfer Case <i>to the Northern District of California</i> . Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Attachments: # 1 Affidavit Certificate of Service of ALL Documents)(Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	18	AFFIDAVIT of Gary S. Titus in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C, Part 1# 4 Exhibit C, Part 2# 5 Exhibit D# 6 Exhibit E# 7 Exhibit F# 8 Exhibit G)(Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	19	AFFIDAVIT of Shelly D. Guyer in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G)(Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	20	AFFIDAVIT of Ted W. Love in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	21	DECLARATION of Grant Fondo in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Attachments: # 1 Exhibit A, Part 1# 2 Exhibit A, Part 2# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D)(Seifan, Marisa) (Entered: 04/18/2007)
04/18/2007	22	MEMORANDUM OF LAW in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc., Ted W. Love, Gary S. Titus, Shelly D. Guyer. (Seifan, Marisa) (Entered: 04/18/2007)
04/23/2007		CASHIERS OFFICE REMARK on 24 Motion to Appear Pro Hac Vice, 23 Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 04/16/2007, Receipt Number 611812. (jd) (Entered: 04/23/2007)
04/23/2007		CASHIERS OFFICE REMARK on 25 Motion to Appear Pro Hac Vice, 26 Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 04/17/2007, Receipt Number 611880. (jd) (Entered: 04/23/2007)
04/30/2007	27	ORDER granting 25 Motion for Scott D. Devereaux to Appear Pro Hac Vice. (Signed by Judge Harold Baer on 4/27/2007) (jmi) (Entered: 05/01/2007)
04/30/2007	28	ORDER granting 26 Motion for Grant P. Fondo to Appear Pro Hac Vice. (Signed by Judge Harold Baer on 4/27/2007) (jmi) (Entered: 05/01/2007)
04/30/2007		Transmission to Attorney Admissions Clerk. Transmitted re: 27 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of

		Attorney Information. (jmi) (Entered: 05/01/2007)
04/30/2007		Transmission to Attorney Admissions Clerk. Transmitted re: 28 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 05/01/2007)
05/04/2007	29	MEMORANDUM OF LAW in Opposition re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Juan Pablo Cabrera, The Lidard Group, The Petronis Group. (Alba, Mario) (Entered: 05/04/2007)
05/04/2007	30	DECLARATION of David A. Rosenfeld in Opposition re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Juan Pablo Cabrera, The Lidard Group, The Petronis Group. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Alba, Mario) (Entered: 05/04/2007)
05/10/2007	31	REPLY MEMORANDUM OF LAW in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc.. (Seifan, Marisa) (Entered: 05/10/2007)
05/10/2007	32	AFFIDAVIT of Shelly D. Guyer in Support re: 17 MOTION to Transfer Case <i>to the Northern District of California</i> .. Document filed by Nuvelo, Inc.. (Seifan, Marisa) (Entered: 05/10/2007)
05/17/2007	33	MOTION for Nicolette Tropiano to Appear Pro Hac Vice. Document filed by Juan Pablo Cabrera.(jco) (Entered: 05/22/2007)
05/18/2007		Minute Entry for proceedings held before Judge Harold Baer : Oral Argument held on 5/18/2007 re: 17 MOTION to Transfer Case to the Northern District of California. filed by Gary S. Titus, Ted W. Love, Shelly D. Guyer, Nuvelo, Inc.. (mbe) (Entered: 05/22/2007)
05/25/2007		CASHIERS OFFICE REMARK on 33 Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/17/2007, Receipt Number 615949. (jd) (Entered: 05/25/2007)
07/02/2007	34	TRANSCRIPT of proceedings held on 5/18/2007 before Judge Harold Baer. (jp) (Entered: 07/02/2007)
07/20/2007	35	ORDER granting 17 Motion to Transfer Case. Because the majority of factors favor transfer, defendants' motion to transfer venue for these four actions-- Electrical Workers v. Nuvelo, 07-cv-975 (S.D.N.Y); Logan v. Nuvelo, 07-cv-1229 (S.D.N.Y.); Giles v. Nuvelo, 07-cv-1777(S.D.N.Y.); and Braker v. Nuvelo, 07-cv-1953 (S.D.N.Y.) - is GRANTED. The Clerk of the Court is instructed to transfer these four actions to the Northern District of California and remove them from my docket. So Ordered. (Signed by Judge Harold Baer on 7/19/07) (jco) (Entered: 07/23/2007)
07/20/2007		CASE TRANSFERRED OUT from the U.S.D.C. Southern District of New York to the United States District Court - Northern District of California. Sent original file along with documents numbered 1-35, certified copy of docket entries and transfer order. Mailed via Federal Express AIRBILL # 8582 4870 1003 on 7/25/07. (jco) (Entered: 07/25/2007)

Note: Links in this docket are stored in the PACER system (**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords). PACER is a service of United States Judiciary. To view and retrieve the linked documents from PACER, you must be a registered user. To register, fill out one of the [registration forms](#) available on the PACER site. The United States Congress has given the Judicial Conference of the United States, the judicial governing body of the U.S. Federal Courts, authority to impose user fees for electronic access to case information. For more information visit the PACER site at <http://pacer.psc.uscourts.gov/pacerdesc.html>