

**United States District Court
Central District Of California (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:07-cv-02030-GW-JC**

Johnson v. US Auto Parts Network Inc et al
Assigned to: Judge George H Wu
Referred to: Magistrate Judge Jacqueline Chooljian
Member case:

[2:07-cv-02775-GW-JC](#)

Cause: 15:77 Securities Fraud

Date Filed: 03/28/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Patricia Johnson

*Individually and on Behalf of All Others
Similarly Situated*

represented by **Catherine J Kowalewski**
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Plaintiff

Sasco Investments

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Plaintiff

Southwest Carpenters Pension Trust

represented by **Southwest Carpenters Pension Trust**
PRO SE

Movant

Drn Darien Behravan

represented by **Timothy J Burke**
(See above for address)
*LEAD ATTORNEY
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V.

Defendant

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Defendant

Sol Khazani

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Defendant

Mehran Nia

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Defendant

Michael J McClane

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Defendant

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Defendant

Robert J Majteles

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Defendant

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Defendant

Ellen F Siminoff

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Defendant

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Defendant

Thomas Weisel Partners LLC

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Diane Lee McGimsey
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Robert A Sacks
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Defendant

Piper Jaffray & Co

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Defendant**JMP Securities LLC**

represented by **Anthony J Lewis**
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Date Filed	#	Docket Text
03/28/2007	1	COMPLAINT against defendants Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles, Fredric W Harman, Ellen F Siminoff, RBC Capital Markets Corporation, Thomas Weisel Partners LLC, Piper Jaffray & Co, JMP Securities LLC, US Auto Parts Network Inc, Sol Khazani.(Filing fee \$ 350)Fee Paid., filed by plaintiff Patricia Johnson.(bb,) (Entered: 04/03/2007)
03/28/2007	2	Certificate of Interested Parties filed by Plaintiff Patricia Johnson. (bb,) (Entered: 04/03/2007)
03/28/2007		FAX number for Attorney Catherine J Kowalewski, Darren J Robbins, David C Walton is 619-231-7423. (bb,) (Entered: 04/03/2007)
03/28/2007		FAX number for Attorney Paul J Geller, Jonathan M Stein is 561-750-3364. (bb,) (Entered: 04/03/2007)
03/28/2007		20 days Summons Issued re Complaint - (Discovery), Complaint - (Discovery)[1] as to Patricia Johnson. (bb,) Modified on 4/3/2007 (bb,). (Entered: 04/03/2007)
04/02/2007	3	ORDER RE: CASE MANAGEMENT by Judge George H. King,(bp,) (Entered: 04/17/2007)
04/25/2007	4	CERTIFICATION of Interested Parties filed by Defendants Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles, Fredric W Harman, Ellen F Siminoff, US Auto Parts Network Inc, Sol Khazani. (bp,) (Entered: 04/26/2007)
04/25/2007	5	CERTIFICATION of Interested Parties filed by Defendants RBC Capital Markets Corporation, Thomas Weisel Partners LLC, Piper Jaffray & Co, JMP Securities LLC. (bp,) (Entered: 04/26/2007)
05/01/2007	6	ORDER OF THE CHIEF JUDGE (#07-135) approved by Chief Judge Alicemarie H. Stotler. Pursuant to the recommended procedure adopted by the Court for the

		CREATION OF CALENDAR of Judge George H. Wu, this case is transferred from Judge George H. King to the calendar of Judge George H Wu for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 07-2030-GHK(JCx).(stsh,) (Entered: 05/03/2007)
05/09/2007	8	PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon US Auto Parts Network Inc served on 4/11/2007, answer due 5/1/2007. The Summons and Complaint were served by substituted service, by federal statute, upon Michael McLane, agent for service of process. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Sol Khazani served on 4/13/2007, answer due 5/3/2007. The Summons and Complaint were served by substituted service, by federal statute, upon Jackie Esquivi, co-occupant. Due Dilligence declaration not attached. Original Summons not attached. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Mehran Nia served on 4/11/2007, answer due 5/1/2007. The Summons and Complaint were served by substituted service, by federal statute, upon Faria Nia, co-occupant. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007	9	PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Michael J McClane served on 4/12/2007, answer due 5/2/2007. The Summons and Complaint were served by personal service, by federal statute, upon Michael J.McClane. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Richard E Pine served on 4/14/2007, answer due 5/4/2007. The Summons and Complaint were served by personal service, by federal statute, upon Richard E. Pine. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Fredric W Harman served on 4/10/2007, answer due 4/30/2007. The Summons and Complaint were served by personal service, by federal statute, upon Frederic W. Harman. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Ellen F Siminoff served on 4/12/2007, answer due 5/2/2007. The Summons and Complaint were served by personal service, by federal statute, upon Ellen F. Siminoff. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon RBC Capital Markets Corporation served on 4/10/2007, answer due 4/30/2007. The Summons and Complaint were served by personal service, by federal statute, upon Virginia Morgades, paralegal/authorized to accept service of process. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)

05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Thomas Weisel Partners LLC served on 4/10/2007, answer due 4/30/2007. The Summons and Complaint were served by personal service, by Federal statute, upon Mark Fisher, general counsel/authorized to accept service of process. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon Piper Jaffray & Co served on 4/10/2007, answer due 4/30/2007. The Summons and Complaint were served by personal service, by Federal statute, upon Lisa Uttecht, person authorized to accept service. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/09/2007		PROOF OF SERVICE Executed by plaintiff Patricia Johnson, upon JMP Securities LLC served on 4/10/2007, answer due 4/30/2007. The Summons and Complaint were served by personal service, by federal statute, upon Brenna Kenworthy/authorized to accept service of process. Due Dilligence declaration not attached. Original Summons not returned. (bp,) (Entered: 05/14/2007)
05/10/2007	10	WAIVER OF SERVICE Returned Executed filed by plaintiff Patricia Johnson. upon Robert J Majteles waiver sent by Plaintiff on 5/3/2007, answer due 7/2/2007. Waiver of Service signed by Ethan D. Roberts. (bp,) (Entered: 05/14/2007)
05/11/2007	7	MINUTES (In Chambers) by Judge George H Wu: Proceedings: Transfer of Case to Judge Wu. This action has been reassigned to the Honorable George H. Wu, United States District Judge. The magistrate judge's initials remain the same. Please substitute the initials GW in place of the initials GHK. The case number will now read: CV07-2030 GW(JCx). As documents are routed using the judge's initials, it is important to use the correct initials on all subsequent filings. Judge Wu's Courtroom Deputy Clerk, Javier Gonzalez, can be reached at (213) 894-0191 or at javier_gonzalez@cacd.uscourts.gov. Judge Wu is located in Courtroom 10, on the Spring Street level of the United States Courthouse located at 312 N. Spring Street. Additional information about Judge Wu's procedures and schedule can be found on the Court's website at www.uscourts.gov. On the Court's own motion, a Status Conference is set for 5/23/2007 at 9:00 AM. Counsel are ordered to appear. Court Reporter: None Present. (jag,) (Entered: 05/11/2007)
05/15/2007	11	STIPULATION AND ORDER: CV07-2030 GHW; CV07-2775 GHW: Pursuant to Federal Rule of Civil Procedure 31(a), these cases are hereby consolidated into Civil Action No.CV07-2030-GHW, for all purposes, including pretrial proceedings, trial and appeal. The consolidated action shall be captioned: "In re U.S. Auto Parts Network, Inc. Securities Litigation." by Judge George H Wu :, Cases associated with Lead Case 2:07-cv-2030(bp,) (Entered: 05/16/2007)
05/18/2007	12	MINUTES before Judge George H Wu; 7 On the Court's own motion, the Status Conference is CONTINUED to 6/15/2007 09:00 AM before Judge George H Wu. Court Reporter: n/a. (jag,) (Entered: 05/18/2007)
05/29/2007	13	CERTIFICATION of Interested Parties filed by Plaintiff Patricia Johnson. (bp,) (Entered: 06/01/2007)
05/29/2007	14	NOTICE OF MOTION AND MOTION for Order for Darien Behravan for appointment as lead plaintiff and approval of lead plaintiff's selection of counsel

		pursuant to section 27(a)(3)(B) of the Securities Act of 1933 Darien Behravan.Motion set for hearing on 6/25/2007 at 08:30 AM before Judge George H Wu. Lodged proposed order. (bp) (Entered: 06/11/2007)
05/29/2007	15	MEMORANDUM in Support of points and authorities in support of motion of Darien Behravan for appointment as lead plaintiff and approval of lead plaintiff's selection of counsel pursuant to section 27(a)(3)(B) of the Securities Act of 1933 filed by Movant Darien Behravan. (bp) (Entered: 06/11/2007)
05/29/2007	16	DECLARATION of Timothy J. Burke in support of motion for appointment as lead plaintiff and for appointment of their choice of lead counsel filed by Movant Darien Behravan. (bp) (Entered: 06/11/2007)
05/29/2007	17	PROOF OF SERVICE filed by plaintiffs' Darien Behravan, Notice of motion for appointment as lead plaintiff and approval of lead plaintiff's, served on 5/29/07. (bp) (Entered: 06/11/2007)
05/29/2007	18	NOTICE OF MOTION AND MOTION for Order for Sasco Investments, LP to be appointed lead plaintiff and to approve proposed lead plaintiff's choice of counsel filed by plaintiff Sasco Investments.Motion set for hearing on 6/21/2007 at 08:30 AM before Judge George H Wu. Lodged proposed order. (bp) (Entered: 06/11/2007)
05/29/2007	19	MEMORANDUM of Points and Authorities in Support of MOTION for Order for Sasco Investments, LP to be appointed lead plaintiff and to approve proposed lead plaintiff's choice of counsel[18] filed by Plaintiff Sasco Investments. (bp) (Entered: 06/11/2007)
05/29/2007	20	DECLARATION of Elaine T. Byszewski in support of MOTION for Order for Sasco Investments, LP to be appointed lead plaintiff and to approve proposed lead plaintiff's choice of counsel[18] filed by Plaintiff Sasco Investments. (bp) (Entered: 06/11/2007)
05/29/2007	21	NOTICE OF MOTION AND MOTION to Appoint Southwest Carpenters Pension Trust as Lead Plaintiff and to Approve Lead Plaintiff's Selection of Lead Counsel filed by Class Member Southwest Carpenters Pension Trust Motion set for hearing on 6/25/2007 at 08:30 AM before Judge George H Wu. Lodged Proposed Order. (jl) (Entered: 06/11/2007)
05/29/2007	22	MEMORANDUM of law in Support of MOTION for Appointment of Counsel[21]. (bp) (Entered: 06/12/2007)
05/29/2007	23	DECLARATION of Tricia L. McCormick in support of MOTION for Appointment of Counsel[21] filed by Plaintiff Southwest Carpenters Pension Trust. (bp) (Entered: 06/12/2007)
06/07/2007	24	NOTICE of Association of Counsel associating attorney Peri B Nielsen on behalf of Defendants Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles, Fredric W Harman, Ellen F Siminoff, US Auto Parts Network Inc, Sol Khazani. Filed by defendants US Auto Parts Network Inc, Fredric W Harman, Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles and Sol Khazani (bb) (Entered: 06/12/2007)
06/07/2007	25	NOTICE of Association of Counsel associating attorney Luke A Liss on behalf of

		Defendants Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles, Fredric W Harman, Ellen F Siminoff, US Auto Parts Network Inc, Sol Khazani. Filed by defendants US Auto Parts Network Inc, Sol Khazani, Mehran Nia, Michael McClane, Richard Pine, Robert Majteles, Frederic Harmon and Ellen Siminoff (bb) (Entered: 06/12/2007)
06/07/2007	28	NOTICE of Change of Attorney Information: Adding Nina Fran Locker for Mehran Nia and Michael J McClane as attorney as counsel of record for the reason indicated in the G-06 Notice. Filed by defendants Mehran Nia, Michael J McClane, Richard E Pine, Robert J Majteles, Fredric W Harman, Ellen F Siminoff, US Auto Parts Network Inc, Sol Khazani (ak) (Entered: 06/13/2007)
06/12/2007	26	STIPULATION AND ORDER by Judge George H Wu : The hearing on competing motions for consolidation, appointment as lead plaintiff and approval of lead plaintiff's selection of lead counsel is set for 7/23/07, at 8:30 a.m.; and briefing on said motions shall be filed in accordance with local civil rules 7-9 and 7-10. Judge George H Wu.(bp) (Entered: 06/13/2007)
06/12/2007	27	STIPULATION AND ORDER: The initial status conference, currently scheduled for 6/15/07, shall be continued to such a date and time as the court selects for the hearing on competing motions for consolidation, appointment as lead plaintiff and approval of lead plaintiff's selection of lead counsel by Judge George H Wu :(bp) (Entered: 06/13/2007)
06/29/2007	29	NOTICE of Appearance filed by attorney Diane Lee McGimsey on behalf of Defendants RBC Capital Markets Corporation, Thomas Weisel Partners LLC, Piper Jaffray & Co, JMP Securities LLC (bp) (Entered: 07/02/2007)
06/29/2007	30	NOTICE of Appearance filed by attorney Anthony J Lewis on behalf of Defendants RBC Capital Markets Corporation, Thomas Weisel Partners LLC, Piper Jaffray & Co, JMP Securities LLC (bp) (Entered: 07/02/2007)

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