

**United States District Court
Central District Of California (Southern Division - Santa Ana)
CIVIL DOCKET FOR CASE #: 8:06-cv-00751-DOC-RNB**

Phillip Eng v Vincent C Smith et al
Assigned to: Judge David O. Carter
Referred to: Magistrate Judge Robert N. Block
Member cases:

[8:06-cv-00751-DOC-RNB](#)

[8:06-cv-00763-DOC-RNB](#)

[2:06-cv-06863-DOC-RNB](#)

[8:07-cv-00901-DOC-RNB](#)

Related Case: [8:07-cv-00901-DOC-RNB](#)
Cause: 28:1331 Fed. Question: Securities Violation

Date Filed: 08/15/2006
Date Terminated: 08/15/2008
Jury Demand: Plaintiff
Nature of Suit: 160 Stockholders Suits
Jurisdiction: Federal Question

Plaintiff

Phillip Eng
*derivatively on behalf of Quest Software
Inc*

represented by **Brian J Robbins**
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Plaintiff

Robert Freedman

represented by **Brian J Robbins**
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V.

Defendant

Vincent C Smith

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Defendant

David M Doyle

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Defendant

Doran G Machin

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Defendant

John J Laskey

represented by **Koji F Fukumura**
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Defendant

Douglas F Garn

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*LEAD ATTORNEY
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Defendant

Michael J Lambert

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Defendant

Eyal M Aronoff

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Kevin Brooks

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Defendant

Douglas Merritt

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Defendant

Anthony Foley

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Defendant

Jerry Murdock, Jr

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Defendant

Augustine L Nieto, II

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Defendant

Kevin M Klausmeyer

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Paul Sallaberry

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Defendant

Raymond J Lane

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Defendant

Quest Software Inc
a California corporation

represented by **Charles E. Harrell**
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Date Filed	#	Docket Text
08/15/2006	1	COMPLAINT against Defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (Filing fee \$ 350) Jury Demand; filed by Plaintiff Phillip Eng.(ln,) (Entered: 08/18/2006)
08/15/2006		20 Day Summons Issued re Complaint - (Discovery) 1 as to Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (ln,) (Entered: 08/18/2006)
08/15/2006	2	CERTIFICATION of Interested Parties filed by Plaintiff Phillip Eng. (ln,) (Entered: 08/18/2006)
08/15/2006	3	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed; copy of ADR Pilot Program Questionnaire attached;(ln,) (Entered: 08/18/2006)
08/15/2006		FAX number for Attorneys Jeffrey P Fink, Brian J Robbins, Caroline A Schnurer is 619-525-3991. (ln,) (Entered: 08/18/2006)
09/08/2006	4	STIPULATION AND PRETRIAL ORDER #1 by Judge David O. Carter :, Cases associated with Lead Case SACV 06-751 DOC, plaintiffs shall file a copnsolidated complaint within 45 days from the date of this order, Phillip Eng and Robert Fredman are appointed co-lead derivative plaintiffs and Robbins Umeda & Fink and Barrack Rodos & Bacine shall serve as plaintiffs co-lead derivative counsel[see document for further details](dmjr,) (Entered: 09/12/2006)
10/20/2006	5	STIPULATION AND ORDER by Judge David O. Carter : plaintiffs to file their consolidated complaint by 11/2/06, answer due 12/18/06,opposition to any motions by 2/1/07, replies by 2/21/07(dmjr,) (Entered: 10/23/2006)
11/03/2006	6	STIPULATION AND ORDER by Judge David O. Carter : consolidated complaint filed by 11/22/06, answer by 1/19/07, plaintiffs opposition to motions by 3/7/06, replies by 3/28/07(dmjr,) (Entered: 11/08/2006)
11/22/2006	7	CONSOLIDATED COMPLAINT related to: Complaint - (Discovery), Complaint - (Discovery) 1 ,filed by plaintiffs Phillip Eng, Robert Freedman (dmjr,) (Entered: 12/07/2006)
12/14/2006	8	PROOF OF SERVICE Executed by plaintiff Phillip Eng, upon Quest Software Inc served on 8/17/2006, answer due 9/6/2006. The Summons and Complaint were served

		by personal service, by unspecified statute, upon Margaret Wilson, authorized to accept. Due Dilligence declaration not attached. Original Summons not returned. (dmjr,) (Entered: 12/26/2006)
12/14/2006	9	PROOF OF SERVICE Executed by plaintiff Phillip Eng, upon Kevin M Klausmeyer served on 8/18/2006, answer due 9/7/2006. The Summons and Complaint were served by personal service, by unspecified statute, upon Kevin M Klausmeyer. Due Dilligence declaration not attached. Original Summons not returned. (dmjr,) (Entered: 12/26/2006)
12/14/2006	10	PROOF OF SERVICE Executed by plaintiff Phillip Eng, upon M Brinkley Morse served on 8/17/2006, answer due 9/6/2006. The Summons and Complaint were served by perosnal service, by unspecified statute, upon Brinkley M Morse. Due Dilligence declaration not attached. Original Summons not returned. (dmjr,) (Entered: 12/26/2006)
12/14/2006	11	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Douglas Merritt waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura. (dmjr,) (Entered: 12/26/2006)
12/14/2006	12	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Paul Sallaberry waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	13	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon David M Doyle waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	14	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Jerry Murdock, Jr waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	15	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Augustine L Nieto, II waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	16	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Raymond J Lane waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	17	WAIVER OF SERVICE of Summons Returned Executed filed by plaintiff Phillip Eng. upon Anthony Foley waiver sent by Plaintiff on 8/22/2006, answer due 11/20/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	18	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Vincent C Smith waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	19	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Doran G Machin waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	20	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon John J Laskey waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of

		Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	21	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Michael J Lambert waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	22	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Douglas F Garn waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	23	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Kevin Brooks waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
12/14/2006	24	WAIVER OF SERVICE Returned Executed filed by plaintiff Phillip Eng. upon Eyal M Aronoff waiver sent by Plaintiff on 8/22/2006, answer due 10/21/2006. Waiver of Service signed by K F Fukumura, attorney. (dmjr,) (Entered: 12/26/2006)
01/22/2007	25	STIPULATION AND ORDER by Judge David O. Carter : amended consolidated complaint by 3/15/07, answer by 4/30/07, any opposition to motion to dismiss by 6/14/07, reply by 7/3/07(dmjr,) (Entered: 01/26/2007)
03/08/2007	26	STIPULATION AND ORDER granting defendants Douglas F Garn answer due 7/30/2007; Michael J Lambert answer due 7/30/2007; Eyal M Aronoff answer due 7/30/2007; Kevin Brooks answer due 7/30/2007; M Brinkley Morse answer due 7/30/2007; Douglas Merritt answer due 7/30/2007; Anthony Foley answer due 7/30/2007; Jerry Murdock, Jr answer due 7/30/2007; Augustine L Nieto, II answer due 7/30/2007; Kevin M Klausmeyer answer due 7/30/2007; Paul Sallaberry answer due 7/30/2007; Raymond J Lane answer due 7/30/2007; Quest Software Inc answer due 7/30/2007; Vincent C Smith answer due 7/30/2007; David M Doyle answer due 7/30/2007; Doran G Machin answer due 7/30/2007; John J Laskey answer due 7/30/2007 or oppositon to motion to dismiss b 9/12/07, reply by 10/3/07. by Judge David O. Carter (dmjr,) (Entered: 03/09/2007)
06/19/2007	27	STIPULATION AND ORDER by Judge David O. Carter : plaintiff to file their amended consolidated complaint by 8/10/07, answer due by 9/14/07 or opposition to motion by plaintiffs by 10/29/07, any reply b o 11/16/07(dmjr) (Entered: 06/20/2007)
08/15/2007	28	STIPULATION AND ORDER by Judge David O. Carter : re response and briefing schedule for consolidated amended complaint(dmjr) (Entered: 08/16/2007)
08/24/2007	29	STIPULATION AND ORDER by Judge David O. Carter : amended consolidated shall be filed on or before 9/25/07(dmjr) Modified on 8/28/2007 (dmjr,). (Entered: 08/28/2007)
09/25/2007	31	VERIFIED AMENDED CONSOLIDATED SHAREHOLDER DERIVATIVE COMPLAINT against defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey amending Consolidated Complaint 7 ; Jury Demand, filed by plaintiffs Phillip Eng, Robert Freedman. (ad) (Entered: 10/19/2007)
09/28/2007	30	STIPULATION AND ORDER by Judge David O. Carter: ORDER

		CONSOLIDATING RELATED Cases: (See document for details.) IT IS SO ORDERED.(rla) (Entered: 10/03/2007)
12/17/2007	32	STIPULATION re: Stay in Light of Executed Settlement Stipulation. (kh) (Entered: 12/20/2007)
12/20/2007	33	MINUTES OF IN CHAMBERS ORDER held before Judge David O. Carter DENYING Stipulation to Stay 32 . The parties shall comply with the separately issued order setting a scheduling conference. (kh) (Entered: 12/20/2007)
12/20/2007	34	ORDER by Judge David O. Carter: Scheduling Conference set for 4/28/2008 08:30 AM before Judge David O. Carter. (kh) (Entered: 12/20/2007)
04/14/2008	35	JOINT REPORT of of Rule 26(f) Conference filed by Defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey, Plaintiffs Phillip Eng, Robert Freedman. (Attachments: # 1 Proof of Service)(Fukumura, Koji) (Entered: 04/14/2008)
04/28/2008	36	MINUTES OF Scheduling Conference held before Judge David O. Carter. Counsel advises Court that the parties have reached a settlement. Court sets matter for Hearing on Preliminary Approval of Class Action Settlement on May 12, 2008 at 3:30 p.m. Court Reporter: Debbie Gale. (kh) Additional attachment(s) added on 4/29/2008 (kh,). (Entered: 04/29/2008)
05/06/2008	37	NOTICE OF MOTION AND MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement filed by defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey.Motion set for hearing on 5/12/2008 at 03:30 PM before Judge David O. Carter. (Fukumura, Koji) (Entered: 05/06/2008)
05/06/2008	38	NOTICE OF MOTION AND MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement filed by defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey.Motion set for hearing on 5/12/2008 at 03:30 PM before Judge David O. Carter. (Attachments: # 1 Memorandum of Law in Support of the Parties & the Special Committee's Joint Motion# 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit E)(Fukumura, Koji) (Entered: 05/06/2008)
05/06/2008	39	STIPULATION for Settlement to <i>Settle Derivative Action</i> filed by defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (Attachments: # 1 Addendum to Stipulation)(Fukumura, Koji) (Entered: 05/06/2008)
05/06/2008	40	APPLICATION OF NON-RESIDENT ATTORNEY Charles E. Harrell for Leave to Appear Pro Hac Vice <i>in a Specific Case</i> filed by Defendants Douglas F Garn, Michael J

		Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (Fukumura, Koji) (Entered: 05/06/2008)
05/06/2008	41	APPLICATION OF NON-RESIDENT ATTORNEY Joel N. Ephross for Leave to Appear Pro Hac Vice. FEE NOT PAID. filed by defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (Fukumura, Koji) (Entered: 05/06/2008)
05/07/2008	42	MINUTES OF IN CHAMBERS ORDER CONTINUING MOTION HEARING held before Judge David O. Carterre: MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 37 . Motion hearing continued to 5/15/2008 at 03:00 PM before Judge David O. Carter. (kh) (Entered: 05/07/2008)
05/07/2008	43	PROOF OF SERVICE filed by DEFENDANTS Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey, re APPLICATION OF NON-RESIDENT ATTORNEY Charles E. Harrell for Leave to Appear Pro Hac Vice <i>in a Specific Case</i> 40 , MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 38 , MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 37 , APPLICATION OF NON-RESIDENT ATTORNEY Joel N. Ephross for Leave to Appear Pro Hac Vice. FEE NOT PAID. 41 , Stipulation for Settlement, 39 served on 5/6/08. (Fukumura, Koji) (Entered: 05/07/2008)
05/13/2008	44	ORDER by Judge David O. Carter Granting by Joel N. Ephross to appear on behalf of Defendant Quest Software Inc. Koji F. Fukumura is designated as local counsel. Fee paid. (ade) (Entered: 05/15/2008)
05/13/2008	45	ORDER by Judge David O. Carter Granting by Charles E. Harrell to appear on behalf of Defendant Quest Software Inc. Koji F. Fukumura is designated as local counsel. Fee paid. (ade) (Entered: 05/15/2008)
05/15/2008	47	MINUTES OF Motion for Preliminary Approval of Settlement held before Judge David O. Carter. Court Grants motion. Separate Order to be issued. Court Reporter: Jane Sutton Rule. (nbo) (Entered: 05/29/2008)
05/19/2008	46	ORDER by Judge David O. Carter, GRANTING PRELIMINARY APPROVAL OF SETTLEMENT: Re: MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 38 : (See document for further details.) IT IS SO ORDERED. (rla) (Entered: 05/21/2008)
07/16/2008	48	NOTICE of Change of Address by John L Haeussler attorney for Plaintiffs Phillip Eng, Robert Freedman, changing Address to One America Plaza, 600 West Broadway, Suite 900, San Diego, CA 92101. Filed by Plaintiff Phillip Eng and Robert Freedman (Haeussler, John) (Entered: 07/16/2008)
07/22/2008	49	APPLICATION OF NON-RESIDENT ATTORNEY Jeffrey W. Golan for Leave to Appear Pro Hac Vice. FEE NOT PAID. <i>and [Proposed] Order on Application of Non-</i>

		<i>Resident Attorney to Appear in a Specific Case</i> filed by Plaintiff Robert Freedman. (Basser, Stephen) (Entered: 07/22/2008)
07/23/2008	50	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Proposed Document was not submitted as separate attachment RE: APPLICATION OF NON-RESIDENT ATTORNEY Jeffrey W. Golan for Leave to Appear Pro Hac Vice. FEE NOT PAID. and [Proposed] Order on Application of Non-Resident Attorney to Appear in a Specific Case APPLICATION OF NON-RESIDENT ATTORNEY Jeffrey W. Golan for Leave to Appear Pro Hac Vice. FEE NOT PAID. and [Proposed] Order on Application of Non-Resident Attorney to Appear in a Specific Case 49 . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (rrp) (Entered: 07/23/2008)
08/04/2008	51	DECLARATION of Aaron F. Olsen in Support of Final Approval and Fairness of the Settlement of In Re: Quest Software, Inc. Derivative Litigation filed by Defendants Douglas F Garn, Michael J Lambert, Eyal M Aronoff, Kevin Brooks, M Brinkley Morse, Douglas Merritt, Anthony Foley, Jerry Murdock, Jr, Augustine L Nieto, II, Kevin M Klausmeyer, Paul Sallaberry, Raymond J Lane, Quest Software Inc, Vincent C Smith, David M Doyle, Doran G Machin, John J Laskey. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Proof of Service)(Olsen, Aaron) (Entered: 08/04/2008)
08/04/2008	52	MEMORANDUM in Support of MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 38 Supplemental Memorandum filed by Defendant Quest Software Inc. (Fukumura, Koji) (Entered: 08/04/2008)
08/04/2008	53	NOTICE of Motion and Motion for Final Approval of Stipulation of Settlement filed by Plaintiff Phillip Eng, Robert Freedman. (Attachments: # 1 Memorandum of Law in Support of Plaintiffs' Motion For Final Approval of Settlement)(Haeussler, John) (Entered: 08/04/2008)
08/04/2008	54	DECLARATION of Justice Howard Wiener (Ret.) Support MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 37 Declaration of Justice Howard Wiener (Ret.) in Support of Motion for Final Approval of Settlement filed by Plaintiffs Phillip Eng, Robert Freedman. (Attachments: # 1 Exhibit Resume)(Haeussler, John) (Entered: 08/04/2008)
08/04/2008	55	DECLARATION of Jeffrey W. Golan Support MOTION for Settlement Approval of Joint Motion for Preliminary Approval of Settlement 37 Declaration of Jeffrey W. Golan in Support of Motion For Final Approval of Settlement filed by Plaintiffs Phillip Eng, Robert Freedman. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14)(Haeussler, John) (Entered: 08/04/2008)
08/04/2008	56	ORDER by Judge David O. Carter Granting APPLICATION OF NON-RESIDENT ATTORNEY Jeffrey W. Golan for Leave to Appear Pro Hac Vice 49 on behalf of Plaintiff Robert Freedman. Stephen R. Basser is designated as local counsel. Fee PAID. (db) (Entered: 08/05/2008)
08/06/2008	57	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Hearing information is not timely RE: Notice (Other), Notice (Other) 53 . In response to this notice the court may order (1) an amended or

		correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (rrp) (Entered: 08/06/2008)
08/08/2008	58	MINUTES OF IN CHAMBERS ORDER TAKING MATTER UNDER SUBMISSION held before Judge David O. Carter re: Motion by Plaintiffs for Final Approval of Stipulation of Settlement 53 . Court finds matter appropriate for decision without oral argument. Accordingly, the hearing set August 11, 2008 at 8:30 a.m. is removed from the calendar. Parties will be served with the Courts ruling. (kh) (Entered: 08/08/2008)
08/15/2008	59	ORDER GRANTING FINAL APPROVAL OF SETTLEMENT by Judge David O. Carter, (Made JS-6. Case Terminated.) (ade) (Entered: 08/18/2008)
08/26/2008	60	MINUTES OF IN CHAMBERS ORDER by Judge David O. Carter: CLARIFYING FINAL APPROVAL Order 59 : In the Court's August 15, 2008 Order granting Final Approval of the parties settlement, the Court stated that the economic aspect of the settlement would result in a \$23.5 million payment to Quest as disgorgement of profits from individuals exercising their misdated options. In fact, the \$23.5 million represents the full value of the economic component of the settlement, which includes both repayments for exercising misdated options, properly dating existing options, and cancelling certain options. The \$23.5 million does not merely reflect profits of executives in exercising misdated options. The Clerk shall serve this minute order on all parties to the action. (rla) (Entered: 08/27/2008)

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