

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:07-cv-00102-RBW**

UNITED FOOD AND COMMERCIAL WORKERS UNION
LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT
PENSION FUND et al v. SUNRISE SENIOR LIVING INC
Assigned to: Judge Reggie B. Walton
Demand: \$100,000
Member case:

Date Filed: 01/16/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

[1:07-cv-00294-RBW](#)

Cases: [1:07-cv-00143-RBW](#)
[1:07-cv-00227-RBW](#)
[1:07-cv-00286-RBW](#)
[1:07-cv-00294-RBW](#)

Cause: 28:1331 Fed. Question: Securities Violation

Plaintiff

**UNITED FOOD AND COMMERCIAL
WORKERS UNION LOCAL 880 -
RETAIL FOOD EMPLOYERS JOINT
PENSION FUND**

represented by **Jonathan Watson Cuneo**
CUNEO GILBERT & LADUCA, LLP
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**UNITED FOOD AND COMMERCIAL
WORKERS UNION-EMPLOYER
PENSION FUND**

*Individually and on behalf of all others
similarly situated*

represented by **Jonathan Watson Cuneo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

SUNRISE SENIOR LIVING INC

represented by **Jon Myer Talotta**
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Defendant

PAUL J. KLAASSEN

Defendant

THOMAS B. NEWELL

Defendant

BRADLEY B. RUSH

represented by **Jeffrey Matthew King**
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Defendant

RONALD V. APRAHAMIAN

Defendant

J. DOUGLAS HOLLADAY

Defendant

THOMAS J. DONOHUE

Defendant

WILLIAM G. LITTLE

Defendant

TERESA M. KLAASSEN

Defendant

CRAIG R. CALLEN

Defendant

J. BARRON ANSCHUTZ

Movant

**CITY OF MIAMI GENERAL
EMPLOYEES' & SANITATION
EMPLOYEES' RETIREMENT
TRUST**

represented by **Daniel S. Sommers**
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Movant

**OKLAHOMA FIREFIGHTERS
PENSION AND RETIREMENT
SYSTEM**

represented by **Daniel S. Sommers**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Shattuck Finberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven J. Toll
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jay W. Eng
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Pucillo
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/16/2007	<u>1</u>	COMPLAINT against defendants(Filing fee \$ 350 receipt number 4616001599.)filed by UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT PENSION FUND, UNITED FOOD AND COMMERCIAL WORKERS UNION-EMPLOYER PENSION FUND. (Attachments: # <u>1</u> Civil Cover Sheet)(td,) Modified on 1/17/2007 (td,). (Entered: 01/17/2007)
01/16/2007		Summons (11) Issued as to PAUL J. KLAASSEN, THOMAS B. NEWELL, BRADLEY B. RUSH, RONALD V. APRAHAMIAN, J. DOUGLAS HOLLADAY, THOMAS J. DONOHUE, WILLIAM G. LITTLE, TERESA M. KLAASSEN, CRAIG R. CALLEN, J. BARRON ANSCHUTZ, SUNRISE SENIOR LIVING INC. (td,) (Entered: 01/17/2007)

02/23/2007	2	Consent MOTION for Extension of Time to <i>Answer, Move, or Otherwise Respond</i> by SUNRISE SENIOR LIVING INC. (Attachments: # 1 Stipulation of Parties to Proposed Order# 2 Text of Proposed Order Proposed Order extending time to answer, move, or otherwise respond# 3 Certificate of Service)(Mernick, George) (Entered: 02/23/2007)
03/15/2007	3	ENTERED IN ERROR. . . RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. J. BARRON ANSCHUTZ served on 3/1/2007, answer due 3/21/2007 (Cuneo, Jonathan) Modified on 3/15/2007 (td,). (Entered: 03/15/2007)
03/15/2007	4	ENTERED IN ERROR. . . RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. RONALD V. APRAHAMIAN served on 2/16/2007, answer due 3/8/2007 (Cuneo, Jonathan) Modified on 3/15/2007 (td,). (Entered: 03/15/2007)
03/15/2007	5	ENTERED IN ERROR. . . RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CRAIG R. CALLEN served on 3/7/2007, answer due 3/27/2007 (Cuneo, Jonathan) Modified on 3/15/2007 (td,). (Entered: 03/15/2007)
03/15/2007		NOTICE OF CORRECTED DOCKET ENTRY: re 3 Summons Returned Executed, 5 Summons Returned Executed, 4 Summons Returned Executed was entered in error and counsel was instructed to refile said pleading. (td,) (Entered: 03/15/2007)
03/15/2007	6	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. J. BARRON ANSCHUTZ served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CRAIG R. CALLEN served on 2/17/2007, answer due 3/9/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	8	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS J. DONOHUE served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	9	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. J. DOUGLAS HOLLADAY served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	10	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. WILLIAM G. LITTLE served on 1/27/2007, answer due 2/16/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	11	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS B. NEWELL served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	12	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. PAUL J. KLAASSEN served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	13	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed.

		BRADLEY B. RUSH served on 1/27/2007, answer due 2/16/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	14	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. SUNRISE SENIOR LIVING INC served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	15	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. TERESA M. KLAASSEN served on 1/24/2007, answer due 2/13/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/15/2007	16	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. RONALD V. APRAHAMIAN served on 2/14/2007, answer due 3/6/2007 (Cuneo, Jonathan) (Entered: 03/15/2007)
03/19/2007	17	MOTION to Appoint Counsel <i>United Food and Commercial Workers Union Local 880 - Retail Food Employers Joint Pension Fund and United Food and Commercial Workers Union-Employer Pension Fund's Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval of Selection of Lead and Liaison Counsel</i> by UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT PENSION FUND, UNITED FOOD AND COMMERCIAL WORKERS UNION-EMPLOYER PENSION FUND (Attachments: # 1 Statement of Facts Memorandum# 2 Statement Pursuant to LCvR7.1(m)# 3 Affidavit # 4 Exhibit A# 5 Exhibit B# 6 Exhibit C# 7 Exhibit D# 8 Text of Proposed Order)(Cuneo, Jonathan) Modified on 3/20/2007 (nmw,). (Entered: 03/19/2007)
03/19/2007	18	MOTION for Appointment as Lead Plaintiff by UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT PENSION FUND, UNITED FOOD AND COMMERCIAL WORKERS UNION-EMPLOYER PENSION FUND (Please see Document No. 17 for scanned images). (nmw,) (Entered: 03/20/2007)
03/19/2007	19	NOTICE of Appearance by Daniel S. Sommers on behalf of CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM (nmw,) (Entered: 03/20/2007)
03/19/2007	20	MOTION for Appointment as Lead Plaintiffs, MOTION to Appoint Counsel, MOTION to Consolidate Cases by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM (Attachments: # 1 Text of Proposed Order # 2 Silk Declaration# 3 Exhibit A - Notice# 4 Exhibit B - Miami Certification# 5 Exhibit C - Jones Declaration# 6 Exhibit D - Declaration of Sandra Elenberg# 7 Exhibit E - Loss Calculation# 8 Exhibit F - Bernstein Litowitz Resume# 9 Exhibit G - Bermand DeValerio Resume)(nmw,) (Entered: 03/20/2007)
03/19/2007	21	MOTION to Consolidate Cases by UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT PENSION FUND, UNITED FOOD AND COMMERCIAL WORKERS UNION-EMPLOYER PENSION FUND (Please see Document No. 17 for scanned image). (nmw,) (Entered: 03/20/2007)

04/02/2007	22	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jay W. Eng, :Firm- Berman DeValerio Pease Tabacco Burt & Pucillo, :Address- Esperante Bldg., Suite 900, 222 Lakeview Ave., West Palm Beach, FL 33401. Phone No. - 561-835-9400. Fax No. - 561-835-0322 by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM (Attachments: # 1 Certification of Jay W. Eng in Support of Motion for Admission Pro Hac Vice# 2 Text of Proposed Order Proposed Order)(Finberg, Elizabeth) (Entered: 04/02/2007)
04/02/2007	23	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Michael J. Pucillo, :Firm- Berman DeValerio Pease Tabacco Burt & Pucillo, :Address- Esperante Bldg., Suite 900, 222 Lakeview Ave., West Palm Beach, FL 33401. Phone No. - 561-835-9400. Fax No. - 561-835-0322 by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM (Attachments: # 1 Certification of Michael J. Pucillo in Support of Motion for Admission Pro Hac Vice# 2 Text of Proposed Order Proposed Order)(Finberg, Elizabeth) (Entered: 04/02/2007)
04/02/2007	24	RESPONSE to 17 , 18 , 20 <i>Competing Motions for Appointment as Lead Plaintiff</i> filed by UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 880 - RETAIL FOOD EMPLOYERS JOINT PENSION FUND. (Cuneo, Jonathan) Modified on 4/3/2007 (td,). (Entered: 04/02/2007)
04/02/2007	25	MEMORANDUM re 20 MOTION for Appointment as Lead Plaintiffs MOTION to Appoint Counsel MOTION to Consolidate Cases filed by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST, OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM. (Toll, Steven) (Entered: 04/02/2007)
04/12/2007	26	REPLY to opposition to motion re 20 MOTION for Appointment as Lead Plaintiff filed by CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST. (Sommers, Daniel) Modified on 4/13/2007 (td,). (Entered: 04/12/2007)
05/07/2007		MINUTE ORDER granting 22 Motion of Jay W. Eng for Admission to Appear Pro Hac Vice; granting 23 Motion of Michael J. Pucillo for Admission to Appear Pro Hac Vice. Signed by Judge Reggie B. Walton on May 7, 2007. (MDW,) (Entered: 05/07/2007)
05/07/2007		MINUTE ORDER granting 2 Motion for Extension of Time to Respond to Complaint. Signed by Judge Reggie B. Walton on May 7, 2007. (MDW,) (Entered: 05/07/2007)
05/16/2007	27	NOTICE of Appearance by John Maguire Dowd on behalf of BRADLEY B. RUSH (Dowd, John) (Entered: 05/16/2007)
05/16/2007	28	NOTICE of Appearance by Jeffrey Matthew King on behalf of BRADLEY B. RUSH (King, Jeffrey) (Entered: 05/16/2007)
06/08/2007	29	STIPULATION and [Proposed] Order Re: Appointment of Lead Plaintiffs,

		<i>Approval of Counsel, Consolidation of Related Cases and Further Organization of the Case</i> by SUNRISE SENIOR LIVING INC. (Mernick, George) (Entered: 06/08/2007)
06/13/2007	30	NOTICE OF NO OBJECTION TO PARTIES' STIPULATION by BRADLEY B. RUSH (Dowd, John) (Entered: 06/13/2007)
06/18/2007	31	NOTICE of Appearance by Jon Myer Talotta on behalf of SUNRISE SENIOR LIVING INC (Talotta, Jon) (Entered: 06/18/2007)
06/19/2007	32	NOTICE of Appearance by Nathaniel Thomas Connally, III on behalf of SUNRISE SENIOR LIVING INC (Connally, Nathaniel) (Entered: 06/19/2007)
07/18/2007	33	NOTICE of Appearance by Elizabeth Catherine Lulla Peterson on behalf of BRADLEY B. RUSH (Peterson, Elizabeth) (Entered: 07/18/2007)
07/31/2007		MINUTE ORDER granting Stipulation Re: Appointment of Lead Plaintiffs, Approval of Counsel, Consolidation of Related Cases and Further Organization of the Case. Case Nos. 07cv102 and 07cv294 shall be consolidated under 07cv102. Signed by Judge Reggie B. Walton on July 31, 2007. (MDW,) (Entered: 07/31/2007)

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