

**U.S. District Court
Southern District of Florida (Ft. Lauderdale)
CIVIL DOCKET FOR CASE #: 0:07-cv-61438-JIC**

Katz v. MRT, LLC, et al
Assigned to: Judge James I. Cohn
Referred to: Magistrate Judge Barry S. Seltzer
Cause: 28:1331 Federal Question

Date Filed: 10/09/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Marvin A. Katz

represented by **Jeffrey R. Sonn**
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Fort Lauderdale , FL 33394
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Eloise Dabney

represented by **Jeffrey R. Sonn**
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Plaintiff

Ricky Tate

represented by **Jeffrey R. Sonn**
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Plaintiff

Patricia A. Jackson

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Plaintiff

Nyra Horowitz

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Plaintiff

Pamela Richard Brown

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Plaintiff

Harriet Geyer

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Plaintiff

Annette Shirley Mair

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Plaintiff

Lewis Jim Seiden

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Plaintiff

Phyllis Seiden

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V.

Defendant

MRT Holdings, LLC

represented by **Inger Michelle Garcia**
Inger M. Garcia-Armstrong Esq
533 NE 3rd Avenue
Ground Floor
Suite 2

Fort Lauderdale , FL 33301
954-894-9962
Fax: 954-446-1635
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Defendant

MRT LLC
TERMINATED: 03/21/2008

represented by **Inger Michelle Garcia**
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Defendant

James Clements

represented by **Inger Michelle Garcia**
(See above for address)
LEAD ATTORNEY
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Defendant

Zeina Smidi

represented by **Zeina Smidi**
12841 S.W. 13th Manor
Davie, FL 33325
PRO SE

Inger Michelle Garcia
(See above for address)
LEAD ATTORNEY
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Defendant

Ann B. Bradshaw
TERMINATED: 03/21/2008

represented by **Inger Michelle Garcia**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/09/2007	<u>1</u>	COMPLAINT against MRT Holdings, LLC, MRT LLC, James Clements, Zeina Smidi, Ann B. Bradshaw Filing fee \$ 350. Receipt#: 541210, filed by Nyra Horowitz, Pamela Richard Brown, Harriet Geyer, Annette Shirley Mair, Lewis Jim Seiden, Phyllis Seiden, Marvin A. Katz, Eloise Dabney, Ricky Tate, Patricia A. Jackson.(vt) (Entered: 10/09/2007)
10/09/2007	<u>2</u>	Summons Issued as to MRT Holdings, LLC, MRT LLC, James Clements, Zeina Smidi, Ann B. Bradshaw. (vt) (Entered: 10/09/2007)

10/19/2007	3	SCHEDULING ORDER:, ORDER REFERRING CASE to Magistrate Judge Barry S. Seltzer for Discovery; Jury Trial set for 6/8/2009 09:00 AM before Judge James I. Cohn. Calendar Call set for 6/4/2009 01:30 PM before Judge James I. Cohn.Signed by Judge James I. Cohn on 10/18/2007.(bs) (Entered: 10/19/2007)
11/26/2007	4	MOTION for Extension of Time to File Answer re 1 Complaint, by Zeina Smidi. (ail) (Entered: 11/27/2007)
11/29/2007	5	ORDER granting 4 Motion for Extension of Time to Answer Zeina Smidi response due 12/7/2007. Signed by Judge James I. Cohn on 11/28/2007. (lc2) (Entered: 11/29/2007)
11/30/2007	6	ORDER Setting Scheduling Conference for December 13, 2007. Please see Order for details.Signed by Magistrate Judge Barry S. Seltzer on 11/30/07.(lc1) (Entered: 11/30/2007)
12/03/2007		Pursuant to 6 , Set/Reset Hearings: Scheduling Conference set for 12/13/2007 02:00 PM in Fort Lauderdale Division before Magistrate Judge Barry S. Seltzer. (dg) (Entered: 12/03/2007)
12/13/2007	7	ORDER Requiring Mediation Signed by Magistrate Judge Barry S. Seltzer on 12/13/07.(lc1) (Entered: 12/13/2007)
12/13/2007	8	SCHEDULING ORDER: Jury Trial set for 6/8/2009 09:00 AM in Fort Lauderdale Division before Judge James I. Cohn. Pretrial Motions due by 4/10/2009. Pretrial Stipulation due by 5/29/2009.Signed by Magistrate Judge Barry S. Seltzer on 12/13/07.(lk) Modified jury trial date on 1/9/2008 (dg). (Entered: 12/13/2007)
12/13/2007	9	Minute Entry for proceedings held before Judge Barry S. Seltzer : Scheduling Conference held on 12/13/2007. (Tape #07-066.) (dd) (Entered: 12/14/2007)
12/14/2007	10	NOTICE to Take Deposition of Zeina Smidi by Nyra Horowitz, Pamela Richard Brown, Harriet Geyer, Marvin A. Katz, Eloise Dabney, Patricia A. Jackson.(tb) (Entered: 12/17/2007)
01/04/2008	12	MOTION for Extension of Time to File Answer re 1 Class Action Complaint, by James Clements. (lk) (Entered: 01/07/2008)
01/07/2008	11	MOTION for Extension of Time to File Answer re 1 Class Action Complaint, by MRT Holdings, LLC. (lk) (Entered: 01/07/2008)
01/08/2008	13	ORDER granting 11 Motion for Extension of Time to Answer. MRT Holdings, LLC response due 2/1/2008. Signed by Judge James I. Cohn on 01/08/2008. (lc2) (Entered: 01/08/2008)
01/08/2008	14	ORDER granting 12 Motion for Extension of Time to Answer. James Clements response due 2/1/2008. Signed by Judge James I. Cohn on 01/08/2008. (lc2) (Entered: 01/08/2008)
01/09/2008		Pursuant to 8 , Set/Reset Scheduling Order Deadlines: Amended Pleadings due by 9/25/2008. Expert Discovery due by 3/27/2009. Fact Discovery due by 3/13/2009. Joinder of Parties due by 9/25/2008. Mediation Deadline 5/8/2009. In Limine Motions due by 5/22/2009. Dispositive Motions due by 4/10/2009. (dg) (Entered: 01/09/2008)
03/06/2008	15	ORDER TO SHOW CAUSE. Show Cause Response due by 3/21/2008.Signed by Judge James I. Cohn on 03/06/2008.(lc2) (Entered: 03/06/2008)

03/20/2008	16	Plaintiff's MOTION for Default Judgment <i>Against MRT Holdings LLC, James Clements and Zeina Smidi</i> by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 03/20/2008)
03/20/2008	17	Plaintiff's MOTION for Default Judgment <i>Exhibits to Motion for Default</i> by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 03/20/2008)
03/21/2008	18	ORDER granting 16 Motion for Entry of Default, Dismissing Without prejudice as to Defendants MRT, LLC and Ann B. Bradshaw. Signed by Judge James I. Cohn on 03/21/2008. (lc2) (Entered: 03/21/2008)
03/28/2008	19	MOTION to Set Aside Default and Allow Defendant to Respond to Complaint by Zeina Smidi. (tp) (Entered: 03/28/2008)
03/28/2008	20	NOTICE of Current/Correct Address by Zeina Smidi (tp) (Entered: 03/28/2008)
03/28/2008	21	AFFIDAVIT signed by : Zeina Smidi. by Zeina Smidi. (tp) (Entered: 03/28/2008)
03/31/2008	22	ORDER granting 19 Motion to Set Aside Default. Defendant Zeina Smidi must file answer or other responsive pleading on or before Friday, April 11, 2008. Signed by Judge James I. Cohn on 03/31/2008. (lc2) (Entered: 03/31/2008)
03/31/2008		Set/Reset Answer Due Deadline: Zeina Smidi response due 4/11/2008. (lc2) (Entered: 03/31/2008)
04/11/2008	23	MOTION for Extension of Time to File Answer as to 1 Complaint, by Zeina Smidi. (tp) (Entered: 04/11/2008)
04/14/2008	24	Second MOTION for Default Judgment <i>AGAINST ZEINA SMIDI FOR VIOLATION OF THE COURT'S ORDER TO RESPOND BY APRIL 11, 2008</i> by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 04/14/2008)
04/16/2008	25	ORDER denying 23 Motion for Extension of Time to Answer, granting 24 Motion for Entry of Default. Signed by Judge James I. Cohn on 04/16/2008. (lc2) (Entered: 04/16/2008)
04/25/2008	26	Plaintiff's MOTION to Certify Class by Eloise Dabney. Responses due by 5/9/2008 (Sonn, Jeffrey) (Entered: 04/25/2008)
04/25/2008	27	Plaintiff's MOTION for Default Judgment <i>against MRT LLC</i> by Eloise Dabney. (Sonn, Jeffrey) (Entered: 04/25/2008)
05/15/2008	28	NOTICE of Attorney Appearance by Inger Michelle Garcia on behalf of all defendants (Garcia, Inger) (Entered: 05/15/2008)
05/15/2008	29	First MOTION for Extension of Time to File Response as to 18 Order on Motion for Default Judgment, 26 Plaintiff's MOTION to Certify Class by MRT Holdings, LLC. (Garcia, Inger) (Entered: 05/15/2008)
05/20/2008	30	ORDER granting 29 Motion for Extension of Time and Setting Hearing. Signed by Judge James I. Cohn on 05/19/2008. (lc2) (Entered: 05/20/2008)
05/20/2008		Set/Reset Hearings: Hearing re defaults set for 6/5/2008 09:00 AM in Fort Lauderdale Division before Judge James I. Cohn. (lc2) (Entered: 05/20/2008)
05/20/2008		Set/Reset Deadlines: Motions to set aside default due by 5/30/2008. (lc2) (Entered: 05/20/2008)

05/30/2008	31	MOTION to Set Aside <i>Defaults for Defendants</i> by James Clements. (Attachments: # 1 Exhibit Proposed Answer and Affirmative Defenses of Defendants)(Garcia, Inger) (Entered: 05/30/2008)
06/03/2008	32	MOTION to Set Aside <i>dismissal and reinstate claim against mrt llc</i> by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 06/03/2008)
06/03/2008	33	RESPONSE in Opposition re 31 MOTION to Set Aside <i>Defaults for Defendants Clements, MRT Holdings LLC and Smidi</i> filed by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 06/03/2008)
06/04/2008	34	RESPONSE in Opposition re 31 MOTION to Set Aside <i>Defaults for Defendants Supplemental Memorandum and Request for Bond</i> filed by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 06/04/2008)
06/10/2008	35	ORDER denying as moot 32 Motion to Set Aside Dismissal as to MRT LLC. Signed by Judge James I. Cohn on 06/10/2008. (lc2) (Entered: 06/10/2008)
06/10/2008	36	ORDER denying 31 Motion to Set Aside Defaults. Signed by Judge James I. Cohn on 06/10/2008. (lc2) (Entered: 06/10/2008)
06/10/2008	37	Minute Entry for proceedings held before Judge James I. Cohn: Motion Hearing held on 6/5/2008 re 31 MOTION to Set Aside <i>Defaults for Defendants</i> filed by James Clements. Witnesses James Clements and Zeina Smidi testified. Court Reporter: Tammy Nestor - phone number 954-769-5496 (lc2) Modified hearing date on 6/11/2008 (dg). (Entered: 06/10/2008)
08/29/2008	38	ORDER denying as moot 27 Motion for Default as to MRT, LLC. Signed by Judge James I. Cohn on 08/28/2008. (lc2) (Entered: 08/29/2008)
09/03/2008	39	ORDER Setting Hearing on Motion 26 Plaintiffs' MOTION to Certify Class: Motion Hearing set for 9/18/2008 09:30 AM in Fort Lauderdale Division before Judge James I. Cohn. Signed by Judge James I. Cohn on 09/03/2008. (lc2) (Entered: 09/03/2008)
09/17/2008	40	NOTICE by Eloise Dabney <i>Filing Affidavits of Lead Plaintiffs</i> (Sonn, Jeffrey) (Entered: 09/17/2008)
09/17/2008	41	NOTICE by Eloise Dabney <i>of Publication of ClassAction Notice</i> (Sonn, Jeffrey) (Entered: 09/17/2008)
09/17/2008	42	NOTICE by Eloise Dabney <i>exhibit to notice filing exhibit in support of motion to certify class action</i> (Attachments: # 1 Exhibit)(Sonn, Jeffrey) (Entered: 09/17/2008)
09/18/2008	43	MINUTE ORDER - Defendants shall have 7 days to file a response in opposition to Plaintiffs' Motion to Certify Class Action. Response is due 9/26/2008 (paperless order). Signed by Judge James I. Cohn on 9/18/2008. (lc2) (Entered: 09/18/2008)
09/18/2008	44	Minute Order for proceedings held before Judge James I. Cohn: Motion Hearing held on 9/18/2008 re 26 Plaintiff's MOTION to Certify Class hearing held motion taken under advisement filed by Eloise Dabney Court Reporter: Tammy Nestor - phone number 954-769-5496 (vt1) (Entered: 09/19/2008)
10/24/2008	45	ORDER granting 26 Motion to Certify Class Action. Signed by Judge James I. Cohn on 10/24/2008. (lc2) (Entered: 10/24/2008)

11/05/2008	46	NOTICE by Marvin A. Katz re 45 Order on Motion to Certify Class <i>Proposed Class Action Notice</i> (Attachments: # 1 Exhibit proposed class action notice)(Sonn, Jeffrey) (Entered: 11/05/2008)
11/25/2008	47	ORDER Regarding 46 Plaintiffs' Proposed Class Action Notice. Signed by Judge James I. Cohn on 11/25/2008. (lc2) (Entered: 11/25/2008)
12/24/2008	48	MOTION for Extension of Time to File <i>and Serve Class Action Notice</i> by Eloise Dabney. (Sonn, Jeffrey) (Entered: 12/24/2008)
12/29/2008	49	ORDER granting 48 Plaintiffs' Motion for Enlargement of Time to Serve Class Action Notice. Signed by Judge James I. Cohn on 12/29/2008. (lc2) (Entered: 12/29/2008)
01/16/2009	50	NOTICE by Marvin A. Katz re 47 Order <i>Notice of Service of Class Action Notice to Investors</i> (Sonn, Jeffrey) (Entered: 01/16/2009)
03/04/2009	51	STATUS REPORT ORDER: Plaintiffs shall file a Status Report detailing the steps Plaintiffs intend to take to resolve this matter by 4/3/2009. Signed by Judge James I. Cohn on 3/4/2009. (lc2) (Entered: 03/04/2009)
04/21/2009	52	MOTION to Continue <i>and Status Report</i> by Eloise Dabney. Responses due by 5/8/2009 (Sonn, Jeffrey) (Entered: 04/21/2009)
05/08/2009	53	AFFIDAVIT signed by : Jeffrey R. Sonn, Esq.. <i>Affidavit in Support of Motion to Continue Trial and Enlarge Discovery Cutoff</i> by Marvin A. Katz. (Sonn, Jeffrey) (Entered: 05/08/2009)
05/11/2009	54	Clerks Notice of Docket Correction and Instruction to Filer re 53 Affidavit filed by Marvin A. Katz. Error - No Link ; Instruction to filer - In the future, please link the document to the proper entry. It is not necessary to refile this document. (ls) (Entered: 05/11/2009)
05/12/2009	55	ORDER granting 52 Motion to Continue Trial and Extending Discovery Cutoff. Signed by Judge James I. Cohn on 5/12/2009. (cqs) (Entered: 05/13/2009)
05/12/2009		Reset Scheduling Order Deadlines: Calendar Call reset for 8/20/2009 09:00 AM in Fort Lauderdale Division before Judge James I. Cohn. Jury Trial reset for 8/24/2009 09:00 AM in Fort Lauderdale Division before Judge James I. Cohn. Discovery due by 8/7/2009. (cqs) (Entered: 05/13/2009)
05/29/2009	56	MOTION to Compel <i>Attendance at Deposition and the Production of Documents, and Incorporated Memorandum of Law</i> by Nyra Horowitz, Pamela Richard Brown, Harriet Geyer, Annette Shirley Mair, Lewis Jim Seiden, Phyllis Seiden, Marvin A. Katz, Eloise Dabney, Ricky Tate, Patricia A. Jackson. Responses due by 6/15/2009 (Sonn, Jeffrey) (Entered: 05/29/2009)
06/16/2009	57	ORDER denying as premature 56 Plaintiffs' Motion to Compel Attendance at Deposition and Production of Documents. Signed by Magistrate Judge Barry S. Seltzer on 6/16/2009. (lc1) (Entered: 06/16/2009)
06/18/2009	58	NOTICE by Nyra Horowitz, Pamela Richard Brown, Harriet Geyer, Annette Shirley Mair, Lewis Jim Seiden, Phyllis Seiden, Marvin A. Katz, Eloise Dabney, Ricky Tate, Patricia A. Jackson <i>Re-Notice of Taking Deposition Duces Tecum of Zeina Smidi & Jim Clements</i> (Sonn, Jeffrey) (Entered: 06/18/2009)

07/23/2009	59	Plaintiff's MOTION <i>For Status Conference, re: Settlement</i> by Marvin A. Katz. Responses due by 8/10/2009 (Sonn, Jeffrey) Modified relief on 7/24/2009 (tp). (Entered: 07/23/2009)
07/24/2009	60	Clerks Notice to Filer re 59 Motion for Status Conference. Filer Selected the Wrong Motion Relief(s) ; ERROR - The Filer selected the wrong motion relief(s) when docketing the motion. The correction was made by the Clerk. it is not necessary to refile this document but future motions filed must include applicable reliefs. (tp) (Entered: 07/24/2009)
07/24/2009	61	ORDER Setting Status Conference: If Settlement Agreement is not executed, Status Conference set for 7/30/2009 at 11:30 AM in Fort Lauderdale Division before Judge James I. Cohn. Please see Order for details. Signed by Judge James I. Cohn on 7/24/2009. (egr) (Entered: 07/24/2009)
07/31/2009	62	Minute Entry for proceedings held before Judge James I. Cohn on 7/31/2009: Plaintiffs' counsel informed the Court that all Defendants have executed the Settlement Agreement. Court Reporter: Tammy Nestor, Phone: 954-769-5496 (egr) (Entered: 07/31/2009)
08/10/2009	63	Plaintiff's MOTION to Approve Consent Judgment <i>Motion to Approve Settlement (and schedule hearing)</i> by Marvin A. Katz. Responses due by 8/27/2009 (Sonn, Jeffrey) (Entered: 08/10/2009)
08/20/2009	64	Minute Entry for proceedings held before Judge James I. Cohn: Motion Hearing held on 8/20/2009 re 63 Plaintiff's MOTION to Approve Settlement. Court ordered that (1) deadline to file objections will be September 21, 2009; (2) Fairness Hearing will be held on October 16, 2009 at 2:00 p.m.; and (3) Defendants shall make records available for copying within 7 days. Court Reporter: Tammy Nestor, Phone: 954-769-5496 (egr) (Entered: 08/20/2009)
08/20/2009	65	NOTICE by Marvin A. Katz re 64 Motion Hearing, <i>Proposed Order</i> (Sonn, Jeffrey) (Entered: 08/20/2009)
08/21/2009	66	Clerks Notice to Filer re 65 Notice (Other). Proposed Order Docketed as Main Document ; CORRECTIVE ACTION REQUIRED - The proposed order was incorrectly docketed as a main document. Filer must File a Notice of Striking, then resubmit the proposed order as instructed in the CM/ECF Administrative Procedures (tp) (Entered: 08/21/2009)
08/21/2009	67	ORDER on Motion to Approve Settlement and Order Compelling Production of Documents. Please see Order for details. Signed by Judge James I. Cohn on 8/21/2009. (egr) (Entered: 08/21/2009)

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