

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:07-cv-04578-SI**

Rudolph v. UT Starcom et al

Date Filed: Sep. 04, 2007
Nature of suit: 850 Securities/Commodities
Assigned to: [Hon. Susan Illston](#)
Cause: 15:78m(a) Securities Exchange Act
Jurisdiction: Federal Question
Jury demand: Plaintiff

Parties and Attorneys

Plaintiff

Peter Rudolph
individually and on behalf of all others similarly situated

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Docket Proceedings[Reverse Proceedings](#)

Req #	Filed	#	Docket Text
1	Sep. 04, 2007	1	CLASS ACTION COMPLAINT against Thomas Toy, Francis Barton, UT Starcom, Hong Liang Lu, Michael Sophie (Filing fee \$ 350, receipt number 34611010060; Summons Issued). Filed by Peter Rudolph. (rcs, COURT STAFF) (Filed on 9/4/2007) Additional attachment(s) added on 10/5/2007 (ys, COURT STAFF). (Entered: 09/06/2007)
2	Sep. 04, 2007	2	SEC CLASS ACTION SCHEDULING ORDER SEC Class Action Notice due by 9/24/2007. Case Management Conference set for 12/14/2007 at 2:00 PM. (Attachments: # 1 Standing Order)(rcs, COURT STAFF) (Filed on 9/4/2007) (Entered: 09/06/2007)
3	Sep. 04, 2007		Summons Issued as to Thomas Toy, Francis Barton, UT Starcom, Hong Liang Lu, Michael Sophie. (rcs, COURT STAFF) (Filed on 9/4/2007) (Entered: 09/06/2007)
4	Sep. 04, 2007		CASE DESIGNATED for Electronic Filing. (rcs, COURT STAFF) (Filed on 9/4/2007) (Entered: 09/06/2007)
5	Sep. 05, 2007	3	Certification of Elizabeth K. Tripodi Pursuant to Local Rule 3-7(d) by Peter Rudolph (hdj, COURT STAFF) (Filed on 9/5/2007) Additional attachment(s) added on 10/5/2007 (ys, COURT STAFF). (Entered: 09/10/2007)
6	Sep. 05, 2007	4	Certification of Donald J. Enright Pursuant to Local Rule 3-7(d) by Peter Rudolph (hdj, COURT STAFF) (Filed on 9/5/2007) Additional attachment(s) added on 10/5/2007 (ys, COURT STAFF). (Entered: 09/10/2007)
7	Sep. 05, 2007	5	Certification of Mark Punzalan Pursuant to Local Ruel 3-7(d) by Peter Rudolph (hdj, COURT STAFF) (Filed on 9/5/2007) Additional attachment(s) added on 10/5/2007 (ys, COURT STAFF). (Entered: 09/10/2007)
8	Sep. 06, 2007	6	NOTICE of Publication Pursuant to Local Rule 23-1(a) by Peter Rudolph (hdj, COURT STAFF) (Filed on 9/6/2007) Additional attachment(s) added on 10/5/2007 (ys, COURT STAFF). (Entered: 09/10/2007)
9	Sep. 10, 2007	7	CLERK'S NOTICE re: Failure to E-File and/or Failure to Register as an E-Filer (hdj, COURT STAFF) (Filed on 9/10/2007) (Entered: 09/10/2007)
10	Sep. 25, 2007	8	NOTICE by Peter Rudolph of Errata Re Class Action Complaint (Punzalan, Mark) (Filed on 9/25/2007) (Entered: 09/25/2007)
11	Oct. 04, 2007	9	NOTICE of Appearance by Bryan Jacob Ketroser of Counsel (Ketroser, Bryan) (Filed on 10/4/2007) (Entered: 10/04/2007)
12	Oct. 04, 2007	10	Certificate of Interested Entities by Bryan Jacob Ketroser (Ketroser, Bryan) (Filed on 10/4/2007) (Entered: 10/04/2007)
13	Oct. 04, 2007	11	STIPULATION Joint Stipulation and [Proposed] Order Regarding Time For Defendants' Response To Plaintiff's Class Action Complaint by UT

Req #	Filed	#	Docket Text
			Starcom. (Ketroser, Bryan) (Filed on 10/4/2007) (Entered: 10/04/2007)
14	Oct. 05, 2007	12	CLERK'S NOTICE re: Failure to E-File documents #1, #3, #4, #5, and #6 by plaintiff's counsel. (ys, COURT STAFF) (Filed on 10/5/2007) (Entered: 10/05/2007)
15	Oct. 09, 2007	13	ORDER re: time to respond to class action complaint. Signed by Judge Illston on 10/9/07. (ts, COURT STAFF) (Filed on 10/9/2007) (Entered: 10/09/2007)
16	Oct. 10, 2007	14	WAIVER OF SERVICE Returned Executed filed by Peter Rudolph. Service waived by UT Starcom waiver sent on 9/6/2007, answer due 11/5/2007. WAIVER OF SERVICE OF SUMMONS ON BEHALF OF UT STARCOM (Punzalan, Mark) (Filed on 10/10/2007) (Entered: 10/10/2007)
17	Oct. 10, 2007	15	WAIVER OF SERVICE Returned Executed filed by Peter Rudolph. Service waived by Francis Barton waiver sent on 9/13/2007, answer due 11/13/2007. WAIVER OF SERVICE OF SUMMONS ON BEHALF OF FRANCIS BARTON (Punzalan, Mark) (Filed on 10/10/2007) (Entered: 10/10/2007)
18	Oct. 10, 2007	16	WAIVER OF SERVICE Returned Executed filed by Peter Rudolph. Service waived by Thomas Toy waiver sent on 9/13/2007, answer due 11/13/2007. WAIVER OF SERVICE OF SUMMONS ON BEHALF OF THOMAS TOY (Punzalan, Mark) (Filed on 10/10/2007) (Entered: 10/10/2007)
19	Oct. 10, 2007	17	WAIVER OF SERVICE Returned Executed filed by Peter Rudolph. Service waived by Michael Sophie waiver sent on 9/13/2007, answer due 11/13/2007. WAIVER OF SERVICE OF SUMMONS ON BEHALF OF MICHAEL SOPHIE (Punzalan, Mark) (Filed on 10/10/2007) (Entered: 10/10/2007)
20	Oct. 10, 2007	18	WAIVER OF SERVICE Returned Executed filed by Peter Rudolph. Service waived by Hong Liang Lu waiver sent on 9/13/2007, answer due 11/13/2007. WAIVER OF SERVICE OF SUMMONS ON BEHALF OF HONG LIANG LU (Punzalan, Mark) (Filed on 10/10/2007) (Entered: 10/10/2007)
21	Nov. 05, 2007	19	MOTION to Appoint Lead Plaintiff and Lead Counsel for James R. Bartholomew as lead plaintiff filed by Peter Rudolph. Motion Hearing set for 12/14/2007 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Punzalan, Mark) (Filed on 11/5/2007) (Entered: 11/05/2007)
22	Nov. 05, 2007	20	MEMORANDUM in Support of 19 Motion to Appoint James R. Bartholomew as Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel filed by Peter Rudolph. (Punzalan, Mark) (Filed on 11/5/2007) Modified on 11/6/2007 (ys, COURT STAFF). (Entered: 11/05/2007)
23	Nov. 05, 2007	21	Declaration of Mark Punzalan in support of 19 motion to appoint James R. Bartholomew as lead plaintiff and for approval of lead plaintiff's selection of lead counsel filed by Peter Rudolph. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D)(Punzalan, Mark) (Filed on 11/5/2007) Modified on 11/6/2007 (ys, COURT STAFF). (Entered: 11/05/2007)
24	Nov. 05, 2007	22	Proposed Order Appointing James R. Bartholomew As Lead Plaintiff And Finkelstein Thompson LLP As Lead Counsel by Peter Rudolph.

Req #	Filed	#	Docket Text
			(Punzalan, Mark) (Filed on 11/5/2007) (Entered: 11/05/2007)
<u>25</u>	Nov. 05, 2007	23	CERTIFICATE OF SERVICE of 19 , [20, 21 , 22 by Peter Rudolph (Punzalan, Mark) (Filed on 11/5/2007) Modified on 11/6/2007 (ys, COURT STAFF). (Entered: 11/05/2007)
<u>26</u>	Nov. 05, 2007	24	MOTION to Appoint Lead Plaintiff and Lead Counsel filed by Detectives Endowment Association Annuity Fund. Motion Hearing set for 12/14/2007 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Goldberg, Michael) (Filed on 11/5/2007) (Entered: 11/05/2007)
<u>27</u>	Nov. 05, 2007	25	MEMORANDUM in Support re 24 MOTION to Appoint Lead Plaintiff and Lead Counsel filed by Detectives Endowment Association Annuity Fund. (Related document(s) 24) (Goldberg, Michael) (Filed on 11/5/2007) (Entered: 11/05/2007)
<u>28</u>	Nov. 05, 2007	26	Declaration of Lionel Z. Glancy in Support of 24 MOTION to Appoint Lead Plaintiff and Lead Counsel filed by Detectives Endowment Association Annuity Fund. (Attachments: # 1 Exhibit Exhibits A-E to Declaration of Lionel Z. Glancy in Support of Motion of Detectives Endowment Association Annuity Fund for Appointment of Lead Plaintiff and Lead Counsel)(Related document(s) 24) (Goldberg, Michael) (Filed on 11/5/2007) (Entered: 11/05/2007)
<u>29</u>	Nov. 05, 2007	27	Proposed Pretrial Order re Consolidation, Appointment of Lead Plaintiff and Lead Counsel by Detectives Endowment Association Annuity Fund. (Goldberg, Michael) (Filed on 11/5/2007) (Entered: 11/05/2007)
<u>30</u>	Nov. 05, 2007	28	CERTIFICATE OF SERVICE by Detectives Endowment Association Annuity Fund re 24 MOTION to Appoint Lead Plaintiff and Lead Counsel, [25, 26 , 27 (Goldberg, Michael) (Filed on 11/5/2007) Modified on 11/6/2007 (ys, COURT STAFF). (Entered: 11/05/2007)
<u>31</u>	Nov. 13, 2007	29	MOTION for leave to appear in Pro Hac Vice of Donald J. Enright (Filing fee \$ 210, receipt number 34611012459.) filed by Peter Rudolph. (ys, COURT STAFF) (Filed on 11/13/2007) (Entered: 11/13/2007)
<u>32</u>	Nov. 13, 2007		Proposed Order re 29 MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 210, receipt number 34611012459.) by Peter Rudolph. (ys, COURT STAFF) (Filed on 11/13/2007) (Entered: 11/13/2007)
<u>33</u>	Nov. 19, 2007	30	ORDER by Judge Susan Illston granting 29 Motion for Pro Hac Vice. (ys, COURT STAFF) (Filed on 11/19/2007) (Entered: 11/20/2007)
<u>34</u>	Nov. 21, 2007	31	Memorandum in Opposition to 24 the Detectives' Endowment Association Annuity Funds' Motion for Appointment As Lead Plaintiff filed by James R Bartholomew. (Punzalan, Mark) (Filed on 11/21/2007) Modified on 11/27/2007 (ys, COURT STAFF). (Entered: 11/21/2007)
<u>35</u>	Nov. 21, 2007	32	Memorandum in Opposition re 19 MOTION to Appoint Lead Plaintiff and Lead Counsel for James R. Bartholomew as lead plaintiff and for approval of lead counsel filed by Detectives Endowment Association Annuity Fund. (Goldberg, Michael) (Filed on 11/21/2007) (Entered: 11/21/2007)
<u>36</u>	Nov. 21, 2007	33	CERTIFICATE OF SERVICE by Detectives Endowment Association Annuity Fund re 32 Memorandum in Opposition, to James R. Bartholomew's Motion for Appointment of Lead Plaintiff and Approval of Lead Counsel (Goldberg, Michael) (Filed on 11/21/2007) (Entered: 11/21/2007)
<u>37</u>	Nov. 26, 2007	34	CERTIFICATE OF SERVICE by James R Bartholomew (Punzalan,

Req #	Filed	#	Docket Text
			Mark) (Filed on 11/26/2007) (Entered: 11/26/2007)
38	Nov. 27, 2007	35	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Seyedin-Noor, Bahram) (Filed on 11/27/2007) (Entered: 11/27/2007)
39	Nov. 28, 2007	36	MOTION for leave to appear in Pro Hac Vice of Christopher Lometti (Filing fee \$ 210, receipt number 34611012907.) filed by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 11/28/2007) (Entered: 11/29/2007)
40	Nov. 28, 2007		Proposed Order re 36 MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 210, receipt number 34611012907.) by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 11/28/2007) (Entered: 11/29/2007)
41	Nov. 30, 2007	37	ORDER DENYING ADMINISTRATIVE MOTION TO RELATE CASES. Signed by Judge James Ware on November 30, 2007. (jwlc1, COURT STAFF) (Filed on 11/30/2007) (Entered: 11/30/2007)
42	Nov. 30, 2007	38	Reply to 32 the Detectives' Endowment Association Annuity Funds' Opposition to the Motion of James R. Bartholomew for Appointment as Lead Plaintiff filed by James R Bartholomew. (Punzalan, Mark) (Filed on 11/30/2007) Modified on 12/3/2007 (ys, COURT STAFF). (Entered: 11/30/2007)
43	Nov. 30, 2007	39	RELATED CASE ORDER. The court has reviewed the motion and determined that cases C 04-0404908 JW In re UTSTARCOM, Inc. Securities Litigation and C 07-04578 SI Rudolph v. UTStarcom et al are NOT RELATED and no reassignments shall occur. Please see Order 37 Order Denying Administrative Motion to Relate Cases for further specifics. Signed by Judge James Ware on 11/30/2007. (ecg, COURT STAFF) (Filed on 11/30/2007) (Entered: 11/30/2007)
44	Nov. 30, 2007	40	Reply to 38 Opposition re 24 MOTION to Appoint Lead Plaintiff and Lead Counsel and in Further Support of Its Application for Appointment as Lead Plaintiff filed by Detectives Endowment Association Annuity Fund. (Goldberg, Michael) (Filed on 11/30/2007) Modified on 12/3/2007 (ys, COURT STAFF). (Entered: 11/30/2007)
45	Dec. 03, 2007	41	ORDER by Judge Susan Illston granting 36 Motion for Pro Hac Vice. (ys, COURT STAFF) (Filed on 12/3/2007) (Entered: 12/05/2007)
46	Dec. 05, 2007	42	ORDER REQUESTING ADDITIONAL INFORMATION ABOUT LEAD PLAINTIFF APPLICANT. Additional Information is due 12/10/07. Signed by Judge Susan Illston. (SI, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/05/2007)
47	Dec. 05, 2007	43	MOTION for leave to appear in Pro Hac Vice of Ashley Kim (Filing fee \$ 210, receipt number 34611013167.) filed by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/06/2007)
48	Dec. 05, 2007		Proposed Order re 43 MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 210, receipt number 34611013167.) by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/06/2007)
49	Dec. 05, 2007	44	MOTION for leave to appear in Pro Hac Vice of Jay P. Saltzman (Filing fee \$ 210, receipt number 34611013169.) filed by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/06/2007)

Req #	Filed	#	Docket Text
50	Dec. 05, 2007		Proposed Order re 44 MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 210, receipt number 34611013169.) by Detectives Endowment Association Annuity Fund. (ys, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/06/2007)
51	Dec. 06, 2007	45	Response to 42 the Court's Request for Supplemental Information byJames R Bartholomew. (Punzalan, Mark) (Filed on 12/6/2007) Modified on 12/7/2007 (ys, COURT STAFF). (Entered: 12/06/2007)
52	Dec. 06, 2007	46	ORDER by Judge Susan Illston granting 43 Motion for Pro Hac Vice. (ys, COURT STAFF) (Filed on 12/6/2007) (Entered: 12/07/2007)
53	Dec. 06, 2007	47	ORDER by Judge Susan Illston granting 44 Motion for Pro Hac Vice. (ys, COURT STAFF) (Filed on 12/6/2007) (Entered: 12/07/2007)
54	Dec. 07, 2007	48	JOINT CASE MANAGEMENT STATEMENT filed by Thomas Toy, Francis Barton, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 12/7/2007) (Entered: 12/07/2007)
55	Dec. 11, 2007	49	Notice of Withdrawal of Motion AND STATEMENT OF NON-OPPOSITION filed byDetectives Endowment Association Annuity Fund. (Goldberg, Michael) (Filed on 12/11/2007) (Entered: 12/11/2007)
56	Dec. 11, 2007	50	CERTIFICATE OF SERVICE by Detectives Endowment Association Annuity Fund re 49 Notice of Withdrawal of Motion AND STATMENT OF NON-OPPOSITION (Goldberg, Michael) (Filed on 12/11/2007) (Entered: 12/11/2007)
57	Dec. 18, 2007	51	Minute Entry: Motion Hearing held on 12/14/2007 before Illston (Date Filed: 12/18/2007). continued to 4/4/08 @ 9 and 2:30 for motions and cmc.(Court Reporter Ball.) (ts, COURT STAFF) (Date Filed: 12/18/2007) Modified on 3/4/2008 (ts, COURT STAFF). (Entered: 12/18/2007)
58	Dec. 18, 2007	52	ORDER APPOINTING LEAD PLAINTIFF AND LEAD COUNSEL. Granting 19 Bartholomew's motion to be appointed lead plaintiff. In addition, Bartholomew has selected Finkelstein Thompson LLP as his counsel, granting the motion to appoint Finkelstein Thompson LLP as lead counsel. Signed by Judge Susan Illston. (SI, COURT STAFF) (Filed on 12/18/2007) (Entered: 12/18/2007)
59	Dec. 18, 2007		Set Deadlines/Hearings: Case Management Conference set for 4/8/2008 02:30 PM. (ys, COURT STAFF) (Filed on 12/18/2007) (Entered: 12/19/2007)
60	Jan. 25, 2008	53	AMENDED COMPLAINT against Ying Wu, Thomas Toy, Francis Barton, UT Starcom, Hong Liang Lu, Michael Sophie. Filed byJames R Bartholomew. (Attachments: # 1 Exhibit Bartholomew Certification)(Punzalan, Mark) (Filed on 1/25/2008) (Entered: 01/25/2008)
61	Feb. 29, 2008	54	MOTION to Dismiss (1 of 4) filed by UT Starcom. Motion Hearing set for 4/4/2008 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Ketroser, Bryan) (Filed on 2/29/2008) Modified on 3/3/2008 (ys, COURT STAFF). (Entered: 02/29/2008)
62	Feb. 29, 2008	55	MOTION to Dismiss (2 of 4) filed by UT Starcom. Motion Hearing set for 4/4/2008 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Ketroser, Bryan) (Filed on 2/29/2008) Modified on 3/3/2008 (ys, COURT STAFF). (Entered: 02/29/2008)
63	Feb. 29, 2008	56	MOTION to Dismiss (3 of 4) filed by UT Starcom. Motion Hearing set for 4/4/2008 09:00 AM in Courtroom 10, 19th Floor, San Francisco.

Req #	Filed	#	Docket Text
			(Ketroser, Bryan) (Filed on 2/29/2008) Modified on 3/3/2008 (ys, COURT STAFF). (Entered: 02/29/2008)
64	Feb. 29, 2008	57	MOTION to Dismiss (4 of 4) filed by UT Starcom. Motion Hearing set for 4/4/2008 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Ketroser, Bryan) (Filed on 2/29/2008) Modified on 3/3/2008 (ys, COURT STAFF). (Entered: 02/29/2008)
65	Feb. 29, 2008	58	Request for Judicial Notice re 57 MOTION to Dismiss, 54 MOTION to Dismiss, 55 MOTION to Dismiss, 56 MOTION to Dismiss filed by UT Starcom. (Related document(s) 57 , 54 , 55 , 56) (Ketroser, Bryan) (Filed on 2/29/2008) (Entered: 02/29/2008)
66	Feb. 29, 2008	59	Declaration of Bryan J. Ketroser in Support of 57 MOTION to Dismiss, 58 Request for Judicial Notice, 54 MOTION to Dismiss, 55 MOTION to Dismiss, 56 MOTION to Dismiss filed by UT Starcom. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Related document(s) 57 , 58 , 54 , 55 , 56) (Ketroser, Bryan) (Filed on 2/29/2008) (Entered: 02/29/2008)
67	Feb. 29, 2008	60	Proposed Order re 59 Declaration in Support, 57 MOTION to Dismiss, 58 Request for Judicial Notice, 54 MOTION to Dismiss, 55 MOTION to Dismiss, 56 MOTION to Dismiss by UT Starcom. (Ketroser, Bryan) (Filed on 2/29/2008) (Entered: 02/29/2008)
68	Mar. 14, 2008	61	Memorandum in Opposition to 54 Defendants' Motion to Dismiss Plaintiff's Amended Class Action Complaint filed by James R Bartholomew. (Punzalan, Mark) (Filed on 3/14/2008) Modified on 3/17/2008 (ys, COURT STAFF). (Entered: 03/14/2008)
69	Mar. 19, 2008	62	STIPULATION AND PROPOSED ORDER CONTINUING HEARING ON MOTION TO DISMISS AND CASE MANAGEMENT CONFERENCE by Peter Rudolph. (Punzalan, Mark) (Filed on 3/19/2008) (Entered: 03/19/2008)
70	Mar. 19, 2008	63	Certificate of Interested Entities by Ying Wu (Ketroser, Bryan) (Filed on 3/19/2008) (Entered: 03/19/2008)
71	Mar. 20, 2008	64	ORDER continuing motion and cmc to 4/18/08 at 9 a.m. and 2:30 p.m., respectively. Signed by Judge Illston on 3/20/08. (ts, COURT STAFF) (Filed on 3/20/2008) (Entered: 03/20/2008)
72	Mar. 20, 2008		Set Deadlines/Hearings: Case Management Conference set for 4/18/2008 02:30 PM. (ys, COURT STAFF) (Filed on 3/20/2008) (Entered: 03/21/2008)
73	Mar. 20, 2008		Set/Reset Deadlines as to 54 MOTION to Dismiss. Motion Hearing set for 4/18/2008 09:00 AM. (ys, COURT STAFF) (Filed on 3/20/2008) (Entered: 03/21/2008)
74	Apr. 04, 2008	65	Reply Memorandum re 54 MOTION to Dismiss Plaintiff's Amended Class Action Complaint filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 4/4/2008) (Entered: 04/04/2008)
75	Apr. 04, 2008	66	Declaration of Bryan J. Ketroser in Support of 65 Reply Memorandum (Supplemental Declaration) filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Attachments: # 1 Exhibit H, # 2 Exhibit I, # 3 Exhibit J, # 4 Exhibit K, # 5 Exhibit L)(Related document(s) 65) (Ketroser, Bryan) (Filed on 4/4/2008) (Entered: 04/04/2008)

Req #	Filed	#	Docket Text
76	Apr. 07, 2008	67	STATEMENT OF RECENT DECISION pursuant to Civil Local Rule 7-3.d filed by James R Bartholomew. (Attachments: # 1 Exhibit A)(Punzalan, Mark) (Filed on 4/7/2008) (Entered: 04/07/2008)
77	Apr. 07, 2008	68	Certificate of Interested Entities by James R Bartholomew (Punzalan, Mark) (Filed on 4/7/2008) (Entered: 04/07/2008)
78	Apr. 08, 2008	70	MOTION for leave to appear in Pro Hac Vice of Elizabeth K. Tripodi (Filing fee \$ 210, receipt number 34611017913.) filed by James R Bartholomew. (Attachments: # 1 proposed order, # 2 receipt)(ys, COURT STAFF) (Filed on 4/8/2008) (Entered: 04/09/2008)
79	Apr. 09, 2008	69	JOINT CASE MANAGEMENT STATEMENT and [Proposed] Order filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 4/9/2008) (Entered: 04/09/2008)
80	Apr. 14, 2008	71	ORDER by Judge Illston granting 70 Motion for Pro Hac Vice (ts, COURT STAFF) (Filed on 4/14/2008) (Entered: 04/14/2008)
81	Apr. 14, 2008	72	ORDER GRANTING 54 DEFENDANTS' MOTION TO DISMISS COMPLAINT. Plaintiff may file Amended Complaint no later than 5/16/08. Signed by Judge Susan Illston. (SI, COURT STAFF) (Filed on 4/14/2008) (Entered: 04/14/2008)
82	Apr. 16, 2008	73	CLERK'S NOTICE Case Management Conference set for 7/18/2008 02:30 PM. (ts, COURT STAFF) (Filed on 4/16/2008) (Entered: 04/16/2008)
83	May 16, 2008	74	AMENDED COMPLAINT Second Amended Class Action Complaint against all defendants. Filed by James R Bartholomew. (Punzalan, Mark) (Filed on 5/16/2008) (Entered: 05/16/2008)
84	May 22, 2008	75	STIPULATION (JOINT SUBMISSION) AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE FOR DEFENDANTS' RESPONSE TO PLAINTIFF'S SECOND AMENDED CLASS ACTION COMPLAINT by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Seyedin-Noor, Bahram) (Filed on 5/22/2008) (Entered: 05/22/2008)
85	May 27, 2008	76	ORDER re: response to 2nd amended complaint re 75 . Signed by Judge Illston on 5/23/08. (ts, COURT STAFF) (Filed on 5/27/2008) (Entered: 05/27/2008)
86	Jun. 06, 2008	77	MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. Motion Hearing set for 8/1/2008 09:00 AM. (Ketroser, Bryan) (Filed on 6/6/2008) (Entered: 06/06/2008)
87	Jun. 06, 2008	78	Request for Judicial Notice re 77 MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Related document(s) 77) (Ketroser, Bryan) (Filed on 6/6/2008) (Entered: 06/06/2008)
88	Jun. 06, 2008	79	Declaration of Bryan J. Ketroser in Support of 77 MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D,

Req #	Filed	#	Docket Text
			# 5 Exhibit E, # 6 Exhibit F.1, # 7 Exhibit F.2, # 8 Exhibit F.3, # 9 Exhibit F.4, # 10 Exhibit G, # 11 Exhibit H, # 12 Exhibit I, # 13 Exhibit J, # 14 Exhibit K.1, # 15 Exhibit K.2, # 16 Exhibit L, # 17 Exhibit M, # 18 Exhibit N, # 19 Exhibit O.1, # 20 Exhibit O.2, # 21 Exhibit P, # 22 Exhibit Q, # 23 Exhibit R)(Related document(s) 77) (Ketroser, Bryan) (Filed on 6/6/2008) (Entered: 06/06/2008)
89	Jun. 06, 2008	80	Proposed Order re 77 MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 6/6/2008) (Entered: 06/06/2008)
90	Jun. 10, 2008	81	CLERK'S NOTICE Continuing Motion Hearing Motion Hearing set for 8/22/2008 09:00 AM. (ts, COURT STAFF) (Filed on 6/10/2008) (Entered: 06/10/2008)
91	Jun. 10, 2008	82	STIPULATION AND [PROPOSED] ORDER REGARDING CASE MANAGEMENT CONFERENCE AND BRIEFING SCHEDULE FOR DEFENDANTS' MOTION TO DISMISS by Thomas Toy, Francis Barton, Ying Wu, Peter Rudolph, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 6/10/2008) (Entered: 06/10/2008)
92	Jun. 10, 2008		Set/Reset Deadlines as to 77 MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof. Motion Hearing set for 8/22/2008 09:00 AM. (ys, COURT STAFF) (Filed on 6/10/2008) (Entered: 06/11/2008)
93	Jun. 19, 2008	83	ORDER continuing motion/cmc to 8/22/08. Signed by Judge Illston on 6/18/08. (ts, COURT STAFF) (Filed on 6/19/2008) (Entered: 06/19/2008)
94	Jun. 19, 2008		Set Deadlines/Hearings: Case Management Conference set for 8/22/2008 02:30 PM. (ys, COURT STAFF) (Filed on 6/19/2008) (Entered: 06/20/2008)
95	Jul. 18, 2008	84	Memorandum in Opposition to 77 Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint filed by James R Bartholomew. (Punzalan, Mark) (Filed on 7/18/2008) Modified on 7/21/2008 (ys, COURT STAFF). (Entered: 07/18/2008)
96	Aug. 08, 2008	85	Reply Memorandum re 77 MOTION to Dismiss Plaintiff's Second Amended Class Action Complaint, and Memorandum of Points and Authorities in Support Thereof filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 8/8/2008) (Entered: 08/08/2008)
97	Aug. 14, 2008	86	JOINT CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Seyedin-Noor, Bahram) (Filed on 8/14/2008) (Entered: 08/14/2008)
98	Aug. 21, 2008	87	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO DISMISS COMPLAINT re 77 . Signed by Judge Susan Illston. (SI, COURT STAFF) (Filed on 8/21/2008) (Entered: 08/21/2008)
99	Aug. 26, 2008	88	Minute Entry: Further Case Management Conference held on 8/22/2008 before Illston (Date Filed: 8/26/2008). Case continued to 11/7/08 @ 2:30 p.m. for Further Case Management Conference (Entered: 08/26/2008)
100	Aug. 26, 2008		Set Deadlines/Hearings: Case Management Conference set for 11/7/2008

Req #	Filed	#	Docket Text
			02:30 PM. (ys, COURT STAFF) (Filed on 8/26/2008) (Entered: 09/23/2008)
101	Sep. 03, 2008	89	STIPULATION AND [PROPOSED] ORDER REGARDING EXTENSION OF TIME FOR DEFENDANTS TO ANSWER PLAINTIFF'S SECOND AMENDED CLASS ACTION COMPLAINT (JOINT SUBMISSION) by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Seyedin-Noor, Bahram) (Filed on 9/3/2008) (Entered: 09/03/2008)
102	Sep. 04, 2008	90	ORDER extending time to answer. Signed by Judge Illston on 9/3/08. (ts, COURT STAFF) (Filed on 9/4/2008) (Entered: 09/04/2008)
103	Oct. 29, 2008	91	CASE MANAGEMENT STATEMENT and [Proposed] Order filed by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 10/29/2008) (Entered: 10/29/2008)
104	Nov. 12, 2008	92	Minute Entry: Further Case Management Conference held on 11/7/2008 before Illston (Date Filed: 11/12/2008). Case continued to 4/24/09 @ 9:00 a.m. For motion for class cert(file 3/13/08, opposition 3/27/09, reply: 4/10/09)ORDERED AFTER HEARING: Counsel shall proceed with any discovery that is necessary.A stipulation re: ADR process shall be filed by December 19, 2008, () (ts, COURT STAFF) (Date Filed: 11/12/2008) (Entered: 11/12/2008)
105	Nov. 17, 2008	93	ANSWER to 74 Second Amended Complaint byFrancis Barton, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 11/17/2008) Modified on 11/18/2008 (ys, COURT STAFF). (Entered: 11/17/2008)
106	Nov. 17, 2008	94	MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) filed by Ying Wu. Motion Hearing set for 1/23/2009 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Attachments: # 1 Proposed Order)(Ketroser, Bryan) (Filed on 11/17/2008) (Entered: 11/17/2008)
107	Dec. 15, 2008	95	REPORT of Rule 26(f) Planning Meeting. (Punzalan, Mark) (Filed on 12/15/2008) (Entered: 12/15/2008)
108	Dec. 16, 2008	96	STIPULATION and Proposed Order selecting Private ADR by Peter Rudolph (Punzalan, Mark) (Filed on 12/16/2008) (Entered: 12/16/2008)
109	Dec. 17, 2008	97	ORDER REFERRING CASE to Private ADR. Signed by Judge Illston on 12/16/08. (ts, COURT STAFF) (Filed on 12/17/2008) (Entered: 12/17/2008)
110	Dec. 23, 2008	98	STIPULATION and [Proposed] Order Regarding Defendat Ying Wu's Motion to Dismiss Plaintiffs' Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) by Peter Rudolph. (Punzalan, Mark) (Filed on 12/23/2008) (Entered: 12/23/2008)
111	Dec. 30, 2008	99	ORDER Motion Hearing set for 2/6/2009 09:00 AM.. Signed by Judge Illston on 12/29/08. (ts, COURT STAFF) (Filed on 12/30/2008) (Entered: 12/30/2008)
112	Dec. 30, 2008		Set/Reset Deadlines as to 94 MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m). Motion Hearing set for 2/6/2009 09:00 AM. (ys, COURT STAFF) (Filed on 12/30/2008) (Entered: 01/05/2009)

Req #	Filed	#	Docket Text
<u>113</u>	Jan. 09, 2009	100	Memorandum in Opposition re 94 MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) filed by James R Bartholomew. (Punzalan, Mark) (Filed on 1/9/2009) (Entered: 01/09/2009)
<u>114</u>	Jan. 14, 2009	101	STIPULATION OF PROTECTIVE ORDER by Thomas Toy, Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Ketroser, Bryan) (Filed on 1/14/2009) (Entered: 01/14/2009)
<u>115</u>	Jan. 15, 2009	102	PROTECTIVE ORDER. Signed by Judge Illston on 1/15/09. (ts, COURT STAFF) (Filed on 1/15/2009) (Entered: 01/15/2009)
<u>116</u>	Jan. 23, 2009	103	RESPONSE in Support re 94 MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) MOTION to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(5) and 4(m) filed by Ying Wu. (Nefouse, Louis) (Filed on 1/23/2009) (Entered: 01/23/2009)
<u>117</u>	Feb. 02, 2009	104	ORDER DENYING DEFENDANT YING WU'S MOTION TO DISMISS (SI, COURT STAFF) (Filed on 2/2/2009) (Entered: 02/02/2009)
<u>118</u>	Feb. 17, 2009	105	Defendant Ying Wu's ANSWER to 74 Second Amended Complaint by Ying Wu. (Ketroser, Bryan) (Filed on 2/17/2009) Modified on 2/18/2009 (ys, COURT STAFF). (Entered: 02/17/2009)
<u>119</u>	Mar. 13, 2009	106	*** FILED IN ERROR. PLEASE SEE DOCKET # 108 . *** MOTION to Certify Class filed by James R Bartholomew. Motion Hearing set for 4/24/2009 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Attachments: # 1 Proposed Order Granting Motion to Certify Class)(Punzalan, Mark) (Filed on 3/13/2009) Modified on 3/16/2009 (ewn, COURT STAFF). (Entered: 03/13/2009)
<u>120</u>	Mar. 13, 2009	107	Declaration of Mark Punzalan in Support of 106 MOTION to Certify Class filed by James R Bartholomew. (Attachments: # 1 Exhibit A)(Related document(s) 106) (Punzalan, Mark) (Filed on 3/13/2009) (Entered: 03/13/2009)
<u>121</u>	Mar. 16, 2009	108	MOTION to Certify Class CORRECTION OF DOCKET # 106 filed by James R Bartholomew. Motion Hearing set for 4/24/2009 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Attachments: # 1 Proposed Order Granting Motion to Certify Class)(Punzalan, Mark) (Filed on 3/16/2009) (Entered: 03/16/2009)
<u>122</u>	Mar. 27, 2009	109	Memorandum in Opposition to 108 Lead Plaintiff's Motion for Class Certification filed by Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Nefouse, Louis) (Filed on 3/27/2009) Modified on 3/30/2009 (ys, COURT STAFF). (Entered: 03/27/2009)
<u>123</u>	Mar. 27, 2009	110	Declaration of L. David Nefouse in Support of 109 Memorandum in Opposition to Lead Plaintiff's Motion for Class Certification filed by Francis Barton, Ying Wu, UT Starcom, Hong Liang Lu, Michael Sophie. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Related document(s) 109) (Nefouse, Louis) (Filed on 3/27/2009) (Entered: 03/27/2009)
<u>124</u>	Apr. 10, 2009	111	Reply Memorandum re 108 MOTION to Certify Class CORRECTION OF DOCKET # 106 MOTION to Certify Class CORRECTION OF DOCKET # 106 filed by James R Bartholomew. (Punzalan, Mark) (Filed

Req #	Filed	#	Docket Text
			on 4/10/2009) (Entered: 04/10/2009)
125	Apr. 10, 2009	112	Declaration of Mark Punzalan in Support of 111 Reply Memorandum Re: Motion for Class Certification filed by James R Bartholomew. (Attachments: # 1 Exhibit A)(Related document(s) 111) (Punzalan, Mark) (Filed on 4/10/2009) (Entered: 04/10/2009)
126	Apr. 13, 2009	113	STIPULATION And [Proposed] Order Staying Plaintiffs' Motion For Class Certification by James R Bartholomew. (Punzalan, Mark) (Filed on 4/13/2009) (Entered: 04/13/2009)
127	Apr. 17, 2009	114	ORDER; setting preliminary approval of class settlement on 6/19/09. Signed by Judge Illston on 4/14/09. (ts, COURT STAFF) (Filed on 4/17/2009) (Entered: 04/17/2009)
128	Apr. 17, 2009		Set/Reset Deadlines as to 108 MOTION to Certify Class CORRECTION OF DOCKET # 106 MOTION to Certify Class CORRECTION OF DOCKET # 106 . Motion Hearing set for 6/19/2009 09:00 AM. (ys, COURT STAFF) (Filed on 4/17/2009) (Entered: 04/20/2009)
129	May 14, 2009	115	STIPULATION and [Proposed] Order Setting May 29, 2009 Hearing Date on Lead Plaintiff's Unopposed Motion for an Order Granting Preliminary Approval of Class Action Settlement and Directing Dissemination of Notice to Class by James R Bartholomew. (Punzalan, Mark) (Filed on 5/14/2009) (Entered: 05/14/2009)
130	May 14, 2009	116	MOTION for Settlement (Granting Preliminary Approval) filed by James R Bartholomew. Motion Hearing set for 5/29/2009 09:00 AM in Courtroom 10, 19th Floor, San Francisco. (Attachments: # 1 Proposed Order Granting Preliminary Approval of Settlement and Directing Dissemination of Notice to Class)(Punzalan, Mark) (Filed on 5/14/2009) (Entered: 05/14/2009)
131	May 14, 2009	117	Declaration of Mark Punzalan in Support of 116 MOTION for Settlement (Granting Preliminary Approval) MOTION for Settlement (Granting Preliminary Approval) filed by James R Bartholomew. (Attachments: # 1 Exhibit A, # 2 Exhibit A-1, # 3 Exhibit A-2, # 4 Exhibit A-3, # 5 Exhibit A-4, # 6 Exhibit A-5, # 7 Exhibit B)(Related document(s) 116) (Punzalan, Mark) (Filed on 5/14/2009) (Entered: 05/14/2009)
132	May 19, 2009	118	ORDER setting 5/29/09 motion for prelim. approval of class settlement. Signed by Judge Illston on 5/15/09. (ts, COURT STAFF) (Filed on 5/19/2009) (Entered: 05/19/2009)
133	May 29, 2009	119	Proposed Order re 116 MOTION for Settlement (Granting Preliminary Approval) MOTION for Settlement (Granting Preliminary Approval) by James R Bartholomew. (Attachments: # 1 Exhibit A-1, # 2 Exhibit A-2, # 3 Exhibit A-3)(Punzalan, Mark) (Filed on 5/29/2009) (Entered: 05/29/2009)
134	Jun. 01, 2009	120	ORDER by Judge Illston granting 116 Motion for Settlement (ts, COURT STAFF) (Filed on 6/1/2009) (Entered: 06/01/2009)
135	Jun. 02, 2009	121	Minute Entry: Motion Hearing held on 5/29/2009 before Illston (Date Filed: 6/2/2009). (Court Reporter Belle Ball.) (ts, COURT STAFF) (Date Filed: 6/2/2009) (Entered: 06/02/2009)