

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:08-cv-02940-JOF**

Plymouth County Retirement System v. Carter's Inc. et al
Assigned to: Judge J. Owen Forrester
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 09/19/2008
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Plymouth County Retirement System
Individually and on Behalf of all Others
Similarly Situated

represented by **Alan I. Ellman**
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Russell L. Lippman
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Defendant

Joseph Pacifico

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Michael D. Casey

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Defendant

Charles Whetzel, Jr.

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Russell L. Lippman
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Date Filed	#	Docket Text
09/19/2008	<u>1</u>	COMPLAINT with Jury Demand filed. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee \$ 350 receipt number 4686.), filed by Plymouth County Retirement System. (Attachments: # <u>1</u> Civil Cover Sheet)(gar) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/22/2008)

09/22/2008	2	Summons Issued as to Carter's Inc.. (bse) (Entered: 09/24/2008)
09/22/2008	3	Certification to Accompany Class Action 1 Complaint for Violation of Federal Securities Laws by Plymouth County Retirement System. (Attachments: # 1 Exhibit A). (bse) (Entered: 09/24/2008)
09/22/2008	4	NOTICE of Manual Filing by Plymouth County Retirement System re 3 Certification to Accompany Class Action Complaint for Violation of Federal Securities Laws. (bse) (Entered: 09/24/2008)
09/30/2008	5	Return of Service Executed by Plymouth County Retirement System. Carter's Inc. served on 9/23/2008, answer due 10/14/2008. (Evangelista, James) (Entered: 09/30/2008)
10/14/2008	6	PROPOSED CONSENT ORDER Proposed Consent Scheduling Order. (Walker, Patrice) (Entered: 10/14/2008)
10/20/2008	7	APPLICATION for Admission of Randall W. Bodner Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867921)by Carter's Inc.. (Walker, Patrice) (Entered: 10/20/2008)
10/20/2008	8	APPLICATION for Admission of Christopher G. Green Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867960)by Carter's Inc.. (Walker, Patrice) (Entered: 10/20/2008)
10/20/2008	9	APPLICATION for Admission of Russell L. Lippman Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867981)by Carter's Inc.. (Walker, Patrice) (Entered: 10/20/2008)
10/22/2008		APPROVAL by Clerks Office re: 8 APPLICATION for Admission of Christopher G. Green Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867960). Attorney Christopher G. Green added appearing on behalf of Carter's Inc. (bcg) (Entered: 10/22/2008)
10/22/2008		APPROVAL by Clerks Office re: 9 APPLICATION for Admission of Russell L. Lippman Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867981). Attorney Russell L. Lippman added appearing on behalf of Carter's Inc. (bcg) (Entered: 10/22/2008)
10/27/2008		MINUTE ORDER by CRD on 10/27/08 granting 8 APPLICATION for Admission of Christopher G. Green Pro Hac Vice by Carter's Inc.(tcc) (Entered: 10/27/2008)
10/27/2008		MINUTE ORDER by CRD on 10/27/08 granting 9 APPLICATION for Admission of Russell L. Lippman Pro Hac Vice by Carter's Inc.(tcc) (Entered: 10/27/2008)
10/27/2008		MINUTE ORDER by Judge J. Owen Forrester on 10/27/08 granting 6 Consent Scheduling Order. The parties to this action shall file with the Court a Proposed Consent Scheduling Order on or before October 27, 2008. Carter's shall not be required to answer or otherwise respond to the Complaint in this action until such time as set forth in the Proposed Consent Scheduling Order. (tcc) (Entered: 10/27/2008)
10/27/2008	10	PROPOSED CONSENT ORDER Consent Scheduling Order. (Walker, Patrice) (Entered: 10/27/2008)
10/27/2008	11	NOTICE of Appearance by Patrice Russell Walker on behalf of Frederick Rowan, II,

		Joseph Pacifico, Michael D. Casey, Charles Whetzel, Jr, Carter's Inc. (Walker, Patrice) (Entered: 10/27/2008)
10/28/2008		APPROVAL by Clerks Office re: 7 APPLICATION for Admission of Randall W. Bodner Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001867921). Attorney Randall W. Bodner added appearing on behalf of Carter's Inc. (jeg) (Entered: 10/28/2008)
10/28/2008		MINUTE ORDER by CRD on 10/28/08 granting 7 APPLICATION for Admission of Randall W. Bodner Pro Hac Vice by Carter's Inc. (tcc) (Entered: 10/28/2008)
11/05/2008	12	NOTICE of Appearance by Russell L. Lippman on behalf of Frederick Rowan, II, Joseph Pacifico, Michael D. Casey, Charles Whetzel, Jr, Carter's Inc. (Lippman, Russell) (Entered: 11/05/2008)
11/05/2008	13	NOTICE of Appearance by Christopher G. Green on behalf of Frederick Rowan, II, Joseph Pacifico, Michael D. Casey, Charles Whetzel, Jr, Carter's Inc. (Green, Christopher) (Entered: 11/05/2008)
11/18/2008	14	APPLICATION for Admission of Alan I. Ellman Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001909664)by Plymouth County Retirement System. (Worley, David) (Entered: 11/18/2008)
11/18/2008	15	APPLICATION for Admission of Christopher J. Keller Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001909703)by Plymouth County Retirement System. (Worley, David) (Entered: 11/18/2008)
11/18/2008	17	RE-DOCKTED #16 MOTION AS MOTION for Appointment as Lead Plaintiff, MOTION for Approval of Selection of Lead Counsel with Brief In Support by Plymouth County Retirement System. (Attachments: # 1 Brief, # 2 Declaration of Alan I. Ellman in Support, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Text of Proposed Order, # 10 Certificate of Service) (bse) (Entered: 11/20/2008)
11/20/2008		APPROVAL by Clerks Office re: 14 APPLICATION for Admission of Alan I. Ellman Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001909664). Attorney Alan I. Ellman added appearing on behalf of Plymouth County Retirement System (bcg) (Entered: 11/20/2008)
11/20/2008		APPROVAL by Clerks Office re: 15 APPLICATION for Admission of Christopher J. Keller Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001909703). Attorney Christopher J. Keller added appearing on behalf of Plymouth County Retirement System (bcg) (Entered: 11/20/2008)
11/21/2008		MINUTE ORDER by CRD on 11/21/08 granting 14 APPLICATION for Admission of Alan I. Ellman Pro Hac Vice by Plymouth County Retirement System.(tcc) (Entered: 11/21/2008)
11/21/2008		MINUTE ORDER by CRD on 11/21/08 granting 15 APPLICATION for Admission of Christopher J. Keller Pro Hac Vice by Plymouth County Retirement System. (tcc) (Entered: 11/21/2008)
12/08/2008	18	NOTICE by Plymouth County Retirement System re 17 MOTION to Appoint CounselMOTION Approval of Selection of Lead Counsel (Attachments: # 1 Exhibit A,

		# <u>2</u> Certificate of Service)(Worley, David) (Entered: 12/08/2008)
12/08/2008		Submission of <u>17</u> MOTION to Appoint Counsel, MOTION Approval of Selection of Lead Counsel, submitted to District Judge J. Owen Forrester. (bse) (Entered: 12/08/2008)
12/08/2008	<u>19</u>	NOTICE of Manual Filing Application for Admission Pro Hac Vice by Plymouth County Retirement System. (bse) (Entered: 12/10/2008)
12/08/2008	<u>20</u>	APPLICATION for Admission of Jonathan Gardner Pro Hac Vice by Plymouth County Retirement System. Filing Fee received \$150, Receipt #100007206. (Attachments: # <u>1</u> Order of Admission). (bse) (Entered: 12/10/2008)
12/10/2008	<u>21</u>	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to Jonathan Gardner re: <u>20</u> APPLICATION for Admission Pro Hac Vice. (bse) (Entered: 12/10/2008)
12/12/2008		MINUTE ORDER by Judge J. Owen Forrester on 12/12/08 granting <u>10</u> CONSENT ORDER Consent Scheduling Order.(tcc) (Entered: 12/12/2008)
12/17/2008		APPROVAL by Clerks Office re: <u>20</u> APPLICATION for Admission of Jonathan Gardner Pro Hac Vice. Attorney Jonathan Gardner added, appearing on behalf of Plymouth County Retirement System. (pb) (Entered: 12/17/2008)
12/18/2008		MINUTE ORDER by CRD on 12/18/08 granting <u>20</u> APPLICATION for Admission of Jonathan Gardner Pro Hac Vice by Plymouth County Retirement System.(tcc) (Entered: 12/18/2008)
03/13/2009	<u>22</u>	ORDER granting Plaintiff's <u>17</u> Motion and APPOINTS Plaintiff as lead plaintiff in this matter and Plaintiff's chosen counsel as lead and liaison counsel. Signed by Judge J. Owen Forrester on 3/13/09. (bse) (Entered: 03/13/2009)
05/12/2009	<u>23</u>	First AMENDED COMPLAINT against all defendants, filed by Plymouth County Retirement System.(Evangelista, James) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 05/12/2009)
05/13/2009		NOTICE of Undeliverable Electronic Mail re: <u>23</u> Amended Complaint. Mail returned for Andrei V. Rado due to no longer being employed with the firm. (aar) (Entered: 05/13/2009)
05/21/2009	<u>24</u>	NOTICE by Plymouth County Retirement System of <i>Withdrawal of Appearance of Andrei V. Rado</i> (Worley, David) (Entered: 05/21/2009)
07/10/2009	<u>25</u>	PROPOSED CONSENT ORDER Consent Scheduling Order. (Walker, Patrice) (Entered: 07/10/2009)
07/15/2009	<u>26</u>	Consent SCHEDULING ORDER. Signed by Judge J. Owen Forrester on 7/15/09. (bse) (Entered: 07/15/2009)
07/16/2009	<u>27</u>	MOTION for Leave to File Excess Pages by Frederick Rowan, II, Joseph Pacifico, Michael D. Casey, Charles Whetzel, Jr, Carter's Inc.. (Walker, Patrice) (Entered: 07/16/2009)
07/16/2009	<u>28</u>	RESPONSE re <u>27</u> MOTION for Leave to File Excess Pages filed by Plymouth County Retirement System. (Attachments: # <u>1</u> Proposed Order)(Worley, David) (Entered: 07/16/2009)

		07/16/2009)
07/17/2009	29	MOTION to Dismiss <i>Amended Complaint</i> with Brief In Support by Frederick Rowan, II, Joseph Pacifico, Michael D. Casey, Charles Whetzel, Jr, Carter's Inc.. (Attachments: # 1 Brief in Support of Motion to Dismiss, # 2 Declaration of Christopher Green, # 3 Ex. 1 to Green Declaration, # 4 Ex. 2 to Green Declaration, # 5 Ex. 3 to Green Declaration, # 6 Ex. 4 to Green Declaration, # 7 Ex. 5 to Green Declaration, # 8 Ex. 6 to Green Declaration, # 9 Ex. 7 to Green Declaration, # 10 Ex. 8 to Green Declaration, # 11 Ex. 9 to Green Declaration, # 12 Ex. 10 to Green Declaration, # 13 Ex. 11 to Green Declaration, # 14 Ex. 12 to Green Declaration, # 15 Ex. 13 to Green Declaration, # 16 Ex. 14 to Green Declaration, # 17 Ex. 15 to Green Declaration, # 18 Ex. 16 to Green Declaration, # 19 Ex. 17 to Green Declaration, # 20 Ex. 18 to Green Declaration, # 21 Ex. 19 to Green Declaration, # 22 Ex. 20 to Green Declaration, # 23 Ex. 21 to Green Declaration, # 24 Ex. 22 to Green Declaration, # 25 Ex. 23 to Green Declaration, # 26 Ex. 24 to Green Declaration, # 27 Ex. 25 to Green Declaration, # 28 Ex. 26 to Green Declaration, # 29 Ex. 27 to Green Declaration, # 30 Ex. 28 to Green Declaration, # 31 Ex. 29 to Green Declaration, # 32 Ex. 30 to Green Declaration, # 33 Ex. 31 to Green Declaration, # 34 Ex. 32 to Green Declaration)(Walker, Patrice) (Entered: 07/17/2009)
07/17/2009	30	Corporate Disclosure Statement by Carter's Inc. by Carter's Inc..(Walker, Patrice) (Entered: 07/17/2009)
08/17/2009	31	Letter from Clerk re: LR 83.1 Pro Hac Vice requirements sent to Lionel Z. Glancy. Clerk to follow-up by 9/16/2009. (jkm) (Entered: 08/17/2009)
08/17/2009		Submission of 29 MOTION to Dismiss <i>Amended Complaint</i> , 27 MOTION for Leave to File Excess Pages, submitted to District Judge J. Owen Forrester. (bse) (Entered: 08/17/2009)
09/08/2009	32	ORDER granting 27 Motion for Leave to File Excess Pages. Signed by Judge J. Owen Forrester on 9/8/09. (bse) (Entered: 09/09/2009)
09/11/2009	33	RESPONSE in Opposition re 29 MOTION to Dismiss <i>Amended Complaint</i> filed by Plymouth County Retirement System. (Worley, David) (Entered: 09/11/2009)
09/21/2009	34	NOTICE by Plymouth County Retirement System of <i>Manual Filing Application for Admission Pro Hac Vice</i> (Worley, David) (Entered: 09/21/2009)
09/21/2009	35	APPLICATION for Admission of Michael Goldberg Pro Hac Vice by Plymouth County Retirement System. Filing Fee received \$150.00, Receipt #100016491. (Attachments: # 1 Text of Proposed Order) (bse) (Entered: 09/22/2009)
09/22/2009	36	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to Michael Goldberg re 35 APPLICATION for Admission of Michael Goldberg Pro Hac Vice. (bse) (Entered: 09/22/2009)
09/24/2009		APPROVAL by Clerks Office re: 35 APPLICATION for Admission of Michael Goldberg Pro Hac Vice. Attorney Michael Goldberg added appearing on behalf of Plymouth County Retirement System (cdg) (Entered: 09/24/2009)

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