

CLOSED

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:10-cv-01413-PKC-AKT**

Calibuso et al v. Bank of America Corporation et al
Assigned to: Judge Pamela K. Chen
Referred to: Magistrate Judge A. Kathleen Tomlinson
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 03/30/2010
Date Terminated: 04/30/2014
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Judy Calibuso

represented by **Adam Todd Klein**
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Plaintiff

Dianne Goedtel
on behalf of themselves and all others
similarly situated

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Intervenor Plaintiff

Cathy Bender
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Date Filed	#	Docket Text
03/30/2010	<u>1</u>	COMPLAINT against Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. Disclosure Statement on Civil Cover Sheet completed -No., filed by Julie Moss, Dianne Goedtel, Judy Calibuso. (Attachments: # <u>1</u> Civil Cover Sheet) (Ryan, Mary) (Entered: 03/31/2010)
03/30/2010		FILING FEE: \$ 350, receipt number 4653013095 (Ryan, Mary) (Entered: 03/31/2010)
03/30/2010		Summons Issued as to Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Ryan, Mary) (Entered: 04/02/2010)
04/01/2010		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 04/01/2010)
04/22/2010	<u>2</u>	WAIVER OF SERVICE Returned Executed by Julie Moss, Dianne Goedtel, Judy Calibuso. Merrill Lynch, Pierce, Fenner & Smith, Inc. waiver sent on 4/5/2010, answer due 6/4/2010. (Greene, Cara) (Entered: 04/22/2010)
04/22/2010	<u>3</u>	WAIVER OF SERVICE Returned Executed by Julie Moss, Dianne Goedtel, Judy Calibuso. Merrill Lynch & Co., Inc. waiver sent on 4/5/2010, answer due 6/4/2010. (Greene, Cara) (Entered: 04/22/2010)
04/22/2010	<u>4</u>	WAIVER OF SERVICE Returned Executed by Julie Moss, Dianne Goedtel, Judy Calibuso. Bank of America Corporation waiver sent on 4/5/2010, answer due 6/4/2010. (Greene, Cara) (Entered: 04/22/2010)

04/22/2010	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice – <i>Heather H. Wong</i> Filing fee \$ 25, receipt number 0207-4108289. by Judy Calibuso, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Affidavit of Heather H. Wong In Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Proposed Order Admission to Practice Pro Hac Vice, # <u>3</u> Affidavit of Service) (Greene, Cara) (Entered: 04/22/2010)
04/22/2010	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice – <i>Kelly M. Dermody</i> by Judy Calibuso, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Affidavit of Kelly M. Dermody In Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Proposed Order Admission to Practice Pro Hac Vice, # <u>3</u> Affidavit of Service) (Greene, Cara) Modified on 4/23/2010 to include receipt number 0207-4108198 per call from atty.(Bollbach, Jean). (Entered: 04/22/2010)
04/23/2010	<u>7</u>	ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac VicePro Hac Vice; granting <u>6</u> Motion for Leave to Appear Pro Hac VicePro Hac Vice. Ordered by Magistrate Judge Michael L. Orenstein on 4/23/2010. (Imrie, Robert) (Entered: 04/23/2010)
06/02/2010	<u>8</u>	NOTICE of Appearance by Gershom Radin Smith on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (aty to be noticed) (Smith, Gershom) (Entered: 06/02/2010)
06/02/2010	<u>9</u>	NOTICE of Appearance by Joseph Baumgarten on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (aty to be noticed) (Baumgarten, Joseph) (Entered: 06/02/2010)
06/02/2010	<u>10</u>	NOTICE of Appearance by Katherine H. Parker on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (aty to be noticed) (Parker, Katherine) (Entered: 06/02/2010)
06/02/2010	<u>11</u>	Corporate Disclosure Statement by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 06/02/2010)
06/02/2010	<u>12</u>	STIPULATION re <u>1</u> Complaint, <i>between the undersigned, that Defendants' time to answer or respond to Plaintiffs' Class Action Complaint shall be extended from 6-4-10 through 6-30-10.</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 06/02/2010)
06/07/2010	<u>13</u>	ORDER TO ANSWER re <u>12</u> Stipulation, filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. Bank of America Corporation answer due 6/30/2010; Merrill Lynch & Co., Inc. answer due 6/30/2010; Merrill Lynch, Pierce, Fenner & Smith, Inc. answer due 6/30/2010. Ordered by Magistrate Judge Michael L. Orenstein on 6/7/2010. (Imrie, Robert) (Entered: 06/07/2010)
06/30/2010	<u>14</u>	STIPULATION <i>that the Plaintiffs may serve their Amended Class Action Complaint on or before 8/2/2010 and Defendants will answer or otherwise respond to Plaintiffs' Class Action Complaint on or before 9/15/2010</i> by Bank of America Corporation, Judy Calibuso, Dianne Goedel, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., Julie Moss (Parker, Katherine) (Entered: 06/30/2010)
08/02/2010	<u>15</u>	AMENDED COMPLAINT against Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., filed by Julie Moss, Dianne Goedel, Judy Calibuso. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6) (Klein, Adam) (Entered: 08/02/2010)
08/06/2010	<u>16</u>	NOTICE of Appearance by Kelly M. Dermody on behalf of Judy Calibuso, Dianne Goedel, Julie Moss, V. Katherine Aird, Jean Evans (aty to be noticed) (Dermody, Kelly) (Entered: 08/06/2010)
08/06/2010	<u>17</u>	NOTICE of Appearance by Heather H. Wong on behalf of V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (aty to be noticed) (Wong, Heather) (Entered: 08/06/2010)
09/15/2010	<u>18</u>	<i>Defendants'</i> ANSWER to <u>15</u> Amended Complaint, by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 09/15/2010)

09/27/2010	<u>19</u>	NOTICE of Appearance by Jennifer Lin Liu on behalf of V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (aty to be noticed) (Liu, Jennifer) (Entered: 09/27/2010)
09/27/2010		Magistrate Judge William D. Wall added. Magistrate Judge Michael L. Orenstein no longer assigned to case. (Vaughn, Terry) (Entered: 09/27/2010)
10/04/2010	<u>20</u>	Letter MOTION for Hearing <i>and preliminary conference to address certain discovery issues and a schedule for discovery</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Proposed Order Joint Stipulation of Confidentiality and Proposed Protective Order) (Baumgarten, Joseph) (Entered: 10/04/2010)
10/04/2010	<u>21</u>	ORDER granting <u>20</u> Motion for conference to the extent that an initial conference has been scheduled for 10/22/10 before the undersigned. See order and attachment. Ordered by Magistrate Judge William D. Wall on 10/4/2010. (Attachments: # <u>1</u> WDW rules) (Disbrow, Sandra) (Entered: 10/04/2010)
10/08/2010	<u>22</u>	Letter MOTION to Adjourn Conference <i>scheduled for 10-22-10 to 11-2-10</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Baumgarten, Joseph) (Entered: 10/08/2010)
10/12/2010		ORDER granting <u>22</u> Motion to Adjourn Conference from 10/22/10 to 11/2/10 at 11:30 a.m. Ordered by Magistrate Judge William D. Wall on 10/12/2010. (Hepworth, F.) (Entered: 10/12/2010)
10/13/2010	<u>23</u>	MOTION to Compel by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Klein, Adam) (Entered: 10/13/2010)
10/18/2010	<u>24</u>	RESPONSE to Motion re <u>23</u> MOTION to Compel filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Exhibit Transcript dtd 11-13-02 (Hnot v. Willis Group), # <u>2</u> Exhibit Transcript dtd 1-9-03 (Hnot v. Willis Group)) (Baumgarten, Joseph) (Entered: 10/18/2010)
10/26/2010	<u>25</u>	First MOTION for Discovery <i>(30(b)(6) deposition related to Electronically Stored Information and data)</i> by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Greene, Cara) (Entered: 10/26/2010)
10/29/2010	<u>26</u>	RESPONSE to Motion re <u>25</u> First MOTION for Discovery <i>(30(b)(6) deposition related to Electronically Stored Information and data)</i> First MOTION for Discovery <i>(30(b)(6) deposition related to Electronically Stored Information and data)</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 10/29/2010)
11/02/2010	<u>27</u>	Minute Order for proceedings held before Magistrate Judge William D. Wall on 11/2/2010: denying <u>23</u> , <u>25</u> without prejudice. See attached order for additional rulings. Next status conference will be held on 2/10/11. Ordered by Judge William D. Wall on 11/2/10. c/g (Disbrow, Sandra) (Entered: 11/02/2010)
12/02/2010	<u>28</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on NOVEMBER 02, 2010, CIVIL CAUSE FOR HEARING HELD before MAG. JUDGE WILLIAM D. WALL. Court Reporter/Transcriber TRACY GRIBBEN @ TERRY GRIBBEN'S TRANSCRIPTION SERVICE 27 BEACH ROAD, UNIT 4 MONMOUTH BEACH, NJ 07750, Telephone number TRACY GRIBBEN (732) 263-0044; (800) 603-6212, Fax No. (732) 263-0075. Email address: WWW.TGRIBBENTRANSCRIPTION.COM. Tape Number: FTR/DRIVE/TIME:. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/23/2010. Redacted Transcript Deadline set for 1/3/2011. Release of Transcript Restriction set for 3/2/2011. KEITH ANGELO JONES. (Jones, Keith) (Entered: 12/02/2010)
12/21/2010	<u>29</u>	Letter <i>with Exhibit A</i> by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (Geman, Rachel) (Entered: 12/21/2010)

12/21/2010		ELECTRONIC ORDER re <u>29</u> Letter filed by plaintiffs. The request is denied without prejudice to renew for failure to comply with the undersigned's individual rules. Any request for court intervention, including scheduling of a conference, must be electronically filed as a "Motion," not a letter. Ordered by Judge William D. Wall on 12/21/2010. (Disbrow, Sandra) (Entered: 12/21/2010)
12/21/2010	<u>30</u>	Letter MOTION for Hearing <i>to address certain discovery issues, with Exhibit A</i> by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Geman, Rachel) (Entered: 12/21/2010)
12/22/2010	<u>31</u>	NOTICE of Appearance by Mariko Hirose on behalf of V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (aty to be noticed) (Hirose, Mariko) (Entered: 12/22/2010)
12/22/2010	<u>32</u>	Letter MOTION for Hearing by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Geman, Rachel) (Entered: 12/22/2010)
12/27/2010	<u>33</u>	Letter <i>from Katherine H. Parker, Esq. to Judge Wall, in responses to Plaintiffs' 12/21/10 letter</i> , by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 12/27/2010)
12/28/2010	<u>34</u>	Letter <i>in responses to Plaintiff 12/22/10 to your Honor</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 12/28/2010)
01/03/2011	<u>35</u>	NOTICE of Change of Address by Katherine H. Parker <i>effective January 18, 2011 from 1585 Broadway Ny NY 10036 to Eleven Time Square, NY NY 10036-8299.</i> (Parker, Katherine) (Entered: 01/03/2011)
01/03/2011	<u>36</u>	NOTICE of Change of Address by Gershom Radin Smith , <i>effectice January 18, 2011, Proskauer Rose LLP will move from 1585 Broadway New York, NY 10036 to Eleven Time Square, New York NY 10036-8299.</i> (Smith, Gershom) (Entered: 01/03/2011)
01/03/2011	<u>37</u>	NOTICE of Change of Address by Joseph Baumgarten , <i>effective January 18, 2011, Proskauer Rose LLP will from 1585 Broadway New York, NY 10036 to Eleven Time Square New York, NY 10036-8299.</i> (Baumgarten, Joseph) (Entered: 01/03/2011)
01/05/2011		ELECTRONIC ORDER granting <u>30</u> Motion to the the extent that a conference has been scheduled for 1/13/11 at 11:00 a.m. in courtroom 820 of the federal courthouse in Central Islip. Ordered by Judge William D. Wall on 1/5/2011. (Disbrow, Sandra) (Entered: 01/05/2011)
01/12/2011	<u>38</u>	NOTICE of Appearance by Heather H. Wong on behalf of V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (notification declined or already on case) (Wong, Heather) (Entered: 01/12/2011)
01/13/2011	<u>39</u>	NOTICE of Appearance by Frederick K. Brewington on behalf of V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (aty to be noticed) (Brewington, Frederick) (Entered: 01/13/2011)
01/13/2011		Minute Entry for proceedings held before Magistrate Judge William D. Wall:Status Conference held on 1/13/2011 (Hepworth, F.) Modified on 1/14/2011-the conference was held on 1/13/11 (Talbott, Thomas). (Entered: 01/14/2011)
01/13/2011	<u>40</u>	PRETRIAL ORDER The next status conference will be held on 2/10/11. Ordered by Magistrate Judge William D. Wall on 1/13/2011. (Hepworth, F.) Modified on 1/14/2011 changing the filed date to 1/13/11(Talbott, Thomas). (Entered: 01/14/2011)
01/26/2011	<u>41</u>	STIPULATION AMENDMENT <i>to the Joint Stipulation and [Proposed] Protective Order filed as an Attachment 1 to the Letter Motion filed on 10-4-10 (docket entry 20).</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 01/26/2011)
01/26/2011	<u>42</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on JANUARY 13, 2011,CIVIL CAUSE FOR ORAL ARGUMENT HELD before MAG. JUDGE WILLIAM D. WALL. Court Reporter/Transcriber TYPING AT YOUR DOORSTEP(R. GRANT), Telephone number (888) 866-5134 FAX 800-860-5722. Email address: TAYDS@COURT-TRANSCRIPTS.NET. Tape Number: FTR/DRIVE/TIME:. Transcript may be viewed at the court public terminal or

		purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/16/2011. Redacted Transcript Deadline set for 2/28/2011. Release of Transcript Restriction set for 4/26/2011. KEITH ANGELO JONES. (Jones, Keith) (Entered: 01/26/2011)
02/08/2011		ELECTRONIC ORDER: The plaintiffs are advised that the court will not consider their letter submission dated 2/7/11. They may electronically file a status letter not to exceed three pages. Counsel is further directed to review the undersigned's individual rules, particularly those regarding filing, page limitation, formatting, and fax limitations. Ordered by Judge William D. Wall on 2/8/2011. (Disbrow, Sandra) (Entered: 02/08/2011)
02/08/2011	<u>43</u>	Letter to Magistrate Judge Wall from Katharine Parker of Proskauer on behalf of defendants dated 2-8-10 regarding the status of discovery pursuant to Judge Wall's directive dated 11-2-10 by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Additional attachment(s) added on 2/9/2011: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2) (Glueckert, Lisa). Modified, added 2 attachments to the docket entry, as per request of Louis Bigliani on 2/9/2011 (Glueckert, Lisa). (Entered: 02/08/2011)
02/08/2011	<u>44</u>	ORDER: For the reasons set forth in the attached order, the stipulation and protective order submitted as [20-1] is So Ordered, with the exception of paragraph 7, which is stricken. The amendment <u>41</u> to the order is hereby So Ordered. Ordered by Judge William D. Wall on 2/8/2011. (Disbrow, Sandra) (Entered: 02/08/2011)
02/08/2011	<u>45</u>	Letter to The Honorable Magistrate William D. Wall from Rachel Geman Pursuant to Directives dated 11/2/10 and 2/8/11 by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss (Geman, Rachel) (Entered: 02/08/2011)
02/09/2011		ELECTRONIC ORDER: The status conference scheduled for 2/10/11 has been cancelled. An order of recusal will be issued forthwith. Ordered by Judge William D. Wall on 2/9/2011. (Disbrow, Sandra) (Entered: 02/09/2011)
02/09/2011	<u>46</u>	ORDER OF RECUSAL: Magistrate Judge William D. Wall recused pursuant to 28 U.S.C., Section 455(a). Case reassigned to Magistrate Judge E. Thomas Boyle for all further referral proceedings. Ordered by Magistrate Judge William D. Wall on 2/9/2011. Motions referred to E. Thomas Boyle. (Mahon, Cinthia) (Entered: 02/09/2011)
02/14/2011	<u>47</u>	Letter MOTION for Hearing re <u>45</u> Letter to Honorable E. Thomas Boyle by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss. (Wong, Heather) (Entered: 02/14/2011)
02/16/2011		ENDORSED ORDER granting <u>47</u> Motion for Hearing. A conference shall be held on February 22, 2011 at 11:00 a.m. Counsel shall be present. Ordered by Magistrate Judge E. Thomas Boyle on 2/16/2011. (Joy, Dolores) (Entered: 02/16/2011)
02/17/2011	<u>48</u>	Letter MOTION to Adjourn Conference set for 2-22-11. Parties are available for a conference on 2-23-11 or such other dates that are convenient for the Court by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 02/17/2011)
02/18/2011		ENDORSED ORDER granting <u>48</u> Motion to Adjourn Conference. Application is granted. The conference is rescheduled to February 23, 2011 at 10:00 a.m. Ordered by Magistrate Judge E. Thomas Boyle on 2/18/2011. (Joy, Dolores) (Entered: 02/18/2011)
02/18/2011	<u>49</u>	Letter MOTION for pre motion conference to discuss Defendants' anticipated motion for partial judgment on the pleadings and/or partial summary judgment under FRCP 12(c) and/or 56(b) by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 02/18/2011)
02/22/2011		ORDER granting <u>49</u> Motion for Pre Motion Conference. By letter dated February 18, 2011, defendants requested a pre-motion conference in anticipation of filing a motion for partial judgment on the pleadings and/or partial summary judgment pursuant to Federal Rule of Civil Procedure Rules 12(c) and/or 56. IT IS HEREBY ORDERED

		that defendants' request is granted. Counsel for the parties to this action shall participate in a telephone pre-motion conference on March 4, 2011 at 4:00 p.m. At that time, counsel for defendants shall initiate the call and, with all parties on the line, contact Chambers at 631-712-5670. Prior to the conference, counsel for plaintiffs may submit a letter to the Court, in accordance with the Court's Individual Rule III.A, explaining why the proposed motion is likely to be unsuccessful. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/22/2011. (Graves, Kelly) (Entered: 02/22/2011)
02/23/2011	<u>50</u>	Minute Entry for proceedings held before Magistrate Judge E. Thomas Boyle:Status Conference held on 2/23/2011, (Status Conference by phone set for 3/4/2011 at 04:30 PM before Magistrate Judge E. Thomas Boyle.) (Telephone Conference to be held after telephone conference before Judge Bianco) The conference call should be made through the teleconference operator provided by your long-distance service (e.g., AT&T, MCI, Sprint). (So ordered by Mag. Judge Boyle on 2/23/11). (Tape #10:14-11:15, 1:03-1:30.) (Lundy, Lisa) (Entered: 02/23/2011)
02/23/2011	<u>51</u>	RESPONSE in Opposition re <u>49</u> Letter MOTION for pre motion conference <i>to discuss Defendants' anticipated motion for partial judgment on the pleadings and/or partial summary judgment under FRCP 12(c) and/or 56(b)</i> Letter MOTION for pre motion conference <i>to discuss Defendants' anticipated motion for partial judgment on the pleadings and/or partial summary judgment under FRCP 12(c) and/or 56(b)</i> filed by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Klein, Adam) (Entered: 02/23/2011)
03/04/2011	<u>52</u>	Minute Entry for proceedings held before Magistrate Judge E. Thomas Boyle:Status Conference by phone held on 3/4/2011, For the reasons discussed on the record, since the parties have failed to agree to the priority disclosure and stay recommended by the court at the 2/23/11, the court sets the following schedule for all discovery including any experts; class discovery shall be completed by 6/3/11; Merits discovery completed by 12/5/11; Class & merit disclosure shall proceed on simultaneous dual tracks. It is noted that this action commenced 12 months ago. (Final Pretrial Conference set for 12/21/2011 01:30 PM before Magistrate Judge E. Thomas Boyle.) Lastly the parties are directed to Local Civil Rule 26.5 which is applicable to this action. (So ordered by Mag. Judge Boyle on 3/4/11). (Tape #4:36-4:59.) (Lundy, Lisa) (Entered: 03/07/2011)
03/04/2011	<u>53</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 3/4/2011; submit a letter to the court by 3/11/11 (Court Reporter ftr 4:14 - 4:21.) (Bollbach, Jean) (Entered: 03/08/2011)
03/11/2011	<u>54</u>	STIPULATION <i>Joint Stipulation and [Proposed] Order Withdrawing V. Katherine Aird as a Class Representative</i> by V. Katherine Aird, Bank of America Corporation, Judy Calibuso, Jean Evans, Dianne Goedel, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., Julie Moss (Geman, Rachel) (Entered: 03/11/2011)
03/11/2011	<u>55</u>	Letter <i>Joint Letter to Judge Bianco re Second Amended Complaint and Proposed Briefing Schedule</i> by V. Katherine Aird, Bank of America Corporation, Judy Calibuso, Jean Evans, Dianne Goedel, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., Julie Moss (Attachments: # <u>1</u> Proposed Order Joint Stipulation and [Proposed] Order) (Wong, Heather) (Entered: 03/11/2011)
03/14/2011	<u>56</u>	ORDER allowing plaintiffs to file second amended complaint and settign breifing schedule for defts proposed Rule 12(c) motion - see document for full details.. Ordered by Judge Joseph F. Bianco on 3/14/2011. (Bollbach, Jean) (Entered: 03/23/2011)
03/25/2011	<u>57</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on MARCH 04, 2011,CIVIL CAUSE FOR TELEPHONE CONFERENCE HELD before MAG. JUDGE E. THOAMS BOYLE. Court Reporter/Transcriber LINDA FERRARA FOR TYPING AT YOUR DOORSTEP, Telephone number (888) 866-5134; Fax No. (800) 860-5722. Email address: TAYDS@COURT-TRANSCRIPTS.NET. Tape Number: FTR/DRIVE/TIME:. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/15/2011. Redacted Transcript Deadline set for 4/25/2011. Release of Transcript Restriction set for 6/23/2011.KEITH ANGELO JONES. (Jones, Keith) (Entered: 03/25/2011)

04/06/2011	<u>58</u>	STIPULATION <i>and Proposed Protective Order Regarding Materials to be filed Under Seal</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Baumgarten, Joseph) (Entered: 04/06/2011)
04/08/2011		ORDER re <u>58</u> Stipulation filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. So Ordered by Magistrate Judge E. Thomas Boyle on 4/8/2011. (Minerva, Deanna) (Entered: 04/08/2011)
04/12/2011	<u>59</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on FEBRUARY 23, 2011,CIVIL CAUSE FOR CONFERENCE HELD before MAG. JUDGE E. THOMAS BOYLE. Court Reporter/Transcriber LINDA FERRARA FOR TYPING AT YOUR DOORSTEP, Telephone number R. GRANT; (888) 866-5134; Fax No. (800) 860-5722. Email address: TAYDS@court-transcripts.net. Tape Number: FTR/DRIVE/TIME:. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/3/2011. Redacted Transcript Deadline set for 5/13/2011. Release of Transcript Restriction set for 7/11/2011.KEITH ANGELO JONES. (Jones, Keith) (Entered: 04/12/2011)
04/15/2011	<u>60</u>	Letter MOTION to Stay by Bank of America Corporation, Judy Calibuso, Jean Evans, Dianne Goedtel, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., Julie Moss. (Attachments: # <u>1</u> Proposed Order) (Klein, Adam) (Entered: 04/15/2011)
04/15/2011	<u>61</u>	Letter MOTION for Extension of Time to File <i>Defendants' Answer to Second Amended Complaint, Defendants' Partial Motion to Dismiss, Plaintiffs' Opposition to Defendants' Motion to Dismiss, and Defendants' Reply in Support of their Motion to Dismiss</i> by Bank of America Corporation, Judy Calibuso, Jean Evans, Dianne Goedtel, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc., Julie Moss. (Klein, Adam) (Entered: 04/15/2011)
04/15/2011		ORDER granting <u>61</u> Motion for Extension of Time to File. By letter dated April 15, 2011, the parties requested an extension of time for defendants to file their answer and an extension of the briefing schedule for defendants' partial motion to dismiss. IT IS HEREBY ORDERED that the parties' request for an extension is granted. Defendants shall file their answer by June 16, 2011. The parties shall adhere to the following amended briefing schedule for defendants' partial motion to dismiss: defendants shall file their motion by June 16, 2011; plaintiffs shall file their opposition by July 14, 2011; and defendants shall file their reply by August 5, 2011. Oral argument is scheduled for Wednesday, August 24, 2011 at 2 p.m. IT IS FURTHER ORDERED that any requests to stay discovery should be directed to Magistrate Judge Boyle. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/15/2011. (Graves, Kelly) (Entered: 04/15/2011)
04/18/2011		ENDORSED ORDER denying <u>60</u> Motion to Stay. The application for a stay is denied based on the absence of a necessary predicate for such relief, i.e., good cause. SEE Rule 26(c). A settlement conference is part and parcel of every civil action in this court and does not satisfy the "good cause" requirement. Ordered by Magistrate Judge E. Thomas Boyle on 4/18/2011. (Joy, Dolores) (Entered: 04/18/2011)
04/22/2011	<u>62</u>	Letter Motion For Reconsideration <i>to judge Thomas Boyle dated 4/21/2011</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Baumgarten, Joseph) Modified on 4/25/2011 (Lundy, Lisa). (Entered: 04/22/2011)
04/25/2011		ORDER denying <u>62</u> Motion for Reconsideration: Application denied for the same reason set forth in the Order dated April 18, 2011. The movant has failed to call to the Court's attention any facts or law that would modify that Order. Moreover, no reason has been set forth as to why any of the facts herein were not brought to the Court's attention in the initial application. So Ordered by Magistrate Judge E. Thomas Boyle on 4/25/2011. (Minerva, Deanna) (Entered: 04/25/2011)
04/29/2011	<u>63</u>	Letter MOTION for Extension of Time to File <i>Answer to the Second Amended Complaint, Defendants' Partial Motion to dismiss, Plaintiffs' opposition to Dismiss and Defendants' Reply in Support of their Motion to Dismiss</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc..

		(Parker, Katherine) (Entered: 04/29/2011)
05/02/2011		SCHEDULING ORDER: By letter dated April 29, 2011, defendants requested an amendment to the briefing schedule for defendants' motion to dismiss. Plaintiffs have consented to this request. IT IS HEREBY ORDERED that defendants' request is granted. Defendants shall file their answer and their partial motion to dismiss on or before May 6, 2011. Plaintiff shall file their opposition to defendants' motion to dismiss on or before June 14, 2011. Defendants shall file their reply on or before July 8, 2011. Oral argument will be held on Friday, August 5, 2011 at 11:00 a.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/2/2011. (Graves, Kelly) (Entered: 05/02/2011)
05/05/2011	<u>64</u>	NOTICE by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. re <u>55</u> Letter, <i>Defendants' Answer to Second Amended Class and Collective Action Complaint</i> (Parker, Katherine) (Entered: 05/05/2011)
05/05/2011	<u>65</u>	MOTION to Dismiss <i>Partial Motion to Dismiss</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Memorandum in Support of Defendants' Partial Motion to Dismiss, # <u>2</u> Declaration of Katharine H. Parker in Support of Defendants' Partial Motion to Dismiss, # <u>3</u> Exhibit A to Parker Declaration, # <u>4</u> Exhibit B to Parker Declaration, # <u>5</u> Exhibit C to Parker Declaration, # <u>6</u> Exhibit D to Parker Declaration, # <u>7</u> Exhibit E to Parker Declaration, # <u>8</u> Exhibit F to Parker Declaration, # <u>9</u> Exhibit G to Parker Declaration, # <u>10</u> Exhibit H to Parker Declaration, # <u>11</u> Exhibit I to Parker Declaration, # <u>12</u> Exhibit J to Parker Declaration, # <u>13</u> Exhibit K to Parker Declaration, # <u>14</u> Exhibit L to Parker Declaration, # <u>15</u> Exhibit M to Parker Declaration, # <u>16</u> Exhibit N to Parker Declaration, # <u>17</u> Exhibit O to Parker Declaration, # <u>18</u> Exhibit P to Parker Declaration, # <u>19</u> Exhibit Q to Parker Declaration, # <u>20</u> Exhibit R to Parker Declaration, # <u>21</u> Exhibit S to Parker Declaration, # <u>22</u> Exhibit T to Parker Declaration, # <u>23</u> Exhibit U to Parker Declaration, # <u>24</u> Exhibit V to Parker Declaration, # <u>25</u> Exhibit W to Parker Declaration, # <u>26</u> Exhibit X to Parker Declaration, # <u>27</u> Exhibit Y to Parker Declaration, # <u>28</u> Exhibit Z to Parker Declaration, # <u>29</u> Exhibit AA to Parker Declaration, # <u>30</u> Exhibit AB to Parker Declaration, # <u>31</u> Exhibit AC to Parker Declaration, # <u>32</u> Exhibit AD to Parker Declaration, # <u>33</u> Exhibit AE to Parker Declaration, # <u>34</u> Exhibit AF to Parker Declaration, # <u>35</u> Exhibit AG to Parker Declaration, # <u>36</u> Exhibit AH to Parker Declaration, # <u>37</u> Exhibit AI to Parker Declaration, # <u>38</u> Exhibit AJ to Parker Declaration) (Parker, Katherine) (Entered: 05/05/2011)
06/14/2011	<u>66</u>	MEMORANDUM in Opposition re <u>65</u> MOTION to Dismiss <i>Partial Motion to Dismiss [REDACTED]</i> filed by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss. (Geman, Rachel) (Entered: 06/14/2011)
06/14/2011	<u>67</u>	DECLARATION re <u>66</u> Memorandum in Opposition <i>OF HEATHER H. WONG IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' PARTIAL MOTION TO DISMISS</i> by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40, # <u>41</u> Exhibit 41, # <u>42</u> Exhibit 42, # <u>43</u> Exhibit 43, # <u>44</u> Exhibit 44, # <u>45</u> Exhibit 45, # <u>46</u> Exhibit 46, # <u>47</u> Exhibit 47, # <u>48</u> Exhibit 48, # <u>49</u> Exhibit 49) (Geman, Rachel) (Entered: 06/14/2011)
06/14/2011	<u>68</u>	CERTIFICATE OF SERVICE by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedel, Julie Moss <i>VIA FEDERAL EXPRESS</i> (Geman, Rachel) (Entered: 06/14/2011)
06/27/2011	<u>69</u>	Letter MOTION for pre motion conference by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Exhibit U.S. Supreme Court Decision [Wal-Mart Stores, Inc v. Dukes]) (Parker, Katherine) (Entered: 06/27/2011)

06/29/2011	<u>70</u>	RESPONSE to Motion re <u>69</u> Letter MOTION for pre motion conference filed by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Geman, Rachel) (Entered: 06/29/2011)
07/08/2011	<u>71</u>	REPLY to Response to Motion re <u>65</u> MOTION to Dismiss <i>Partial Motion to Dismiss Reply Memorandum of Law in Support of Defendants' Partial Motion to Dismiss</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 07/08/2011)
07/08/2011	<u>72</u>	AFFIDAVIT/DECLARATION in Support re <u>65</u> MOTION to Dismiss <i>Partial Motion to Dismiss Declaration of Katharine H. Parker, Esq in support of Defendants' Partial Motion to Dismiss</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Exhibit) (Parker, Katherine) (Entered: 07/08/2011)
07/08/2011		SCHEDULING ORDER: By letter dated June 27, 2011, defendants requested a pre-motion conference in light of the Supreme Court's decision in Wal-Mart Stores, Inc v. Dukes. IT IS HEREBY ORDERED that defendants' request is granted. Counsel for the parties to this action shall participate in a telephone conference on Monday, July 18, 2011 at 1:30 p.m. At that time, counsel for defendants shall initiate the call and, with all parties on the line, contact Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 7/8/2011. (Graves, Kelly) (Entered: 07/08/2011)
07/18/2011	<u>97</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 7/18/2011; motion to be filed by 8/9/11; response by 9/9/11; reply by 9/23/11; oral argument scheduled for 8/5/11 is adjourned to 10/26/11 (Court Reporter ftr 2:27 - 2:35.) (Bollbach, Jean) (Entered: 07/28/2011)
08/09/2011	<u>98</u>	MOTION to Dismiss <i>and/or Strike Class Claims Pursuant to Wal-Mart Stores, Inc. v. Dukes</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Memorandum in Support) (Parker, Katherine) (Entered: 08/09/2011)
08/31/2011	<u>99</u>	Letter MOTION for pre motion conference by Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit A) (Klein, Adam) (Entered: 08/31/2011)
09/01/2011	<u>100</u>	STIPULATION re <u>99</u> Letter MOTION for pre motion conference , <u>98</u> MOTION to Dismiss <i>and/or Strike Class Claims Pursuant to Wal-Mart Stores, Inc. v. Dukes</i> , <i>Briefing Schedule for Motion to Strike Class Claims</i> by Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss (Greene, Cara) (Entered: 09/01/2011)
09/02/2011	<u>101</u>	SCHEDULING ORDER: defts to submit letter in response to plaintiffs letter request on or before 9/9/11; deadline for plaintiffs to file response is 9/30/11; defts reply by 10/21/11. Ordered by Judge Joseph F. Bianco on 9/2/2011. (Bollbach, Jean) (Entered: 09/09/2011)
09/09/2011	<u>102</u>	RESPONSE in Opposition re <u>99</u> Letter MOTION for pre motion conference filed by All Defendants. (Parker, Katherine) (Entered: 09/09/2011)
09/20/2011	<u>103</u>	NOTICE by Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss <i>of Right to Sue as to Mary DeSalvatore</i> (Attachments: # <u>1</u> Exhibit Notice of Right to Sue as to Mary DeSalvatore) (Hirose, Mariko) (Entered: 09/20/2011)
09/26/2011	<u>104</u>	MOTION for Extension of Time to File by V. Katherine Aird, Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss. (Geman, Rachel) (Entered: 09/26/2011)
09/27/2011		SCHEDULING ORDER: The Court has received plaintiffs' August 31, 2011 letter requesting a pre-motion conference regarding plaintiffs' proposed amended complaint, as well as defendants' September 9, 2011 opposition to plaintiffs' request. The Court has also received plaintiffs' September 26, 2011 letter requesting an extension of time, in light of the pending request to file an amended complaint, to file their opposition to defendants' motion to strike. IT IS HEREBY ORDERED that counsel to the parties in this action shall participate in a telephone conference on Tuesday, October 4, 2011 at 1:30 p.m. to discuss these issues. At that time, counsel for plaintiffs shall initiate the call and, with all parties on the line, contact Chambers at 631-712-5670. IT IS FURTHER ORDERED that the briefing schedule on defendants' motion to strike is

		adjourned until plaintiffs' request to amend is resolved. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/27/2011. (Graves, Kelly) (Entered: 09/27/2011)
10/04/2011	<u>105</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 10/4/2011; motion to be filed by 10/6/11 (3rd amended complaint); renewed motion by 10/26/11; response by 11/22/11; reply by 12/6/11; oral argument set for 1/6/12 at 1:00 pm; Discovery stayed. Third amended complaint to be refiled as separate file. (Tape #ftr 1:40 – 1:58.) (Bollbach, Jean) (Entered: 10/04/2011)
10/05/2011	<u>106</u>	NOTICE of Appearance by Reena Arora on behalf of Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss, Mary DeSalvatore (aty to be noticed) (Arora, Reena) (Entered: 10/05/2011)
10/05/2011	<u>107</u>	ORDER. The final conference scheduled for December 12, 2011 at 1:30 p.m. is canceled based on the stay of discovery. Plaintiffs' counsel is directed to serve a copy of this order on all parties upon receipt. Ordered by Magistrate Judge E. Thomas Boyle on 10/5/2011. (Joy, Dolores) (Entered: 10/05/2011)
10/05/2011	<u>108</u>	AMENDED COMPLAINT <i>THIRD AMENDED CLASS AND COLLECTIVE ACTION COMPLAINT</i> against All Defendants, filed by Julie Moss, Dianne Goedtel, Jean Evans, Judy Calibuso, Mary DeSalvatore. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6) (Klein, Adam) (Entered: 10/05/2011)
10/05/2011	<u>109</u>	Letter MOTION to Adjourn Conference <i>Oral Argument on January 6, 2012</i> by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Hirose, Mariko) (Entered: 10/05/2011)
10/06/2011		SCHEDULING ORDER: By letter dated October 5, 2011, plaintiffs requested, with defendants' consent, that the oral argument scheduled for January 6, 2012 be adjourned. IT IS HEREBY ORDERED that plaintiffs' request is granted. Oral argument will now be held on January 16, 2011 at 4:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/6/2011. (O'Neil, Jacquelyn) (Entered: 10/06/2011)
10/06/2011		SCHEDULING ORDER: IT IS HEREBY ORDERED that the oral argument scheduled for January 16, 2012 is hereby adjourned to January 17, 2012 at 4:30PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/6/2011. (O'Neil, Jacquelyn) (Entered: 10/06/2011)
10/06/2011	<u>110</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Alison M. Stocking</i> Filing fee \$ 25, receipt number 0207-5063859. by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service) (Geman, Rachel) (Entered: 10/06/2011)
10/07/2011		ORDER granting <u>110</u> Motion for Leave to Appear pro hac vice as to attorney Alison M. Stocking. Ms. Stocking is permitted to argue or try this case in whole or in part as counsel or advocate. Ms. Stocking shall register for ECF. Registration is available online at the E.D.N.Y. homepage. Once registered, Ms. Stocking shall file a notice of appearance and ensure that she receives electronic notification of activity in this case. Ordered by Magistrate Judge E. Thomas Boyle on 10/7/2011. (Joy, Dolores) (Entered: 10/07/2011)
10/11/2011	<u>111</u>	NOTICE of Appearance by Alison M. Stocking on behalf of Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss (aty to be noticed) (Stocking, Alison) (Entered: 10/11/2011)
10/26/2011	<u>112</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Memorandum in Support Memorandum of Law in Support of defendants' Motion to Dismiss and/or Strike Class Claims in plaintiffs' Third Amended Complaint, # <u>2</u> Declaration Declaration of Katharine H. Parker, Esq., # <u>3</u> Exhibit A, # <u>4</u> Exhibit B) (Parker, Katherine) (Entered: 10/26/2011)
11/22/2011	<u>113</u>	MEMORANDUM in Opposition <i>TO DEFENDANTS MOTION TO DISMISS AND/OR STRIKE CLASS CLAIMS IN PLAINTIFFS THIRD AMENDED COMPLAINT</i> filed by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Declaration of Alison M. Stocking and Exhibit A) (Geman, Rachel) (Entered: 11/22/2011)

12/06/2011	<u>114</u>	REPLY to Response to Motion re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Reply Memorandum of Law in Support of Defendants' Motion to Dismiss and/or Strike Class Claims in Plaintiffs' Third Amended Complaint</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/06/2011)
12/08/2011		ORDER denying as moot the <u>109</u> Motion to Adjourn Conference. The oral argument has been rescheduled. Accordingly, the motion is moot. Ordered by Judge Joseph F. Bianco on 12/8/2011. (O'Neil, Jacquelyn) Modified docket text per the DQA on 1/3/2012 (Mahon, Cinthia). (Entered: 12/08/2011)
01/13/2012		SCHEDULING ORDER: Due to a conflict in the Court's Calendar, IT IS HEREBY ORDERED that the oral argument originally scheduled for January 17, 2012 at 4:30 p.m. is rescheduled for January 17, 2012 at 2:00 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 1/13/2012. (O'Neil, Jacquelyn) (Entered: 01/13/2012)
01/13/2012	<u>115</u>	REPLY in Support re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Notice of Supplemental Authority in Support of Defendants' Motion to Dismiss and/or Strike Class Claims in Plaintiffs' Third Amended Complaint</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 01/13/2012)
01/13/2012	<u>116</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss <i>Plaintiffs Notice Of Supplemental Authority Relevant To Motion To Dismiss And/Or Strike Class Claims In Plaintiffs Third Amended Complaint with Exhibits A-B</i> (Geman, Rachel) (Entered: 01/13/2012)
01/16/2012	<u>117</u>	REPLY in Support re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Notice of Additional Supplemental Authority in Support of Defendants' Motion to Dismiss and/or Strike Class Claims in Plaintiffs' Third Amended Complaint</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 01/16/2012)
01/17/2012	<u>118</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Status Conference/ Oral argument held on 1/17/2012 (Tape #ftr 2:09 – 3:04.) (Bollbach, Jean) (Entered: 01/19/2012)
01/20/2012	<u>119</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss <i>Plaintiffs Notice Of Supplemental Authority Relevant To Motion To Dismiss And/Or Strike Class Claims In Plaintiffs Third Amended Complaint With Exhibit A</i> (Geman, Rachel) (Entered: 01/20/2012)
01/20/2012	<u>120</u>	REPLY in Opposition re <u>119</u> Notice(Other), <i>Letter from Katherine H. Parker to Judge Bianco in response to Plaintiffs' Notice of Supplemental Authority and to ask that the Court consider this response in its determination of Defendants' motion to dismiss and/or strike the class claims.</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 01/20/2012)
01/23/2012	<u>121</u>	REPLY in Support re <u>119</u> Notice(Other), <i>Letter from R. Geman to Judge Bianco Regarding Plaintiffs' Notice of Supplemental Authority</i> filed by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Geman, Rachel) (Entered: 01/23/2012)
02/08/2012	<u>122</u>	MOTION to Withdraw as Attorney <i>Mariko Hirose</i> by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Declaration of Reena Arora in Support of Motion to Withdraw As Attorney) (Arora, Reena) (Entered: 02/08/2012)
02/10/2012		ORDER granting <u>122</u> Motion to Withdraw as Attorney. Attorney Mariko Hirose terminated. Ordered by Magistrate Judge E. Thomas Boyle on 2/10/2012. (Joy, Dolores) (Entered: 02/10/2012)
02/24/2012	<u>123</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss <i>Plaintiffs' Notice of Supplemental Authority Relevant to Motion to Dismiss and-or Strike Class Claims in Plaintiffs' Third Amended Complaint (with Exhibit A)</i> (Geman, Rachel) (Entered: 02/24/2012)

02/28/2012	<u>124</u>	Letter to <i>The Honorable Joseph F. Bianco from Katharine H. Parker re Defendants Response to Plaintiffs' Notice of Supplemental Authority (123)</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 02/28/2012)
03/12/2012	<u>125</u>	Letter to <i>the Hon. Joseph F. Bianco, from Katharine H. Parker, Esq.</i> , by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Attachments: # <u>1</u> Exhibit Copy of Petition for Rehearing En Banc) (Parker, Katherine) (Entered: 03/12/2012)
03/28/2012	<u>126</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM of <i>Supplemental Authority</i> (Geman, Rachel) (Entered: 03/28/2012)
04/19/2012	<u>127</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OF <i>SUPPLEMENTAL AUTHORITY</i> (Geman, Rachel) (Entered: 04/19/2012)
04/23/2012	<u>128</u>	NOTICE by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. re <u>127</u> Notice(Other) <i>Defendants' LETTER, dd 4/23/2012, to the Hon. Joseph F. Bianco, from Katharine H. Parker, Esq., in response to [Docket Entry 127] Plaintiffs' Notice of Supplemental Authority with the submission of DCNJ's March 30, 2012 decision in Barghout, et al, v. Bayer Healthcare Pharmaceuticals, et al.</i> (Parker, Katherine) (Entered: 04/23/2012)
07/06/2012	<u>129</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss re <u>112</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Plaintiffs' Notice of Supplemental Authority Relevant to Motion to Dismiss and/or Strike Class Claims in Plaintiffs' Third Amended Complaint</i> (Attachments: # <u>1</u> Exhibit A – Memorandum & Order, Moore v. Publicis Group SA and MSLGroup, Case 1:11-cv-01279-ALC-AJP (S.D.N.Y. June 29, 2012)) (Stocking, Alison) (Entered: 07/06/2012)
07/10/2012	<u>130</u>	Letter to <i>Hon. Joseph F. Bianco dated 7/10/2012 from Katharine H. Parker</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 07/10/2012)
08/28/2012	<u>131</u>	MOTION to Withdraw as Attorney filed by <i>Gershon R. Smith on behalf of Defendants</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Smith, Gershon) (Entered: 08/28/2012)
09/11/2012	<u>132</u>	NOTICE by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. <i>Notice of Supplemental Authority in Support of Defendants' Motion to Dismiss And/Or Strike Class Claims in Plaintiffs' Third Amended Complaint.</i> (Parker, Katherine) (Entered: 09/11/2012)
09/13/2012	<u>133</u>	NOTICE by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss re <u>132</u> Notice(Other), <i>PLAINTIFFS RESPONSE TO DEFENDANTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO DISMISS AND/OR STRIKE CLASS CLAIMS IN PLAINTIFFS THIRD AMENDED COMPLAINT</i> (Geman, Rachel) (Entered: 09/13/2012)
09/27/2012	<u>134</u>	ORDER denying <u>112</u> Motion to Dismiss for Failure to State a Claim. For the reasons set forth in the attached Memorandum and Order, IT IS HEREBY ORDERED that the Court denies the defendants' motion to dismiss and/or strike the class claims for failure to exhaust, and denies the remainder of the motion without prejudice to defendants asserting these various grounds in response to plaintiffs' class certification motion. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/27/2012. (O'Neil, Jacquelyn) (Entered: 09/27/2012)
10/02/2012		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone status conference on Tuesday, October 16, 2012 at 4:30 p.m. At that time, counsel for the plaintiffs shall initiate the call and, once all parties are on the line, contact Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/2/2012. (O'Neil, Jacquelyn) (Entered: 10/02/2012)
10/03/2012	<u>135</u>	NOTICE of Appearance by Kristine Kathryn Huggins on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.

		(aty to be noticed) (Huggins, Kristine) (Entered: 10/03/2012)
10/03/2012	<u>136</u>	Letter <i>to follow up on motion to withdraw as attorney for defendants</i> by Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Smith, Gershom) (Entered: 10/03/2012)
10/04/2012	<u>137</u>	NOTICE of Appearance by Keisha-Ann G. Gray on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (aty to be noticed) (Gray, Keisha-Ann) (Entered: 10/04/2012)
10/04/2012		ORDER granting <u>131</u> Motion to Withdraw. So Ordered by Magistrate Judge E. Thomas Boyle on 10/4/2012. (Minerva, Deanna) (Entered: 10/04/2012)
10/11/2012	<u>138</u>	ANSWER to <u>108</u> Amended Complaint, <i>Defendants' Answer to Third Amended Class and Collective Action Complaint</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 10/11/2012)
10/16/2012	<u>139</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone status Conference held on 10/16/2012 – plaintiffs counsel is to submit a status letter to the court by 11/2/12. Ms. Parker is to submit a letter response by 11/12/12 (Tape #ftr 4:48 – 4:56.) (Bollbach, Jean) (Entered: 10/17/2012)
11/05/2012	<u>140</u>	Letter dtd. 11/2/12 from plaintiffs counsel to Judge Bianco RE: status of proposed class (Attachments: # <u>1</u> propopsed pretrial scheduling order) (Bollbach, Jean) (Entered: 11/07/2012)
11/12/2012	<u>141</u>	Letter <i>Proskauer Rose LLP's Letter to the Hon. Joseph F. Bianco, from Katharine H. Parker, Esq., in response to mthe proposed scheduling order set forth in Plaintiffs' letter to this Court dated 11/02/2012</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Attachments: # <u>1</u> [Proposed] Revised Scheduling Order) (Parker, Katherine) (Entered: 11/12/2012)
11/14/2012		ORDER. IT IS HEREBY ORDERED that the parties participate in a telephone conference on Thursday, November 29, 2012 at 3:00 p.m. to discuss the proposed scheduling order. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/14/2012. (O'Donnell, Kaitlin) (Entered: 11/14/2012)
11/16/2012	<u>142</u>	MOTION for Leave to Appear Pro Hac Vice <i>as counsel for Defendants Bank of America Corporation; Merrill Lynch & Co., Inc; Merrill Lynch, Pierce, Fenner & Smith, Inc.</i> Filing fee \$ 25, receipt number 0207-5848665. by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Attachments: # <u>1</u> Declaration of Steven J. Pearlman in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Proposed Order of Admission to Practice Pro Hac Vice) (Huggins, Kristine) (Entered: 11/16/2012)
11/16/2012	<u>143</u>	Letter <i>to Judge Bianco to reschedule upcoming conference</i> by V. Katherine Aird, Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss (Geman, Rachel) (Entered: 11/16/2012)
11/19/2012		SCHEDULING ORDER: By letter dated November 16, 2012, plaintiff, on behalf of both parties, requested that the telephone conference scheduled for Thursday, November 29, 2012 at 3:00 p.m. be rescheduled. IT IS HEREBY ORDERED that the telephone conference is rescheduled for Monday, December 3, 2012 at 11:00 a.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/19/2012. (O'Donnell, Kaitlin) (Entered: 11/19/2012)
11/19/2012		ORDER granting <u>142</u> Motion for Leave to Appear Pro Hac Vice: Steven J. Pearlman is permitted to argue or try this case, in whole or in part, as counsel for defendants Bank of America Corporation, Merril Lynch & Co., Inc., and Merrill Lynch, Pierce, Fenner & Smith, Inc. Mr. Pearlman shall register for ECF. Registration is available online at the EDNY homepage. Once registered, Mr. Pearlman shall file a notice of appearance and ensure that he receives electronic notification of all activity in this action. So Ordered by Magistrate Judge E. Thomas Boyle on 11/19/2012. (Suarez, Stephanie) (Entered: 11/19/2012)

11/29/2012	<u>144</u>	Letter response to Defendants' proposed schedule by V. Katherine Aird, Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedel, Julie Moss (Geman, Rachel) (Entered: 11/29/2012)
11/30/2012	<u>145</u>	Letter from Katharine H. Parker to Judge Bianco on behalf of Defendants to update the Court about discovery that has occurred in October and November that may impact the discovery schedule and to summarize Defendants' response to Plaintiff's 11-29-12 letter by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 11/30/2012)
12/03/2012	<u>146</u>	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 12/3/2012 at 4:48 pm. Appearances: For plaintiff Adam Klein and Rachel Geman present. For defendant Katherine Parker, Steven Pearlman, LaToya Moore, and Christine Huggins. Case called. Counsel for all sides present. Conference held. (Tape #11:10-11:29.) (Padilla, Kristin) (Entered: 12/28/2012)
12/05/2012		Incorrect Case/Document/Entry Information. document # 146 has been deleted and redocketed on correct case. (Bollbach, Jean) (Entered: 12/06/2012)
01/29/2013	<u>148</u>	NOTICE of Appearance by Steven Pearlman on behalf of Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (aty to be noticed) (Pearlman, Steven) (Entered: 01/29/2013)
04/03/2013		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties' joint request for an extension of all case deadlines by 75 days is granted. The new case deadlines are as follows: August 6, 2013 (plaintiffs to provide expert reports); October 7, 2013 (deposition of plaintiffs' experts and defendants to provide expert reports); November 8, 2013 (deposition of defendants' experts and plaintiffs' rebuttal reports to be completed; parties to complete discovery re: class and collective action certification, and defendants' motions for summary judgment on individual plaintiffs' claims); December 9, 2013 (plaintiffs' class action certification motion and defendants' motions for summary judgment due); January 27, 2014 (defendants' opposition to class action certification and plaintiffs' opposition to summary judgment due); February 24, 2014 (parties' reply briefs due). SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/3/2013. (O'Donnell, Kaitlin) (Entered: 04/03/2013)
04/19/2013		Judge Pamela K. Chen added. Judge Joseph F. Bianco no longer assigned to case. (Gapinski, Michele) (Entered: 04/19/2013)
07/15/2013		Magistrate Judge A. Kathleen Tomlinson added. Magistrate Judge E. Thomas Boyle no longer assigned to case. (Gapinski, Michele) (Entered: 07/15/2013)
07/22/2013	<u>150</u>	MOTION for Leave to Electronically File Document under Seal by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Exhibit Letter) (Geman, Rachel) (Entered: 07/22/2013)
08/02/2013	<u>151</u>	MOTION for Leave to Electronically File Document under Seal by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedel, Julie Moss. (Attachments: # <u>1</u> Exhibit Letter) (Klein, Adam) (Entered: 08/02/2013)
08/08/2013		<u>ORDER</u> granting <u>150</u> and <u>151</u> Joint Motions for Leave to Electronically File Documents under Seal. The parties shall file the original documents under seal as separate entries. Instructions on filing sealed documents on ECF are located at www.nyed.uscourts.gov. Ordered by Judge Pamela K. Chen on 8/8/2013. (Lo, Justin) (Entered: 08/08/2013)
08/12/2013		<u>ORDER</u> re: 152 . The parties' request for the extension of deadlines in this action is GRANTED in part and DENIED in part. The revised deadlines are adopted, except with respect to the service and filing of Defendants' summary judgment motions. The deadlines for the service and filing of such motions will be addressed <i>after</i> the parties have apprised this Court, by 2/28/14, of the status for seeking class certification. The conference scheduled for 8/15/13 is ADJOURNED, and will be rescheduled after this Court receives the required papers from the parties. Ordered by Judge Pamela K. Chen on 8/12/2013. (Lo, Justin) (Entered: 08/12/2013)
08/14/2013		<u>ORDER</u> : Plaintiffs' counsel are directed to confer with their clients regarding the status of this action and the timing for any anticipated filing and/or proposed conference. Plaintiffs are advised that any communications with this Court should be through their

		counsel. Ordered by Judge Pamela K. Chen on 8/14/2013. (Lo, Justin) (Entered: 08/14/2013)
08/22/2013		<u>SCHEDULING ORDER</u> : A telephone conference with all Plaintiffs and their counsel to address concerns relating to their representation is scheduled for 8/27/13 at 10:00 AM before Judge Pamela K. Chen. Plaintiffs' counsel shall initiate the telephone conference and dial into chambers at (718) 613-2510, once everyone is on the line. Ordered by Judge Pamela K. Chen on 8/22/2013. (Lo, Justin) (Entered: 08/22/2013)
08/26/2013		<u>SCHEDULING ORDER</u> : The telephone conference with Plaintiffs and their counsel, originally scheduled for 8/27/13 at 10:00 AM before Judge Pamela K. Chen, will now start at 11:00 AM. Ordered by Judge Pamela K. Chen on 8/26/2013. (Lo, Justin) (Entered: 08/26/2013)
08/27/2013		<u>Minute Entry</u> for proceedings held before Judge Pamela K. Chen: Telephone Conference with Plaintiffs and their counsel <i>only</i> held on 8/27/13. Appearing at this conference were Plaintiffs Judy Calibuso, Jean Evans, Dianne Goedtel, Julie Moss, and Mary DeSalvatore; and their counsel, Rachel Geman, Cara Greene, Adam Klein, and Heather Wong. <i>The recording for this conference is to be SEALED from the public and Defendants.</i> (Tape #FTR 11:06-11:30)(SEALED) (Lo, Justin) (Entered: 08/27/2013)
09/06/2013	<u>153</u>	MOTION for Settlement <i>Preliminary Approval of Class Action Settlement, Provisional Certification of Settlement Class, Approval and Distribution of the Notice of Settlement, and Appointment of Plaintiffs' Counsel as Class Counsel</i> by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit 1) (Greene, Cara) (Entered: 09/06/2013)
09/06/2013	<u>154</u>	MEMORANDUM in Support re <u>153</u> MOTION for Settlement <i>Preliminary Approval of Class Action Settlement, Provisional Certification of Settlement Class, Approval and Distribution of the Notice of Settlement, and Appointment of Plaintiffs' Counsel as Class Counsel</i> filed by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Greene, Cara) (Entered: 09/06/2013)
09/06/2013	<u>155</u>	AFFIDAVIT/DECLARATION in Support re <u>153</u> MOTION for Settlement <i>Preliminary Approval of Class Action Settlement, Provisional Certification of Settlement Class, Approval and Distribution of the Notice of Settlement, and Appointment of Plaintiffs' Counsel as Class Counsel</i> filed by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9) (Greene, Cara) (Entered: 09/06/2013)
09/06/2013	<u>156</u>	AFFIDAVIT/DECLARATION in Support re <u>153</u> MOTION for Settlement <i>Preliminary Approval of Class Action Settlement, Provisional Certification of Settlement Class, Approval and Distribution of the Notice of Settlement, and Appointment of Plaintiffs' Counsel as Class Counsel</i> filed by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit 1) (Greene, Cara) (Entered: 09/06/2013)
09/06/2013	<u>157</u>	MOTION for Leave to Electronically File Document under Seal by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. (Attachments: # <u>1</u> Exhibit 1) (Greene, Cara) (Entered: 09/06/2013)
09/06/2013	<u>158</u>	Letter by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss (Greene, Cara) (Entered: 09/06/2013)
09/09/2013		<u>SCHEDULING ORDER</u> re: <u>158</u> . The parties' joint request to schedule a preliminary approval hearing for the class action settlement is GRANTED. The preliminary approval hearing is scheduled for 9/19/13 at 11:00 AM in Courtroom 4F North before Judge Pamela K. Chen. Their request to schedule a final approval hearing is DEFERRED until <i>after</i> the preliminary approval hearing. Ordered by Judge Pamela K. Chen on 9/9/2013. (Lo, Justin) (Entered: 09/09/2013)
09/09/2013		<u>ORDER</u> granting <u>157</u> Plaintiffs' Unopposed Motion for Leave to Electronically File Document under Seal. Counsel is directed to file the original document under seal as a separate entry. Instructions on filing sealed documents on ECF are located at www.nyed.uscourts.gov. Ordered by Judge Pamela K. Chen on 9/9/2013. (Lo, Justin)

		(Entered: 09/09/2013)
09/09/2013	<u>159</u>	EXHIBIT <i>Administrative Orders Nos. 1 through 5 to Settlement Agreement (Exhibit 1 to Declaration of Rachel Geman)</i> by Judy Calibuso, Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss. Related document: <u>155</u> Affidavit in Support of Motion,, filed by Jean Evans, Julie Moss, Mary DeSalvatore, Dianne Goedtel, Judy Calibuso. (Greene, Cara) (Entered: 09/09/2013)
09/17/2013	<u>160</u>	NOTICE of Appearance by Shona B. Glink on behalf of Judy Calibuso (aty to be noticed) (Glink, Shona) (Entered: 09/17/2013)
09/17/2013	<u>161</u>	Letter <i>Regarding Proposed Settlement</i> by Judy Calibuso (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Glink, Shona) (Entered: 09/17/2013)
09/18/2013		REVISED SCHEDULING ORDER: In light of the recent submission from Named Plaintiff Judy Calibuso's new counsel, Stowell & Friedman, Ltd. (see <u>161</u>), the preliminary approval hearing scheduled for 9/19/13 at 11:00 AM in Courtroom 4F North before Judge Pamela K. Chen is converted into a status conference. Calibuso's new counsel is directed to appear at this conference. Ordered by Judge Pamela K. Chen on 9/18/2013. (Lo, Justin) (Entered: 09/18/2013)
09/18/2013	<u>162</u>	Letter to <i>Honorable Chen</i> by Judy Calibuso (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Geman, Rachel) (Entered: 09/18/2013)
09/18/2013	<u>163</u>	Letter <i>dated September 18 2013 to judge Chen from Katharine H. Parker</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Parker, Katherine) (Entered: 09/18/2013)
09/18/2013	<u>164</u>	Letter <i>Response to Letter of R Geman</i> by Judy Calibuso (Attachments: # <u>1</u> Exhibit A) (Glink, Shona) (Entered: 09/18/2013)
09/19/2013		ORDER: For the reasons stated on the record at today's status conference and upon further consideration, this Court is permitting Named Plaintiff Judy Calibuso, through her new counsel, to file objections to the programmatic relief provisions in the class action settlement, <i>by no later than 9/27/13</i> . Proposed Class Counsel and Defendants' Counsel need not respond in writing to Ms. Calibuso's objections. This Court, however, will determine whether any objection should be addressed by the parties at the preliminary approval hearing, and so notify the parties. The preliminary approval hearing is scheduled for 10/9/13 at 10:00 AM in Courtroom 4F North before Judge Pamela K. Chen. The parties will receive notice about all the issues to be raised at this hearing, by 10/3/13. Additionally, the unopposed request to add Kathleen Mary Wing as a Named Plaintiff (see <u>162</u>) is GRANTED. Ordered by Judge Pamela K. Chen on 9/19/2013. (Lo, Justin) (Entered: 09/19/2013)
09/19/2013		Minute Entry for proceedings held before Judge Pamela K. Chen: Status Conference held on 9/19/13. Appearing (i) for Named Plaintiffs Julie Moss, Dianne Goedtel, Jean Evans, and Mary DeSalvatore and the Proposed Settlement Class: Rachel Geman, Kelly Dermody, Adam Klein, and Cara Greene; (ii) for Named Plaintiff Judy Calibuso: Linda Friedman, Suzanne Bish, and Shona Glink; and (iii) for Defendants: Katharine Parker and Steven Pearlman. At the conference, this Court reserved judgment on issues regarding the preliminary approval hearing, which it has addressed in a separate order, dated 9/19/13. (Court Reporter Vicky Torres Butler.) (Lo, Justin) (Entered: 09/19/2013)
09/20/2013		ORDER: By the joint request of counsel for the parties, the October 9, 2013 hearing will begin at 9:00 AM, rather than 10:00 AM as previously scheduled. Ordered by Judge Pamela K. Chen on 9/20/2013 (Doerr, Mark) (Entered: 09/20/2013)
09/27/2013	<u>165</u>	RESPONSE to Motion re <u>153</u> MOTION for Settlement <i>Preliminary Approval of Class Action Settlement, Provisional Certification of Settlement Class, Approval and Distribution of the Notice of Settlement, and Appointment of Plaintiffs' Counsel as Class Counsel Objections to Proposed Settlement and Motion for Class Certification and Preliminary Approval</i> filed by Judy Calibuso. (Attachments: # <u>1</u> Exhibit A, Traverse City Team) (Glink, Shona) (Entered: 09/27/2013)
09/27/2013	<u>166</u>	MOTION for Leave to Electronically File Document under Seal by Judy Calibuso. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F) (Glink, Shona) (Entered: 09/27/2013)

09/30/2013	<u>167</u>	MOTION to Intervene by Maroc Howard, Cathy Bender. (Attachments: # <u>1</u> Exhibit A Intervenor Complaint, # <u>2</u> Exhibit Exh A to Intervenor Complaint) (Glink, Shona) (Entered: 09/30/2013)
09/30/2013	<u>168</u>	MEMORANDUM in Support re <u>167</u> MOTION to Intervene filed by Cathy Bender, Maroc Howard. (Glink, Shona) (Entered: 09/30/2013)
10/02/2013	<u>169</u>	Letter to <i>The Honorable Pamela K. Chen</i> by Mary DeSalvatore, Jean Evans, Dianne Goettel, Julie Moss (Geman, Rachel) (Entered: 10/02/2013)
10/03/2013	<u>170</u>	Letter to <i>the Honorable Pamela K. Chen</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Huggins, Kristine) (Entered: 10/03/2013)
10/03/2013	<u>171</u>	<u>ORDER</u> : See attached Order for <i>a list of questions and issues that the parties should be prepared to address</i> at the preliminary approval hearing on the proposed settlement agreement, scheduled for October 9, 2013. Ordered by Judge Pamela K. Chen on 10/3/2013. (Lo, Justin) (Entered: 10/03/2013)
10/04/2013	<u>172</u>	<u>MEMORANDUM & ORDER</u> : See attached Memorandum & Order <i>denying 167</i> Cathy Bender and Maroc Howard's Motion to Intervene. Ordered by Judge Pamela K. Chen on 10/4/2013. (Lo, Justin) (Entered: 10/04/2013)
10/04/2013	<u>173</u>	<u>ORDER</u> re: <u>170</u> . See attached Order. This Court will not consider any pre-Settlement documents or discussion about those documents. Ms. Calibuso is directed not to further produce or discuss any pre-Settlement documents and, with respect to her motion, dated September 27, 2013 (see <u>166</u>), is granted leave to file her exhibits under seal, except Exhibit B which may not be filed. Ordered by Judge Pamela K. Chen on 10/4/2013. (Lo, Justin) (Entered: 10/04/2013)
10/04/2013		<u>ORDER</u> granting in part and denying in part <u>166</u> Named Plaintiff Judy Calibuso's Motion for Leave to Electronically File Documents under Seal. See <u>173</u> Order, dated October 4, 2013. Counsel is directed to file Exhibits C-F under seal as a separate entry. Instructions on filing sealed documents on ECF are located at www.nyed.uscourts.gov . Ordered by Judge Pamela K. Chen on 10/4/2013. (Lo, Justin) (Entered: 10/04/2013)
10/08/2013	<u>175</u>	<u>ORDER</u> : As indicated by <u>171</u> this Court's Order, dated October 3, 2013, attached is a redlined version of the class notice with proposed additions and changes. Ordered by Judge Pamela K. Chen on 10/8/2013. (Lo, Justin) (Entered: 10/08/2013)
10/09/2013		Minute Entry for proceedings held before Judge Pamela K. Chen: Settlement Conference held on 10/9/2013. Discussions re approval of class action settlement held on and off the record. (Court Reporter Anthony Mancuso) (Abdallah, Fida) (Entered: 11/14/2013)
10/10/2013	<u>176</u>	Proposed MOTION for Settlement <i>Proposed Order granting Plaintiffs' Motion</i> by Mary DeSalvatore, Jean Evans, Dianne Goettel, Julie Moss, Kathleen Mary Wing. (Attachments: # <u>1</u> Notice of Class and Collective Action) (Greene, Cara) (Entered: 10/10/2013)
10/11/2013		Motions terminated, docketed incorrectly: <u>176</u> Proposed MOTION for Settlement <i>Proposed Order granting Plaintiffs' Motion</i> filed by Jean Evans, Julie Moss, Mary DeSalvatore, Dianne Goettel, Kathleen Mary Wing. This is not a motion; it is a proposed order. NO FURTHER ACTION IS NECESSARY. <u>This document does not need to be re-filed.</u> (Abdallah, Fida) (Entered: 10/11/2013)
10/11/2013	<u>177</u>	<u>ORDER</u> re: <u>176</u> . Attached is a redlined version of the class notice with further proposed additions and changes. Ordered by Judge Pamela K. Chen on 10/11/2013. (Lo, Justin) (Entered: 10/11/2013)
10/11/2013		<u>ORDER</u> : This Court, having received a final version of the class notice from the parties, proposes no further additions and changes, in advance of its preliminary approval of the Settlement. Ordered by Judge Pamela K. Chen on 10/11/2013. (Lo, Justin) (Entered: 10/11/2013)
10/15/2013	<u>178</u>	<u>ORDER</u> granting <u>153</u> Plaintiffs' Motion for Preliminary Approval of the Settlement. See attached Order. Ordered by Judge Pamela K. Chen on 10/15/2013. (Lo, Justin) (Entered: 10/15/2013)

11/01/2013	<u>179</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 25, receipt number 0207-6532776. by Judy Calibuso. (Attachments: # <u>1</u> Affidavit Affidavit of Linda D. Friedman, # <u>2</u> Certificates of Good Standing, # <u>3</u> Proposed Order) (Glink, Shona) (Entered: 11/01/2013)
11/01/2013	<u>180</u>	NOTICE OF APPEAL as to <u>172</u> Order on Motion to Intervene by Cathy Bender, Maroc Howard. Filing fee \$ 455, receipt number 0207-6533565. (Glink, Shona) (Entered: 11/01/2013)
11/01/2013		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>180</u> Notice of Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (McGee, Mary Ann) (Entered: 11/01/2013)
11/12/2013	<u>181</u>	MOTION for Settlement <i>Final Approval of Class Action Settlement</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Geman, Rachel) (Entered: 11/12/2013)
11/12/2013	<u>182</u>	MOTION for Settlement <i>Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Geman, Rachel) (Entered: 11/12/2013)
11/12/2013	<u>183</u>	MOTION for Attorney Fees by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Geman, Rachel) (Entered: 11/12/2013)
11/12/2013	<u>184</u>	MOTION for Attorney Fees <i>Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Attorneys' Fees and Costs</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Geman, Rachel) (Entered: 11/12/2013)
11/12/2013	<u>185</u>	DECLARATION re <u>183</u> MOTION for Attorney Fees , <u>181</u> MOTION for Settlement <i>Final Approval of Class Action Settlement Declaration of Rachel Geman</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9) (Geman, Rachel) (Entered: 11/12/2013)
11/12/2013	<u>186</u>	DECLARATION re <u>183</u> MOTION for Attorney Fees , <u>181</u> MOTION for Settlement <i>Final Approval of Class Action Settlement Declaration of Adam T. Klein</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11) (Geman, Rachel) (Entered: 11/12/2013)
11/13/2013	<u>187</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 25, receipt number 0207-6555268. by Judy Calibuso. (Attachments: # <u>1</u> Affidavit Affidavit of Suzanne E. Bish, # <u>2</u> Appendix Certificates of Good Standing, # <u>3</u> Proposed Order Proposed Order) (Glink, Shona) (Entered: 11/13/2013)
11/14/2013		Motions terminated, docketed incorrectly: <u>182</u> MOTION for Settlement <i>Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement</i> , <u>184</u> MOTION for Attorney Fees <i>Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Attorneys' Fees and Costs</i> . These documents are not motions; they are supporting documents. These documents are also filed prematurely and are filed in violation of this Court's Individual Rules and of this Court's instructions given on an Order dated October 15, 2013 (doc #178). In the future, counsel should refer to this Court's Individual Rules as well as instructions provided. NO further action is necessary. This document does not need to be re-filed (Abdallah, Fida) (Entered: 11/14/2013)
11/14/2013		NOTICE: Counsel is given notice that these motions <u>181</u> and <u>183</u> have been filed in violation of this Court's Individual Rules. More specifically, these motions should have been filed on December 13, 2013, seven days before the Final Approval of Class Action Settlement Conference. In the future, counsel should refer to this Court's Individual Rules as well as instructions provided. NO further action is necessary. These motions do not need to be re-filed. (Abdallah, Fida) (Entered: 11/14/2013)

11/14/2013		ORDER granting <u>179</u> Motion for Leave to Appear Pro Hac Vice as to Linda D. Friedman. Ordered by Judge Pamela K. Chen on 11/14/2013. (Abdallah, Fida) (Entered: 11/14/2013)
11/14/2013		ORDER granting <u>187</u> Motion for Leave to Appear Pro Hac Vice as to Suzanne E. Bish. Ordered by Judge Pamela K. Chen on 11/14/2013. (Abdallah, Fida) (Entered: 11/14/2013)
11/18/2013	<u>188</u>	TRANSCRIPT REQUEST by Cathy Bender, Maroc Howard for proceedings held on 7/18/2011; 10/4/11; 10/16/12; 12/3/12; 8/27/13; 9/19/13 before Judge Joseph F. Bianco; Joseph F. Bianco; Joseph F. Bianco; Joseph F. Bianco; Pamela K. Chen; Pamela K. Chen, re <u>180</u> Notice of Appeal Transcript due by 12/17/2013. (Glink, Shona) (Entered: 11/18/2013)
11/26/2013		First Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>180</u> Notice of Appeal <u>188</u> FORM D – USCA TRANSCRIPT INFORMATION FORM. PLEASE NOTE: THIS FORM SHOULD HAVE BEEN FILED AT THE USCA NOT THE DISTRICT COURT. HARD COPY SENT TO LYNN DOBBS USCA. (McGee, Mary Ann) (Entered: 11/26/2013)
11/29/2013	<u>189</u>	MEMORANDUM in Opposition <i>Objections of Putative Class Members to Motion for Class Certification and Approval of Class Settlement</i> filed by Judy Calibuso. (Bish, Suzanne) (Entered: 11/29/2013)
12/13/2013	<u>190</u>	MEMORANDUM in Opposition re <u>189</u> Memorandum in Opposition <i>Defendants' Memorandum of Law in Response to Objections to FRCP 23(b)(3) Monetary Relief Portion of Proposed Class Action Settlement</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>191</u>	MOTION to Set Aside <i>Recovery of Service Award Under Settlement Agreement as to Plaintiff Judy Calibuso</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>192</u>	MEMORANDUM in Support re <u>191</u> MOTION to Set Aside <i>Recovery of Service Award Under Settlement Agreement as to Plaintiff Judy Calibuso Memorandum of Law in Support of Defendants' Motion to Exclude Judy Calibuso from Recovery of Any Service Award Under Settlement Agreement.</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>193</u>	MOTION to Strike <u>189</u> Memorandum in Opposition <i>Notice of Motion to Strike Certain Objections</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>194</u>	MEMORANDUM in Support re <u>193</u> MOTION to Strike <u>189</u> Memorandum in Opposition <i>Notice of Motion to Strike Certain Objections</i> , <u>189</u> Memorandum in Opposition <i>Defendants' Memorandum of Law in Support of Responses to Objections to FRCP 23(b)(2) Class for Programmatic Relief and Class Notice, and Motion to Strike Certain Objections</i> filed by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc.. (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>195</u>	DECLARATION re <u>192</u> Memorandum in Support, <u>190</u> Memorandum in Opposition, <u>191</u> MOTION to Set Aside <i>Recovery of Service Award Under Settlement Agreement as to Plaintiff Judy Calibuso</i> , <u>194</u> Memorandum in Support, <i>Declaration of Katharine H. Parker in Support of Defendants' Memorandums of Law in Response to objections to the monetary and programmatic relief provided by the proposed class settlement.</i> by Bank of America Corporation, Merrill Lynch & Co., Inc., Merrill Lynch, Pierce, Fenner & Smith, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Parker, Katherine) (Entered: 12/13/2013)
12/13/2013	<u>196</u>	REPLY in Support <i>Plaintiffs' Reply Memorandum of Law ISO Mtn for: (1) Final Approval of Class Action Settlement; (2) Certification of Settlement Classes; (3) Approval of Distribution of Settlement Funds (Docket No. 181)</i> filed by Mary DeSalvatore, Jean Evans, Dianne Goedel, Julie Moss, Kathleen Mary Wing.

		(Attachments: # <u>1</u> Proposed Order) (Geman, Rachel) (Entered: 12/13/2013)
12/13/2013	<u>197</u>	REPLY in Support <i>Reply Memorandum of Law ISO Plaintiffs' Mtn for Approval of Attorneys' Fees, Reimbursement of Expenses, Service Awards, and Consideration for Certain Named Plaintiffs for the Release of Non-Class Claims (Docket No. 183)</i> filed by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Attachments: # <u>1</u> Proposed Order) (Geman, Rachel) (Entered: 12/13/2013)
12/13/2013	<u>198</u>	DECLARATION of Cara E. Greene in Further Support of Plaintiffs' Mtn for Final Approval of Class Action Settlement, Certification of Settlement Classes, and Approval of Distribution of Settlement Funds and Plaintiffs' Mtn for Attys' Fees & Costs, Reimbursement of Expenses, Service Awards, and Consideration for Certain Named Plaintiffs for Release of Non-Class Claims (Docket Nos. 181 and 183) by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Geman, Rachel) (Entered: 12/13/2013)
12/20/2013		Minute Entry for proceedings held before Judge Pamela K. Chen: Final approval hearing on the proposed settlement agreement held on 12/20/13. Appearing (i) for the Proposed Settlement Class and Named Plaintiffs, <i>except</i> Judy Calibuso: Rachel Geman, Kelly Dermody, and Adam Klein ("Class Counsel"); (ii) for Named Plaintiff Judy Calibuso and other Opt-Out/Objector Class Members: Linda Friedman, Suzanne Bish, and Shonda Glink ("Opt-Out/Objector Counsel"); (iii) for Defendants: Katherine Parker and Kristine Huggins ("Defense Counsel"); and (iv) as outside counsel for Merrill Lynch & Co., Inc., Jared Friedmann ("Outside Counsel"). At today's hearing, it was agreed that (i) Defense Counsel WITHDRAWS <u>191</u> their motion to set aside the service award for Ms. Calibuso; (ii) Ms. Calibuso RESCINDS her opt-out from the proposed settlement agreement; and (iii) Opt-Out/Objector Counsel will SUBMIT a list of other Opt-Out/Objector Class Members who rescind their opt-outs by 5 P.M. on 12/26/13. Portions of today's hearing were conducted <i>ex parte</i> , between Opt-Out/Objector Counsel, Defense Counsel, Outside Counsel, and Ms. Calibuso, outside the presence of Class Counsel. The parties are additionally directed to order copies of the transcript from today's hearing, and specify which sections should be sealed. (Court Reporter Anthony Frisolone.) (Lo, Justin) (Entered: 12/20/2013)
12/20/2013		<u>ORDER</u> terminating <u>191</u> Defendants' Motion to Set Aside the Service Award for Named Plaintiff Judy Calibuso. See Minute Entry, dated 12/20/13. Ordered by Judge Pamela K. Chen on 12/20/2013. (Lo, Justin) (Entered: 12/20/2013)
12/26/2013	<u>199</u>	Proposed MOTION for Settlement <i>Proposed Order granting Final Approval of Class Action Settlement and Judgment</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Greene, Cara) (Entered: 12/26/2013)
12/27/2013		Motion terminated, docketed incorrectly: <u>199</u> Proposed MOTION for Settlement <i>Proposed Order granting Final Approval of Class Action Settlement and Judgment</i> filed by Jean Evans, Julie Moss, Mary DeSalvatore, Dianne Goedtel, Kathleen Mary Wing. This document is not a motion; it is a document in support of <u>181</u> and <u>183</u> . (Lo, Justin) (Entered: 12/27/2013)
12/27/2013	<u>200</u>	REPLY in Support re <u>183</u> MOTION for Attorney Fees , <u>181</u> MOTION for Settlement <i>Final Approval of Class Action Settlement Revised Proposed Order granting Final Approval of Class Action Settlement and Judgment</i> filed by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing. (Greene, Cara) (Entered: 12/27/2013)
12/27/2013	<u>201</u>	SETTLEMENT AGREEMENT <i>REVISED</i> by Mary DeSalvatore, Jean Evans, Dianne Goedtel, Julie Moss, Kathleen Mary Wing (Greene, Cara) (Entered: 12/27/2013)
12/27/2013	<u>202</u>	<u>ORDER</u> granting <u>181</u> Plaintiffs' Motion for Final Approval of the Class Action Settlement and granting <u>183</u> Plaintiffs' Motion for Attorneys' Fees and Costs, Service Awards for Named Plaintiffs, and Individual Named Plaintiffs' Settlement Fund. See attached Order. <i>The Court shall, at a later date, issue a separate Memorandum further explaining its findings and reasoning regarding final approval of the Settlement.</i> Ordered by Judge Pamela K. Chen on 12/27/2013. (Attachments: # <u>1</u> Exhibit A) (Lo, Justin) (Entered: 12/27/2013)
01/14/2014	<u>203</u>	MANDATE of USCA as to <u>180</u> Notice of Appeal filed by Maroc Howard, Cathy Bender. The parties in the above-referenced case have filed a stipulation withdrawing

		this appeal pursuant to FRAP 42. The Stipulation is "So Ordered" Issued as Mandate: 1/10/14 (McGee, Mary Ann) (Entered: 01/14/2014)
03/18/2014	<u>204</u>	Letter dated 12/26/2013, from Linda Friedman, Suzanne Bish, and Shona Glink to Judge Chen re opt-out statements. (Abdallah, Fida) (Entered: 03/18/2014)
04/30/2014	<u>205</u>	<u>MEMORANDUM ON FINAL APPROVAL OF CLASS ACTION SETTLEMENT:</u> For the reasons set forth in this Memorandum, the Court, in <u>202</u> its Final Approval Order, certified the Settlement Class and Subclasses and finally approved the Settlement. The Clerk of the Court is directed to terminate this case. Ordered by Judge Pamela K. Chen on 4/30/2014. (Lo, Justin) (Entered: 04/30/2014)