

**U.S. District Court
California Northern District (San Jose)
CIVIL DOCKET FOR CASE #: 5:03-cv-04529-RMW**

Syverson et al v. International Business Machines Corporation
Assigned to: Hon. Ronald M. Whyte
Referred to: Magistrate Judge Patricia V. Trumbull
Case in other court: Ninth Circuit, 04-16218
Ninth Circuit, 04-16449
Cause: 29:621 Job Discrimination (Age)

Date Filed: 10/07/2003
Date Terminated: 01/29/2009
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

William Syverson
*individually, and on behalf of others
similarly situated*

represented by **Jeffrey Neil Young**
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ATTORNEY TO BE NOTICED

Plaintiff

Ruth Alice Boyd

*individually, and on behalf of others
similarly situated*

represented by **Jeffrey Neil Young**
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Patrick McTeague
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Morris J. Baller
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Teresa Demchak
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ATTORNEY TO BE NOTICED

Plaintiff

Dale Cahill

*individually, and on behalf of others
similarly situated*

represented by **Jeffrey Neil Young**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patrick McTeague

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Morris J. Baller
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Teresa Demchak
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Plaintiff

Jack Friedman
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similarly situated

represented by **Jeffrey Neil Young**
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Plaintiff

Paul Gromkowski
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similarly situated

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Plaintiff

Sylvia Jones
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similarly situated

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Plaintiff

Ralph Marsh
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Plaintiff

Walter Maslak
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similarly situated

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Plaintiff

James Payne
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Plaintiff

represented by

Antonio Rivera
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similarly situated

Jeffrey Neil Young
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V.

Defendant

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Counter-claimant

**International Business Machines
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Alison B. Marshall
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Traci Lovitt ,
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Jeffrey David Wohl
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V.

Counter-defendant

Ruth Alice Boyd
individually, and on behalf of others
similarly situated

represented by **Heather Marie Mills**
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ATTORNEY TO BE NOTICED

Morris J. Baller
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Teresa Demchak
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Jeffrey Neil Young
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Counter-defendant

Dale Cahill
individually, and on behalf of others
similarly situated

represented by **Heather Marie Mills**
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Counter-defendant

Jack Friedman
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Counter-defendant

Paul Gromkowski
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Counter-defendant

Sylvia Jones
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similarly situated

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Counter-defendant

Ralph Marsh
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similarly situated

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Counter-defendant

Walter Maslak
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similarly situated

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Counter-defendant

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 similarly situated*

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Jeffrey Neil Young
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Counter-defendant

Antonio Rivera
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 similarly situated*

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Counter-defendant

William Syverson
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 similarly situated*

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Jeffrey Neil Young
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Date Filed	#	Docket Text
10/07/2003	<u>1</u>	COMPLAINT (<i>summons issued</i>); <i>jury demand</i> ; against International Business Machines Corporation (Filing fee \$150 receipt number 5508629). Filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (bw, COURT STAFF) Additional attachment(s) added on 10/16/2003 (bw, COURT STAFF). Additional attachment(s) added on 10/16/2003 (bw, COURT STAFF). Additional attachment(s) added on 10/16/2003 (bw, COURT STAFF). (Entered: 10/07/2003)

10/07/2003	<u>2</u>	ADR SCHEDULING ORDER: Case Management Statement due by 2/3/2004. Case Management Conference set for 2/10/2004 at 02:00 PM. (Attachments: # <u>1</u> Standing Order)(bw, COURT STAFF) (Entered: 10/07/2003)
10/07/2003		Summons Issued as to International Business Machines Corporation (bw, COURT STAFF) (Entered: 10/07/2003)
10/07/2003		CASE DESIGNATED for Electronic Filing. (bw, COURT STAFF) (Entered: 10/07/2003)
10/22/2003	<u>3</u>	MOTION for Pro Hac Vice for <i>Jeffrey Neil Young</i> (Fee Paid, Receipt #5508711) filed by William Syverson. (bw, COURT STAFF) Additional attachment(s) added on 10/23/2003 (bw, COURT STAFF). (Entered: 10/22/2003)
10/22/2003		Received Document re <u>3</u> <i>Order Granting Application for Admission of Attorney Jeffrey Neil Young Pro Hac Vice</i> by William Syverson. (bw, COURT STAFF) (Entered: 10/22/2003)
10/22/2003	<u>4</u>	MOTION for Pro Hac Vice for <i>Patrick N. McTeague</i> (Fee Paid, Receipt # 5508711) filed by William Syverson. (bw, COURT STAFF) Additional attachment(s) added on 10/23/2003 (bw, COURT STAFF). (Entered: 10/22/2003)
10/22/2003		Received Document re <u>4</u> <i>Order Granting Application for Admission of Attorney Patrick N. McTeague Pro Hac Vice</i> by William Syverson. (bw, COURT STAFF) (Entered: 10/22/2003)
10/23/2003	<u>5</u>	ORDER by Judge Patricia V. Trumbull granting <u>3</u> Motion for Pro Hac Vice for Jeffrey Neil Young. (bw, COURT STAFF) Additional attachment(s) added on 10/23/2003 (bw, COURT STAFF). (Entered: 10/23/2003)
10/23/2003	<u>6</u>	ORDER by Judge Patricia V. Trumbull granting <u>4</u> Motion for Pro Hac Vice for Patrick N. McTeague (bw, COURT STAFF) Additional attachment(s) added on 10/23/2003 (bw, COURT STAFF). (Entered: 10/23/2003)
10/31/2003	<u>7</u>	Declaration of Jeffrey Neil Young <i>Regarding Consent Forms</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Consent to Join)(Jesinger, Robert) (Entered: 10/31/2003)
12/19/2003	<u>8</u>	AMENDED COMPLAINT against International Business Machines Corporation. Filed by William Syverson. (Attachments: # <u>1</u> Exhibit Plaintiff's# <u>2</u> Exhibit Syverson Charge of discrimination# <u>3</u> Exhibit Rivera's charge# <u>4</u> Exhibit Marsh's charge# <u>5</u> Exhibit Cahill's charge# <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit EEOC determination# <u>11</u> Exhibit # <u>12</u> Exhibit Release# <u>13</u> Exhibit Later release)(Jesinger, Robert) (Filed on 12/19/2003) (Entered: 12/19/2003)
12/19/2003	<u>9</u>	Declaration of Jeffrey Neil Young <i>First Amended -- Regarding Consent Forms</i> filed by William Syverson. (Jesinger, Robert) (Filed on 12/19/2003) (Entered: 12/19/2003)
12/23/2003		Summons Issued as to International Business Machines Corporation on First Amended Complaint. (bw, COURT STAFF) (Filed on 12/23/04) (Entered: 12/29/2003)
01/07/2004	<u>10</u>	STIPULATION <i>Re: Response to Complaint</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 1/7/2004) (Entered: 01/07/2004)
01/07/2004	<u>11</u>	Declination to Proceed Before a U.S. Magistrate Judge by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 1/7/2004) (Entered: 01/07/2004)
01/08/2004	<u>12</u>	CLERK'S NOTICE of impending reassignment. Case Management Conference set for 2/13/2004 10:30 AM before Honorable Ronald M. Whyte. Case Management Statement due by 2/2/2004. (cm,) (Filed on 1/8/2004) (Entered: 01/08/2004)
01/08/2004	<u>13</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Ronald M. Whyte for all further proceedings. Judge Patricia V Trumbull remains as the referral judge. Signed by Executive Committee on January 8, 2004. (bw, COURT STAFF) (Filed on 1/8/2004) (Entered: 01/08/2004)

01/13/2004	<u>14</u>	SUMMONS Returned Executed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, International Business Machines Corporation. International Business Machines Corporation served on 12/24/2003, answer due 1/13/2004. (bw, COURT STAFF) (Filed on 1/13/2004) (Entered: 01/13/2004)
01/16/2004	<u>15</u>	STIPULATION <i>Re: Postponement of Case Management Activities, Suspension of Briefing and Hearing on Parties' Motions, and Convening of Rule 16 Conference; [Proposed] Order Re: Same</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 1/16/2004) (Entered: 01/16/2004)
01/30/2004	<u>16</u>	STIPULATION AND ORDER <i>Re: Postponement of Case Management Activities, Suspension of Briefing and Hearing on Parties' Motions, and Convening of Rule 16 Conference.</i> Case Management Conference is set for 3/5/04 @ 10:30 am. Signed by Judge Ronald M. Whyte on 1/30/04. (jg, Court Staff) (Filed on 1/30/2004) (Entered: 01/30/2004)
02/12/2004	<u>17</u>	MOTION to Certify Class <i>for purposes of Count I of the Amended Complaint and to Compel IBM to provide names, addresses, and dates of birth of similarly situated employees and for leave of court to file a second amended Complaint</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Motion Hearing set for 3/5/2004 10:30 AM. (Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>18</u>	*** FILED IN ERROR. PLEASE SEE DOCKET # <u>35</u> *** MOTION to Amend/Correct <i>the First Amended Complaint to file a Second Amended Complaint and Proposed Order Re: Same</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Motion Hearing set for 3/5/2004 10:30 AM. (Young, Jeffrey) (Filed on 2/12/2004) Modified on 2/13/2004 (br, COURT STAFF). (Entered: 02/12/2004)
02/12/2004	<u>19</u>	MEMORANDUM in Support of <i>Motion to Approve Notice of Action, to Certify Class for Purposes of Count I of the Amended Complaint, and to Compel IBM to Provide Names, Addresses, and Dates of Birth of Similarly Situated Employees</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>20</u>	Proposed Order <i>to Approve Notice of Action, etc.</i> by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex A: Notice of Pendency of Age Discr Lawsuit–deferral state# <u>2</u> Exhibit Ex B: Notice of Pendency of Age Discr Lawsuit–Non–Deferral State# <u>3</u> Exhibit Ex C: Consent to Join Class Action)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>21</u>	Declaration of Ruth Alice Boyd filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1–3 Release and EEOC documents)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>22</u>	Declaration of Dale Cahill filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1–2: Release and EEOC docs)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>23</u>	Declaration of James Leas filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1–3: spreadsheet, Release, news article)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)

02/12/2004	<u>24</u>	Declaration of Rolf Marsh filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1-2: Release, EEOC docs)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>25</u>	Declaration of David Mazgaj filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1: Release)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>26</u>	Declaration of Daniel Moczan filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1-2: EEOC docs)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>27</u>	Declaration of Antonio Rivera filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1-3: Release, EEOC docs)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>28</u>	COUNTERCLAIM against Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>29</u>	Declaration of James Payne filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1-4: Release, EEOC docs)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>30</u>	Declaration of William Syverson filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1: IBM 2002 Annual report (portion)# <u>2</u> Exhibit Ex. 2-3: news article, release)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>31</u>	MOTION to Dismiss <i>Notice of Motion and Motion to Dismiss Without Leave to Amend Plaintiffs' First Amended Complaint; Memorandum in Support of Motion to Dismiss</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>32</u>	Proposed Order <i>Granting Motion to Dismiss Plaintiffs' First Amended Complaint Without Leave to Amend</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>33</u>	Declaration of Jeffrey Neil Young filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit Ex. 1-3: Releases# <u>2</u> Exhibit Ex. 4-6: Releases# <u>3</u> Exhibit Ex. 7-9: Releases# <u>4</u> Exhibit Ex. 10-12: Releases# <u>5</u> Exhibit Ex. 13-15: Releases# <u>6</u> Exhibit Ex. 16: Thomforde v. IBM - Dft Memo opposing Plt M-Compel# <u>7</u> Exhibit Ex. 17-19: Charges of Discrimination# <u>8</u> Exhibit Ex. 20-21: Order in Mooney v. IBM; Order in Thomforde v. IBM# <u>9</u> Exhibit Ex. 22: Notice of Pendency of Age Discr Lawsuit-Deferral state# <u>10</u> Exhibit Ex. 23: Notice of Pendency of Age Discr Lawsuit-non-deferral state# <u>11</u> Exhibit Ex. 24: Consent to Join Class Action)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>34</u>	AFFIDAVIT <i>Second Amended Declaration of Jeffrey Neil Young Regarding Consent Forms</i> by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/12/2004	<u>35</u>	MOTION to Amend/Correct <i>the First Amended Complaint to file a Second Amended Complaint and a Proposed Order Re: Same</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Motion Hearing set for 3/5/2004 10:30 AM. (Attachments: # <u>1</u> Exhibit Ex. 1: Proposed Second Amended

		Complaint)(Young, Jeffrey) (Filed on 2/12/2004) (Entered: 02/12/2004)
02/27/2004	<u>36</u>	CASE MANAGEMENT STATEMENT <i>Plaintiffs' Rule 16 Conference Statement</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 2/27/2004) (Entered: 02/27/2004)
02/27/2004	<u>37</u>	CASE MANAGEMENT STATEMENT <i>Defendant and Counter-Claimant International Business Machines Corporation's Rule 16 Conference Statement</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2004) (Entered: 02/27/2004)
03/05/2004	<u>38</u>	Minute Entry: Initial Case Management Conference held on 3/5/2004 before Ronald M. Whyte (Date Filed: 3/5/2004), Motions terminated: <u>17</u> MOTION to Certify Class for purposes of Count I of the Amended Complaint and to Compel IBM to provide names, addresses, and dates of birth of similarly situated employees and for leave of court to file a second amended Complaint filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, <u>18</u> MOTION to Amend/Correct the First Amended Complaint to file a Second Amended Complaint and Proposed Order Re: Same filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, <u>35</u> MOTION to Amend/Correct the First Amended Complaint to file a Second Amended Complaint and a Proposed Order Re: Same filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera. Case Management Conference set for 4/30/2004 10:30 AM. Hearing on Defendant's Motion to Dismiss is set for 4/30/2004 09:00 AM. (Court Reporter Not Reported.) (jg, Court Staff) (Date Filed: 3/5/2004) (Entered: 03/05/2004)
03/16/2004	<u>39</u>	MOTION to Dismiss <i>Defendant's Counterclaim; Memorandum in Support of Motion to Dismiss</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Motion Hearing set for 4/30/2004 10:00 AM. (Young, Jeffrey) (Filed on 3/16/2004) (Entered: 03/16/2004)
03/16/2004	<u>40</u>	Proposed Order re <u>39</u> <i>Granting Motion to Dismiss Defendant's Counterclaim</i> by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 3/16/2004) (Entered: 03/16/2004)
03/16/2004	<u>41</u>	Declaration of William Syverson in Support of <u>39</u> <i>Motion to Dismiss Defendant's Counterclaim</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit 1: Calculations of lost benefits)(Related document(s) <u>39</u>) (Young, Jeffrey) (Filed on 3/16/2004) (Entered: 03/16/2004)
04/02/2004	<u>42</u>	Memorandum in Opposition to <i>Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint Without Leave to Amend</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 4/2/2004) (Entered: 04/02/2004)
04/02/2004	<u>43</u>	DECLARATION of Jeffrey Neil Young filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Attachments: # <u>1</u> Exhibit #1: IBM General Release and Covenant Not to Sue# <u>2</u> Exhibit #2: Form F-1, Sec. 2(a), Lindemann & Kadue, "Age Discrimination in Employment Law" 1417 (2003)# <u>3</u> Exhibit #3: Letter from Attorney William J. Egan dated 03/11/2004)(Young, Jeffrey) (Filed on 4/2/2004) (Entered: 04/02/2004)
04/09/2004	<u>44</u>	*** FILED IN ERROR. PLEASE SEE DOCKET # <u>46</u> *** MOTION to Dismiss <i>Opposition to Plaintiffs' Motion to Dismiss IBM's Counterclaim</i> filed by International Business Machines Corporation. Motion Hearing set for 4/30/2004 09:00 AM. (Wohl, Jeffrey) (Filed on 4/9/2004) Modified

		on 4/9/2004 (br, COURT STAFF). (Entered: 04/09/2004)
04/09/2004	<u>45</u>	DECLARATION of Marianne E. DeFazio in Opposition to <u>44</u> <i>Plaintiffs' Motion to Dismiss IBM's Counterclaim</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A – Portion of the Summary Plan Description of Benefits Plan for Retired Employees# <u>2</u> Exhibit B – Summary Plan Description of Future Health Account)(Related document(s) <u>44</u>) (Wohl, Jeffrey) (Filed on 4/9/2004) (Entered: 04/09/2004)
04/09/2004	<u>46</u>	Memorandum in Opposition <i>Opposition to Plaintiffs' Motion to Dismiss IBM's Counterclaim – CORRECTION OF DOCKET # 44</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 4/9/2004) (Entered: 04/09/2004)
04/09/2004	<u>47</u>	Proposed Order <i>Denying Plaintiffs' Motion to Dismiss IBM's Counterclaim</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 4/9/2004) (Entered: 04/09/2004)
04/16/2004	<u>48</u>	Reply Memorandum <i>in Support of Plaintiffs' Motion to Dismiss IBM's Counterclaim</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 4/16/2004) (Entered: 04/16/2004)
04/16/2004	<u>49</u>	CASE MANAGEMENT STATEMENT <i>Defendant's Updated Rule 16 Conference Statement</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 4/16/2004) (Entered: 04/16/2004)
04/16/2004	<u>50</u>	Reply Memorandum <i>in Support of Motion to Dismiss Plaintiffs' First Amended Complaint Without Leave to Amend</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A--Thomforde v. International Business Machines Corporation)(Wohl, Jeffrey) (Filed on 4/16/2004) (Entered: 04/16/2004)
04/22/2004	<u>51</u>	AMENDED DOCUMENT by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. <i>Plaintiffs UPDATED Rule 16 Conference Statement</i> . (Jesinger, Robert) (Filed on 4/22/2004) (Entered: 04/22/2004)
05/04/2004	<u>52</u>	ORDER by Judge Ronald M. Whyte Granting <u>31</u> defendant's motion to dismiss first amended complaint, denying plaintiffs' <u>39</u> motion to dismiss defendant's counterclaim (rmwlc1,) (Filed on 5/4/2004) (Entered: 05/04/2004)
05/12/2004	<u>53</u>	ANSWER to Counterclaim by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Young, Jeffrey) (Filed on 5/12/2004) (Entered: 05/12/2004)
06/01/2004	<u>54</u>	NOTICE OF APPEAL by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Filing fee \$ 255. Appeal Record due by 7/1/2004. (Jesinger, Robert) (Filed on 6/1/2004) (Entered: 06/01/2004)
06/01/2004	<u>55</u>	TRANSCRIPT DESIGNATION <i>and Ordering Form</i> by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Jesinger, Robert) (Filed on 6/1/2004) (Entered: 06/01/2004)
06/01/2004	<u>56</u>	CERTIFICATE OF SERVICE by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson (Jesinger, Robert) (Filed on 6/1/2004) (Entered: 06/01/2004)
06/01/2004	<u>57</u>	EXHIBITS <i>to Notice of Appeal -- Representation Statement</i> filed by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Jesinger, Robert) (Filed on 6/1/2004) (Entered: 06/01/2004)
06/02/2004		Mailed request for payment of docket fee to appellant (cc to USCA) (dhm, COURT STAFF) (Filed on 6/2/2004) (Entered: 06/02/2004)

06/02/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>54</u> Notice of Appeal, (dhm, COURT STAFF) (Filed on 6/2/2004) (Entered: 06/02/2004)
06/02/2004		USCA Appeal Fees received \$ 255 receipt number 5510174 re <u>54</u> Notice of Appeal, filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera (dhm, COURT STAFF) (Filed on 6/2/2004) (Entered: 06/03/2004)
06/04/2004		Certificate of Record Mailed to USCA re appeal <u>54</u> : No Transcripts Designated (dhm, COURT STAFF) (Filed on 6/4/2004) (Entered: 06/04/2004)
06/16/2004	<u>58</u>	Letter from Jeffrey D. Wohl to Hon. Ronald M. Whyte re Parties' Stipulation & Order re Jdgmnt on IBM's Counterclaim / Proposed Jdgmnt. (Wohl, Jeffrey) (Filed on 6/16/2004) (Entered: 06/16/2004)
06/16/2004	<u>59</u>	STIPULATION <i>Stipulation and Order re: Judgment on IBM's Counterclaim</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 6/16/2004) (Entered: 06/16/2004)
06/16/2004	<u>60</u>	Proposed Order <i>re: Judgment on IBM's Counterclaim</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 6/16/2004) (Entered: 06/16/2004)
06/16/2004	<u>61</u>	Proposed Order re <u>58</u> , <u>59</u> , <u>60</u> <i>Proposed Judgment re Stipulation and Order re IBM's Counterclaim</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 6/16/2004) (Entered: 06/16/2004)
06/17/2004	<u>62</u>	ORDER: Judgment will be entered in accordance with the parties stipulation. Signed by Judge Ronald M. Whyte on 6/17/2004. (dhm, COURT STAFF) (Filed on 6/17/2004) (Entered: 06/17/2004)
06/17/2004	<u>63</u>	JUDGMENT: The First Amended Complaint is dismissed without leave to amend. Judgment is entered in favor of IBM on counterclaim, awarding to IBM \$27,500.00 for which plaintiffs are jointly and severally liable. ***Civil Case Terminated. Signed by Judge Ronald M. Whyte on 6/17/2004. (dhm, COURT STAFF) (Filed on 6/17/2004) (Entered: 06/17/2004)
06/21/2004		USCA Case Number 04-16218 for <u>54</u> Notice of Appeal, filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera. (dhm, COURT STAFF) (Filed on 6/21/2004) (Entered: 06/21/2004)
07/14/2004	64	TRANSCRIPT filed for dates of 4/30/04 before Judge Ronald M. Whyte, re <u>54</u> Notice of Appeal, Court Reporter: Lee-Anne Shortridge. (cv, COURT STAFF) (Filed on 7/14/2004) (Entered: 07/15/2004)
07/16/2004	<u>65</u>	NOTICE OF APPEAL by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. Filing fee \$ 255 paid, receipt # 5510456. Appeal Record due by 8/16/2004. (Jesinger, Robert) (Filed on 7/16/2004) Modified on 7/19/2004 to indicate that fee was paid (dhm, COURT STAFF). (Entered: 07/16/2004)
07/16/2004	<u>66</u>	ASSOCIATION of Counsel <i>REPRESENTATION STATEMENT</i> by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. (Jesinger, Robert) (Filed on 7/16/2004) (Entered: 07/16/2004)
07/16/2004	<u>67</u>	TRANSCRIPT DESIGNATION by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson. **NO TRANSCRIPTS DESIGNATED** (Jesinger, Robert) (Filed on 7/16/2004) Modified on 7/19/2004 to indicate no transcripts designated. (dhm, COURT STAFF). (Entered: 07/16/2004)
07/16/2004	<u>68</u>	CERTIFICATE OF SERVICE by Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera, William Syverson (Jesinger, Robert) (Filed on 7/16/2004) (Entered: 07/16/2004)

07/19/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>65</u> Notice of Appeal, (dhm, COURT STAFF) (Filed on 7/19/2004) (Entered: 07/19/2004)
07/19/2004		Certificate of Record Mailed to USCA re appeal <u>65</u> : No Transcripts Designated (dhm, COURT STAFF) (Filed on 7/19/2004) (Entered: 07/19/2004)
07/22/2004	<u>69</u>	NOTICE by International Business Machines Corporation <i>Notice of Designation of Entire Transcript on Appeal</i> (Harper, Kerri) (Filed on 7/22/2004) (Entered: 07/22/2004)
07/29/2004	70	ORDER of USCA: This appeal is dismissed for failure to prosecute as to <u>54</u> Notice of Appeal, filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera (USCA # 04-16218) (dhm, COURT STAFF) (Filed on 7/29/2004) (Entered: 07/29/2004)
07/30/2004	71	CLERKS Letter Spreading Mandate to Counsel (dhm, COURT STAFF) (Filed on 7/30/2004) (Entered: 07/30/2004)
08/05/2004		USCA Case Number 04-16449 for <u>65</u> Notice of Appeal, filed by William Syverson, Ruth Alice Boyd, Dale Cahill, Jack Friedman, Paul Gromkowski, Sylvia Jones, Ralph Marsh, Walter Maslak, James Payne, Antonio Rivera. (dhm, COURT STAFF) (Filed on 8/5/2004) (Entered: 08/05/2004)
03/20/2006		Certified and Transmitted Record on Appeal to US Court of Appeals re <u>65</u> Notice of Appeal, (dhm, COURT STAFF) (Filed on 3/20/2006) (Entered: 03/20/2006)
01/12/2007	72	USCA JUDGMENT as to <u>65</u> Notice of Appeal filed by William Syverson,, Ruth Alice Boyd,, Dale Cahill,, Jack Friedman,, Paul Gromkowski,, Sylvia Jones,, Ralph Marsh,, Walter Maslak,, James Payne,, Antonio Rivera. The judgment of the District Court in this cause is hereby reversed and remanded. Costs taxed. USCA # 04-16449 (dhm, COURT STAFF) (Filed on 1/12/2007) (Entered: 01/16/2007)
01/16/2007	<u>73</u>	CLERKS Letter Spreading Mandate to Counsel (Attachments: # <u>1</u> USCA Judgment)(dhm, COURT STAFF) (Filed on 1/16/2007) (Entered: 01/16/2007)
01/26/2007	<u>74</u>	STIPULATION <i>Re: Suspension of Deadlines and Litigation Activity Pending Scheduling of Status Conference</i> by International Business Machines Corporation, International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 1/26/2007) (Entered: 01/26/2007)
02/13/2007	<u>75</u>	CLERK'S NOTICE OF SETTING CASE MANAGEMENT CONFERENCE: Case Management Conference set for 3/9/2007 10:30 AM. Joint Case Management Statement due by 3/2/2007. (jg, COURT STAFF) (Filed on 2/13/2007) (Entered: 02/13/2007)
02/26/2007	<u>76</u>	ASSOCIATION of Counsel <i>Notice of Association of Counsel for Defendant International Business Machines Corporation</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/26/2007) (Entered: 02/26/2007)
02/27/2007	<u>77</u>	MOTION for leave to appear in Pro Hac Vice filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2007) (Entered: 02/27/2007)
02/27/2007	<u>78</u>	Proposed Order re <u>77</u> MOTION for leave to appear in Pro Hac Vice [<i>Proposed</i>] <i>Order Granting Application for Admission of Alison B. Marshall Pro Hac Vice</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2007) (Entered: 02/27/2007)
02/27/2007	<u>79</u>	MOTION for leave to appear in Pro Hac Vice <i>Application for Admission of Glen D. Nager Pro Hac Vice</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2007) (Entered: 02/27/2007)
02/27/2007	<u>80</u>	Proposed Order re <u>79</u> MOTION for leave to appear in Pro Hac Vice <i>Application for Admission of Glen D. Nager Pro Hac Vice</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2007) (Entered: 02/27/2007)
02/27/2007	<u>81</u>	STIPULATION re <u>75</u> Clerks Notice <i>Stipulation Re: Postponement of 03/09/07 Case Management Conference Pending Plaintiffs' Proposed Second Amended</i>

		<i>Complaint; [Proposed] Order Re: Same</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 2/27/2007) (Entered: 02/27/2007)
02/28/2007		Pro Hac Vice Application Fees received : \$ 420.00, receipt number 5461100053, for the applications of Alison B. Marshall and Glen D. Nager. (dhm, COURT STAFF) (Filed on 2/28/2007) (Entered: 03/06/2007)
03/05/2007	<u>82</u>	STIPULATION AND ORDER Re: <u>81</u> Postponement of 3/9/07 Case Management Conference Pending Plaintiffs' Proposed Second Amended Complaint. Case Management Conference set for 5/4/2007 10:30 AM. Signed by Judge Ronald M. Whyte on 3/5/07. (jg, COURT STAFF) (Filed on 3/5/2007) (Entered: 03/05/2007)
03/14/2007	<u>83</u>	ORDER by Judge Ronald M. Whyte granting <u>77</u> Application of Alison B. Marshall for Admission Pro Hac Vice (dhm, COURT STAFF) (Filed on 3/14/2007) (Entered: 03/15/2007)
03/14/2007	<u>84</u>	ORDER by Judge Ronald M. Whyte granting <u>79</u> Application of Glen D. Nager for Admission Pro Hac Vice (dhm, COURT STAFF) (Filed on 3/14/2007) (Entered: 03/15/2007)
04/16/2007	85	Appeal Record Returned: <u>54</u> , <u>65</u> Notice of Appeal, (dhm, COURT STAFF) (Filed on 4/16/2007) (Entered: 04/16/2007)
04/27/2007	<u>86</u>	JOINT CASE MANAGEMENT STATEMENT <i>and Proposed Order</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 4/27/2007) (Entered: 04/27/2007)
05/04/2007	<u>87</u>	AMENDED COMPLAINT <i>Second Amended Complaint</i> against International Business Machines Corporation. Filed by William Syverson. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u> # <u>21</u> # <u>22</u> # <u>23</u> # <u>24</u> # <u>25</u> # <u>26</u> # <u>27</u> # <u>28</u>) (Platten, Christopher) (Filed on 5/4/2007) (Entered: 05/04/2007)
05/04/2007	<u>89</u>	Minute Entry: Initial Case Management Conference held on 5/4/2007 before Ronald M. Whyte (Date Filed: 5/4/2007). Motion Hearing set for 7/27/2007 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Court Reporter Not Reported.) (jg, COURT STAFF) (Date Filed: 5/4/2007) (Entered: 05/08/2007)
05/08/2007	<u>88</u>	NOTICE of Appearance by Jeffrey Neil Young <i>of Teresa Demchak, Morris Baller, and Heather Mills</i> (Young, Jeffrey) (Filed on 5/8/2007) (Entered: 05/08/2007)
05/14/2007	<u>90</u>	Proposed Order re <u>89</u> Case Management Conference – Initial., Set Hearings, <i>Order Following 05/04/07 Case Management Conference</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 5/14/2007) (Entered: 05/14/2007)
05/29/2007	91	APPLICATION of Traci L. Lovitt for leave to appear Pro Hac Vice (Filing fee \$ 210, receipt number 54611001068) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/29/2007) (Entered: 05/29/2007)
05/29/2007		Proposed Order re 91 APPLICATION of Traci L. Lovitt for leave to appear Pro Hac Vice (Filing fee \$ 210, receipt number 5461100106.) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/29/2007) (Entered: 05/29/2007)
05/29/2007	92	CERTIFICATE OF SERVICE by International Business Machines Corporation re 91 MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 210, receipt number 5461100106.), Proposed Order (dhm, COURT STAFF) (Filed on 5/29/2007) (Entered: 05/29/2007)
06/04/2007	<u>93</u>	MOTION to Dismiss <i>DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT; MEMORANDUM IN SUPPORT OF MOTION</i> filed by International Business Machines Corporation. Motion Hearing set for 7/27/2007 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Wohl, Jeffrey) (Filed on 6/4/2007) (Entered: 06/04/2007)
06/04/2007	<u>94</u>	Proposed Order re <u>93</u> MOTION to Dismiss <i>DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT; MEMORANDUM IN SUPPORT OF MOTION // [PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO DISMISS</i>

		<i>PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 6/4/2007) (Entered: 06/04/2007)
06/06/2007	<u>95</u>	CASE MANAGEMENT SCHEDULING ORDER <u>90</u> : Motion Hearing set for 7/27/2007 09:00 AM in Courtroom 6, 4th Floor, San Jose. Signed by Judge Ronald M. Whyte on 6/6/07. (jg, COURT STAFF) (Filed on 6/6/2007) (Entered: 06/06/2007)
06/07/2007	96	ORDER by Judge Ronald M. Whyte granting 91 APPLICATION of Traci L. Lovitt for leave to appear Pro Hac Vice. (dhm, COURT STAFF) (Filed on 6/7/2007) (Entered: 06/07/2007)
06/27/2007	<u>97</u>	Memorandum in Opposition re <u>93</u> MOTION to Dismiss <i>DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT</i> ; <i>MEMORANDUM IN SUPPORT OF MOTION</i> filed by William Syverson. (Demchak, Teresa) (Filed on 6/27/2007) (Entered: 06/27/2007)
07/11/2007	<u>98</u>	Reply Memorandum in support of <u>93</u> DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT; <i>MEMORANDUM IN SUPPORT OF MOTION</i> filed by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 7/11/2007) Modified text on 7/13/2007 (dhm, COURT STAFF). (Entered: 07/11/2007)
07/27/2007	<u>99</u>	Minute Entry: Motion Hearing held on 7/27/2007 before Ronald M. Whyte (Date Filed: 7/27/2007) re <u>93</u> MOTION to Dismiss <i>DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PARTS OF PLAINTIFF'S SECOND AMENDED COMPLAINT</i> ; <i>MEMORANDUM IN SUPPORT OF MOTION</i> filed by International Business Machines Corporation. (Court Reporter Lee-Anne Shortridge.) (jg, COURT STAFF) (Date Filed: 7/27/2007) (Entered: 07/31/2007)
08/10/2007	100	TRANSCRIPT of Proceedings held on 7/27/2007 before Judge Ronald M. Whyte. Court Reporter: Lee-Anne Shortridge. (dhm, COURT STAFF) (Filed on 8/10/2007) (Entered: 08/10/2007)
10/03/2007	<u>101</u>	ORDER by Judge Whyte granting <u>93</u> Defendant's Motion to Dismiss (rmwlc2, COURT STAFF) (Filed on 10/3/2007) (Entered: 10/03/2007)
10/22/2007	<u>102</u>	STIPULATION <i>Regarding Enlargement of Time to File Third Amended Complaint</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 10/22/2007) (Entered: 10/22/2007)
10/22/2007	<u>103</u>	Declaration of Jeffrey Neil Young in Support of <u>102</u> Stipulation <i>Re Enlargement of Time to File Third Amended Complaint</i> filed by International Business Machines Corporation. (Related document(s) <u>102</u>) (Wohl, Jeffrey) (Filed on 10/22/2007) (Entered: 10/22/2007)
10/22/2007	<u>104</u>	Proposed Order re <u>102</u> Stipulation [<i>Proposed</i>] <i>Order Granting Enlargement of Time to File Third Amended Complaint</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 10/22/2007) (Entered: 10/22/2007)
11/06/2007	<u>105</u>	STIPULATION <i>REGARDING PRESERVATION OF PLAINTIFFS' OWBPA CLAIM FOR APPEAL</i> by William Syverson. (Attachments: # <u>1</u> Signature Page (Declarations/Stipulations))(Demchak, Teresa) (Filed on 11/6/2007) (Entered: 11/06/2007)
11/06/2007	<u>106</u>	STIPULATION AND ORDER granting enlargement of time re <u>104</u> Proposed Order filed by International Business Machines Corporation.Signed by Judge Ronald M. Whyte on 11/6/07. (cm, COURT STAFF) (Filed on 11/6/2007) (Entered: 11/06/2007)
11/06/2007	<u>107</u>	AMENDED COMPLAINT <i>THIRD AMENDED COMPLAINT</i> against International Business Machines Corporation. Filed by William Syverson. (Attachments: # <u>1</u> Exhibit A & 1-27)(Demchak, Teresa) (Filed on 11/6/2007) (Entered: 11/06/2007)

11/26/2007	<u>108</u>	ANSWER to Amended Complaint <i>Answer to Plaintiff's Third Amended Complaint</i> by International Business Machines Corporation. (Wohl, Jeffrey) (Filed on 11/26/2007) (Entered: 11/26/2007)
11/26/2007	<u>109</u>	Certificate of Interested Entities by International Business Machines Corporation (Wohl, Jeffrey) (Filed on 11/26/2007) (Entered: 11/26/2007)
01/25/2008	<u>110</u>	JOINT CASE MANAGEMENT STATEMENT <i>and Proposed Order (L.R. 16-9)</i> filed by International Business Machines Corporation. (Agenbroad, Aaron) (Filed on 1/25/2008) (Entered: 01/25/2008)
01/28/2008	<u>111</u>	STIPULATION <i>re Protective Order</i> by William Syverson. (Demchak, Teresa) (Filed on 1/28/2008) (Entered: 01/28/2008)
02/01/2008	<u>117</u>	Minute Entry: Initial Case Management Conference held on 2/1/2008 before Ronald M. Whyte (Date Filed: 2/1/2008). Class Certification Motion Hearing set for 11/21/2008 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Court Reporter Not Reported.) (jg, COURT STAFF) (Date Filed: 2/1/2008) (Entered: 02/11/2008)
02/08/2008	<u>112</u>	Declaration of Jeffrey Neil Young <i>Attaching Consent Forms</i> filed by William Syverson. (Attachments: # <u>1</u> Exhibit 1-90 -- Consent Forms)(Young, Jeffrey) (Filed on 2/8/2008) (Entered: 02/08/2008)
02/08/2008	<u>113</u>	EXHIBITS <i>re 112</i> Declaration in Support (<i>Exhibits 91-180 -- Consent Forms</i>) filed by William Syverson. (Related document(s) <u>112</u>) (Young, Jeffrey) (Filed on 2/8/2008) (Entered: 02/08/2008)
02/08/2008	<u>114</u>	EXHIBITS <i>re 112</i> Declaration in Support (<i>Exhibits 181-270 -- Consent Forms</i>) filed by William Syverson. (Related document(s) <u>112</u>) (Young, Jeffrey) (Filed on 2/8/2008) (Entered: 02/08/2008)
02/08/2008	<u>115</u>	EXHIBITS <i>re 112</i> Declaration in Support (<i>Exhibits 271-355 -- Consent Forms</i>) filed by William Syverson. (Related document(s) <u>112</u>) (Young, Jeffrey) (Filed on 2/8/2008) (Entered: 02/08/2008)
02/11/2008	<u>116</u>	Letter from Alison B. Marshall <i>Joint Letter Requesting Deferral of Scheduling Order</i> . (Marshall, Alison) (Filed on 2/11/2008) (Entered: 02/11/2008)
02/11/2008	<u>118</u>	ORDER Assigning Preparation of Discovery Plan to Magistrate Judge. Signed by Judge Ronald M. Whyte on 2/11/08. (jg, COURT STAFF) (Filed on 2/11/2008) (Entered: 02/11/2008)
03/12/2008	<u>119</u>	STIPULATED PROTECTIVE ORDER <i>re 111</i> . Signed by Judge Patricia V. Trumbull on 3/11/08. (pvtlc1) (Filed on 3/12/2008) (Entered: 03/12/2008)
03/17/2008	<u>120</u>	Proposed Order <i>Regarding Initial Phase of Discovery</i> by International Business Machines Corporation. (Marshall, Alison) (Filed on 3/17/2008) (Entered: 03/17/2008)
04/23/2008	<u>121</u>	APPLICATION of James E. Gauch for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003026) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 4/23/2008) (Entered: 04/25/2008)
04/23/2008	<u>122</u>	Proposed Order <i>re 121</i> APPLICATION of James E. Gauch for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003026) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 4/23/2008) (Entered: 04/25/2008)
04/28/2008	<u>123</u>	ORDER by Judge Ronald M. Whyte Granting <u>121</u> Motion for Pro Hac Vice for Attorney James E. Gauch. (jg, COURT STAFF) (Filed on 4/28/2008) (Entered: 04/28/2008)
05/12/2008	<u>124</u>	APPLICATION of Sarah B. McClure for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003145) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/12/2008) (Entered: 05/14/2008)
05/12/2008	<u>125</u>	Proposed Order <i>re 124</i> APPLICATION of Sara B. McClure for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003145) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/12/2008) (Entered: 05/14/2008)

05/12/2008	<u>126</u>	APPLICATION of Deborah A. Sudbury for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003145) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/12/2008) (dhm, COURT STAFF). (Entered: 05/14/2008)
05/12/2008	<u>127</u>	Proposed Order re <u>126</u> APPLICATION of Deborah A. Sudbury for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003145) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/12/2008) (Entered: 05/14/2008)
05/13/2008	<u>130</u>	APPLICATION of Brian M. Jorgensen for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003171) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 5/13/2008) (Entered: 05/15/2008)
05/13/2008	<u>131</u>	Proposed Order re <u>130</u> APPLICATION of Brian M. Jorgensen for Admission Pro Hac Vice(Filing fee \$ 210, receipt number 54611003171). (dhm, COURT STAFF) (Filed on 5/13/2008) (Entered: 05/15/2008)
05/15/2008	<u>128</u>	ORDER by Judge Ronald M. Whyte Granting <u>126</u> Motion for Pro Hac Vice for Deborah A. Sudbury. (jg, COURT STAFF) (Filed on 5/15/2008) (Entered: 05/15/2008)
05/15/2008	<u>129</u>	ORDER by Judge Ronald M. Whyte Granting <u>124</u> Motion for Pro Hac Vice for Sarah B. McClure. (jg, COURT STAFF) (Filed on 5/15/2008) (Entered: 05/15/2008)
05/15/2008	<u>132</u>	ORDER by Judge Ronald M. Whyte Granting <u>130</u> Motion for Pro Hac Vice for Brian M. Jorgensen. (jg, COURT STAFF) (Filed on 5/15/2008) (Entered: 05/15/2008)
06/02/2008	<u>133</u>	Proposed Order <i>Regarding Initial Phase of Discovery</i> by International Business Machines Corporation. (Marshall, Alison) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/03/2008	<u>134</u>	DISCOVERY PLAN ORDER for Initial Phase of Discovery re <u>120</u> and <u>133</u> . Signed by Judge Patricia V. Trumbull on 6/3/08. (pvtlc1) (Filed on 6/3/2008) (Entered: 06/03/2008)
06/06/2008	<u>135</u>	STIPULATION <i>Re: Continuance of 11/21/08 Class Certification Motion Hearing; [Proposed] Order Re: Same</i> by International Business Machines Corporation. (Attachments: # <u>1</u> Signature Page (Declarations/Stipulations) Declaration of Alison B. Marshall re: Stipulation re: Continuance of 11/21/2008 Class Certification Motion Hearing)(Marshall, Alison) (Filed on 6/6/2008) (Entered: 06/06/2008)
06/26/2008	<u>136</u>	STIPULATION AND ORDER <u>135</u> Re: Continuance of 11/21/08 Class Certification Motion Hearing: Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. Signed by Judge Ronald M. Whyte on 3/26/08. (jg, COURT STAFF) (Filed on 6/26/2008) (Entered: 06/26/2008)
09/16/2008	<u>137</u>	APPLICATION of Tonya M. Osborne for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003906) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/16/2008) (Entered: 09/17/2008)
09/16/2008	<u>138</u>	Proposed Order re <u>137</u> APPLICATION of Tonya M. Osborne for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003906.) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/16/2008) (Entered: 09/17/2008)
09/16/2008	<u>139</u>	APPLICATION of Carter DeLorme for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003906) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/16/2008) (Entered: 09/17/2008)
09/16/2008	<u>140</u>	Proposed Order re <u>139</u> APPLICATION of Carter DeLorme for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003906) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/16/2008) (Entered: 09/17/2008)
09/24/2008	<u>141</u>	ORDER by Judge Ronald M. Whyte Granting <u>137</u> Motion for Pro Hac Vice for Attorney Tonya M. Osborne. (jg, COURT STAFF) (Filed on 9/24/2008) (Entered: 09/24/2008)

		09/24/2008)
09/24/2008	<u>142</u>	ORDER by Judge Ronald M. Whyte Granting <u>139</u> Motion for Pro Hac Vice for Attorney Carter DeLorme. (jg, COURT STAFF) (Filed on 9/24/2008) (Entered: 09/24/2008)
09/29/2008	<u>143</u>	APPLICATION of Hannah M. Breshin for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003970) filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/29/2008) (Entered: 10/01/2008)
09/29/2008	<u>144</u>	Received Document re <u>143</u> APPLICATION of Hannah M. Breshin for Admission Pro Hac Vice (Filing fee \$ 210, receipt number 54611003970) by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 9/29/2008) (Entered: 10/01/2008)
10/08/2008	<u>145</u>	Declaration of Jeffrey Neil Young <i>Attaching Additional Consent Forms</i> filed by William Syverson. (Attachments: # <u>1</u> Exhibit 1---Consent to Join of Jean LeBlanc, # <u>2</u> Exhibit 2-----Consent to Join of Christopher Kenyon, # <u>3</u> Exhibit 3-----Consent to Join of Joseph North)(Young, Jeffrey) (Filed on 10/8/2008) (Entered: 10/08/2008)
10/09/2008	<u>146</u>	STIPULATION <i>Request for Order Shortening Time on Motion to Strike Report of Plaintiffs' Expert, David Neumark</i> by International Business Machines Corporation. (Attachments: # <u>1</u> Signature Page (Declarations/Stipulations) Declaration of Alison B. Marshall in Support of Stipulated Request for Order, # <u>2</u> Proposed Order)(Marshall, Alison) (Filed on 10/9/2008) (Entered: 10/09/2008)
10/10/2008	<u>147</u>	MOTION to Seal Document <i>DEFENDANT'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL EXHIBITS 2, 3, 4, 5, 6, 10, AND 11 TO THE DECLARATION OF AARON L. AGENBROAD ESQ., IN SUPPORT OF DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK, and THOSE PORTIONS OF THE MOTION TO STRIKE QUOTING AND SUMMARIZING THE CONFIDENTIAL EXHIBITS</i> filed by International Business Machines Corporation. (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>148</u>	Declaration of AARON L. AGENBROAD in Support of <u>147</u> MOTION to Seal Document <i>DEFENDANT'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL EXHIBITS 2, 3, 4, 5, 6, 10, AND 11 TO THE DECLARATION OF AARON L. AGENBROAD ESQ., IN SUPPORT OF DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK and THOSE PORTIONS OF THE MOTION TO STRIKE QUOTING AND SUMMARIZING THE CONFIDENTIAL EXHIBITS</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>147</u>) (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>149</u>	Proposed Order re <u>147</u> MOTION to Seal Document <i>DEFENDANT'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL EXHIBITS 2, 3, 4, 5, 6, 10, AND 11 TO THE DECLARATION OF AARON L. AGENBROAD ESQ., IN SUPPORT OF DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK and THOSE PORTIONS OF THE MOTION TO STRIKE QUOTING AND SUMMARIZING THE CONFIDENTIAL EXHIBITS</i> by International Business Machines Corporation. (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>150</u>	MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK</i> filed by International Business Machines Corporation. Motion Hearing set for 11/4/2008 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>151</u>	Declaration of AARON L. AGENBROAD in Support of <u>150</u> MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit 1, 7, 8, 9, 12, 13, 14)(Related document(s) <u>150</u>) (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)

10/10/2008	<u>152</u>	Proposed Order re <u>150</u> MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK</i> by International Business Machines Corporation. (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>153</u>	NOTICE by International Business Machines Corporation <i>MANUAL FILING NOTIFICATION: UNREDACTED DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK – DOCUMENTS SUBMITTED UNDER SEAL</i> (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>154</u>	NOTICE by International Business Machines Corporation <i>MANUAL FILING NOTIFICATION: EXHIBITS 2, 3, 4, 5, 6, 10 AND 11 TO THE DECLARATION OF AARON L. AGENBROAD, IN SUPPORT OF DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK DOCUMENTS SUBMITTED UNDER SEAL</i> (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/10/2008	<u>155</u>	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>147</u> MOTION to Seal Document <i>DEFENDANT'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL EXHIBITS 2, 3, 4, 5, 6, 10, AND 11 TO THE DECLARATION OF AARON L. AGENBROAD ESQ., IN SUPPORT OF DEFENDANTS MOTION TO STRIKE REPORT OF PLAINTIFFS EXPERT, DAVID NEUMARK</i> (Agenbroad, Aaron) (Filed on 10/10/2008) (Entered: 10/10/2008)
10/14/2008		Received Exhibits to Declaration SUBMITTED UNDER SEAL. (dhm, COURT STAFF) (Filed on 10/14/2008) (Entered: 10/14/2008)
10/14/2008		Received Exhibits to Declaration SUBMITTED UNDER SEAL (dhm, COURT STAFF) (Filed on 10/14/2008) (Entered: 10/14/2008)
10/14/2008		Received Motion SUBMITTED UNDER SEAL(dhm, COURT STAFF) (Filed on 10/14/2008) (Entered: 10/14/2008)
10/16/2008	<u>156</u>	ORDER by Judge Patricia V. Trumbull Denying <u>147</u> Defendants Administrative Motion to File Certain Documents under Seal Without Prejudice to a Properly Supported Administrative Motion. (pvtlc1) (Filed on 10/16/2008) (Entered: 10/16/2008)
10/16/2008	<u>157</u>	STIPULATION AND ORDER re <u>146</u> Request for Order Shortening Time on Motion to Strike Expert Report. Signed by Judge Patricia V. Trumbull on 10/16/08. (pvtlc1) (Filed on 10/16/2008) (Entered: 10/16/2008)
10/22/2008	<u>158</u>	MOTION to Seal <i>Certain Documents Relating to Pls' Opp. to Mtn. to Strike Expert Report of D. Nuemark</i> filed by William Syverson. Motion Hearing set for 11/4/2008 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Baller, Morris) (Filed on 10/22/2008) (Entered: 10/22/2008)
10/22/2008		Received Opposition SUBMITTED UNDER SEAL (dhm, COURT STAFF) (Filed on 10/22/2008) (Entered: 10/23/2008)
10/23/2008	<u>159</u>	NOTICE of Appearance by Rachel Elizabeth Brill (Brill, Rachel) (Filed on 10/23/2008) (Entered: 10/23/2008)
10/24/2008	<u>160</u>	Letter from Aaron L. Agenbroad <i>Regarding Withdraw of Administrative Motion to Seal and the Confidential Exhibits Lodged with the Court and Submission of Revised Exhibits Regarding Motion to Strike the Report of David Neumark.</i> (Marshall, Alison) (Filed on 10/24/2008) (Entered: 10/24/2008)
10/24/2008	<u>161</u>	Declaration of Aaron L. Agenbroad in Support of <u>150</u> MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK, 153</i> Notice (Other) filed by International Business Machines Corporation. (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)(Related document(s) <u>150</u> , <u>153</u>) (Marshall, Alison) (Filed on 10/24/2008) (Entered: 10/24/2008)

10/29/2008	<u>162</u>	Reply Memorandum re <u>150</u> MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Declaration of Traci L. Lovitt in Support of Reply, # <u>2</u> Exhibit A to Declaration, # <u>3</u> Exhibit B to Declaration, # <u>4</u> Exhibit C to Declaration, # <u>5</u> Exhibit D to Declaration, # <u>6</u> Exhibit E to Declaration, # <u>7</u> Exhibit F to Declaration, # <u>8</u> Exhibit G to Declaration)(Marshall, Alison) (Filed on 10/29/2008) (Entered: 10/29/2008)
10/31/2008	<u>163</u>	Letter from Jeffrey Young Requesting Telephone Access to Hearing. (Young, Jeffrey) (Filed on 10/31/2008) (Entered: 10/31/2008)
11/03/2008	<u>164</u>	Letter from Morris J. Baller re <u>162</u> Defendant's Reply in Support of Motion to Strike Expert Report. (Baller, Morris) (Filed on 11/3/2008) Modified on 11/5/2008 linking entry to document #162 (dhm, COURT STAFF). (Entered: 11/03/2008)
11/03/2008	<u>165</u>	ORDER Vacating Hearing on Defendant's Motion to Strike Expert Report and Setting Deadline for Defendant to File Unredacted Copy of Moving Brief. Signed by Judge Patricia V. Trumbull on 11/3/08. (pvtlc1) (Filed on 11/3/2008) (Entered: 11/03/2008)
11/03/2008	<u>166</u>	ORDER by Judge Patricia V. Trumbull Denying <u>158</u> Plaintiffs' Administrative Motion to File Under Seal. (pvtlc1) (Filed on 11/3/2008) (Entered: 11/03/2008)
11/03/2008	<u>167</u>	Memorandum in Opposition re <u>150</u> MOTION to Strike <i>REDACTED DEFENDANT'S MOTION TO STRIKE REPORT OF PLAINTIFFS' EXPERT, DAVID NEUMARK</i> filed by William Syverson. (Baller, Morris) (Filed on 11/3/2008) (Entered: 11/03/2008)
11/03/2008	<u>168</u>	MOTION to Strike <u>161</u> Declaration in Support,, <i>Report of Plaintiffs' Expert David Neumark</i> filed by International Business Machines Corporation. Motion Hearing set for 11/4/2008 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Agenbroad, Aaron) (Filed on 11/3/2008) (Entered: 11/03/2008)
11/04/2008	<u>169</u>	RESPONSE to re <u>164</u> Letter <i>Baller re Defendant's Reply MPA in Support of Motion to Strike Expert Report</i> by International Business Machines Corporation. (Agenbroad, Aaron) (Filed on 11/4/2008) (Entered: 11/04/2008)
11/05/2008	<u>170</u>	ORDER by Judge Patricia V. Trumbull Denying <u>150</u> Defendant's Motion to Strike Expert Report. (pvtlc1) (Filed on 11/5/2008) (Entered: 11/05/2008)
11/14/2008	<u>171</u>	MOTION for Summary Judgment <i>on Statute of Limitations & Procedural Grounds</i> filed by International Business Machines Corporation. Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Attachments: # <u>1</u> Declaration of Thomas Chiavetta, Jr. in Support of Motion, # <u>2</u> Exhibit to Thomas Chiavetta, Jr. Declaration in Support, # <u>3</u> Declaration of Traci Lovitt in Support of Motion, # <u>4</u> Exhibit 1–25 to Traci Lovitt Declaration in Support of Motion, # <u>5</u> Exhibit 26–50 to Traci Lovitt Declaration in Support of Motion, # <u>6</u> Exhibit 51–75 to Traci Lovitt Declaration in Support of Motion, # <u>7</u> Exhibit 76–103 to Traci Lovitt Declaration in Support of Motion, # <u>8</u> Declaration of Alison Marshall in Support of Motion, # <u>9</u> Exhibit 1 to Marshall Declaration, # <u>10</u> Exhibit 2 to Marshall Declaration, # <u>11</u> Exhibit 3 to Marshall Declaration, # <u>12</u> Exhibit 4 to Marshall Declaration, # <u>13</u> Exhibit 5 to Marshall Declaration, # <u>14</u> Exhibit 6 to Marshall Declaration, # <u>15</u> Exhibit 7 to Marshall Declaration, # <u>16</u> Exhibit 8 to Marshall Declaration, # <u>17</u> Exhibit 9 to Marshall Declaration, # <u>18</u> Exhibit 10 to Marshall Declaration, # <u>19</u> Exhibit 11 to Marshall Declaration, # <u>20</u> Exhibit 12 to Marshall Declaration, # <u>21</u> Exhibit 13 to Marshall Declaration, # <u>22</u> Exhibit 14 to Marshall Declaration, # <u>23</u> Exhibit 15 to Marshall Declaration, # <u>24</u> Exhibit 16 to Marshall Declaration, # <u>25</u> Exhibit 17 to Marshall Declaration, # <u>26</u> Exhibit 18 to Marshall Declaration, # <u>27</u> Exhibit 19 to Marshall Declaration, # <u>28</u> Exhibit 20 to Marshall Declaration, # <u>29</u> Exhibit 21 to Marshall Declaration, # <u>30</u> Exhibit 22 to Marshall Declaration, # <u>31</u> Exhibit 24 to Marshall Declaration, # <u>32</u> Exhibit 25 to Marshall Declaration, # <u>33</u> Exhibit 26 to Marshall Declaration, # <u>34</u> Exhibit 27–Part 1 to Marshall Declaration, # <u>35</u> Exhibit 27–Part 2 to Marshall Declaration, # <u>36</u> Exhibit 27–Part 3 to Marshall Declaration, # <u>37</u> Exhibit 28 to Marshall Declaration, # <u>38</u> Proposed Order, # <u>39</u> Exhibit 23 to Marshall Declaration)(Marshall, Alison) (Filed on 11/14/2008) (Entered: 11/14/2008)

11/14/2008	<u>172</u>	MOTION to Certify Class filed by William Syverson. Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Attachments: # <u>1</u> Affidavit Declaration of Scott G. Grimes, # <u>2</u> Exhibit Grimes Decl. Exhs. 1-6, # <u>3</u> Exhibit Grimes Decl. Exh. 7, # <u>4</u> Exhibit Grimes Decl. Exhs. 8-16, # <u>5</u> Exhibit Grimes Decl. Exhs 17-20, # <u>6</u> Exhibit Grimes Decl Exhs. 21-25, # <u>7</u> Exhibit Grimes Decl Exhs. 26-37, # <u>8</u> Exhibit Grimes Decl Exhs. 38-54, # <u>9</u> Exhibit Grimes Decl Exhs. 55-59, # <u>10</u> Exhibit Grimes Decl Exhs. 60-63, # <u>11</u> Errata Grimes Decl Exhs. 64-66, # <u>12</u> Exhibit Grimes Decl Exhs. 67-78, # <u>13</u> Affidavit Declaration of Jeffrey Neil Young, # <u>14</u> Appendix Appendix of Plaintiff Declarations, 1-20, # <u>15</u> Appendix Appendix of Plaintiff Decls., 21-40, # <u>16</u> Appendix Appendix of Plaintiff Decls., 41-50, # <u>17</u> Proposed Order Proposed Order)(Demchak, Teresa) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>173</u>	MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Attachments: # <u>1</u> Proposed Order)(Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>174</u>	Declaration of Kim Ryan in Support of <u>173</u> MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. (Related document(s) <u>173</u>) (Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>175</u>	Declaration of Roderick Hester in Support of <u>173</u> MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. (Related document(s) <u>173</u>) (Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>176</u>	Declaration of Brian Jorgensen in Support of <u>173</u> MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B-O)(Related document(s) <u>173</u>) (Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>177</u>	Declaration of Lee McNally in Support of <u>173</u> MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>173</u>) (Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>178</u>	Declaration of Pamela Vasquez in Support of <u>173</u> MOTION for Summary Judgment <i>on the Claims of Plaintiff Rolf Marsh; Memorandum in Support of Motion</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A-B)(Related document(s) <u>173</u>) (Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
11/14/2008	<u>179</u>	ERRATA re <u>175</u> Declaration in Support, <u>178</u> Declaration in Support, <u>174</u> Declaration in Support, <u>177</u> Declaration in Support, <i>Kim Ryan, Roderick Hester, Lee McNally, and Pamela Vasquez in Support of Defendant's Motion for Summary Judgment on Rolf Marsh's Claims</i> by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Agenbroad, Aaron) (Filed on 11/14/2008) (Entered: 11/14/2008)
12/19/2008	<u>180</u>	STIPULATION <i>Re: Enlargement of Time for Plaintiffs to Respond to Defendant's Motion for Summary Judgment on the Claims of Plaintiff Rolf Marsh; [proposed] Order Re: Same</i> by William Syverson. (Young, Jeffrey) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>181</u>	Memorandum in Opposition re <u>172</u> MOTION to Certify Class <i>to Plaintiffs' Motion for an Order Granting Provisional Certification of Collective Action and Notice Thereof to Potential Putative Opt-In Plaintiffs</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Appendix of Declarations in Support of Defendant's Opposition to Plaintiff's Motion for An Order Provisionally Certifying a Class, # <u>2</u> Appendix of Excerpted Deposition Testimony Offered in Support of Defendant's Opposition to Plaintiff's Motion for An Order Provisionally Certifying a Class, # <u>3</u> Appendix Glossary of Selected Resource Action Titles and Codes

		Offered as Reference to Defendant's Opposition to Plaintiff's Motion for An Order Provisionally Certifying a Class, # <u>4</u> Proposed Order [Proposed] Order)(Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>182</u>	MOTION to Seal Document <u>181</u> Memorandum in Opposition,,, <i>Defendant's Administrative Motion to File Under Seal Portions of Exhibits Filed in Support of Defendant's Opposition to Plaintiffs' Motion for an Order Provisionally Certifying A Class</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit Manual Filing Notifications for Documents to Be Sealed, # <u>2</u> Proposed Order, # <u>3</u> Exhibit Proof of Service)(Agenbroad, Aaron) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>183</u>	Declaration of R. Scott Medsker in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A–D, # <u>2</u> Exhibit E–F, # <u>3</u> Exhibit G–M, # <u>4</u> Exhibit N–P, # <u>5</u> Exhibit Q–T, # <u>6</u> Exhibit U–Y, # <u>7</u> Exhibit Z, # <u>8</u> Exhibit AA–KK, # <u>9</u> Exhibit LL–UU, # <u>10</u> Exhibit VV–ZZ, # <u>11</u> Exhibit AAA–QQQ)(Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>184</u>	Declaration of Aaron L. Agenbroad in Support of <u>182</u> MOTION to Seal Document <u>181</u> Memorandum in Opposition,,, <i>Defendant's Administrative Motion to File Under Seal Portions of Exhibits Filed in Support of Defendant's Opposition to Plaintiffs' Motion for an Order Provisionally Certify</i> MOTION to Seal Document <u>181</u> Memorandum in Opposition,,, <i>Defendant's Administrative Motion to File Under Seal Portions of Exhibits Filed in Support of Defendant's Opposition to Plaintiffs' Motion for an Order Provisionally Certify</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>182</u>) (Agenbroad, Aaron) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>185</u>	Declaration of Diane Adams in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>186</u>	Declaration of Gregory Akiki in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>187</u>	Declaration of Basheer Alim in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>188</u>	Declaration of Hiawatha Anthony in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>189</u>	Declaration of James Ballard in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>190</u>	Declaration of James Bleier in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>191</u>	Declaration of William Cicerone in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>192</u>	Declaration of Timothy Clark in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed

		byInternational Business Machines Corporation. (Related document(s) 181) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	193	MOTION in Limine <i>to Exclude the Report and Testimony of Dr. David Neumark</i> filed by International Business Machines Corporation. Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Attachments: # 1 Declaration of Thomas Chiavetta in Support of Def.'s Motion, # 2 Exhibit A to Chiavetta Declaration, # 3 Exhibit B to Chiavetta Declaration, # 4 Exhibit C to Chiavetta Declaration, # 5 Exhibit D to Chiavetta Declaration, # 6 Exhibit E to Chiavetta Declaration, # 7 Proposed Order)(Agenbroad, Aaron) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	194	Declaration of Stephen Colacchio in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	195	Opposition to 171 Defendant's Motion for Summary Judgment on Statute of Limitations and Procedural Grounds filed byWilliam Syverson. (Demchak, Teresa) (Filed on 12/19/2008) Modified on 1/5/2009, counsel failed to link entry to document #171 (dhm, COURT STAFF). (Entered: 12/19/2008)
12/19/2008	196	Declaration of Tracy Corrigan in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	197	Declaration of Charles Lickel in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	198	Declaration of Bruce Lindner in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	199	Declaration of Steven Loy in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	200	Declaration of Heather M. Mills in Support of 195 Memorandum in Opposition filed byWilliam Syverson. (Attachments: # 1 Exhibit 1–14, # 2 Exhibit 15 part 1, # 3 Exhibit 15 part 2)(Related document(s) 195) (Demchak, Teresa) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	201	Declaration of Mark Cronk in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	202	Declaration of Stephen Luce in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	203	Declaration of Brett MacIntyre in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	204	Declaration of Lori Cummings in Support of 181 Memorandum in Opposition,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) 181) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)

12/19/2008	<u>205</u>	Declaration of Lee Deshler in Support of <u>195</u> Memorandum in Opposition <i>Deshler Declaration with Exhibits</i> filed by William Syverson. (Related document(s) <u>195</u>) (Demchak, Teresa) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>206</u>	Declaration of Ronald Dombroski in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>207</u>	Declaration of Anthony MacMahon in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>208</u>	Declaration of Robert Flowers in Support of <u>195</u> Memorandum in Opposition <i>Flowers Declaration with Exhibits</i> filed by William Syverson. (Related document(s) <u>195</u>) (Demchak, Teresa) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>209</u>	Declaration of Gregory Dubose in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>210</u>	Declaration of Michael McCarthy in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>211</u>	Declaration of James S. Payne in Support of <u>195</u> Memorandum in Opposition <i>James S. Payne Declaration with Exhibits</i> filed by William Syverson. (Related document(s) <u>195</u>) (Demchak, Teresa) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>212</u>	Declaration of Kieran McGrath in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>213</u>	Declaration of Cathy Edwards in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>214</u>	Declaration of Thomas Fleming in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>215</u>	Declaration of Dale Miller in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>216</u>	Declaration of Kevin O'Reilly in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>217</u>	Declaration of Harriet Pearson in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>218</u>	Declaration of Frank Fontana in Support of <u>181</u> Memorandum in Opposition,,, <i>to Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit 1-17, # <u>2</u> Exhibit 18-27, # <u>3</u> Exhibit 28-32, # <u>4</u> Exhibit 33-41, # <u>5</u> Exhibit 42-48, # <u>6</u> Exhibit 49-60, # <u>7</u> Exhibit 61-73)(Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)

12/19/2008	<u>219</u>	Declaration of Helen Perlick in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>220</u>	Declaration of Robert Fuller in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>221</u>	Declaration of Michael Gruver in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>222</u>	Declaration of Bruce Petz in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>223</u>	Declaration of William Poveromo in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>224</u>	Declaration of David Robideau in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>225</u>	Declaration of Deborah Harris in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>226</u>	Declaration of Steven Selbst in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>227</u>	Declaration of Scott Grimes in Support of <u>195</u> Memorandum in Opposition filed byWilliam Syverson. (Attachments: # <u>1</u> Exhibit 0A–11, # <u>2</u> Exhibit 012–027, # <u>3</u> Exhibit 028–037, # <u>4</u> Exhibit 038–046, # <u>5</u> Exhibit 047–058, # <u>6</u> Exhibit 059–068, # <u>7</u> Exhibit 069–083, # <u>8</u> Exhibit 084–098, # <u>9</u> Exhibit 099–111, # <u>10</u> Exhibit 112–114, # <u>11</u> Exhibit 115–128, # <u>12</u> Exhibit 129–139, # <u>13</u> Exhibit 140–142)(Related document(s) <u>195</u>) (Demchak, Teresa) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>228</u>	Declaration of Robert Topel in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Attachments: # <u>1</u> Exhibit A–C, # <u>2</u> Exhibit D–E)(Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>229</u>	Declaration of Kenneth Torino in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>230</u>	Declaration of Mary White in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>231</u>	Declaration of Anita Karlsson–Dion in Support of <u>181</u> Memorandum in Opposition,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed byInternational Business Machines Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1–A, # <u>3</u> Exhibit 2–6)(Related document(s) <u>181</u>) (Marshall, Alison)

		(Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>232</u>	Declaration of Martin Wiele in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>233</u>	Declaration of Warren Hart in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>234</u>	Declaration of Peter Wu in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>235</u>	Declaration of Thomas Hughes in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>236</u>	Declaration of Tim Hurlbut in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>237</u>	Declaration of Helen Yee in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Nasser, Catherine) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>238</u>	Declaration of Eileen Inglis in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>239</u>	Declaration of David M. Jackson in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>240</u>	Declaration of Rangarajan Jagannathan in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>241</u>	Declaration of Kathryn Kershner in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>242</u>	Declaration of Eric Ketznel in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>243</u>	Declaration of Steve Kozlowski in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	<u>244</u>	Declaration of Thomas Laskowski in Support of <u>181</u> Memorandum in Opposition,,, to <i>Plaintiffs' Motion for an Order Provisionally Certifying a Class</i> filed by International Business Machines Corporation. (Attachments: # <u>1</u> Exhibit 1-6, # <u>2</u> Exhibit 7-10, # <u>3</u> Exhibit 11-16, # <u>4</u> Exhibit 17-19, # <u>5</u> Exhibit 20-25, # <u>6</u> Exhibit 26-30, # <u>7</u> Exhibit 31-35, # <u>8</u> Exhibit 36-40, # <u>9</u> Exhibit 41-46, # <u>10</u> Exhibit 47-50, # <u>11</u> Exhibit 51-56, # <u>12</u> Exhibit 57-60, # <u>13</u> Exhibit 61-65, # <u>14</u>

		Exhibit 66–70, # <u>15</u> Exhibit 71–76, # <u>16</u> Exhibit 77–98, # <u>17</u> Exhibit 99–108, # <u>18</u> Exhibit 109–123)(Related document(s) <u>181</u>) (Marshall, Alison) (Filed on 12/19/2008) Modified on 12/23/2008 (dhm, COURT STAFF). (Entered: 12/19/2008)
12/19/2008	<u>245</u>	MOTION in Limine to <i>Exclude the Report and Testimony of Dr. Richard Drogin</i> filed by International Business Machines Corporation. Motion Hearing set for 3/6/2009 09:00 AM in Courtroom 6, 4th Floor, San Jose. (Attachments: # <u>1</u> Declaration of Thomas Chiavetta, # <u>2</u> Exhibit A to Chiavetta Declaration, # <u>3</u> Exhibit B to Chiavetta Declaration, # <u>4</u> Exhibit C to Chiavetta Declaration, # <u>5</u> Exhibit D to Chiavetta Declaration, # <u>6</u> Exhibit E to Chiavetta Declaration, # <u>7</u> Exhibit F to Chiavetta Declaration, # <u>8</u> Exhibit G to Chiavetta Declaration, # <u>9</u> Exhibit H to Chiavetta Declaration, # <u>10</u> Exhibit I to Chiavetta Declaration, # <u>11</u> Exhibit J to Chiavetta Declaration, # <u>12</u> Exhibit K to Chiavetta Declaration, # <u>13</u> Proposed Order)(Agenbroad, Aaron) (Filed on 12/19/2008) (Entered: 12/19/2008)
12/19/2008	246	REDACTED EXHIBITS 2–13,16–21,23–48,50–52,54,58,60,62,67,71–73 to <u>218</u> the Declaration of Frank Fontana, filed by International Business Machines Corporation. (Related document(s) <u>218</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	247	REDACTED EXHIBITS 1–13 to <u>185</u> the Declaration of Diane Adams, filed by International Business Machines Corporation. (Related document(s) <u>185</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	248	REDACTED EXHIBITS 77–79, 81,83–86,88–93,95–123 to <u>244</u> the Declaration of Thomas Laskowski filed by International Business Machines Corporation. (Related document(s) <u>244</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	249	EXHIBIT 1 to <u>215</u> the Declaration of Dale Miller, filed by International Business Machines Corporation. (Related document(s) <u>215</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	250	REDACTED EXHIBIT 1 to <u>210</u> the Declaration of Michael McCarthy, filed by International Business Machines Corporation. (Related document(s) <u>210</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	251	REDACTED EXHIBIT 1 to <u>202</u> the Declaration of Stephen Luce, filed by International Business Machines Corporation. (Related document(s) <u>202</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	252	REDACTED EXHIBITS 1 through 12 to <u>232</u> the Declaration of Martin Wiele filed by International Business Machines Corporation. (Related document(s) <u>232</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/23/2008)
12/19/2008	<u>260</u>	REDACTED EXHIBIT 1 to <u>207</u> the Declaration of Anthony MacMahon filed by International Business Machines Corporation. (Related document(s) <u>207</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	<u>261</u>	REDACTED EXHIBIT 1 to <u>213</u> Declaration of Cathy Edwards, filed by International Business Machines Corporation. (Related document(s) <u>213</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	<u>262</u>	REDACTED EXHIBIT 1 to <u>229</u> the Declaration of Kenneth Torino filed by International Business Machines Corporation. (Related document(s) <u>229</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	<u>263</u>	REDACTED EXHIBIT 1 to <u>230</u> Declaration of Mary White, filed by International Business Machines Corporation. (Related document(s) <u>230</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	264	REDACTED EXHIBITS 1 and 3 to <u>235</u> Declaration of Thomas Hughes, filed by International Business Machines Corporation. (Related document(s) <u>235</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	265	REDACTED EXHIBITS 1–7 to <u>201</u> Declaration of Mark Cronk, filed by International Business Machines Corporation. (Related document(s) <u>201</u>) (dhm,

		COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	266	REDACTED EXHIBITS 1 and 3 to <u>204</u> Declaration of Lori Cummings, filed by International Business Machines Corporation. (Related document(s) <u>204</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	267	REDACTED EXHIBITS 2 and 3 to <u>190</u> Declaration of James Bleier, filed by International Business Machines Corporation. (Related document(s) <u>190</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	268	REDACTED EXHIBIT 1 to <u>206</u> Declaration of Ronald Dombroski, filed by International Business Machines Corporation. (Related document(s) <u>206</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	269	REDACTED EXHIBIT 1 to <u>198</u> Declaration of Bruce Linder, filed by International Business Machines Corporation. (Related document(s) <u>198</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	270	REDACTED EXHIBIT 1 to <u>186</u> Declaration of Gregory Akiki, filed by International Business Machines Corporation. (Related document(s) <u>186</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	271	REDACTED EXHIBIT 1 to <u>233</u> Declaration of Warren E. Hart, filed by International Business Machines Corporation. (Related document(s) <u>233</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	272	REDACTED EXHIBIT 1 to <u>238</u> Declaration of Eileen Inglis, filed by International Business Machines Corporation. (Related document(s) <u>238</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	273	REDACTED EXHIBIT 1 to <u>239</u> Declaration of David M. Jackson, filed by International Business Machines Corporation. (Related document(s) <u>239</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	274	REDACTED EXHIBIT 1 to <u>240</u> Declaration of Rangarajan Jagannathan, filed by International Business Machines Corporation. (Related document(s) <u>240</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	275	REDACTED EXHIBIT 1 to <u>241</u> Declaration of Kathryn Kershner, filed by International Business Machines Corporation. (Related document(s) <u>241</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	276	REDACTED EXHIBIT 2 to <u>243</u> Declaration of Steve Kozlowski, filed by International Business Machines Corporation. (Related document(s) <u>243</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	277	REDACTED EXHIBIT 1 to <u>219</u> Declaration of Helen Perlick, filed by International Business Machines Corporation. (Related document(s) <u>219</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	279	REDACTED EXHIBIT 1 to <u>222</u> Declaration of Bruce Petz, filed by International Business Machines Corporation. (Related document(s) <u>222</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	282	REDACTED EXHIBITS 1 and 2 to <u>224</u> Declaration of David Robideau, filed by International Business Machines Corporation. (Related document(s) <u>224</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	283	REDACTED EXHIBIT 1 to <u>234</u> Declaration of Peter Wu, filed by International Business Machines Corporation. (Related document(s) <u>234</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	284	REDACTED EXHIBIT 1 to <u>191</u> Declaration of William Cicerone, filed by International Business Machines Corporation. (Related document(s) <u>191</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	285	REDACTED EXHIBIT 1 to <u>196</u> Declaration of Tracy Corrigan, filed by International Business Machines Corporation. (Related document(s) <u>196</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)

12/19/2008	286	REDACTED EXHIBITS 1 and 3 to <u>236</u> Declaration of Tim Hurlbut, filed by International Business Machines Corporation. (Related document(s) <u>236</u>) (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/19/2008	287	REDACTED EXHIBIT 1 to the Declaration of James Beecher in support of Defendant's Opposition to <u>172</u> Plaintiffs' Motion for Order Provisionally Certifying a Class filed by International Business Machines Corporation. (dhm, COURT STAFF) (Filed on 12/19/2008) (Entered: 12/30/2008)
12/24/2008	<u>253</u>	STIPULATION AND ORDER <u>180</u> Re: Enlargement of Time to Respond to Defendant's Motion for Summary Judgment on the Claims of Plaintiff Rolf Marsh. Signed by Judge Ronald M. Whyte on 12/24/08. (jg, COURT STAFF) (Filed on 12/24/2008) (Entered: 12/24/2008)
12/29/2008	<u>254</u>	MOTION to Continue <i>Discovery Deadline; [proposed] Order</i> filed by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) (Entered: 12/29/2008)
12/29/2008	<u>255</u>	Declaration of Jeffrey Neil Young re <u>254</u> MOTION to Continue <i>Discovery Deadline; [proposed] Order</i> by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) Modified on 1/5/2009, counsel posted document using incorrect event (dhm, COURT STAFF). (Entered: 12/29/2008)
12/29/2008	<u>256</u>	AFFIDAVIT <i>Jeffrey Neil Young Regarding Filing Documents Under Seal In Support Of Plaintiffs' Opposition To Defendant's Motion for Summary Judgment On The Claims Of Plaintiff Rolf Marsh</i> by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) (Entered: 12/29/2008)
12/29/2008	<u>257</u>	Memorandum in Opposition to <u>173</u> Defendant's Motion for Summary Judgment on the Claims of Plaintiff Rolf Marsh filed by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) Modified on 1/5/2009, counsel failed to link entry to document #173 (dhm, COURT STAFF). (Entered: 12/29/2008)
12/29/2008	<u>258</u>	Declaration of Jeffrey Neil Young in support of <u>257</u> Memorandum in Opposition to <i>Defendant's Motion for Summary Judgment on the Claims of Plaintiff Rolf Marsh</i> by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) Modified on 1/5/2009, counsel posted document using incorrect event (dhm, COURT STAFF). (Entered: 12/29/2008)
12/29/2008	<u>259</u>	Declaration of Rolf Marsh re <u>257</u> Memorandum in Opposition to Defendant's Motion for Summary Judgment on the Claims of Plaintiff Rolf Marsh I> by William Syverson. (Young, Jeffrey) (Filed on 12/29/2008) Modified on 1/5/2009, counsel posted document using incorrect event (dhm, COURT STAFF). (Entered: 12/29/2008)
12/30/2008	<u>278</u>	EXHIBITS re <u>258</u> Affidavit of <i>Jeffrey Neil Young [Exhibits 1 & 2]</i> filed by William Syverson. (Related document(s) <u>258</u>) (Young, Jeffrey) (Filed on 12/30/2008) (Entered: 12/30/2008)
12/30/2008	<u>280</u>	EXHIBITS re <u>258</u> Affidavit of <i>Jeffrey Neil Young [Exhibits 3-11]</i> filed by William Syverson. (Related document(s) <u>258</u>) (Young, Jeffrey) (Filed on 12/30/2008) (Entered: 12/30/2008)
12/30/2008	<u>281</u>	EXHIBITS re <u>258</u> Affidavit of <i>Jeffrey Neil Young [Exhibits 12-29]</i> filed by William Syverson. (Related document(s) <u>258</u>) (Young, Jeffrey) (Filed on 12/30/2008) (Entered: 12/30/2008)
01/14/2009	<u>288</u>	<i>Opt-In Herbert Henderson's WITHDRAWAL of Claim</i> by William Syverson. (Young, Jeffrey) (Filed on 1/14/2009) (Entered: 01/14/2009)
01/21/2009	<u>289</u>	ORDER by Judge Ronald M. Whyte Granting <u>143</u> Motion for Pro Hac Vice for Attorney Hannah M. Breshin. (jg, COURT STAFF) (Filed on 1/21/2009) (Entered: 01/21/2009)
01/23/2009	<u>290</u>	STIPULATION <i>Re: Enlargement of Time to File Responsive Memoranda to Motions for Summary Judgment and for Provisional Class Certification</i> by International Business Machines Corporation. (Marshall, Alison) (Filed on 1/23/2009) (Entered: 01/23/2009)

01/29/2009	<u>291</u>	Proposed Order <i>re Dismissal with Prejudice</i> by William Syverson. (Baller, Morris) (Filed on 1/29/2009) (Entered: 01/29/2009)
01/29/2009	<u>292</u>	ORDER <u>291</u> of Dismissal With Prejudice. Signed by Judge Ronald M. Whyte on 1/29/09. (jg, COURT STAFF) (Filed on 1/29/2009) (Entered: 01/29/2009)
11/05/2009		FILE located at Federal Records Center (FRC), San Bruno, CA: Accession No: 021-2009-5152, Box No: 57-58. (mpb, COURT STAFF) (Filed on 11/5/2009) Modified on 11/5/2009 (mpb, COURT STAFF). (Entered: 11/05/2009)