

APPEAL, CLOSED, JURY, TYPE-H

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:05-cv-02325-RMU**

ALIOTTA et al v. GRUENBERG
Assigned to: Judge Ricardo M. Urbina
Cause: 29:633 Job Discrimination (Age)

Date Filed: 12/05/2005
Date Terminated: 09/18/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Defendant

Plaintiff

BARBARA ALIOTTA

represented by **Terri N. Marcus**
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Plaintiff

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Plaintiff

JEANNIE AVERY

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Plaintiff

YVONNE CAIN

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Plaintiff

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Plaintiff

EVELYN CLAUDE

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

DENNIS HAROOTUNIAN

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Plaintiff

MARY KEBBEH

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Plaintiff

DENNIS KELLER

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Plaintiff

PEARL LINDSEY

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Plaintiff

FAYE MORITZ

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Plaintiff

BERNICE PARKER

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Plaintiff

PAULA PATTERSON

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Plaintiff

PATRICK J. SHUTE

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Plaintiff

DAVID L. NOFFSINGER

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Plaintiff

BRUCE BROWN

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V.

Defendant

MARTIN J. GRUENBERG
 Acting Chairman, Federal Deposit
 Insurance Corporation
 TERMINATED: 02/25/2009

represented by **William S. Jones**
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 Legal Division
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Defendant

SHEILA C. BAIR
 Chairman, Federal Deposit Insurance
 Corporation

represented by **William S. Jones**
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Date Filed	#	Docket Text
12/05/2005	<u>1</u>	COMPLAINT against MARTIN J. GRUENBERG (Filing fee \$ 250) filed by YVONNE CAIN, PRISCILLA CATAPAT, EVELYN CLAUDE, SYLVIA CLINE, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY, FAYE MORITZ, BERNICE PARKER, PAULA PATTERSON, PATRICK J. SHUTE, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY.(jf,) (Entered: 12/06/2005)
12/05/2005		Summons (1) Issued as to MARTIN J. GRUENBERG. (jf,) (Entered: 12/06/2005)
12/05/2005	<u>2</u>	NOTICE OF RELATED CASE by all plaintiffs. Case related to Case No. 05-549. (jf,) (Entered: 12/06/2005)
12/13/2005		SUMMONS (2) Issued as to, U.S. Attorney and U.S. Attorney General (jf,) (Entered: 12/13/2005)
02/08/2006	<u>3</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Text of Proposed Order)(nmw,) (Entered: 02/08/2006)
02/08/2006	<u>4</u>	ENTERED IN ERROR..... MOTION to Amend/Correct <i>Complaint</i> by BARBARA ALIOTTA. (Rose, David) Modified on 2/9/2006 (nmw,). (Entered: 02/08/2006)
02/09/2006		NOTICE OF CORRECTED DOCKET ENTRY: Document No. 4 was entered in error as a motion and will be refiled by the Clerk's Office. (nmw,) (Entered: 02/09/2006)
02/09/2006	<u>5</u>	AMENDED COMPLAINT against MARTIN J. GRUENBERG filed by YVONNE CAIN, PRISCILLA CATAPAT, EVELYN CLAUDE, SYLVIA CLINE, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY, FAYE MORITZ, BERNICE PARKER, PAULA PATTERSON, PATRICK J. SHUTE, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY.(nmw,) (Entered: 02/09/2006)
03/01/2006	<u>6</u>	Unopposed MOTION for Extension of Time to <i>File Motion for Class Certification</i> by BARBARA ALIOTTA. (Attachments: # <u>1</u> Order)(Marcus, Terri) (Entered: 03/01/2006)
03/01/2006		MINUTE ORDER granting <u>3</u> Motion for Extension of Time to Answer until March 15, 2006 and granting <u>6</u> Motion for Extension of Time to file motion for class

		certification until April 21, 2006. Signed by Judge Ricardo M. Urbina on 3/1/06. (djr) (Entered: 03/01/2006)
03/01/2006		Set Deadlines/Hearings: Answer due by 3/15/2006. Motion for Class Certification due by 4/21/2006. (jwd) (Entered: 03/01/2006)
03/15/2006	<u>7</u>	<i>Defendant's ANSWER to Amended Complaint, ANSWER to Complaint by MARTIN J. GRUENBERG.</i> (Jones, William) (Entered: 03/15/2006)
03/15/2006	<u>8</u>	STANDING ORDER Signed by Judge Ricardo M. Urbina on March 15, 2006. (jwd) (Entered: 03/15/2006)
04/21/2006	<u>9</u>	MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> by BARBARA ALIOTTA. (Attachments: # <u>1</u> (This attachment is unavailable due to privacy requirement) # <u>2</u> Text of Proposed Order)(Marcus, Terri) Modified on 4/21/2006 (jeb,). (Entered: 04/21/2006)
04/24/2006	<u>10</u>	ADDITIONAL ATTACHMENT <i>EXHIBIT A REVISED</i> by BARBARA ALIOTTA <u>9</u> MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> filed by BARBARA ALIOTTA,. (Marcus, Terri) (Entered: 04/24/2006)
04/26/2006	<u>11</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Text of Proposed Order)(Jones, William) (Entered: 04/26/2006)
04/27/2006		MINUTE ORDER granting <u>11</u> Motion for Extension of Time to File Response/Reply. ORDERED that Defendant shall have until May 26, 2006, to answer or otherwise respond to Plaintiffs' Motion for Class Certification. Signed by Judge Ricardo M. Urbina on 4/27/06. (djr) (Entered: 04/27/2006)
04/27/2006		Set Deadlines/Hearings: Answer due by 5/26/2006. (jwd) (Entered: 04/27/2006)
05/22/2006	<u>12</u>	Consent MOTION for Extension of Time to <i>Reply to Defendant's Opposition to Motion for Class Certification and Memorandum of Points and Authorities in Support Thereof</i> by BARBARA ALIOTTA. (Attachments: # <u>1</u> Text of Proposed Order)(Marcus, Terri) (Entered: 05/22/2006)
05/22/2006		MINUTE ORDER granting <u>12</u> Motion for Extension of Time. The plaintiffs shall have until June 15, 2006 to reply or otherwise respond to the defendant's Response to the plaintiffs' Motion for Class Certification. Signed by Judge Ricardo M. Urbina on 5/22/06. (djr) (Entered: 05/22/2006)
05/23/2006		Set Deadlines/Hearings: Plaintiffs shall reply or otherwise respond to the defendant's Response to the plaintiffs' Motion for Class Certification by 6/15/2006. (jwd) Modified on 5/24/2006 (nmw,). (Entered: 05/23/2006)
05/25/2006	<u>13</u>	Memorandum in opposition to re <u>9</u> MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> filed by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Exhibit EXHIBIT 1# <u>2</u> Exhibit EXHIBIT 2# <u>3</u> Affidavit EXHIBIT 3 – CROSSER DECLARATION (INC. EX. 3–1 THROUGH 3–3)# <u>4</u> Exhibit EXHIBIT 4# <u>5</u> Exhibit EXHIBIT 5# <u>6</u> Exhibit EXHIBIT 6# <u>7</u> Exhibit EXHIBIT 7# <u>8</u> Exhibit EXHIBIT 8# <u>9</u> Exhibit EXHIBIT 9# <u>10</u> Exhibit EXHIBIT 10 (10–1 THROUGH 10–10)# <u>11</u> Exhibit EXHIBIT 11# <u>12</u> Exhibit EXHIBIT 12 (INC. EX. 12–1 THROUGH 12–3)# <u>13</u> Exhibit EXHIBIT 13)(Jones, William) (Entered: 05/25/2006)
06/08/2006	<u>14</u>	Consent MOTION for Leave to File <i>Attached Supplemental Memorandum of Points and Exhibits</i> by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Jones, William) (Entered: 06/08/2006)
06/09/2006		MINUTE ORDER granting <u>14</u> Motion for Leave to File supplemental memorandum. Signed by Judge Ricardo M. Urbina on 6/9/06. (djr) (Entered: 06/09/2006)
06/09/2006	<u>15</u>	SUPPLEMENTAL MEMORANDUM in support of re <u>13</u> Memorandum in opposition to re <u>9</u> MOTION to Certify Class filed by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(jf,) (Entered: 06/13/2006)

06/15/2006	<u>16</u>	ENTERED IN ERROR.....REPLY to opposition to motion re <u>9</u> MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> filed by BARBARA ALIOTTA. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B1-12# <u>3</u> Exhibit B13-23)(Marcus, Terri) Modified on 6/16/2006 (nmw,). (Entered: 06/15/2006)
06/15/2006	<u>17</u>	REPLY to opposition to motion re <u>9</u> MOTION to Certify Class <i>Memorandum of Points and Declarations in Support Thereof</i> filed by BARBARA ALIOTTA. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B1-12# <u>3</u> Exhibit B13-23)(Marcus, Terri) (Entered: 06/15/2006)
06/16/2006		NOTICE OF CORRECTED DOCKET ENTRY: Document No. 16 was entered in error and was refiled by counsel as Document No. 17. (nmw,) (Entered: 06/16/2006)
07/25/2006	<u>18</u>	ORDER granting <u>9</u> Motion to Certify Class. Signed by Judge Ricardo M. Urbina on 7/25/06. (djr) (Entered: 07/25/2006)
07/25/2006	<u>19</u>	MEMORANDUM AND OPINION. Signed by Judge Ricardo M. Urbina on 7/25/06. (djr) (Entered: 07/25/2006)
08/08/2006	<u>20</u>	Consent MOTION for Joinder <i>David L. Noffsinger to Lawsuit</i> by BARBARA ALIOTTA. (Rose, David) (Entered: 08/08/2006)
08/14/2006		MINUTE ORDER granting <u>20</u> Motion for Joinder of David L. Noffsinger as a plaintiff in this lawsuit. Signed by Judge Ricardo M. Urbina on 8/14/06. (djr) (Entered: 08/14/2006)
08/23/2006	<u>21</u>	NOTICE TO CLASS MEMBERS by MARTIN J. GRUENBERG re <u>19</u> Memorandum & Opinion (Attachments: # <u>1</u>)(Jones, William) (Entered: 08/23/2006)
08/23/2006	<u>22</u>	ORDER approving the form and plan for notice to class members. Signed by Judge Ricardo M. Urbina on 8/23/06. (djr) (Entered: 08/23/2006)
09/14/2006	<u>23</u>	NOTICE to the Court by DONALD W. ALLEN. (fiat) JUDGE RICARDO M. URBINA (jf,) (Entered: 09/15/2006)
09/15/2006	<u>24</u>	STIPULATION <i>Protective Order</i> by BARBARA ALIOTTA. (Rose, David) (Entered: 09/15/2006)
09/18/2006		MINUTE ORDER adopting the parties' proposed stipulated protected order <u>24</u> and incorporating its terms by reference. Signed by Judge Ricardo M. Urbina on 9/18/06. (djr) (Entered: 09/18/2006)
10/03/2006	<u>25</u>	NOTICE of CORNELIUS J. AHERN requesting to be excluded from the class action suit brought against the FDIC ADEA. FIAT "Let this be filed" Judge Urbina. (tg,) (Entered: 10/06/2006)
10/13/2006	<u>26</u>	NOTICE of James A. Meyer requesting to be excluded from the class action suit brought against the FDIC ADEA; re <u>18</u> Order on Motion to Certify Class (jf,) (Entered: 10/17/2006)
10/26/2006	<u>27</u>	NOTICE of Glenda M. Wing requesting to be excluded from the class action suit brought against the FDIC ADEA; re <u>18</u> Order on Motion to Certify Class (jf,) (Entered: 10/30/2006)
11/06/2006	<u>28</u>	NOTICE of Tom W. Moran requesting to be excluded from the class action suit brought against the FDIC ADEA; re <u>18</u> Order on Motion to Certify Class (jf,) (Entered: 11/08/2006)
11/09/2006	<u>29</u>	NOTICE of Michael J. Lauer requesting to be excluded from the class action suit brought against the FDIC ADEA; re <u>18</u> Order on Motion to Certify Class. (fiat) JUDGE RICARDO M. URBINA (jf,) (Entered: 11/09/2006)
01/11/2007	<u>30</u>	NOTICE <i>To Schedule Initial Status Conference</i> by BARBARA ALIOTTA (Rose, David) (Entered: 01/11/2007)
01/11/2007		MINUTE ORDER re <u>30</u> Notice (Other) filed by BARBARA ALIOTTA. The parties are hereby ORDERED to meet and confer within 21 days of this Order as contemplated by Local Civil Rule 16.3(a). The parties are FURTHER ORDERED to file with the court, no later than 7 days following the 16.3 conference, a joint

		status report as contemplated by Local Civil Rule 16.3(d). Prior to addressing the matters listed in Local Civil Rule 16.3(c), the report should provide a one-paragraph statement of the case that describes the nature of the case, the identities of the parties, and the statutory basis of the court's jurisdiction for all causes of action and defenses. Additionally, the parties shall include a proposed discovery scheduling order for this case. Signed by Judge Ricardo M. Urbina on 1/11/07. (djr) Modified on 1/11/2007 (lcrmu1,). (Entered: 01/11/2007)
02/01/2007	<u>31</u>	MEET AND CONFER STATEMENT. (Jones, William) (Entered: 02/01/2007)
02/01/2007	32	MINUTE ORDER setting the following schedule. Initial disclosures are due by February 16 2007. The plaintiffs' experts' reports are due by May 31, 2007, and the defendants' experts' reports are due by June 29, 2007. Discovery will close on July 31, 2007, and dispositive motions are due by August 31, 2007. The court will set a pretrial conference date and trial date at a later time. signed by Judge Ricardo M. Urbina on 2/1/07. (djr) (Entered: 02/01/2007)
02/01/2007		Set/Reset Deadlines: Discovery due by 7/31/2007. Dispositive Motions due by 8/31/2007. Defendant Rule 26a2 due by 6/29/2007. (clv,) (Entered: 02/01/2007)
06/26/2007	<u>33</u>	Consent MOTION for Extension of Time to Complete Discovery by BARBARA ALIOTTA (Attachments: # <u>1</u> Exhibit)(Rose, David) (Entered: 06/26/2007)
06/26/2007		MINUTE ORDER granting <u>33</u> Motion for Extension of Time to Complete Discovery. The scheduling order in this case is amended as follows: the plaintiffs expert report(s) due July 16, 2007, the defendants expert report(s) due August 20, 2007, Discovery will close September 28, 2007, Dispositive motions due by October 26, 2007. Signed by Judge Ricardo M. Urbina on 6/26/07. (djr) (Entered: 06/26/2007)
06/26/2007		Set Deadlines/Hearings:the plaintiffs expert report(s) due July 16, 2007, the defendants expert report(s) due August 20, 2007, Discovery will close September 28, 2007, Dispositive motions due by October 26, 2007 (jwd) (Entered: 06/26/2007)
07/11/2007	<u>34</u>	Consent MOTION for Joinder <i>Lawsuit</i> by BARBARA ALIOTTA (Rose, David) (Entered: 07/11/2007)
07/12/2007		MINUTE ORDER granting <u>34</u> Consent Motion for Joinder of Bruce Brown as a plaintiff in this lawsuit. Signed by Judge Ricardo M. Urbina on 07/12/07. (dbk) Modified on 7/13/2007 (nmw,). (Entered: 07/12/2007)
08/10/2007	<u>35</u>	Joint MOTION to Bifurcate <i>and Defer Damages Expert Reports</i> by MARTIN J. GRUENBERG (Attachments: # <u>1</u> Exhibit Pending Document Requests)(Jones, William) (Entered: 08/10/2007)
08/13/2007	<u>36</u>	ORDER granting <u>35</u> Motion to Bifurcation of Trial and The Service of Expert Report Damage Signed by Judge Ricardo M. Urbina on August 13, 2007. (jwd) (Entered: 08/13/2007)
09/24/2007	<u>37</u>	Joint MOTION for Extension of Time to Complete Discovery <i>and File Dispositive Motions</i> by MARTIN J. GRUENBERG, BARBARA ALIOTTA (Attachments: # <u>1</u> Exhibit Pending discovery requests)(Jones, William) (Entered: 09/24/2007)
09/26/2007	<u>38</u>	ORDER signed by Judge Ricardo M. Urbina on September 26, 2007 granting <u>37</u> Motion for Extension of Time to Complete and File Dispositive Motions. Discovery will close on 10/26/2007 and Dispositive Motions will be due by 11/23/2007. (jwd) (Entered: 09/26/2007)
09/26/2007		Set Deadlines/Hearings: Discovery due by 10/26/2007.,Dispositive Motions due by 11/23/2007. (jwd) (Entered: 09/26/2007)
10/19/2007	<u>39</u>	MOTION to Compel <i>Discovery and to Strike Plaintiffs' Expert Report</i> by MARTIN J. GRUENBERG (Attachments: # <u>1</u> Text of Proposed Order)(Jones, William) (Entered: 10/19/2007)
10/19/2007	40	MOTION to Strike Plaintiffs' Expert Report by MARTIN J. GRUENBERG. (See Docket Entry <u>39</u> to view document). (nmw,) (Entered: 10/22/2007)

10/31/2007		MINUTE ORDER granting in part and denying in part <u>39</u> Motion to Compel; granting in part and denying in part <u>40</u> Motion to Strike. The defendant's request for an extension of time for discovery of 30 days is granted: discovery shall remain open until November 26, 2007. The remainder of the defendant's motions is denied without prejudice. The defendant is referred to the standing order in this case requiring the parties to call chambers to schedule a telephone conference before filing any disputed discovery motions. Leave of court must be obtained before any disputed discovery motions are considered. The parties are instructed to confer again and if, by November 26, 2007, they have not reached a consensus on the defendant's requests, they may contact chambers to schedule a conference, at which time both parties must be ready to defend their positions. Parties are reminded that the court will sanction the losing attorney in any discovery dispute pursuant to FRCP 37a4. Signed by Judge Ricardo M. Urbina on 10/31/07. (lcrmu1,) (Entered: 10/31/2007)
10/31/2007		Set Deadlines/Hearings: discovery shall remain open until November 26, 2007 (jwd) (Entered: 10/31/2007)
11/21/2007	<u>41</u>	Joint MOTION for Extension of Time to Complete Discovery <i>and Dispositive Motions</i> by MARTIN J. GRUENBERG (Attachments: # <u>1</u> Text of Proposed Order)(Jones, William) (Entered: 11/21/2007)
11/21/2007		MINUTE ORDER granting <u>41</u> Motion for Extension of Time to Complete Discovery. ORDERED that the joint motion is granted, and it is further ORDERED that the scheduling order in this case is amended as follows: (a) Discovery will close on January 25, 2008; and (b) Dispositive motions will be due by February 25, 2008. Signed by Judge Ricardo M. Urbina on 11/21/07. (lcrmu1,) (Entered: 11/21/2007)
11/21/2007		Set/Reset Deadlines: Discovery Close on 1/25/2008.,Dispositive Motions due by 2/25/2008. (mpt,) (Entered: 11/21/2007)
11/26/2007		Set Deadlines/Hearings: Discovery will close on January 25, 2008; and (b) Dispositive motions will be due by February 25, 2008.(jwd) (Entered: 11/26/2007)
01/22/2008	<u>42</u>	NOTICE of Appearance by David Louis Rose on behalf of BARBARA ALIOTTA (Rose, David) (Entered: 01/22/2008)
02/25/2008	<u>43</u>	MOTION for Summary Judgment <i>and Memorandum in Support Thereof</i> by MARTIN J. GRUENBERG (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit Nos. 1-10, # <u>4</u> Exhibit Nos. 11-22, # <u>5</u> Exhibit No. 23, # <u>6</u> Exhibit Nos. 24, 24-1, 24-2, 24-3, # <u>7</u> Exhibit No. 25, # <u>8</u> Exhibit No. 26, # <u>9</u> Exhibit Nos. 27, 27-1, # <u>10</u> Exhibit Nos. 28, 28-1, 28-2, # <u>11</u> Exhibit No. 29, # <u>12</u> Exhibit No. 30, # <u>13</u> Exhibit No. 31, # <u>14</u> Exhibit No. 32, # <u>15</u> Exhibit No. 33, # <u>16</u> Exhibit No. 34, # <u>17</u> Exhibit No. 35)(Jones, William) (Entered: 02/25/2008)
02/25/2008	<u>44</u>	MOTION for Partial Summary Judgment <i>on Liability</i> by BARBARA ALIOTTA (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Undisputed Facts, # <u>3</u> Text of Proposed Order Order, # <u>4</u> Exhibit Seberhagen Report 012808)(Rose, David) (Entered: 02/25/2008)
02/26/2008	<u>45</u>	ERRATA <i>Supplemental Filing of Exhibit 27-1</i> by MARTIN J. GRUENBERG <u>43</u> MOTION for Summary Judgment <i>and Memorandum in Support Thereof</i> filed by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Exhibit No. 27-1)(Jones, William) (Entered: 02/26/2008)
03/07/2008	<u>46</u>	Memorandum in opposition to re <u>44</u> MOTION for Partial Summary Judgment <i>on Liability</i> filed by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Statement of Facts Response to Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit No. 36, # <u>4</u> Exhibit No. 37, # <u>5</u> Exhibit No. 38, # <u>6</u> Exhibit No. 39, # <u>7</u> Exhibit No. 40)(Jones, William) (Entered: 03/07/2008)
03/10/2008	<u>47</u>	Memorandum in opposition to re <u>43</u> MOTION for Summary Judgment <i>and Memorandum in Support Thereof</i> filed by YVONNE CAIN, PRISCILLA CATAPAT, DAVID L. NOFFSINGER, EVELYN CLAUDE, SYLVIA CLINE, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY, FAYE MORITZ, BERNICE PARKER, PAULA

		PATTERSON, PATRICK J. SHUTE, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY. (Attachments: # <u>1</u> Exhibit Index of Exhibits, # <u>2</u> Exhibit 1 – Seberhagen Signed Final Report, # <u>3</u> Exhibit 2 – Board Minutes August 8, 1995, # <u>4</u> Exhibit 3 – American Banker Article, Nov. 10, 1995, # <u>5</u> Exhibit 4 – Board Minutes, Sept. 26, 1995, # <u>6</u> Exhibit 5 – FDIC Board Memo, Sept. 25, 1995, # <u>7</u> Exhibit 6 – Board Minutes, Sept. 5, 1995, # <u>8</u> Exhibit 7 – Declaration of Joy Crosser, # <u>9</u> Exhibit 8 – Declaration of Carole Mann, # <u>10</u> Exhibit 9 – Letter to Stakeholders, # <u>11</u> Exhibit 10 – Powell Deposition, # <u>12</u> Exhibit 11 – Mergen Deposition, # <u>13</u> Exhibit 12 – DOE Stats on College Age, # <u>14</u> Exhibit 13 – Corporate University 2005 New Hires)(Rose, David) (Entered: 03/10/2008)
03/13/2008	<u>48</u>	Joint MOTION for Extension of Time to File Response/Reply <i>Briefs for Plaintiffs and Defendant</i> by MARTIN J. GRUENBERG (Attachments: # <u>1</u> Text of Proposed Order)(Jones, William) (Entered: 03/13/2008)
03/14/2008		MINUTE ORDER granting <u>48</u> Motion for Extension of Time to File Response/Reply. Plaintiffs reply brief will be due on March 24, 2008, and Defendants reply brief will be due on March 27, 2008. Signed by Judge Ricardo M. Urbina on 3/14/08. (lcrmu1,) (Entered: 03/14/2008)
03/14/2008		Set/Reset Deadlines/Hearings: Plaintiffs reply brief will be due on March 24, 2008, and Defendants reply brief will be due on March 27, 2008 (jwd) (Entered: 03/14/2008)
03/24/2008	<u>49</u>	REPLY to opposition to motion re <u>48</u> Joint MOTION for Extension of Time to File Response/Reply <i>Briefs for Plaintiffs and Defendant</i> , <u>44</u> MOTION for Partial Summary Judgment <i>on Liability</i> filed by YVONNE CAIN, PRISCILLA CATAPAT, DAVID L. NOFFSINGER, EVELYN CLAUDE, SYLVIA CLINE, BRUCE BROWN, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY, FAYE MORITZ, BERNICE PARKER, PAULA PATTERSON, PATRICK J. SHUTE, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY. (Attachments: # <u>1</u> Exhibit Ex 14, # <u>2</u> Ex 15, # <u>3</u> Ex 16, # <u>4</u> Ex 17, # <u>5</u> Ex 18, # <u>6</u> Ex 19, # <u>7</u> Ex 20, # <u>8</u> Exhibit Ex 22a, # <u>9</u> Exhibit Ex 22b, # <u>10</u> Exhibit Ex 23, # <u>11</u> Exhibit Ex 24, # <u>12</u> Exhibit Ex 25, # <u>13</u> Exhibit Ex 26, # <u>14</u> Exhibit Ex 27, # <u>15</u> Exhibit, # <u>16</u> Declaration Ex 21)(Rose, David) (Entered: 03/24/2008)
03/26/2008	<u>50</u>	SUPPLEMENTAL MEMORANDUM to re <u>44</u> MOTION for Partial Summary Judgment <i>on Liability As Corrected</i> filed by BARBARA ALIOTTA. (Attachments: # <u>1</u> Errata, # <u>2</u> Exhibit Corrected List, # <u>3</u> Exhibit Declaration G Haag)(Rose, David) (Entered: 03/26/2008)
03/27/2008	<u>51</u>	REPLY to opposition to motion re <u>43</u> MOTION for Summary Judgment <i>and Memorandum in Support Thereof</i> filed by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Exhibit 41, # <u>2</u> Exhibit 42, # <u>3</u> Exhibit 43)(Jones, William) (Entered: 03/27/2008)
05/05/2008	<u>52</u>	NOTICE of Amended Filings by MARTIN J. GRUENBERG re <u>46</u> Memorandum in Opposition, (Attachments: # <u>1</u> Amendment to FDIC's Response to Plaintiffs' Statement of Undisputed Facts, # <u>2</u> Amendment to Second Bodian Declaration)(Jones, William) (Entered: 05/05/2008)
05/20/2008	<u>53</u>	Memorandum in opposition to re <u>43</u> MOTION for Summary Judgment <i>and Memorandum in Support Thereof and Concerns the Declarations of Dr. Bodian</i> filed by BARBARA ALIOTTA. (Attachments: # <u>1</u> Declaration Seberhagen)(Rose, David) (Entered: 05/20/2008)
06/03/2008	<u>54</u>	MEMORANDUM re <u>53</u> Memorandum in Opposition filed by BARBARA ALIOTTA by MARTIN J. GRUENBERG. (Jones, William) (Entered: 06/03/2008)
07/08/2008	<u>55</u>	NOTICE OF RECENT SUPREME COURT DECISIONS by YVONNE CAIN, PRISCILLA CATAPAT, DAVID L. NOFFSINGER, EVELYN CLAUDE, SYLVIA CLINE, BRUCE BROWN, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY,

		FAYE MORITZ, BERNICE PARKER, PAULA PATTERSON, PATRICK J. SHUTE, MARTIN J. GRUENBERG, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY (Rose, David) (Entered: 07/08/2008)
07/17/2008	<u>56</u>	MEMORANDUM re <u>55</u> Notice (Other), Notice (Other) filed by EVELYN CLAUDE, ROBERT ANDERSON, JEANNIE AVERY, BERNICE PARKER, MARY KEBBEH, PRISCILLA CATAPAT, DENNIS HAROOTUNIAN, PATRICK J. SHUTE, BARBARA ALIOTTA, PATRICIA EVERETT, BRUCE BROWN, FAYE MORITZ, YVONNE CAIN, SYLVIA CLINE, DAVID L. NOFFSINGER, MARY L. DUPREE-ELLIS, WYMAN ELROD, LARRY GLAZENER, MARTIN J. GRUENBERG, PAULA PATTERSON, DENNIS KELLER, PEARL LINDSEY by MARTIN J. GRUENBERG. (Attachments: # <u>1</u> Slip Opinion)(Jones, William) (Entered: 07/17/2008)
07/24/2008	<u>57</u>	REPLY re <u>56</u> to Defendant's Memorandum in Response to Plaintiffs' Notice of Recent Supreme Court Decisions filed by BARBARA ALIOTTA. (Rose, David) Modified link on 7/25/2008 (nmw,). (Entered: 07/24/2008)
07/25/2008	<u>58</u>	Consent MOTION for Leave to File a Sur-Reply by MARTIN J. GRUENBERG (Jones, William) (Entered: 07/25/2008)
07/28/2008		MINUTE ORDER granting <u>58</u> the defendant's consent motion for leave to file sur-reply. Upon consideration of the defendant's consent motion and for good cause shown therein, it is hereby ORDERED that the defendant's consent motion is GRANTED and the defendant may have leave to file a sur-reply. SO ORDERED. Signed by Judge Ricardo M. Urbina on 07/28/2008. (Entered: 07/28/2008)
08/04/2008	<u>59</u>	SURREPLY to re <u>57</u> Reply to Document filed by MARTIN J. GRUENBERG. (Jones, William) (Entered: 08/04/2008)
08/08/2008	<u>60</u>	REPLY to Defendant's <u>59</u> Sur-Reply filed by BARBARA ALIOTTA. (Rose, David) . (Entered: 08/08/2008)
08/20/2008	<u>61</u>	NOTICE of Recent Authorities by BARBARA ALIOTTA (Rose, David) (Entered: 08/20/2008)
09/18/2008	<u>62</u>	ORDER granting <u>43</u> the defendant's Motion for Summary Judgment; denying <u>44</u> the plaintiffs' Motion for Partial Summary Judgment. Signed by Judge Ricardo M. Urbina on 09/18/2008. (lcrmu1) (Entered: 09/18/2008)
09/18/2008	<u>63</u>	MEMORANDUM OPINION. Signed by Judge Ricardo M. Urbina on 09/18/2008. (lcrmu1) (Entered: 09/18/2008)
10/02/2008	<u>64</u>	NOTICE of Appearance by Yuval Rubinstein on behalf of all plaintiffs (Rubinstein, Yuval) (Entered: 10/02/2008)
10/02/2008	<u>65</u>	ENTERED IN ERROR..... MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion by YVONNE CAIN, PRISCILLA CATAPAT, DAVID L. NOFFSINGER, EVELYN CLAUDE, SYLVIA CLINE, BRUCE BROWN, MARY L. DUPREE-ELLIS, WYMAN ELROD, PATRICIA EVERETT, LARRY GLAZENER, DENNIS HAROOTUNIAN, MARY KEBBEH, DENNIS KELLER, PEARL LINDSEY, FAYE MORITZ, BERNICE PARKER, PAULA PATTERSON, PATRICK J. SHUTE, BARBARA ALIOTTA, ROBERT ANDERSON, JEANNIE AVERY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit List, # <u>3</u> Exhibit 1 - Declaration of James Cantrell, # <u>4</u> Exhibit 2 - Declaration of Joan Fairfield, # <u>5</u> Exhibit 3 - Declaration of Nancy Powers Gray, # <u>6</u> Exhibit 4 - Declaration of Kathy Haag, # <u>7</u> Exhibit 5 - Declaration of Carole Mann, # <u>8</u> Exhibit 6 - Declaration of Mark Valentine, # <u>9</u> Exhibit 7 - Declaration of Jackson Ware, # <u>10</u> Exhibit 8 - Declaration of Nancy Powers Gray)(Rubinstein, Yuval) Modified on 10/3/2008 (nmw,). (Entered: 10/02/2008)
10/03/2008		NOTICE OF ERROR re <u>65</u> Motion to Alter Judgment; emailed to yrubinstein@roselawyers.com, cc'd 5 associated attorneys --- The PDF file you docketed contained errors: 1. Incorrect header/caption/case number, 2. Please refile document, 3. Document entered in error; incorrect case number; please refile (nmw,) (Entered: 10/03/2008)

10/03/2008	<u>66</u>	MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> by BARBARA ALIOTTA (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit List, # <u>3</u> Exhibit 1 – Declaration of James Cantrell, # <u>4</u> Exhibit 2 – Declaration of Joan Fairfield, # <u>5</u> Exhibit 3 – Declaration of Nancy Powers Gray, # <u>6</u> Exhibit 4 – Declaration of Kathy Haag, # <u>7</u> Exhibit 5 – Declaration of Carole Mann, # <u>8</u> Exhibit 6 – Declaration of Mark Valentine, # <u>9</u> Exhibit Declaration of Jackson Ware, # <u>10</u> Exhibit 8 – Declaration of Nancy Powers Gray)(Rubinstein, Yuval) (Entered: 10/03/2008)
10/07/2008	<u>67</u>	BILL OF COSTS by MARTIN J. GRUENBERG. (Jones, William) (Entered: 10/07/2008)
10/17/2008	<u>68</u>	Memorandum in opposition to re <u>66</u> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> filed by MARTIN J. GRUENBERG. (Jones, William) (Entered: 10/17/2008)
10/24/2008	<u>69</u>	REPLY to opposition to motion re <u>66</u> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> MOTION to Alter Judgment as to <u>63</u> Memorandum & Opinion <i>As Corrected</i> filed by BARBARA ALIOTTA. (Rubinstein, Yuval) (Entered: 10/24/2008)
06/10/2009	<u>70</u>	ORDER denying <u>66</u> the plaintiffs' motion to alter or amend judgment. Signed by Judge Ricardo M. Urbina on 06/10/2009. (lcrmu1) (Entered: 06/10/2009)
06/10/2009	<u>71</u>	MEMORANDUM OPINION. Signed by Judge Ricardo M. Urbina on 06/10/2009. (lcrmu1) (Entered: 06/10/2009)
06/17/2009	<u>72</u>	Unopposed MOTION for Entry of Final Judgment by BARBARA ALIOTTA (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order Proposed Final Judgment)(Rubinstein, Yuval) (Entered: 06/17/2009)
06/29/2009	<u>73</u>	NOTICE OF APPEAL as to <u>71</u> Memorandum & Opinion, <u>63</u> Memorandum & Opinion, <u>70</u> Order on Motion to Alter Judgment, <u>62</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment by BARBARA ALIOTTA. Filing fee \$ 455, receipt number 0090000000001890394. Fee Status: Fee Paid. Parties have been notified. (Rubinstein, Yuval) (Entered: 06/29/2009)
07/01/2009		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>73</u> Notice of Appeal, (jf,) (Entered: 07/01/2009)
07/07/2009	<u>74</u>	FINAL JUDGMENT. For the reasons set forth in the Order and Memorandum Opinion granting Defendant's Motion for Summary Judgment entered September 18, 2008, the Memorandum Opinion denying Plaintiffs' Motion to Alter or Amend Judgment entered June 10, 2009, and based on the record as a whole, it is hereby ORDERED that final judgment is entered in favor of Federal Deposit Insurance Corporation, and the case is dismissed as to all plaintiffs. Signed by Judge Ricardo M. Urbina on 7/6/2009. (tg,) (Entered: 07/07/2009)