

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:01-cv-02755-JEC**

Mauldin v. Wal-Mart Stores
Assigned to: Judge Julie E. Carnes
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 10/16/2001
Date Terminated: 03/21/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Lisa Smith Mauldin
*Individually and On Behalf of All Others
Similarly Situated*

represented by **Douglas J. Hoffman**
Milberg Weiss Bershad & Schulman
One Pennsylvania Plaza
48th Floor
New York, NY 10119-0165
212-594-5300
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

George Albert Stein
Office of George Albert Stein
1355 Peachtree Street, NE
Suite 150
Atlanta, GA 30309
404-881-6500
Email: geostein@bellsouth.net
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Janine L. Pollack
Milberg Weiss Bershad & Schulman
One Pennsylvania Plaza
48th Floor
New York, NY 10119-0165
212-594-5300
Email: jpollack@milbergweiss.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jennifer Templeton Schirmer
Milberg Weiss Bershad & Schulman
One Pennsylvania Plaza
48th Floor
New York, NY 10119-0165
212-594-5300
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Kirk E. Chapman
Milberg Weiss Bershad & Schulman
One Pennsylvania Plaza
48th Floor
New York, NY 10119-0165
212-594-5300
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sigmund Wissner-Gross
Heller Horowitz & Feit
292 Madison Avenue
New York, NY 10017

212-685-7600
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Chapman Bell, Jr.
Bell & James
Lafayette Center – 3rd Floor
P.O. Box 1547
945 Broad Street
Augusta, GA 30903-1547
706-722-2014
Fax: 706-722-7552
Email: john@bellbrigham.com
ATTORNEY TO BE NOTICED

Lisa Fivars Harper
Chorey Taylor & Feil
3399 Peachtree Road, N.E.
The Lenox Building, Suite 1700
Atlanta, GA 30326-1148
404-841-3200
Email: lfharper@ctflegal.com
ATTORNEY TO BE NOTICED

V.

Defendant

Wal-Mart Stores, Inc.

represented by **Alissa Lipson**
Seyfarth Shaw
55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
312-346-8000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Allen William Groves
Seyfarth Shaw-Atlanta
1545 Peachtree Street, N.E.
One Peachtree Pointe, Suite 700
Atlanta, GA 30309-2401
404-885-6682
Email: agroves@seyfarth.com
TERMINATED: 06/29/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Antonia-Anna R. Palmer
Seyfarth Shaw
1545 Peachtree Street, N.E.
One Peachtree Pointe, Suite 700
Atlanta, GA 30309-2401
404-885-1500
Email: apalmer@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Charles L. Bachman, Jr.
Seyfarth Shaw
1545 Peachtree Street, N.E.
One Peachtree Pointe, Suite 700
Atlanta, GA 30309-2401
404-892-6412
Email: cbachman@seyfarth.com

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Charles Chejfec
Seyfarth Shaw
55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
312-346-8000
TERMINATED: 11/06/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Erika C. Birg
Seyfarth Shaw-Atlanta
1545 Peachtree Street, N.E.
One Peachtree Pointe, Suite 700
Atlanta, GA 30309-2401
404-888-1038
Fax: 404-892-7056
Email: ebirg@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Casciari
Seyfarth Shaw
55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
312-346-8000
Email: mcasciari@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theresa Yelton McDaniel
Troutman Sanders, LLP-ATL
Suite 5200
Bank of America Plaza
600 Peachtree Street, N.E.
Atlanta, GA 30308-2216
404-885-3000
Email:
theresa.mcdaniel@troutmansanders.com
TERMINATED: 09/30/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/16/2001	1	CLASS ACTION COMPLAINT filed. Consent form to proceed before U.S. magistrate and pretrial instructions given to attorney; jury demand FILING FEE \$ 150.00 RECEIPT # 478419 (syh) (Entered: 10/19/2001)
10/26/2001		Summons issued for defendant Wal-Mart Stores (jph) (Entered: 10/29/2001)
11/09/2001	2	Application for admission of Jennifer Templeton Schirmer, Kirk E. Chapman, Douglas J. Hoffman and Janine L. Pollack pro hac vice for plaintiff (to JEC) (jph) Modified on 11/15/2001 (Entered: 11/15/2001)
11/13/2001	3	Return of service executed 11/1/01 as to Wal-Mart Stores on original complaint (jph) Modified on 11/15/2001 (Entered: 11/13/2001)
11/13/2001	4	Application for admission of Sigmund S. Wissner-Gross pro hac vice for plaintiff (jph) (Entered: 11/15/2001)

11/19/2001		ENDORSED ORDER by Judge Julie E. Carnes GRANTING [2-1] pro hac vice application of Janine L. Pollack, Kirk E. Chapman, Douglas J. Hoffman, and Jennifer Templeton Schirmer (cc) (jph) (Entered: 11/20/2001)
11/19/2001		ENDORSED ORDER by Judge Julie E. Carnes GRANTING [4-1] pro hac vice application of Sigmund S. Wissner-Gross (cc) (jph) (Entered: 11/20/2001)
11/21/2001		Proposed Consent order extending time thru 12/21/01 to respond to [1-1] complaint . (to JEC) (jph) (Entered: 11/21/2001)
11/30/2001	5	CONSENT ORDER by Judge Julie E. Carnes, extending time to respond to [1-1] complaint , Answer due 12/21/01 for Wal-Mart Stores (cc) (jph) (Entered: 12/03/2001)
11/30/2001		Added attorney for defendant: Theresa E. Yelton. (jph) (Entered: 10/07/2002)
12/07/2001	6	Application for admission of Mark A. Casciari and Charles Chejfec pro hac vice for defendant (to JEC) (jph) (Entered: 12/10/2001)
12/11/2001		ENDORSED ORDER by Judge Julie E. Carnes GRANTING [6-1] pro hac vice application for Mark A. Casciari and Charles Chejfec (cc) (jph) (Entered: 12/12/2001)
12/21/2001	7	MOTION by defendant to transfer venue with brief in support. (jph) (Entered: 01/02/2002)
12/21/2001	8	MOTION by defendant to stay filing and related scheduling deadlines pending disposition of motion to transfer venue with brief in support. (jph) (Entered: 01/02/2002)
12/26/2001	9	Notice of filing original affidavit of Thomas Emerick by defendant in support of motion to transfer venue. (jph) (Entered: 01/02/2002)
12/27/2001		Proposed Consent order extending time thru 1/22/02 to respond to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue, [7-1] motion to transfer venue . (to JEC) (jph) (Entered: 01/02/2002)
01/09/2002	10	CONSENT ORDER by Judge Julie E. Carnes, extending time thru 1/22/02 to respond to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue, [7-1] motion to transfer venue (cc) (jph) (Entered: 01/10/2002)
01/10/2002	11	CONSENT ORDER by Judge Julie E. Carnes clarifing consent order filed 12/27/01 (cc) (jph) (Entered: 01/11/2002)
01/11/2002	12	Memorandum of law by plaintiff in opposition to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue (jph) (Entered: 01/14/2002)
01/14/2002		SUBMITTED to Judge Julie E. Carnes on [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue (jph) (Entered: 01/14/2002)
01/14/2002	13	MOTION by plaintiff for class certification with brief in support. (jph) (Entered: 01/15/2002)
01/14/2002	14	Memorandum by plaintiff in opposition to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue (jph) (Entered: 01/15/2002)
01/14/2002	15	REPLY by defendant to response to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue (jph) (Entered: 01/15/2002)
01/22/2002	16	Memorandum by plaintiff in opposition to [7-1] motion to transfer venue (jph) (Entered: 01/22/2002)
01/23/2002		SUBMITTED to Judge Julie E. Carnes on [7-1] motion to transfer venue (FILE IN CHAMBERS) (jph) (Entered: 01/23/2002)

01/25/2002	17	CORRECTED REPLY by defendant to response to [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue (jph) (Entered: 01/28/2002)
01/29/2002	18	CONSENT ORDER by Judge Julie E. Carnes, extending time to respond to [13-1] motion for class certification , [13-1] motion for class certification to be submitted on 3/5/02 (cc) (jph) (Entered: 01/30/2002)
02/01/2002	19	Certificate of interested persons. (to judge) (jph) (Entered: 02/04/2002)
02/05/2002	20	Reply brief to [7-1] motion to transfer venue by defendant. (jph) (Entered: 02/07/2002)
02/22/2002	21	CONSENT ORDER by Judge Julie E. Carnes, extending time thru 5/3/02 to respond to [13-1] motion for class certification and thru 6/5/02 to file reply to response on said motion (cc) (jph) (Entered: 02/25/2002)
02/25/2002	22	Stipulation by parties regarding answer to complaint (jph) (Entered: 02/25/2002)
02/25/2002	23	ANSWER by defendant to complaint [1-1] Discovery ends 7/25/02 (jph) (Entered: 02/25/2002)
02/25/2002		Added attorney for defendant: Allen William Groves. (jph) (Entered: 02/25/2002)
02/25/2002	24	ORDER by Judge Julie E. Carnes DENYING [7-1] motion to transfer venue by Wal-Mart Stores, denying as moot the [8-1] motion to stay filing and related scheduling deadlines pending disposition of motion to transfer venue by Wal-Mart Stores, (cc) (jph) (Entered: 02/26/2002)
02/26/2002	25	ANSWERS TO INITIAL DISCLOSURES by plaintiff (jph) (Entered: 02/26/2002)
03/20/2002	26	Preliminary Report and Discovery Schedule. (to judge) (jph) (Entered: 03/21/2002)
04/05/2002		ENDORSED ORDER by Judge Julie E. Carnes APPROVING [26-1] preliminary statement, Discovery ends 11/22/02 (cc) (jph) (Entered: 04/05/2002)
04/09/2002	27	SCHEDULING ORDER by Judge Julie E. Carnes, discovery ends 11/22/02, motions for summary jgm must be filed by 12/12/02 and pto due 30 days after, and if no motions for sum jgm then pre-trial order due on 12/23/02 , [27-1] order to be submitted on 12/24/02 if no motions for sum jgm or pto filed (cc) (jph) (Entered: 04/10/2002)
05/03/2002	28	Memorandum by defendant in opposition to [13-1] motion for class certification w/unpublished decisions cited (jph) Modified on 05/06/2002 (Entered: 05/06/2002)
05/07/2002	29	Consent by plaintiff to [13-1] motion for class certification (jph) (Entered: 05/09/2002)
05/15/2002	30	MOTION by defendant for leave to file class certification opposition with brief in support. (jph) (Entered: 05/16/2002)
05/21/2002		Proposed Consent order extending time to respond to [28-1] response by plaintiff and extending the page limit for pla's reply. (jph) (Entered: 05/22/2002)
05/28/2002	31	CONSENT ORDER by Judge Julie E. Carnes, extending time thru 7/11/02 for plaintiff to file her reply in support of [13-1] motion for class certification , and the page limit for plaintiff's reply is extended, not to exceed 40 pages (cc) (adg) (Entered: 05/28/2002)
05/31/2002	32	ORDER by Judge Julie E. Carnes GRANTING [30-1] motion for leave to file class certification opposition (cc) (jph) (Entered: 05/31/2002)
06/06/2002		SUBMITTED to Judge Julie E. Carnes on [13-1] motion for class certification (jph) (Entered: 06/06/2002)

07/11/2002	33	Reply brief to [13-1] motion for class certification by plaintiff. (jph) (Entered: 07/11/2002)
07/11/2002	34	MOTION by defendant for protective order with brief in support. (jph) (Entered: 07/12/2002)
07/29/2002	35	Response by plaintiff to [34-1] motion for protective order (jph) (Entered: 07/30/2002)
07/31/2002		SUBMITTED to Judge Julie E. Carnes on [34-1] motion for protective order (FILE IN CHAMBERS) (jph) (Entered: 07/31/2002)
08/12/2002	36	Reply brief in support of [34-1] motion for protective order by defendant. (jph) (Entered: 08/14/2002)
08/23/2002	37	ORDER by Judge Julie E. Carnes GRANTING IN PART AND DENYING IN PART [13-1] motion for class certification by Lisa Smith Mauldin. The Court hereby CERTIFIES this action as a class action, but it has to be determined that the class should be defined more narrowly than the class proposed by the pla. Pla shall be permitted to bring this Title VII action on behalf of herself and a class of persons that includes all female employees of Wal-Mart's health insurance plan any time after 3/8/01 and who used prescription contraceptives during the relevant time period. (cc) (jph) (Entered: 08/27/2002)
08/28/2002	38	Application for admission of Alissa Lipson pro hac vice for defendant (to JEC) (jph) (Entered: 09/03/2002)
09/09/2002	39	ENDORSED ORDER by Judge Julie E. Carnes GRANTING [38-1] pro hac vice application of Alissa Lipson (cc) (jph) (Entered: 09/10/2002)
09/11/2002	40	MOTION by defendant for reconsideration of [37-1] order with brief in support. (jph) (Entered: 09/12/2002)
09/13/2002	41	Corrected memorandum by defendant in support of [40-1] motion for reconsideration of [37-1] order (jph) (Entered: 09/13/2002)
10/01/2002		SUBMITTED to Judge Julie E. Carnes on [40-1] motion for reconsideration of [37-1] order (FILE IN CHAMBERS) (jph) (Entered: 10/01/2002)
10/01/2002	42	Attorney appearance for defendant by Antonia "Anna" R. Palmer (jph) (Entered: 10/02/2002)
10/01/2002	43	Response by plaintiff to [40-1] motion for reconsideration of [37-1] order (jph) (Entered: 10/02/2002)
10/02/2002	44	MOTION to withdraw by Theresa E. Yelton as attorney for Wal-Mart Stores (jph) (Entered: 10/07/2002)
10/07/2002	45	EMERGENCY MOTION by plaintiff to compel documents and answers to interrogatories with brief in support and affidavit of Janine L. Pollack. (jph) (Entered: 10/08/2002)
10/07/2002	46	Reply brief to [40-1] motion for reconsideration of [37-1] order by defendant. (jph) (Entered: 10/08/2002)
10/07/2002	47	MOTION by defendant for protective order , and to compel pla to provide expert disclosures with brief in support. (jph) (Entered: 10/08/2002)
10/09/2002		SUBMITTED to Judge Julie E. Carnes on [45-1] motion to compel documents and answers to interrogatories (FILE IN CHAMBERS) (jph) (Entered: 10/09/2002)
10/10/2002	48	TELE-CONFERENCE HELD before Judge Julie E. Carnes. Court scheduled conference on discovery dispute for 10/11/02 at 2:00pm. All parties agreed to a two week extension of discovery if the matters are not resolved. (jph) (Entered: 10/10/2002)
10/11/2002	49	Reply by defendant to [45-1] motion to compel documents and answers to interrogatories (jph) (Entered: 10/15/2002)

10/11/2002	51	Motion HEARING held before Judge Julie E. Carnes regarding [34-1] motion for protective order and [45-1] motion to compel documents and answers to interrogatories (jph) (Entered: 10/17/2002)
10/11/2002		VERBAL ORDER by Judge Julie E. Carnes GRANTING [34-1] motion for protective order, dft will provide pto by 10/16/02; GRANTING IN PART AND DENYING IN PART [45-1] motion to compel documents and answers to interrogatories by Lisa Smith Mauldin, Discovery ends 1/24/03 and summary judgment motions are due 20 days thereafter. Pla's expert report due a week from day of hearing; pla's administrative expert report due 2 weeks from date of hearing (jph) (Entered: 10/17/2002)
10/11/2002	56	TRANSCRIPT filed RE: Hearing for dates of 10/11/02 Court Reporter: David Ritchie (jph) (Entered: 10/31/2002)
10/15/2002	50	Affidavit of Peggy Enkler and Kris Howard (jph) (Entered: 10/16/2002)
10/16/2002	52	Stipulation and order by parties governing production of confidential information. (to JEC) (jph) (Entered: 10/18/2002)
10/16/2002	53	ENDORSED ORDER by Judge Julie E. Carnes APPROVING [52-1] stipulation by Wal-Mart Stores, Lisa Smith Mauldin (cc) (jph) (Entered: 10/18/2002)
10/21/2002	54	Response by plaintiff to [47-2] motion to compel pla to provide expert disclosures (jph) (Entered: 10/22/2002)
10/23/2002	55	REPLY by defendant to response to [47-2] motion to compel pla to provide expert disclosures (jph) (Entered: 10/24/2002)
10/24/2002		SUBMITTED to Judge Julie E. Carnes on [44-1] motion to withdraw by Theresa E. Yelton as attorney for Wal-Mart Stores (FILE IN CHAMBERS) (jph) (Entered: 10/24/2002)
10/28/2002		SUBMITTED to Judge Julie E. Carnes on [47-1] motion for protective order, [47-2] motion to compel pla to provide expert disclosures (FILE IN CHAMBERS) (jph) (Entered: 10/28/2002)
11/01/2002	57	MOTION by plaintiff pursuant to Rule 23(d)(2) to serve notice on class with brief in support. (jph) (Entered: 11/04/2002)
11/14/2002		Proposed consent order extending time thru 11/27/02 for dft to respond to the [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class. (to JEC) (ck) (Entered: 11/15/2002)
11/15/2002	58	MOTION by defendant for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, with incorporated memorandum of law with proposed memorandum attached. (jph) Modified on 11/19/2002 (Entered: 11/19/2002)
11/15/2002	<u>59</u>	MOTION by defendant to strike portions of pla's expert reports with incorporated memorandum of law. (jph) (Entered: 11/19/2002)
11/20/2002	60	Memo by CRD directing pla to respond to [59-1] motion to strike portions of pla's expert reports within 10 days of the date of service, [59-1] motion to strike portions of pla's expert reports to be submitted on 12/9/02 (cc by CRD) (jph) (Entered: 11/21/2002)
11/26/2002	61	CONSENT ORDER by Judge Julie E. Carnes, extending time thru 11/27/02 for dft to respond to [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class , [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class to be submitted on 11/29/02 (cc) (jph) (Entered: 11/26/2002)
11/26/2002		Proposed Consent order extending time to respond to [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, by plaintiff. (to JEC) (jph) (Entered: 11/27/2002)
11/27/2002	<u>62</u>	Defendant's opposition to [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class (jph) Modified on 12/03/2002 (Entered: 11/27/2002)

12/02/2002		SUBMITTED to Judge Julie E. Carnes on [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class (FILE IN CHAMBERS) (jph) (Entered: 12/02/2002)
12/02/2002	63	CONSENT ORDER by Judge Julie E. Carnes, extending time thru 12/13/02 for plaintiff to respond to [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order and extending time thru 1/7/03 for dft to reply to plaintiffs response , [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order to be submitted on 12/13/02 (cc) (adg) Modified on 12/03/2002 (Entered: 12/03/2002)
12/02/2002	64	Notice of filing original affidavit of Kathy Rainey by defendant. (adg) (Entered: 12/03/2002)
12/03/2002	65	Response by plaintiff in opposition to [59-1] motion to strike portions of pla's expert reports ***FILED UNDER SEAL*** (cdg) Modified on 12/03/2002 (Entered: 12/03/2002)
12/03/2002	66	Amended opposition by plaintiff to [59-1] motion to strike portions of pla's expert reports ***FILED UNDER SEAL*** (jph) (Entered: 12/04/2002)
12/06/2002	67	Reply brief to [59-1] motion to strike portions of pla's expert reports by plaintiff. ***FILED UNDER SEAL*** (jph) (Entered: 12/09/2002)
12/09/2002		SUBMITTED to Judge Julie E. Carnes on [59-1] motion to strike portions of pla's expert reports (FILE IN CHAMBERS) (jph) (Entered: 12/09/2002)
12/13/2002	68	Response by plaintiff to [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, (jph) (Entered: 12/16/2002)
12/16/2002		SUBMITTED to Judge Julie E. Carnes on [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, (FILE IN CHAMBERS) (jph) (Entered: 12/16/2002)
12/16/2002	69	Reply brief to [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, by defendant. (ck) (Entered: 12/17/2002)
12/20/2002	70	Reply brief to [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class by plaintiff. (ck) (Entered: 12/23/2002)
01/22/2003	<u>71</u>	Expedited MOTION by defendant to extend time for discovery with proposed order (to JEC) (bsm) (Entered: 01/23/2003)
01/30/2003	<u>72</u>	ORDER by Judge Julie E. Carnes GRANTING [71-1] motion to extend time for discovery, Discovery ends 1/24/03 (cc) (jph) (Entered: 02/03/2003)
09/30/2003	<u>73</u>	TRANSCRIPT filed RE: Hearing for dates of 10-11-02 Court Reporter: David Ritchie (jph) (Entered: 10/01/2003)
09/30/2003	<u>74</u>	ORDER by Judge Julie E. Carnes DENYING without prejudice [40-1] motion for reconsideration of [37-1] order by Wal-Mart Stores, GRANTS [44-1] motion to withdraw by Theresa E. Yelton as attorney for Wal-Mart Stores, DENYING AS MOOT the [47-1] motion for protective order by Wal-Mart Stores, DENYING AS MOOT the [47-2] motion to compel pla to provide expert disclosures Wal-Mart Stores, DENYING without prejudice [57-1] motion pursuant to Rule 23(d)(2) to serve notice on class by Lisa Smith Mauldin, GRANTING [58-1] motion for leave to file additional memorandum in support of the Court's August 23,2002 class certification order, GRANTING IN PART AND DENYING IN PART [59-1] motion to strike portions of pla's expert reports by Wal-Mart Stores, (cc) (jph) (Entered: 10/01/2003)
10/31/2003	<u>75</u>	MOTION by defendant to extend time thru 2/17/04 to submit expert reports . (jph) (Entered: 11/03/2003)
11/04/2003	<u>76</u>	Memo by CRD, scheduling a tele-conference for 11:00am on 11/6/03 (cc by CRD) (jph) (Entered: 11/05/2003)

11/06/2003	<u>77</u>	ORDER by Judge Julie E. Carnes, to strike the name of Charles Chefjec as counsel for dft (cc by CRD) (jph) (Entered: 11/07/2003)
11/06/2003	<u>78</u>	Memo by CRD, tele-conference reset for 11:00am on 11/7/03 (cc by CRD) (jph) (Entered: 11/07/2003)
11/07/2003	<u>79</u>	REQUEST by defendant for telephone conference with counsel . (jph) (Entered: 11/10/2003)
11/07/2003	<u>80</u>	Response by plaintiff to [79-1] motion for telephone conference with counsel. (jph) (Entered: 11/10/2003)
11/07/2003	<u>81</u>	TELE-CONFERENCE HELD before Judge Julie E. Carnes regarding timetable for expert reports/depositions. Pla expert report due 1/16/04; pla to depose dft's witnesses by 3/19/04; Pla to file their 60 page sum jgm motion by 4/21/04;dft has 20 days to reply and pla has 10 days to file a reply and Court will allow dft to file a short sur-reply in 10 days. [75-1] motion to extend time thru 2/17/04 to submit expert reports is withdrawn. (jph) (Entered: 11/10/2003)
11/20/2003	<u>82</u>	ORDER by Judge Julie E. Carnes directing dft to depose pla's expert witness by 12/31/03 and provide expert reports before 1/16/04; pla shall depose dft's expert witnesses by 3/19/04. Pla's counsel shall advise in writing by 3/29/04 whether a rebuttal is required. If no rebuttal expert is allowed or sought, pla's 60 page summary judgment motion is due 4/21/04; dft's response is due 20 days thereafter, and pla's reply will be due 10 days thereafter. ORAL WITHDRAWING [75-1] motion to extend time thru 2/17/04 to submit expert reports by Wal-Mart Stores, GRANTING [79-1] motion for telephone conference with counsel (cc by CRD) (jph) (Entered: 11/21/2003)
02/11/2004	<u>83</u>	MOTION by plaintiff to strike two of dft's four expert reports with brief in support. (jlm) (Entered: 02/12/2004)
02/27/2004	<u>84</u>	REPLY by defendant to pla's [83-1] motion to strike two of dft's four expert reports. (jlm) (Entered: 03/01/2004)
03/03/2004		SUBMITTED to Judge Julie E. Carnes on [83-1] motion to strike two of dft's four expert reports. (jlm) (Entered: 03/03/2004)
03/15/2004	<u>85</u>	REPLY MEMORANDUM in further support of pla's [83-1] motion to strike two of dft's four expert reports. (jlm) (Entered: 03/16/2004)
03/29/2004	<u>86</u>	MEMORANDUM OF LAW by plaintiff in Support of Admission of the rebuttal expert report of Dr. Zachary B. Gerbarg, M.D pursuant to this Court's [82-1] order. (jlm) (Entered: 03/30/2004)
04/07/2004	<u>87</u>	OPPOSITION by defendant to pla's [86-1] memorandum of law in support of admission of the rebuttal expert report of Dr. Zachary B. Gerbarg, M.D. (jlm) (Entered: 04/09/2004)
04/15/2004	<u>88</u>	CONSENT ORDER by Judge Julie E. Carnes directing pla's motion for sum jgm be filed and served on or before 4/21/04; dft's response to be filed and served on or before 5/21/04 and dft's sur-reply, if necessary, to be served and filed no later than 6/18/04. s (cc) (jlm) (Entered: 04/16/2004)
04/21/2004	<u>89</u>	MOTION by plaintiff for summary judgment on first claim for relief with memorandum of law, statement of undisputed material facts, declaration and exhibits in support. (jlm) (Entered: 04/21/2004)
04/26/2004	<u>90</u>	REPLY MEMORANDUM in further SUPPORT of pla's [86-1] rebuttal expert report of Zachary B. Gerbarg, M.D. (jlm) (Entered: 04/27/2004)
05/12/2004	<u>91</u>	Notice of change of law firm name to Milberg Weiss Bershad and Shulman, LLP by plaintiffs. (jlm) (Entered: 05/13/2004)
05/17/2004		SUBMITTED to Judge Julie E. Carnes on [89-1] motion for summary judgment on first claim for relief. (FILE IN CHAMBERS) (jlm) (Entered: 05/17/2004)
05/18/2004		Steno notes of proceedings held 11/7/03 before Judge Julie E. Carnes , by Court Reporter Lori Burgess. (jlm) (Entered: 05/19/2004)

05/21/2004	<u>92</u>	CROSS-MOTION by defendant for summary judgment on the first and second claims for relief with statement of undisputed material facts in support. (jlm) (Entered: 05/24/2004)
05/21/2004	<u>93</u>	Notice of filing original discovery by defendant. (jlm) (Entered: 05/24/2004)
05/21/2004	<u>94</u>	Deposition of ZACHARY GERBARG taken for defendant (jlm) (Entered: 05/24/2004)
05/21/2004	<u>95</u>	Deposition of LISA SMITH MAULDIN taken for defendant (jlm) (Entered: 05/24/2004)
05/21/2004	<u>96</u>	RESPONSE by defendant in OPPOSITION to pla's [89-1] motion for summary judgment on first claim for relief and MEMORANDUM IN SUPPORT of dft's [92-1] cross-motion for summary judgment on the first and second claims for relief. (jlm) (Entered: 05/24/2004)
05/21/2004	<u>97</u>	RESPONSE by defendant to pla's statement of undisputed material facts in support of pla's [89-1] motion for summary judgment on first claim for relief (jlm) (Entered: 05/24/2004)
05/28/2004	<u>98</u>	UNOPPOSED MOTION by plaintiff to extend time to file reply brief in further support of [89-1] motion for summary judgment on first claim for relief with brief in support. (to JEC) (jlm) (Entered: 06/02/2004)
06/04/2004	<u>99</u>	ORDER by Judge Julie E. Carnes GRANTING pla's [98-1] motion to extend time to and including 6/14/04 to file brief which is both a reply on pla's motion for sum jgm on count I and an opposition to dft's cross motions for sum jgm on counts I & II. Sur-reply is due 6/25/04. (cc) (jlm) (Entered: 06/07/2004)
06/08/2004	<u>100</u>	Notice of filing dft's request for the filing of discovery. (jlm) (Entered: 06/10/2004)
06/14/2004	<u>101</u>	RESPONSE by plaintiff to dft's STATEMENT OF UNDISPUTED FACTS filed with [92-1] cross-motion for summary judgment on the first and second claims for relief (jlm) (Entered: 06/15/2004)
06/14/2004	<u>102</u>	REPLY BRIEF by plaintiff in further SUPPORT of its [92-1] motion for summary judgment on the first and second claims for relief and OPPOSITION to dft's [89-1] cross-motion for summary judgment. (jlm) (Entered: 06/15/2004)
06/17/2004		SUBMITTED to Judge Julie E. Carnes on [92-1] cross-motion for summary judgment on the first and second claims for relief. (FILE IN CHAMBERS) (jlm) Modified on 06/17/2004 (Entered: 06/17/2004)
06/25/2004	<u>103</u>	SUR-REPLY by defendant in SUPPORT of dft's [92-1] cross motion for summary judgment and in OPPOSITION to pla's [89-1] motion for summary judgment. (jlm) (Entered: 06/28/2004)
07/08/2004	<u>104</u>	Deposition of KRISTINA S. HOWARD taken for plaintiff. (jlm) (Entered: 07/08/2004)
07/08/2004	<u>105</u>	Deposition of PEGGY A. ENKLER taken for plaintiff (jlm) (Entered: 07/08/2004)
07/08/2004	<u>106</u>	Deposition of MORRY L. ROTENBERG taken for plaintiff (jlm) (Entered: 07/08/2004)
07/08/2004	<u>107</u>	Deposition of DAVID F. OGDEN taken for plaintiff (jlm) (Entered: 07/08/2004)
08/27/2004	<u>108</u>	NOTICE Of Filing original discovery (Exhibits to Lisa Smith Mauldin Deposition) by dft Wal-Mart Stores, Inc. (jlm) (Entered: 08/31/2004)
09/28/2004	<u>109</u>	ORDER DENYING pla's <u>83</u> Motion to Strike two of dft's four expert reports. Signed by Judge Julie E. Carnes on 9/28/04. (jlm) (Entered: 09/29/2004)
10/20/2004	<u>110</u>	Request for Leave of Absence from 10/25/2004 to 10/29/2004 by Antonia-Anna R. Palmer. (to JEC) (jlm) (Entered: 10/20/2004)

11/05/2004	<u>111</u>	Notice for Leave of Absence from 10/25/2004 to 10/29/2004 by Antonia–Anna R. PalmerAPPROVED. (kb) (Entered: 11/05/2004)
02/28/2005	<u>112</u>	APPROVAL of Notice for Leave of Absence from 2/14/2005 to 2/18/2005 by Antonia–Anna R. Palmer. (Attachments: # <u>1</u> Notice of LOA)(kb) (Entered: 02/28/2005)
02/28/2005	<u>113</u>	APPROVAL of Notice for Leave of Absence from 4/21/2005 to 5/3/2005 by Allen William Groves. (Attachments: # <u>1</u> Notice of LOA)(kb) (Entered: 02/28/2005)
06/26/2005		Submission of <u>89</u> Motion for Summary Judgment, submitted to District Judge Julie E. Carnes. (vh) (Entered: 09/30/2005)
06/26/2005		Submission of <u>92</u> Motion for Summary Judgment, submitted to District Judge Julie E. Carnes. (vh) (Entered: 09/30/2005)
08/31/2005	<u>114</u>	NOTICE Of Manual Filing Motion to Re–Open Discovery (under seal) by Wal–Mart Stores, Inc. (ddm) (Entered: 09/13/2005)
08/31/2005	<u>115</u>	MOTION to File Documents Under Seal by Wal–Mart Stores, Inc. (ddm) (Entered: 09/13/2005)
08/31/2005	117	MOTION to Re–Open Discovery by Wal–Mart Stores, Inc. (FILED UNDER SEAL) (ddm) (Entered: 09/13/2005)
09/01/2005	<u>116</u>	ORDER granting <u>115</u> Motion to File Documents Under Seal. Signed by Judge Julie E. Carnes on 9/1/05. (ddm) (Entered: 09/13/2005)
09/12/2005	<u>118</u>	NOTICE Of Manual Filing of Consent Order Extending Time (filed under seal) by Lisa Smith Mauldin. (ddm) (Entered: 09/13/2005)
09/12/2005	<u>119</u>	MOTION to File Documents Under Seal by Lisa Smith Mauldin. (Attachments: # <u>1</u> Proposed Order)(ddm) (Entered: 09/13/2005)
09/12/2005	120	PROPOSED CONSENT ORDER Extending Time to Respond to 117 MOTION to Re–Open Discovery. (FILED UNDER SEAL) (TO JEC) (ddm) (Entered: 09/13/2005)
09/20/2005	<u>121</u>	ORDER granting <u>119</u> Motion for to file Documents Under Seal and allowing Plaintiff to file her Consent Order Extending Time under seal. Signed by Judge Julie E. Carnes on 9/20/05. (ddm) (Entered: 09/20/2005)
09/20/2005	122	CONSENT ORDER allowing Plaintiff an extension of time through and including October 19, 2005 within which to respond to Defendant's 117 Motion to Reopen Discovery. Signed by Judge Julie E. Carnes on 9/20/05. (FILED UNDER SEAL)(ddm) (Entered: 09/20/2005)
09/30/2005	<u>123</u>	ORDER denying without prejudice <u>89</u> Plaintiff's Motion for Summary Judgment and denying without prejudice <u>92</u> Defendant's Cross–Motion Motion for Summary Judgment. These motions will be reactivated, in their present form, at an appropriate time after the Court has received all briefing on the motion to reopen discovery. Signed by Judge Julie E. Carnes on 9/30/05. (ddm) (Entered: 09/30/2005)
10/19/2005	<u>124</u>	NOTICE of Appearance by John Chapman Bell, Jr on behalf of Lisa Smith Mauldin (Bell, John) (Entered: 10/19/2005)
10/19/2005	<u>125</u>	First MOTION for Extension of Time file response to motion to re–open discovery by Lisa Smith Mauldin. (Attachments: # <u>1</u> Text of Proposed Order)(Bell, John) (Entered: 10/19/2005)
10/25/2005	<u>126</u>	First MOTION to Seal <i>file documents under seal</i> by Lisa Smith Mauldin. (Attachments: # <u>1</u> Text of Proposed Order)(Bell, John) (Entered: 10/25/2005)
10/25/2005	<u>127</u>	NOTICE by Lisa Smith Mauldin of <i>Manual Filing</i> (Bell, John) (Entered: 10/25/2005)
10/25/2005	128	RESPONSE in Opposition to 117 MOTION for Discovery filed by Lisa Smith Mauldin. (FILED UNDER SEAL) (ddm) (Entered: 10/26/2005)

11/14/2005	<u>129</u>	DOCUMENT FILED IN ERROR First MOTION to Dismiss <i>and Decertify the Class</i> with Brief In Support by Wal-Mart Stores, Inc.. (Attachments: # <u>1</u> Brief Memorandum In Support of Motion to Decertify the Class and to Dismiss, or Alternatively Reply in Support of Motion to Reopen Discovery# <u>2</u> Text of Proposed Order Proposed Order to Defendant's Motion to Decertify the Class and to Dismiss)(Palmer, Antonia-Anna) Modified on 11/15/2005 to correct attorney e-filing as attorney incorrectly e-filed multi-part motion. Pleading has been redocketed at pleading <u>131</u> . (ddm). (Entered: 11/14/2005)
11/14/2005	<u>130</u>	First MOTION to Unseal Document <u>125</u> First MOTION for Extension of Time file response to motion to re-open discovery filed by Lisa Smith Mauldin,, 117 MOTION for Discovery filed by Wal-Mart Stores, Inc.,, 128 Response in Opposition to Motion filed by Lisa Smith Mauldin, by Wal-Mart Stores, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Defendant's Proposed Order to Unseal Documents)(Palmer, Antonia-Anna) (Entered: 11/14/2005)
11/14/2005	<u>131</u>	REDOCKETED AS MOTION to Decertify the Class and MOTION to Dismiss by Wal-Mart Stores, Inc. (Attachments: # <u>1</u> Brief in Support# <u>2</u> Text of Proposed Order)(ddm) (Entered: 11/15/2005)
11/15/2005		Notification of Docket Correction regarding <u>129</u> First MOTION to Dismiss <i>and Decertify the Class</i> – this motion was incorrectly e-filed by attorney – the motion has been terminated and redocketed at <u>131</u> MOTION to Dismiss and MOTION to Decertify the Class. (ddm) (Entered: 11/15/2005)
11/18/2005		Submission of <u>125</u> First MOTION for Extension of Time file response to motion to re-open discovery, submitted to District Judge Julie E. Carnes. (File in Chambers) (ddm) (Entered: 11/18/2005)
11/21/2005		Submission of <u>126</u> First MOTION to Seal <i>file documents under seal</i> , submitted to District Judge Julie E. Carnes. (File in Chambers) (ddm) (Entered: 11/21/2005)
12/02/2005	<u>132</u>	RESPONSE in Opposition re <u>130</u> First MOTION to Unseal Document <u>125</u> First MOTION for Extension of Time file response to motion to re-open discovery filed by Lisa Smith Mauldin,, 117 MOTION for Discovery filed by Wal-Mart Stores, Inc.,, 128 Response in Opposition to Motion filed <u>130</u> filed by Lisa Smith Mauldin. (Attachments: # <u>1</u> Certificate of service)(Bell, John) (Entered: 12/02/2005)
12/02/2005	<u>133</u>	RESPONSE in Opposition re <u>131</u> MOTION to DismissMOTION to Decertify the Class filed by Lisa Smith Mauldin. (Attachments: # <u>1</u> Certificate of service)(Bell, John) (Entered: 12/02/2005)
12/06/2005		Submission of <u>130</u> First MOTION to Unseal Documents, <u>131</u> MOTION to Dismiss and MOTION to Decertify the Class, submitted to District Judge Julie E. Carnes. (File in Chambers) (ddm) (Entered: 12/06/2005)
03/21/2006	<u>134</u>	ORDER denying 117 Defendant's Motion to Re-Open Discovery, denying <u>131</u> Defendant's Motion to Decertify the Class and Motion to Dismiss, and granting <u>130</u> Defendant's Motion to Unseal Documents. Plaintiffs' attorneys should file a motion identifying an adequate class representative by Monday, May 8, 2006. Failure to do so will result in dismissal. In the motion to substitute, the Court requests that Plaintiffs' attorneys address the specific argument in Defendant's Motion to Dismiss concerning the necessity of filing an EEOC class charge. As there is currently no Plaintiff in this case, the Court cannot act on the previously filed motions for summary judgment. Accordingly, the Court administratively terminates this action, which should be reopened upon the filing by the Plaintiff of the above described motion. Signed by Judge Julie E. Carnes on 3/21/06. (ddm) (Entered: 03/22/2006)
03/21/2006		Civil Case Terminated. (ddm) (Entered: 03/22/2006)
05/08/2006	<u>135</u>	First MOTION to Substitute Party <i>Lisa Mauldin with</i> Wendy Dermady and Le Ennis with Brief In Support by Lisa Smith Mauldin. (Attachments: # <u>1</u> Brief # <u>2</u> Text of Proposed Order)(Pollack, Janine) Modified on 5/9/2006 to correct docket text and describe attachments (ddm). (Entered: 05/08/2006)

05/17/2006	<u>136</u>	PROPOSED CONSENT ORDER Consent Order Extending Time for Defendant to Respond to Plaintiff's Motion to Withdraw and Substitute Named Plaintiffs and Proposed Class Representatives. (Palmer, Antonia–Anna) (Entered: 05/17/2006)
05/24/2006	<u>137</u>	CONSENT ORDER extending time through June 6, 2006 for Defendant to respond to <u>135</u> Plaintiff's First MOTION to Substitute Party <i>Lisa Mauldin with Wendy Dermady and Le Ennis</i> . Signed by Judge Julie E. Carnes on 5/24/06. (ddm) (Entered: 05/24/2006)
06/06/2006	<u>138</u>	RESPONSE in Opposition re <u>135</u> First MOTION to Substitute Party <i>Lisa Mauldin with Wendy Dermady and Le Ennis</i> filed by Wal–Mart Stores, Inc. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2, The Indictment, Part 1 # <u>3</u> Exhibit 2, The Indictment, Part 2 # <u>4</u> Exhibit 2, The Indictment, Part 3 # <u>5</u> Exhibit 3, The Complaint, Part 1 # <u>6</u> Exhibit 3, The Complaint, Part 2 # <u>7</u> Exhibit 4 # <u>8</u> Exhibit 5 # <u>9</u> Exhibit 6 # <u>10</u> Exhibit 7 # <u>11</u> Exhibit 8)(Palmer, Antonia–Anna) Modified on 6/7/2006 to describe attachments (ddm). (Entered: 06/06/2006)
06/20/2006	<u>139</u>	PROPOSED CONSENT ORDER Consent order extending time for proposed named plaintiffs to respond to def.'s opposition to plaintiff's motion to withdraw and substitute named plaintiffs and proposed class representatives. (Pollack, Janine) (Entered: 06/20/2006)
06/23/2006	<u>140</u>	ORDER extending time through and including July 13, 2006 in which Plaintiffs may reply to Defendant's Opposition to Plaintiff's Motion to Withdraw and Substitute Named Plaintiffs and Proposed Class Representatives. Signed by Judge Julie E. Carnes on 6/22/06. (ddm) (Entered: 06/23/2006)
06/29/2006	<u>141</u>	NOTICE Of Manual Filing Notice of Withdrawal and Substitution of Counsel by Wal–Mart Stores, Inc. (attorney is awaiting CM/ECF login and password) (ddm) (Entered: 06/30/2006)
06/29/2006	<u>142</u>	Certification of Consent to Substitution of Counsel for Wal–Mart Stores, Inc. Erika C. Birg for Wal–Mart Stores, Inc. replacing attorney Allen William Groves. (ddm) (Entered: 06/30/2006)
07/12/2006	<u>143</u>	PROPOSED CONSENT ORDER extending page limit to propose named plaintiff to respond to defendant's opposition to plaintiffs motion to withdraw and substitute named plaintiff and proposed class representatives. (Pollack, Janine) (Entered: 07/12/2006)
07/13/2006	<u>144</u>	NOTICE of Appearance by Lisa Fivars Harper on behalf of Lisa Smith Mauldin (Harper, Lisa) (Entered: 07/13/2006)
07/13/2006	<u>145</u>	REPLY BRIEF in further support of <u>135</u> First MOTION to Substitute Party <i>Lisa Mauldin with Wendy Dermady and Le Ennis</i> filed by Lisa Smith Mauldin. (Attachments: # <u>1</u> attachment# <u>2</u> attachment)(Pollack, Janine) Modified on 7/14/2006 to remove duplicative language (ddm) (Entered: 07/13/2006)
07/14/2006	<u>146</u>	<i>Notice of Filing of the Declaration of Wendy Dermady</i> in further support of <u>145</u> Reply Brief filed by Lisa Smith Mauldin. (Attachments: # <u>1</u> attachment re declaration of wendy dermady)(Pollack, Janine) Modified on 7/17/2006 to correct docket text (ddm) (Entered: 07/14/2006)
07/17/2006	<u>147</u>	CONSENT ORDER extending page limit to 20 pages for Proposed Named Plaintiffs to Respond to Defendant's Opposition to Plaintiff's <u>135</u> Motion to Withdraw and Substitute Named Plaintiffs and Proposed Class Representatives. Signed by Judge Julie E. Carnes on 7/17/06. (ddm) (Entered: 07/18/2006)
07/21/2006	<u>148</u>	MOTION for Leave to File Motion <i>Sur–Reply</i> with Brief In Support by Wal–Mart Stores, Inc.. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Surreply)(Palmer, Antonia–Anna) Modified on 7/24/2006 to describe attachments (ddm) (Entered: 07/21/2006)
09/01/2006		Submission of <u>135</u> First MOTION to Substitute Party <i>Lisa Mauldin with Wendy Dermady and Le Ennis</i> , <u>148</u> MOTION for Leave to File Motion <i>Sur–Reply</i> , submitted to District Judge Julie E. Carnes. (ddm) (Entered: 09/01/2006)

11/22/2006	<u>149</u>	ORDER and OPINION DENYING without prejudice <u>135</u> Plaintiff's Motion to Withdraw and Substitute Named Plaintiffs and Proposed Class Representatives pending Defendant's requested discovery and GRANTING <u>148</u> Defendant's Motion for Leave to File Surreply. Signed by Judge Julie E. Carnes on 11/22/06. (ddm) (Entered: 11/22/2006)
11/22/2006	<u>150</u>	SURREPLY in Opposition to <u>135</u> Plaintiff's to Withdraw and Substitute Named Plaintiffs and Proposed Class Representatives filed by Wal-Mart Stores, Inc. (ddm) (Entered: 11/22/2006)
12/08/2006	<u>151</u>	MOTION to Dismiss <i>Motion for Voluntary Dismissal</i> by Lisa Smith Mauldin. (Attachments: # <u>1</u> Affidavit affidavit of Mark Casciari# <u>2</u> Affidavit Affidavit of Janine L. Pollack)(Pollack, Janine) (Entered: 12/08/2006)
12/11/2006	<u>152</u>	CONSENT MOTION to Stay <i>Discovery Deadline</i> re <u>149</u> Order with Brief In Support by Lisa Smith Mauldin. (Pollack, Janine) Modified on 12/11/2006 to remove capitalization within text (ddm). (Entered: 12/11/2006)
12/19/2006	<u>153</u>	NOTICE of Appearance by Charles L. Bachman, Jr on behalf of Wal-Mart Stores, Inc. (Bachman, Charles) (Entered: 12/19/2006)
12/20/2006	<u>154</u>	ORDER granting <u>151</u> Plaintiff's Unopposed Motion for Voluntary Dismissal. Each party shall bear its own costs and attorney's fees. Signed by Judge Julie E. Carnes on 12/20/06. (ddm) (Entered: 12/21/2006)
12/21/2006	<u>155</u>	Request for Leave of Absence for the following date(s): 12/28/06 to 1/7/07, by Lisa Fivars Harper. (kb) (Entered: 01/02/2007)
01/02/2007		MINUTE ORDER (by docket entry only) APPROVING re <u>155</u> Leave of Absence of Lisa F. Haper for the period of 12/28/06 to 1/7/07, by direction of the Court on 01/02/07. Counsel is expected to comply timely with discovery obligations. Further, should any pleading become due during this period, counsel will be required to file a motion for extension of time as to that particular pleading, should counsel wish any extension.(kb) (Entered: 01/02/2007)