

**General Docket
Seventh Circuit Court of Appeals**

Court of Appeals Docket #: 09-3637 **Docketed:** 10/27/2009
Nature of Suit: 3791 Employee Retirement
Fred Donaldson, et al v. Monsanto Company Pension Plan, et al
Appeal From: Southern District of Illinois
Fee Status: Paid

Case Type Information:

- 1) civil
- 2) private
- 3) -

Originating Court Information:

District: 0754-3 : [3:04-cv-00436-JPG-PMF](#)
Court Reporter: Jane McCorkle, Court Reporter
Trial Judge: J. Phil Gilbert, District Court Judge
Date Filed: 06/23/2004
Date Order/Judgment: 09/29/2009 **Date NOA Filed:** 10/27/2009

Prior Cases:

None

Current Cases:

None

FRED DONALDSON, individually and on
behalf of all other similarly situated
Plaintiff - Appellant

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[COR LD NTC Retained]
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Plaintiff - Appellant

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Plaintiff - Appellant

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v.

MONSANTO COMPANY PENSION PLAN
Defendant - Appellee

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SOLUTIA INCORPORATED EMPLOYEES
PENSION PLAN
Defendant - Appellee

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PHARMACIA CASH BALANCE PENSION
PLAN
Defendant - Appellee

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[NTC Retained]
(see above)

GRANT M. WALKER, individually and on behalf of all other similarly situated, et al.,
Plaintiffs - Appellants

v.

MONSANTO COMPANY PENSION PLAN, et al.,
Defendants - Appellees

GLYNN DAVIS, individually and on behalf of all other similarly situated, et al.,
Plaintiffs - Appellants

v.

SOLUTIA INCORPORATED EMPLOYEES PENSION PLAN,
Defendant - Appellee

FRED DONALDSON, individually and on behalf of all other similarly situated, et al.,
Plaintiffs - Appellants

v.

PHARMACIA CASH BALANCE PENSION PLAN, et al.,
Defendants - Appellees

- | | | | |
|------------|--------------------------|---------------------------------------|--|
| 10/27/2009 | <input type="checkbox"/> | 1
90 pg, 713.14 KB | Private civil case docketed. Fee paid. Docketing statement filed. Transcript information sheet due by 11/10/2009. Appellant's brief due on or before 12/07/2009 for Glynn Davis, Fred Donaldson and Grant M. Walker. [1] [09-3637] |
| 10/27/2009 | <input type="checkbox"/> | | THIS CAUSE CONSISTS OF MORE THAN 3 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes:
APPELLEES: Monsanto Company, Pharmacia Corporation, Pharamacia and Upjohn Company and Pfizer Incorporated.
[6171594][6171594-1] [09-3637] |
| 10/27/2009 | <input type="checkbox"/> | | THIS CAUSE CONSISTS OF MORE THAN 3 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the |

Appellate docket/caption for administrative purposes:
APPELLANTS: Edward Zeringue, Richard W. Drake, Eugene Forneris Juanita Hammond, Albert Walker III, Mary Clawson, Sandra Bellon, Audrey Sokoloski and Carol Thomas.
[6171591][6171591-1] [09-3637]

11/05/2009 [2](#)
1 pg, 62.53 KB

Disclosure Statement filed by Attorney Norman E. Siegel for Appellant Grant M. Walker. [6173928][2] [09-3637]

11/06/2009 [3](#)
1 pg, 54.7 KB

Disclosure Statement filed by Attorney Neal F. Perryman for Appellee Solutia Incorporated Employees Pension Plan. [6174271][3] [09-3637]

11/09/2009 [6](#)
1 pg, 57.74 KB

Disclosure Statement filed by Attorney Carol Connor Cohen for Appellee Monsanto Company Pension Plan. [6174906][6] [09-3637]

11/10/2009 [4](#)
3 pg, 55.45 KB

Notification of Circuit Rule 33 conference issued. The conference will be conducted by phone, Wednesday, December 2, 2009 at 2:00 p.m. JNS. [4] [09-3637]

11/10/2009 [5](#)
2 pg, 83.43 KB

ORDER: Pursuant to Circuit Rule 33, briefing will proceed as follows: Appellants' brief due on or before 01/04/2109 for Glynn Davis, Fred Donaldson and Grant M. Walker. Appellees' brief due on or before 02/03/2010 for Monsanto Company Pension Plan, Pharmacia Cash Balance Pension Plan and Solutia Incorporated Employees Pension Plan. Appellants' reply brief, if any, is due on or before 02/17/2010 for Appellant Glynn Davis, Appellant Fred Donaldson and Appellant Grant M. Walker [5] JNS [09-3637]

11/13/2009 [7](#)
1 pg, 58.18 KB

Attorney Anne E. Rea for Pharmacia Cash Balance Pension Plan in 09-3637 terminated and added Attorney(s) Robert N. Hochman for party(s) Appellee Pharmacia Cash Balance Pension Plan, in case 09-3637 per disclosure statement. Disclosure statement filed by Attorney(s) Robert N. Hochman for party(s) Appellee Pharmacia Cash Balance Pension Plan, in case 09-3637. [09-3637]

12/03/2009 [8](#)
2 pg, 83.61 KB

ORDER: Pursuant to Circuit Rule 33, briefing will proceed as follows: Appellant's brief due on or before 01/11/2010 for Glynn Davis, Fred Donaldson and Grant M. Walker. Appellee's brief due on or before 03/12/2010 for Monsanto Company Pension Plan, Pharmacia Cash Balance Pension Plan and Solutia Incorporated Employees Pension Plan. Appellant's reply brief, if any, is due on or before 04/12/2010 for Appellant Glynn Davis, Appellant Fred Donaldson and Appellant Grant M. Walker. [8] JNS [09-3637]

01/12/2010 [9](#)
43 pg, 117.29 KB

15 copies Appellant's brief filed by Appellants Glynn Davis, Fred Donaldson and Grant M. Walker. [6189517] [9] Electronically Transmitted. [09-3637]

01/12/2010	<input type="checkbox"/>	10	Filed 10 copies Appendix by Appellants Glynn Davis, Fred Donaldson and Grant M. Walker. [6189519] [09-3637]
03/12/2010	<input type="checkbox"/>	11 3 pg, 87.52 KB	Brief deficiency letter sent to Appellees Monsanto Company Pension Plan, Pharmacia Cash Balance Pension Plan and Solutia Incorporated Employees Pension Plan. [6205096] [09-3637]
03/12/2010	<input type="checkbox"/>	12 64 pg, 233.81 KB	15 copies Appellee's brief filed by Appellees Monsanto Company Pension Plan, Pharmacia Cash Balance Pension Plan and Solutia Incorporated Employees Pension Plan. [6205477] [12] Electronically Transmitted. [09-3637]
03/25/2010	<input type="checkbox"/>	13 2 pg, 82.71 KB	Argument set for Tuesday, April 20, 2010, at 9:30 a.m. in the Main Courtroom, Room 2721. Each side limited to 20 minutes. [09-3637]
03/30/2010	<input type="checkbox"/>	14 4059 pg, 135.04 MB	Original record on appeal filed electronically. Contents of record : 20 vol. of pleadings. [14] [09-3637]
03/30/2010	<input type="checkbox"/>	15 1961 pg, 63.88 MB	Original record on appeal filed electronically. Contents of record : 11 vol. of pleadings. [15] [09-3637]
03/30/2010	<input type="checkbox"/>	16 19 pg, 753.99 KB	Original record on appeal filed electronically. Contents of record : 19 sealed documents. [16] [09-3637]
03/30/2010	<input type="checkbox"/>	17	Filed electronic transcript of proceedings held on 5/6/09. [17] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [09-3637]
03/30/2010	<input type="checkbox"/>	18	Original paper record on appeal filed. Contents of record : 1 vol. of transcripts; 2 vol. of exhibits. [18] [09-3637]
03/31/2010	<input type="checkbox"/>	19 2 pg, 82.02 KB	ORDER: This Court has received 19 envelopes under seal from the district court. All documents filed in this Court, except those required to be sealed by statute or rule are considered public. Pursuant to 7th Circuit Operating Procedure 10(b), documents sealed in the district court will be maintained under seal in this Court for 14 days, to afford time to request the approval required by section (a) of this operating procedure. Absent a motion from a party these sealed documents will be placed in the public record on 04/15/2010. Motion shall be filed by 04/14/2010 [09-3637]
04/09/2010	<input type="checkbox"/>		Received argument confirmation per argument card for Attorney Norman E. Siegel for Appellant Grant M. Walker. [6212156-1] [09-3637]
04/13/2010	<input type="checkbox"/>	20 35 pg, 103.14 KB	15 copies Appellant's reply brief filed by Appellants Glynn Davis, Fred Donaldson and Grant M. Walker. DIST. [6213135] [20] Electronically Transmitted. [09-3637]--[Edited 04/13/2010 by JIR]

04/14/2010	<input type="checkbox"/>	21 1 pg, 59.27 KB	Disclosure Statement filed by Attorney Mark B. Blocker for Appellee Pharmacia Cash Balance Pension Plan, (Pharmacia Corporation; Pharmacia & Upjohn LLC; Pfizer Inc). [21] [09-3637]
04/14/2010	<input type="checkbox"/>	22 5 pg, 179.93 KB	Motion filed by Appellees Monsanto Company Pension Plan, Pharmacia Cash Balance Pension Plan and Solutia Incorporated Employees Pension Plan to exclude sealed documents from the appellate record and return them to the district court. [22] [09-3637]
04/16/2010	<input type="checkbox"/>	23 2 pg, 85.69 KB	Order issued GRANTING motion to seal the record on appeal . The clerk of this court shall return the 19 sealed documents in this appeal to the district court to be maintained under seal in that court. [22] SCR [23] [09-3637]
04/19/2010	<input type="checkbox"/>		Received argument confirmation per argument card for. Mark B. Blocker for Solutia Incorporated Employees Pension Plan Pharmacia Cash Balance Pension Plan Monsanto Company Pension Plan, in case 09-3637 [6214295-1] [09-3637]
04/20/2010	<input type="checkbox"/>	24	Case heard and taken under advisement by panel: William J. Bauer, Circuit Judge; Joel M. Flaum, Circuit Judge and Terence T. Evans, Circuit Judge. [6214946] [09-3637]
04/20/2010	<input type="checkbox"/>	25	Case argued by Norman E. Siegel for Appellant Grant M. Walker and Mr. Mark B. Blocker for Appellees Monsanto Company Pension Plan, Solutia Incorporated Employees Pension Plan and Pharmacia Cash Balance Pension Plan. [6214947] [09-3637]