

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:07-cv-10949-NG**

Turnley et al v. Banc of America Investment Services, INC., et al  
Assigned to: Judge Nancy Gertner  
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 05/18/2007  
Date Terminated: 01/14/2009  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Richard Turnley, III**  
*on behalf of themselves and all others  
similarly situated*

represented by **Deval R. Karina Zaveri**  
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**Plaintiff**

**Baron H.C. Finlayson**  
*on behalf of themselves and all others  
similarly situated*

represented by **Deval R. Karina Zaveri**  
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**Matthew P. Jubenville**  
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**Niki L. Mendoza**  
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**Steven B. Singer**  
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*LEAD ATTORNEY*  
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**Major Khan**  
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*PRO HAC VICE*

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**Plaintiff**

**Coleen Alecia Hinds**  
*on behalf of themselves and all others  
similarly situated*

represented by **Deval R. Karina Zaveri**  
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**Plaintiff**

**Mark Anthony Brown**  
*on behalf of themselves and all others  
similarly situated*

represented by **Deval R. Karina Zaveri**  
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**Major Khan**  
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**Plaintiff**

**Timothy Johnson, II**  
*on behalf of themselves and all others*  
*similarly situated*

represented by **Deval R. Karina Zaveri**  
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**Major Khan**  
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**Plaintiff**

**Khairi Dwayne Rahman**  
*on behalf of themselves and all others*  
*similarly situated*

represented by **Matthew P. Jubenville**  
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**Plaintiff**

**Rahmel Hobbs**  
*on behalf of themselves and all others  
similarly situated*

represented by **Major Khan**  
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**Steven B. Singer**  
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**Plaintiff**

**Terry M. Gravely**  
*on behalf of themselves and all others  
similarly situated*

represented by **Major Khan**  
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**Steven B. Singer**  
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V.

**Defendant**

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**Defendant****Bank of America,N.A.**

represented by **Eric H. Holder , Jr.**  
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**Jeffrey G. Huvelle**  
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**Thomas S. Williamson , Jr.**  
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**Frances S. Cohen**  
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**Jennifer L. Holden**  
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**Sarah G. Kim**  
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**Siobhan E. Mee**  
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Date Filed	#	Docket Text
05/18/2007	<u>1</u>	COMPLAINT against Banc of America Investment Services, INC., Bank of America,N.A., filed by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Civil Cover Sheet)(Johnson, Jay) (Entered: 05/18/2007)
05/18/2007		ELECTRONIC NOTICE of Case Assignment. Judge Nancy Gertner assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler (Johnson, Jay) (Entered: 05/18/2007)
05/18/2007		Summons Issued as to Banc of America Investment Services, INC., Bank of America,N.A.. (Johnson, Jay) (Entered: 05/18/2007)

05/21/2007		Filing fee: \$ 350.00, receipt number 80208 for <u>1</u> Complaint, (Diskes, Sheila) (Entered: 05/21/2007)
06/13/2007	<u>2</u>	NOTICE of Appearance by Frances S. Cohen on behalf of Banc of America Investment Services, INC.,, Bank of America,N.A. (Cohen, Frances) (Entered: 06/13/2007)
06/20/2007	<u>3</u>	MOTION for Extension of Time to 8/20/07 to To answer or otherwise respond to the complaint by Banc of America Investment Services, INC.,, Bank of America,N.A..(Cohen, Frances) (Entered: 06/20/2007)
06/20/2007	<u>4</u>	CORPORATE DISCLOSURE STATEMENT by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Cohen, Frances) (Entered: 06/20/2007)
06/20/2007	<u>5</u>	NOTICE of Appearance by Louis A. Rodriques on behalf of Banc of America Investment Services, INC.,, Bank of America,N.A. (Rodriques, Louis) (Entered: 06/20/2007)
06/22/2007	<u>6</u>	RESPONSE to Motion re <u>3</u> MOTION for Extension of Time to 8/20/07 to To answer or otherwise respond to the complaint filed by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 06/22/2007)
06/27/2007		Judge Nancy Gertner : Electronic ORDER entered granting <u>3</u> Motion for Extension of Time to 8/20/07 to To answer or otherwise respond to the complaint by Banc of America Investment Services, INC.,, Bank of America,N.A. (Filo, Jennifer) (Entered: 06/27/2007)
07/03/2007	<u>7</u>	NOTICE of Appearance by Ralph C. Martin II on behalf of Banc of America Investment Services, INC.,, Bank of America,N.A. (Martin II, Ralph) (Entered: 07/03/2007)
08/06/2007	<u>8</u>	NOTICE of Appearance by Michael C. Moran on behalf of Banc of America Investment Services, INC.,, Bank of America,N.A. (Moran, Michael) (Entered: 08/06/2007)
08/06/2007	<u>9</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Eric H. Holder, Jr. Filing fee \$ 50, receipt number 1619005. by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Attachments: # <u>1</u> Affidavit)(Moran, Michael) (Entered: 08/06/2007)
08/06/2007	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Jeffrey G. Huvelle by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Attachments: # <u>1</u> Affidavit)(Moran, Michael) (Entered: 08/06/2007)
08/06/2007	<u>11</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Thomas S. Williamson, Jr. by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Attachments: # <u>1</u> Affidavit)(Moran, Michael) (Entered: 08/06/2007)
08/06/2007		Filing fee: \$ 100.00, receipt number 81611 for <u>10</u> MOTION for Leave to Appear Pro Hac Vice for admission of Jeffrey G. Huvelle, <u>11</u> MOTION for Leave to Appear Pro Hac Vice for admission of Thomas S. Williamson, Jr. (Gaudet, Jennifer) (Entered: 08/09/2007)
08/09/2007		Judge Nancy Gertner: Electronic ORDER entered granting <u>9</u> Motion for Leave to Appear Pro Hac Vice. Added Eric H. Holder, Jr for Banc of America Investment Services, INC., and Bank of America,N.A.; granting <u>10</u> Motion for Leave to Appear Pro Hac Vice. Added Jeffrey G. Huvelle for Banc of America Investment Services, INC.; granting <u>11</u> Motion for Leave to Appear Pro Hac Vice. Added Thomas S. Williamson, Jr for Banc of America Investment Services, INC., Bank of America,N.A. (Gaudet, Jennifer) (Entered: 08/09/2007)
08/09/2007	<u>12</u>	NOTICE issued to Attorney Eric H. Holder, Jr., Jeffrey G. Huvelle and Thomas S. Williamson, Jr. regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Gaudet, Jennifer) (Entered: 08/09/2007)



08/20/2007	<u>13</u>	ANSWER to Complaint by Banc of America Investment Services, INC., Bank of America,N.A..(Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>14</u>	MOTION to Dismiss <i>Count II of Plaintiffs' Complaint</i> by Banc of America Investment Services, INC., Bank of America,N.A..(Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>15</u>	MEMORANDUM in Support re <u>14</u> MOTION to Dismiss <i>Count II of Plaintiffs' Complaint</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>16</u>	MOTION to Transfer Case by Banc of America Investment Services, INC., Bank of America,N.A..(Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>17</u>	MEMORANDUM in Support re <u>16</u> MOTION to Transfer Case filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>18</u>	DECLARATION re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case <i>Declaration of Lori McCarthy Lopez</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>19</u>	DECLARATION re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case <i>Declaration of Susan H. Walker</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>20</u>	DECLARATION re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case <i>Declaration of Jeffrey G. Huvelle</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>21</u>	DECLARATION re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case <i>Declaration of Joseph W. Carrington</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>22</u>	DECLARATION re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case <i>Declaration of Nancy A. Thigpen</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 08/20/2007)
08/20/2007	<u>23</u>	AFFIDAVIT of Frances S. Cohen re <u>17</u> Memorandum in Support of Motion, <u>16</u> MOTION to Transfer Case, <u>14</u> MOTION to Dismiss <i>Count II of Plaintiffs' Complaint</i> , <u>15</u> Memorandum in Support of Motion by Banc of America Investment Services, INC., Bank of America,N.A.. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit C# <u>4</u> Exhibit Exhibit D# <u>5</u> Exhibit Exhibit E)(Moran, Michael) (Entered: 08/20/2007)
08/24/2007	<u>24</u>	<i>Defendants' Request for Oral Argument</i> Letter/request (non-motion). (Moran, Michael) (Entered: 08/24/2007)
08/29/2007	<u>25</u>	STIPULATION for <i>Extension of Time</i> by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 08/29/2007)
10/04/2007	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Niki L. Mendoza by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Niki L. Mendoza in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 10/04/2007)
10/04/2007	<u>27</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Steven B. Singer by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Steven B. Singer in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 10/04/2007)
10/10/2007		Filing fee: \$ 100.00, receipt number 82801 for <u>26</u> MOTION for Leave to Appear Pro Hac Vice for admission of Niki L. Mendoza, <u>27</u> MOTION for Leave to Appear Pro Hac Vice for admission of Steven B. Singer (Diskes, Sheila) (Entered: 10/10/2007)

		10/10/2007)
10/10/2007	<u>28</u>	STIPULATION re <u>17</u> Memorandum in Support of Motion, <u>13</u> Answer to Complaint, <u>16</u> MOTION to Transfer Case, <u>14</u> MOTION to Dismiss <i>Count II of Plaintiffs' Complaint</i> , <u>15</u> Memorandum in Support of Motion and ( <i>PROPOSED ORDER</i> ) for Plaintiffs to File a Single Omnibus Memorandum of Law in Opposition to Defendants' Motions to Dismiss and to Transfer Venue by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 10/10/2007)
10/11/2007		Judge Nancy Gertner: ELECTRONIC ENDORSEMENT approving <u>28</u> Stipulation filed by Baron H.C. Finlayson, Timothy Johnson, II, Mark Anthony Brown, Coleen Alecia Hinds, Richard Turnley, III (Gaudet, Jennifer) (Entered: 10/11/2007)
10/15/2007	<u>29</u>	Opposition re <u>16</u> MOTION to Transfer Case, <u>14</u> MOTION to Dismiss <i>Count II of Plaintiffs' Complaint and Request for Oral Argument</i> filed by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 10/15/2007)
10/15/2007	<u>30</u>	DECLARATION OF STEVEN B. SINGER IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS TO TRANSFER VENUE AND TO DISMISS COUNT II OF THE COMPLAINT by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit D# <u>4</u> Exhibit Exhibit E# <u>5</u> Exhibit Exhibit F# <u>6</u> Exhibit Exhibit G# <u>7</u> Exhibit Exhibit H# <u>8</u> Exhibit Exhibit I# <u>9</u> Exhibit Exhibit C)(Messing, Ellen) (Entered: 10/15/2007)
10/15/2007	<u>31</u>	DECLARATION OF ELLEN J. MESSING IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS TO TRANSFER VENUE AND TO DISMISS COUNT II OF THE COMPLAINT by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Messing, Ellen) (Entered: 10/15/2007)
10/15/2007	<u>32</u>	DECLARATION OF BARON H.C. FINLAYSON IN OPPOSITION TO DEFENDANTS' MOTION TO TRANSFER VENUE by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 10/15/2007)
10/15/2007	<u>33</u>	DECLARATION OF TIMOTHY JOHNSON II IN OPPOSITION TO DEFENDANTS' MOTION TO TRANSFER VENUE by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Messing, Ellen) (Entered: 10/15/2007)
10/31/2007		Judge Nancy Gertner: Electronic ORDER entered granting <u>26</u> Motion for Leave to Appear Pro Hac Vice. Added Niki L. Mendoza for Timothy Johnson, II and Richard Turnley, III; granting <u>27</u> Motion for Leave to Appear Pro Hac Vice. Added Steven B. Singer for Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown (Gaudet, Jennifer) (Entered: 10/31/2007)
10/31/2007	<u>34</u>	NOTICE issued to Attorney Niki L. Mendoza regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Gaudet, Jennifer) Additional attachment(s) added on 10/31/2007 (Gaudet, Jennifer). (Entered: 10/31/2007)
11/02/2007	<u>35</u>	MOTION to Stay <i>Discovery</i> by Banc of America Investment Services, INC., Bank of America, N.A..(Moran, Michael) (Entered: 11/02/2007)
11/02/2007	<u>36</u>	AFFIDAVIT in Support re <u>35</u> MOTION to Stay <i>Discovery</i> by Frances S. Cohen. (Attachments: # <u>1</u> Exhibit A)(Moran, Michael) (Entered: 11/02/2007)
11/06/2007	<u>37</u>	NOTICE of Appearance by Niki L. Mendoza on behalf of Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown (Mendoza, Niki) (Entered: 11/06/2007)
11/06/2007	<u>38</u>	NOTICE of Appearance by Steven B. Singer on behalf of Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown (Singer, Steven) (Entered: 11/06/2007)

11/07/2007	<u>39</u>	REPLY to Response to Motion re <u>14</u> MOTION to Dismiss <i>Count II of Plaintiffs' Complaint</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>40</u>	REPLY to Response to Motion re <u>16</u> MOTION to Transfer Case filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>41</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Supplemental Declaration of Jeffrey G. Huvelle</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Attachments: # <u>1</u> Exhibit A)(Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>42</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Supplemental Declaration of Joseph W. Carrington</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>43</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Declaration of Paige Green</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>44</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Declaration of David C. Ellis, Jr.</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>45</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Declaration of Jason Westmoreland</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/07/2007	<u>46</u>	DECLARATION re <u>40</u> Reply to Response to Motion ( <i>Declaration of Robert M. Drozynski</i> ) by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 11/07/2007)
11/12/2007	<u>47</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Jeremy P. Robinson by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Jeremy P. Robinson in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 11/12/2007)
11/12/2007	<u>48</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Deval R. Karina Zaveri by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Deval R. Karina Zaveri in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 11/12/2007)
11/13/2007	<u>49</u>	MOTION for Leave to File <i>Plaintiffs' Motion for Leave to File the [Proposed] First Amended Class Action Complaint</i> by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown.(Singer, Steven) (Entered: 11/13/2007)
11/13/2007	<u>50</u>	MEMORANDUM in Support re <u>49</u> MOTION for Leave to File <i>Plaintiffs' Motion for Leave to File the [Proposed] First Amended Class Action Complaint</i> MOTION for Leave to File <i>Plaintiffs' Motion for Leave to File the [Proposed] First Amended Class Action Complaint</i> filed by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit 1: [Proposed] First Amended Class Action Complaint# <u>2</u> Exhibit 2: Redline version of [Proposed] Amended Complaint)(Singer, Steven) (Entered: 11/13/2007)
11/13/2007		Filing fee: \$ 50.00, receipt number 83483 for <u>48</u> MOTION for Leave to Appear Pro Hac Vice for admission of Deval R. Karina Zaveri (Gaudet, Jennifer) (Entered: 11/16/2007)
11/13/2007		Filing fee: \$ 50.00, receipt number 83482 for <u>47</u> MOTION for Leave to Appear Pro Hac Vice for admission of Jeremy P. Robinson (Gaudet, Jennifer) (Entered: 11/16/2007)

11/16/2007		Judge Nancy Gertner: Electronic ORDER entered granting <u>47</u> Motion for Leave to Appear Pro Hac Vice. Added Jeremy P. Robinson for Timothy Johnson, II and Richard Turnley, III; granting <u>48</u> Motion for Leave to Appear Pro Hac Vice. Added Deval R. Karina Zaveri for Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown (Gaudet, Jennifer) (Entered: 11/16/2007)
11/16/2007	<u>51</u>	NOTICE issued to Attorney Deval R. Karina Zaveri and Jeremy P. Robinson regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Gaudet, Jennifer) (Entered: 11/16/2007)
11/16/2007	<u>52</u>	NOTICE of Scheduling Conference: Scheduling Conference set for 12/17/2007 03:00 PM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 11/16/2007)
11/16/2007	<u>53</u>	MEMORANDUM in Opposition re <u>35</u> MOTION to Stay <i>Discovery Plaintiffs' Opposition to Defendants' Motion to Stay Discovery</i> filed by Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 11/16/2007)
11/27/2007	<u>54</u>	Joint MOTION to Continue scheduling conference to a date during the week of January 7, 2008 by Banc of America Investment Services, INC., Bank of America, N.A. (Cohen, Frances) (Entered: 11/27/2007)
11/27/2007	<u>55</u>	MEMORANDUM in Opposition re <u>49</u> MOTION for Leave to File <i>Plaintiffs' Motion for Leave to File the [Proposed] First Amended Class Action Complaint</i> MOTION for Leave to File <i>Plaintiffs' Motion for Leave to File the [Proposed] First Amended Class Action Complaint as to Motion for Leave to Add Plaintiff</i> filed by Banc of America Investment Services, INC., Bank of America, N.A. (Moran, Michael) (Entered: 11/27/2007)
11/29/2007		Judge Nancy Gertner : Electronic ORDER entered denying <u>35</u> Motion to Stay; granting <u>49</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document.; granting <u>54</u> Motion to Continue; finding as moot <u>14</u> Motion to Dismiss; finding as moot <u>16</u> Motion to Transfer Case (Gertner, Nancy) (Entered: 11/29/2007)
11/29/2007	<u>56</u>	AMENDED COMPLAINT against Banc of America Investment Services, INC., Bank of America, N.A. <i>First Amended Class Action Complaint</i> , filed by Khairi Dwayne Rahman, Timothy Johnson, II, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit A) (Singer, Steven) (Entered: 11/29/2007)
12/03/2007		ELECTRONIC NOTICE OF RESCHEDULING: Scheduling Conference RESET TO 1/29/2008 11:00 AM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 12/03/2007)
12/05/2007		ELECTRONIC NOTICE OF RESCHEDULING: Scheduling Conference reset to 1/30/2008 11:00 AM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 12/05/2007)
12/13/2007	<u>57</u>	STIPULATION <i>FOR EXTENSION OF TIME TO RESPOND TO AMENDED COMPLAINT</i> by Banc of America Investment Services, INC., Bank of America, N.A. (Moran, Michael) (Entered: 12/13/2007)
12/21/2007	<u>58</u>	<i>Defendants' ANSWER to <u>56</u> Amended Complaint</i> , by Banc of America Investment Services, INC., Bank of America, N.A. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>59</u>	MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> , MOTION to Transfer Case ( Responses due by 1/4/2008) by Banc of America Investment Services, INC., Bank of America, N.A. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>60</u>	MEMORANDUM in Support re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case <i>Memorandum in Support of Motion to Dismiss Count II</i> filed by Banc of America Investment Services, INC.,

		Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>61</u>	MEMORANDUM in Support re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case <i>Memorandum in Support of Motion to Dismiss Count III or to Sever and Transfer</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>62</u>	DECLARATION re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case <i>Declaration of Thomas Schwarz</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>63</u>	DECLARATION re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case <i>Declaration of Robert Drozynski</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>64</u>	MOTION for Leave to File Excess Pages <i>For Memorandum in Support of Motion to Transfer Case or to Sever and Transfer Claims</i> by Banc of America Investment Services, INC., Bank of America,N.A..(Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>65</u>	MOTION to Transfer Case <i>or to Sever and Transfer Claims</i> by Banc of America Investment Services, INC., Bank of America,N.A..(Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>66</u>	MEMORANDUM in Support re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>67</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Joseph Carrington</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>68</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Frances Cohen</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>69</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Jeffrey Huvelle</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>70</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Nancy Thigpen</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>71</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Lori McCarthy Lopez</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>72</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Susan Walker</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>73</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims David Ellis</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>74</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Supplemental Declaration of Joseph Carrington</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>75</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Paige Green</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)

12/21/2007	<u>76</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Robert Drozynski</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
12/21/2007	<u>77</u>	DECLARATION re <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Declaration of Jason Westmoreland</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 12/21/2007)
01/04/2008	<u>78</u>	Joint MOTION for Leave to File Excess Pages by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown.(Mendoza, Niki) (Entered: 01/04/2008)
01/07/2008		Judge Nancy Gertner: Electronic ORDER entered withdrawing <u>64</u> Motion for Leave to File Excess Pages; granting <u>78</u> Joint Motion for Leave to File Excess Pages (Gaudet, Jennifer) (Entered: 01/07/2008)
01/11/2008	<u>79</u>	MEMORANDUM in Opposition re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case, <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims Plaintiffs' Omnibus Opposition to Defendants' Renewed Motions to Dismiss and to Transfer Venue</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 01/11/2008)
01/23/2008	<u>80</u>	JOINT STATEMENT re scheduling conference ( <i>Joint Case Management Statement</i> ). (Moran, Michael) (Entered: 01/23/2008)
01/24/2008	<u>81</u>	MOTION for Leave to File <i>Reply Brief</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Attachments: # <u>1</u> Defendants' Omnibus Reply Memorandum in Support of Their Motions to Dismiss and to Transfer Case)(Moran, Michael) (Entered: 01/24/2008)
01/28/2008	<u>82</u>	Letter/request (non-motion) from Frances S. Cohen re: 1/30/2008 case management conference. (Gaudet, Jennifer) (Gaudet, Jennifer). (Entered: 01/28/2008)
01/29/2008	<u>83</u>	Opposition re <u>81</u> MOTION for Leave to File <i>Reply Brief Plaintiffs' Opposition to Defendants' Motion for Leave to File Reply Brief, or in the Alternative, Request for Leave to File Sur-Reply</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit Plaintiffs' Sur-Reply to Defendants' Omnibus Reply Memorandum in Support of Their Motions to Dismiss and to Transfer Case)(Mendoza, Niki) (Entered: 01/29/2008)
01/30/2008		Electronic Clerk's Notes for proceedings held before Judge Nancy Gertner: Scheduling Conference held on 1/30/2008 and Motion Hearing held on 1/30/2008 re <u>59</u> MOTION to Dismiss Count II and Count III or to Sever and Transfer MOTION to Transfer Case filed by Bank of America,N.A., Banc of America Investment Services, INC., <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims</i> filed by <i>Bank of America,N.A., Banc of America Investment Services, INC.....Counsel will file an Amended Joint Statement by 2/8/08; All matter taken under advisement. (Court Reporter: O'Hara.)(Attorneys present: Atty Cohen, Williamson, Hovelle, Rodriguez, Singer, Mendoza, Messing) (Levy, Scott) Modified on 1/30/2008 (Molloy, Maryellen)</i> . (Entered: 01/30/2008)
02/04/2008	<u>84</u>	TRANSCRIPT of Motion Hearing held on January 30, 2008 before Judge Gertner. Court Reporter: Valerie A. O'Hara. The original transcripts are maintained by the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-2346 or the Clerk's Office. (Scalfani, Deborah) (Entered: 02/04/2008)
02/08/2008	<u>85</u>	JOINT STATEMENT re scheduling conference <i>Amended Joint Case Management Statement and [Proposed] Order</i> . (Singer, Steven) (Entered: 02/08/2008)
02/08/2008	<u>86</u>	STIPULATION <i>Joint Stipulation and [Proposed] Protective Order</i> by Timothy Johnson, II, Banc of America Investment Services, INC., Bank of America,N.A., Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 02/08/2008)

02/11/2008		Judge Judge Nancy Gertner: ELECTRONIC ENDORSEMENT adopting <u>85</u> JOINT STATEMENT re scheduling conference. (Gaudet, Jennifer) (Entered: 02/11/2008)
02/11/2008		Judge Judge Nancy Gertner: ELECTRONIC ENDORSEMENT approving <u>86</u> Stipulation, filed by Bank of America,N.A., Khairi Dwayne Rahman, Mark Anthony Brown, Coleen Alecia Hinds, Banc of America Investment Services, INC.,, Baron H.C. Finlayson, Timothy Johnson, II, Richard Turnley, III (Gaudet, Jennifer) (Entered: 02/11/2008)
02/13/2008	<u>87</u>	Letter/request (non-motion) from Steven B. Singer re: Ms. Cohen's es parte letter. (Gaudet, Jennifer) (Entered: 02/13/2008)
02/26/2008	<u>88</u>	MOTION for Leave to File <i>Supplemental Memorandum in Opposition to Defendants' Renewed Motions to Dismiss and to Transfer Venue</i> by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit A: Plaintiffs' Supplemental Memorandum in Opposition to Defendants' Renewed Motions to Dismiss and to Transfer Venue)(Singer, Steven) (Entered: 02/26/2008)
03/05/2008	<u>89</u>	Response by Banc of America Investment Services, INC.,, Bank of America,N.A. to Plaintiffs' Supplemental Memorandum in Opposition to Defendants' Renewed Motions to Dismiss and to Transfer Venue. (Moran, Michael) (Entered: 03/05/2008)
03/06/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>81</u> Motion for Leave to File Reply Brief by Banc of America Investment Services, INC.,, Bank of America,N.A.; granting <u>88</u> Motion for Leave to File Supplemental Memorandum in Opposition to Defendants' Renewed Motions to Dismiss and to Transfer Venue by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Gaudet, Jennifer) (Entered: 03/06/2008)
03/06/2008	<u>90</u>	REPLY to Response to <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case, <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims</i> filed by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Moran, Michael) (Entered: 03/06/2008)
03/06/2008	<u>91</u>	Supplemental MEMORANDUM in Opposition re <u>59</u> MOTION to Dismiss <i>Count II and Count III or to Sever and Transfer</i> MOTION to Transfer Case, <u>65</u> MOTION to Transfer Case <i>or to Sever and Transfer Claims</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 03/06/2008)
03/17/2008		ELECTRONIC NOTICE of Conference: Status Conference set for 9/23/2008 02:30 PM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 03/17/2008)
04/07/2008	<u>92</u>	MOTION for Leave to File <i>the [Proposed] Second Amended Class Action Complaint</i> by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown.(Singer, Steven) (Entered: 04/07/2008)
04/07/2008	<u>93</u>	MEMORANDUM in Support re <u>92</u> MOTION for Leave to File <i>the [Proposed] Second Amended Class Action Complaint</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit 1: [Proposed] Second Amended Complaint, # <u>2</u> Exhibit 2: Redline of [Proposed] Second Amended Complaint)(Singer, Steven) (Entered: 04/07/2008)
04/17/2008	<u>94</u>	Opposition re <u>92</u> MOTION for Leave to File <i>the [Proposed] Second Amended Class Action Complaint</i> filed by Banc of America Investment Services, INC.,, Bank of America,N.A.. (Cohen, Frances) (Entered: 04/17/2008)

05/15/2008	<u>95</u>	NOTICE by Banc of America Investment Services, INC., Bank of America,N.A. re <u>84</u> Transcript, Scheduling Conference, Motion Hearing,,,, <i>Defendants' Report Regarding Discovery Progress</i> (Cohen, Frances) (Entered: 05/15/2008)
05/21/2008	<u>96</u>	NOTICE of Change of Address or Firm Name by Frances S. Cohen (Cohen, Frances) (Entered: 05/21/2008)
05/30/2008	<u>97</u>	MOTION to Amend <i>Case Management Deadlines</i> by Banc of America Investment Services, INC., Bank of America,N.A.. (Attachments: # <u>1</u> Exhibit A)(Cohen, Frances) (Additional attachment(s) added on 6/16/2008: # <u>2</u> Signed Main Document) (Gaudet, Jennifer). (Entered: 05/30/2008)
05/30/2008		Set/Reset Scheduling Order Deadlines: Discovery to be completed by 8/3/2009. Motions due by 2/5/2010. See motion <u>97</u> for details. (Gaudet, Jennifer) (Entered: 07/01/2008)
06/02/2008	<u>98</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Matthew P. Jubenville by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Matthew Jubenville in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 06/02/2008)
06/02/2008		E-Mail Notice originally issued on 6/2/08 returned as undeliverable. Name of Addressee: Deval Karina Zaveri. The ECF Help Desk has contacted the law firm on record, who advised that the attorney is no longer employed by that firm. The attorneys email address has been removed from the database to prevent the return of additional undeliverable email notices. (Hassett, Kathy) (Entered: 06/02/2008)
06/03/2008	<u>99</u>	RESPONSE to Motion re <u>97</u> MOTION to Amend <i>Case Management Deadlines</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit A)(Mendoza, Niki) (Entered: 06/03/2008)
06/04/2008		Filing fee/payment: \$ 50.00, receipt number BST003930 for <u>98</u> MOTION for Leave to Appear Pro Hac Vice for admission of Matthew P. Jubenville (Russo, Patricia) (Entered: 06/04/2008)
06/06/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>98</u> Motion for Leave to Appear Pro Hac Vice; Added Matthew P. Jubenville for Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds and Mark Anthony Brown. <b>Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Forms and then scroll down to CM/ECF Forms.</b> (Gaudet, Jennifer) (Entered: 06/06/2008)
06/06/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>97</u> Motion to Amend Case Management Deadlines. (Gaudet, Jennifer) (Entered: 06/09/2008)
07/18/2008	<u>100</u>	MOTION for Protective Order by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Declaration of Matthew P. Jubenville in Support of Plaintiffs' Motion for Protective Order, # <u>2</u> Exs. A-B, # <u>3</u> Exs. C-D, # <u>4</u> Exs. E-F, # <u>5</u> Exs. G-J, # <u>6</u> Exs. K-N, # <u>7</u> Exs. O-S, # <u>8</u> Exs. T-V, # <u>9</u> Exs. W-Z)(Jubenville, Matthew) (Entered: 07/18/2008)
07/18/2008	<u>101</u>	MOTION to Expedite <i>Plaintiffs' Motion for Protective Order</i> by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown.(Jubenville, Matthew) (Entered: 07/18/2008)
07/24/2008	<u>102</u>	Opposition re <u>101</u> MOTION to Expedite <i>Plaintiffs' Motion for Protective Order</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Cohen, Frances) (Entered: 07/24/2008)
07/24/2008	<u>103</u>	AFFIDAVIT in Support re <u>102</u> Opposition to Motion for Expedited Consideration of Plaintiffs' Motion For Protective Order. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Cohen, Frances) (Entered: 07/24/2008)



07/28/2008	<u>104</u>	MOTION to Amend <u>56</u> Amended Complaint, <i>Plaintiffs' Revised Motion for Leave to File the [Revised Proposed] Second Amended Class Action Complaint</i> by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit 1: [Revised Proposed] Second Amended Class Action Complaint, # <u>2</u> Exhibit 2: Redline Complaint)(Jubenville, Matthew) (Entered: 07/28/2008)
07/29/2008	<u>105</u>	NOTICE of Appearance by Siobhan E. Mee on behalf of Banc of America Investment Services, INC., Bank of America,N.A. (Mee, Siobhan) (Entered: 07/29/2008)
07/29/2008	<u>106</u>	NOTICE of Appearance by Sarah G. Kim on behalf of Banc of America Investment Services, INC., Bank of America,N.A. (Kim, Sarah) (Entered: 07/29/2008)
08/01/2008	<u>107</u>	Opposition re <u>100</u> MOTION for Protective Order filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Cohen, Frances) (Entered: 08/01/2008)
08/01/2008	<u>108</u>	AFFIDAVIT in Support re <u>107</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Cohen, Frances) (Entered: 08/01/2008)
08/11/2008	<u>109</u>	Opposition re <u>104</u> MOTION to Amend <u>56</u> Amended Complaint, <i>Plaintiffs' Revised Motion for Leave to File the [Revised Proposed] Second Amended Class Action Complaint</i> MOTION to Amend <u>56</u> Amended Complaint, <i>Plaintiffs' Revised Motion for Leave to File the [Revised Proposed] Second Amended Class Action Complaint</i> filed by Banc of America Investment Services, INC., Bank of America,N.A.. (Cohen, Frances) (Entered: 08/11/2008)
09/17/2008	<u>110</u>	Sealed Status Conference Statement filed by Plaintiffs. (Attachments: # <u>1</u> Index to Exhibits, # <u>2</u> Exhibits)(Gaudet, Jennifer) (Entered: 09/17/2008)
09/17/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>92</u> Motion for Leave to File Second Amended Class Action Complaint; granting <u>104</u> Revised Motion to Amend <u>56</u> Amended Complaint. (Gaudet, Jennifer) (Entered: 09/17/2008)
09/17/2008		Judge Nancy Gertner: Electronic ORDER entered denying <u>59</u> Motion to Dismiss Count II and Count III or to Sever and Transfer. (Gaudet, Jennifer) (Entered: 09/17/2008)
09/17/2008		Judge Nancy Gertner: Electronic ORDER entered denying <u>65</u> Motion to Transfer Case. (Gaudet, Jennifer) (Entered: 09/17/2008)
09/17/2008	<u>111</u>	Judge Nancy Gertner: MEMORANDUM AND ORDER entered re: Motions to Amend, Dismiss and Transfer.(Gaudet, Jennifer) (Entered: 09/17/2008)
09/17/2008	<u>112</u>	Second AMENDED COMPLAINT against all defendants <i>Second Amended Class Action Complaint</i> , filed by Rahmel Hobbs, Terry M. Gravely, Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibits A-F)(Singer, Steven) (Entered: 09/17/2008)
09/18/2008	<u>113</u>	NOTICE of Appearance by Jennifer L. Holden on behalf of Banc of America Investment Services, INC., Bank of America,N.A. (Holden, Jennifer) (Entered: 09/18/2008)
09/22/2008	<u>114</u>	JOINT STATEMENT of counsel <i>Joint Proposed Agenda for Status Conference</i> . (Mendoza, Niki) (Entered: 09/22/2008)
09/23/2008		Electronic Clerk's Notes for proceedings held before Judge Nancy Gertner: Motion Hearing held on 9/23/2008 re <u>100</u> MOTION for Protective Order filed by Baron H.C. Finlayson, Timothy Johnson, II, Khairi Dwayne Rahman, Mark Anthony Brown, Coleen Alecia Hinds, Richard Turnley, III, <u>101</u> MOTION to Expedite <i>Plaintiffs' Motion for Protective Order</i> filed by Baron H.C. Finlayson, Timothy Johnson, II, Khairi Dwayne Rahman, Mark Anthony Brown, Coleen Alecia Hinds, Richard Turnley, III. Counsel shall submit a new proposed discovery schedule on for before 10/3/08, court take Mtn for Protective Order under advisment, court adjourned. (Court Reporter: O'Hara.)(Attorneys present: Atty Mendoza, Robinson, Messing, Cohen &Huvelle) (Molloy, Maryellen) (Entered: 09/25/2008)

09/25/2008	<u>115</u>	JOINT STATEMENT of counsel <i>Joint Proposed Case Management Schedule</i> . (Holden, Jennifer) (Entered: 09/25/2008)
09/30/2008	<u>116</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Major Khan by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Affidavit Affidavit of Major Khan in Support of Motion to Admit Pro Hac Vice)(Messing, Ellen) (Entered: 09/30/2008)
10/01/2008	<u>117</u>	<i>Defendants'</i> ANSWER to <u>112</u> Amended Complaint, by Banc of America Investment Services, INC.,, Bank of America,N.A..(Kim, Sarah) (Entered: 10/01/2008)
10/01/2008		Filing fee/payment: \$ 50.00, receipt number BST006212 for <u>116</u> MOTION for Leave to Appear Pro Hac Vice for admission of Major Khan (Russo, Patricia) (Entered: 10/01/2008)
10/02/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>116</u> Motion for Leave to Appear Pro Hac Vice; Added Major Khan for Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds and Mark Anthony Brown. <b>Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Forms and then scroll down to CM/ECF Forms.</b> (Gaudet, Jennifer) (Entered: 10/02/2008)
10/16/2008	<u>118</u>	Sealed Motion to Compel Production of Certain Nationwide Data filed by plaintiffs. (Gaudet, Jennifer) (Entered: 10/17/2008)
10/16/2008	<u>119</u>	Sealed Declaration of Niki L. Mendoza in Support of Plaintiffs' Motion <u>118</u> to Compel Production of Certain Nationwide Data. (Exhibits 1-31 attached, too large to scan) (Gaudet, Jennifer) (Entered: 10/17/2008)
10/24/2008	<u>120</u>	Assented to MOTION for Extension of Time to 11/10/08 to Oppose Plaintiffs Motion to Compel <i>Certain Nationwide Data</i> by Banc of America Investment Services, INC.,, Bank of America,N.A..(Kim, Sarah) Modified on 10/27/2008 (Gaudet, Jennifer). (Entered: 10/24/2008)
10/27/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>120</u> ASSENTED TO Motion for Extension of Time to File Response/Reply. Responses due by 11/10/2008. (Gaudet, Jennifer) (Entered: 10/27/2008)
11/06/2008	<u>121</u>	Assented to MOTION for Extension of Time to 12/1/2008 to file their opposition to plaintiffs' motion to compel certain nationwide data by Banc of America Investment Services, INC.,, Bank of America,N.A..(Kim, Sarah) Modified on 11/6/2008 (Gaudet, Jennifer). (Entered: 11/06/2008)
11/17/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>121</u> Motion for Extension of Time to File Response/Reply to plaintiffs' motion to compel certain nationwide data. Responses due by 12/1/2008 (Gaudet, Jennifer) (Entered: 11/17/2008)
11/17/2008	<u>122</u>	Assented to MOTION to Continue Deadline to Serve Responses to Interrogatories and to Oppose Motion to Compel by Banc of America Investment Services, INC.,, Bank of America,N.A..(Kim, Sarah) (Entered: 11/17/2008)
11/18/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>122</u> Assented to Motion to Continue Deadline to Serve Responses to Interrogatories and to Oppose Motion to Compel by Banc of America Investment Services, INC.,, Bank of America,N.A. (Gaudet, Jennifer) (Entered: 11/18/2008)
11/18/2008		Judge Nancy Gertner: ELECTRONIC ENDORSEMENT approving <u>115</u> Joint Proposed Case Management Schedule. (Gaudet, Jennifer) (Entered: 11/18/2008)
12/08/2008	<u>123</u>	Judge Nancy Gertner: MEMORANDUM & ORDER entered granting in part and denying in part <u>100</u> Motion for Protective Order. (Gaudet, Jennifer) (Entered: 12/08/2008)
12/09/2008		Judge Nancy Gertner: Electronic ORDER entered finding as moot <u>101</u> Motion to Expedite Plaintiffs' Motion for Protective Order by Timothy Johnson, II, Khairi

		Dwayne Rahman, Richard Turnley, III, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Gaudet, Jennifer) (Entered: 12/09/2008)
12/22/2008	<u>124</u>	MOTION to Withdraw as Attorney <i>Eric Holder</i> by Banc of America Investment Services, INC., Bank of America,N.A..(Kim, Sarah) (Entered: 12/22/2008)
12/24/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>124</u> Motion to Withdraw as Attorney. (Gaudet, Jennifer) (Entered: 12/24/2008)
01/08/2009	<u>125</u>	STIPULATION re <u>115</u> Joint statement of counsel by Banc of America Investment Services, INC., Bank of America,N.A.. (Cohen, Frances) (Entered: 01/08/2009)
01/13/2009		Judge Nancy Gertner: Electronic ORDER granting <u>125</u> Joint Stipulation to Suspend Discovery and Stay Deadlines. (Gaudet, Jennifer) (Entered: 01/13/2009)
01/14/2009	<u>126</u>	Judge Nancy Gertner: ORDER of Administrative Stay/Closing entered. (Gaudet, Jennifer) (Entered: 01/14/2009)
01/14/2009		Civil Case Terminated. (Gaudet, Jennifer) (Entered: 01/14/2009)
02/17/2009	<u>127</u>	STIPULATION to Continue Administrative Stay/Closing by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 02/17/2009)
02/19/2009	<u>128</u>	Judge Nancy Gertner: ORDER entered re <u>127</u> Stipulation to Continue Administrative Stay/Closing.(Gaudet, Jennifer) (Entered: 02/20/2009)
04/23/2009	<u>129</u>	STIPULATION and [Proposed] Order to Continue Administrative Stay/Closing by Banc of America Investment Services, INC., Bank of America,N.A.. (Moran, Michael) (Entered: 04/23/2009)
06/16/2009	<u>130</u>	STATUS REPORT <i>Joint Status Report</i> by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 06/16/2009)
06/30/2009		Remark: Parties agree to extend the time for filing settlement approval documents from 6/30/09 to 7/2/09. (Molloy, Maryellen) (Entered: 06/30/2009)
07/02/2009	<u>131</u>	Joint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval Process by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit 1: [Proposed] Order Preliminarily Approving Settlement, # <u>2</u> Exhibit 2: Settlement Agreement, # <u>3</u> Exhibits A-C to Settlement Agreement, # <u>4</u> Exhibits D-E to Settlement Agreement)(Singer, Steven) (Entered: 07/02/2009)
07/02/2009	<u>132</u>	MEMORANDUM in Support re <u>131</u> Joint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval Process filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Singer, Steven) (Entered: 07/02/2009)
07/02/2009	<u>133</u>	AFFIDAVIT of Steven B. Singer in Support re <u>131</u> Joint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of

		Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval Process filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Exhibit 1: Bernstein Litowitz Firm Resume)(Singer, Steven) (Entered: 07/02/2009)
07/13/2009		ELECTRONIC NOTICE of Hearing on Motion: Motion Hearing on [#131] set for 7/15/2009 10:00 AM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 07/13/2009)
07/15/2009		Electronic Clerk's Notes for proceedings held before Judge Nancy Gertner: Motion Hearing held on 7/15/2009 re <u>131</u> Joint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval ProcessJoint MOTION for Settlement for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval Process filed by Baron H.C. Finlayson, Timothy Johnson, II, Rahmel Hobbs, Khairi Dwayne Rahman, Mark Anthony Brown, Coleen Alecia Hinds, Richard Turnley, III, Terry M. Gravely.... Final Settlement Hearing re: final approval of class settlement set for 11/18/2009 02:30 PM in Courtroom 2 before Judge Nancy Gertner. (Court Reporter: O'Hara.)(Attorneys present: Atty Cohen, Kim, Singer, Rodriguez, Huvelle by phone) (Molloy, Maryellen) (Entered: 07/15/2009)
07/15/2009		Judge Nancy Gertner: Electronic ORDER entered granting <u>131</u> Joint Motion for (1) Preliminary Approval of Class Action Settlement, (2) Certification of Settlement Class, (3) Approval of Notice of Settlement, and (4) Approval of a Schedule for the Final Settlement Approval Process. "Allowed as stated in open court on 7/15/2009." (Gaudet, Jennifer) (Entered: 07/15/2009)
07/15/2009	<u>134</u>	Judge Nancy Gertner: ORDER Preliminarily Approving Settlement entered. ( Settlement Conference set for 11/18/2009 02:30 PM in Courtroom 2 before Judge Nancy Gertner.)(Gaudet, Jennifer) (Entered: 07/15/2009)
08/17/2009	<u>136</u>	Transcript of Motion Hearing held on July 15, 2009, before Judge Gertner. Court Reporter: Valerie A. O'Hara at 617/737-2346. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 9/4/2009. Redacted Transcript Deadline set for 9/14/2009. Release of Transcript Restriction set for 11/12/2009. (Scalfani, Deborah) (Scalfani, Deborah). (Entered: 08/17/2009)
08/17/2009	<u>137</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 08/17/2009)
08/17/2009	<u>138</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 08/17/2009)
10/09/2009	<u>139</u>	Joint MOTION for Settlement by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Plaintiffs' Memorandum of Law In Support of Motion for Final Approval of Settlement)(Singer, Steven) (Entered: 10/09/2009)
10/09/2009	<u>140</u>	MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> by Timothy

		Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Plaintiffs' Memorandum of Law in Support of Motion for Attorneys' Fees and Expenses)(Singer, Steven) (Entered: 10/09/2009)
10/09/2009	<u>141</u>	AFFIDAVIT of Steven B. Singer in Support re <u>139</u> Joint MOTION for Settlement, <u>140</u> MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Ex. A: Declaration of Jonathan Paul, # <u>2</u> Ex. B: Notice of Class Action Settlement, # <u>3</u> Ex. C: Bernstein Litowitz firm resume, # <u>4</u> Ex. D: Bernstein Litowitz Time Report Summary, # <u>5</u> Ex. E: Bernstein Litowitz Expense Summary)(Singer, Steven) (Entered: 10/09/2009)
10/09/2009	<u>142</u>	MEMORANDUM in Support re <u>140</u> MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Gaudet, Jennifer) (Entered: 10/13/2009)
10/09/2009	<u>143</u>	MEMORANDUM in Support re <u>139</u> Joint MOTION for Settlement filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Gaudet, Jennifer) (Entered: 10/13/2009)
11/12/2009	<u>144</u>	REPLY to Response to <u>139</u> Joint MOTION for Settlement, <u>140</u> MOTION for Attorney Fees and <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application</i> MOTION for Attorney Fees <i>Plaintiffs' Motion for: (i) Approval of Fee and Expense Application; and (ii) Approval of Service Award Application [And Notice of Non-Opposition]</i> filed by Timothy Johnson, II, Khairi Dwayne Rahman, Richard Turnley, III, Rahmel Hobbs, Terry M. Gravely, Baron H.C. Finlayson, Coleen Alecia Hinds, Mark Anthony Brown. (Attachments: # <u>1</u> Ex. 1: [Proposed] Final Judgment and Order of Dismissal, # <u>2</u> Ex. 2: [Proposed] Order Approving Plan of Allocation and Service Awards, # <u>3</u> Ex. 3: [Proposed] Order Awarding Attorneys' Fees and Reimbursement of Expenses)(Singer, Steven) Modified on 11/17/2009 (Gaudet, Jennifer). (Entered: 11/12/2009)
11/18/2009		Electronic Clerk's Notes for proceedings held before Judge Nancy Gertner: Settlement Conference held on 11/18/2009; Exhibits A & B admitted, letters from class participants; granting <u>139</u> Motion for Settlement; granting <u>140</u> Motion for Attorney Fees; granting <u>144</u> Motion for Attorney Fees; Proposed orders endorsed in open court. (Court Reporter: O'Hara.)(Attorneys present: Singer for the pltf's, Frances Cohen and Sarah Kim for the def't.) (Gaudet, Jennifer) (Entered: 11/19/2009)
11/18/2009	<u>145</u>	Exhibit List (settlement conference). (Gaudet, Jennifer) (Entered: 11/19/2009)
11/18/2009	<u>146</u>	Judge Nancy Gertner: ORDER Awarding Attorneys' Fees and Reimbursement of Expenses entered. (Gaudet, Jennifer) (Entered: 11/19/2009)
11/18/2009	<u>147</u>	Judge Nancy Gertner: ORDER Approving Plan of Allocation and Service Awards entered. (Gaudet, Jennifer) (Entered: 11/19/2009)
11/18/2009	<u>148</u>	Judge Nancy Gertner: Final Judgment and Order of Dismissal entered. (Gaudet, Jennifer) (Entered: 11/19/2009)