

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:07-cv-11275-NG**

Miller et al v. Countrywide Bank, N.A., et al
Assigned to: Judge Nancy Gertner
Demand: \$9,999,000
Cause: 42:405 Fair Housing Act

Date Filed: 07/12/2007
Date Terminated: 08/22/2008
Jury Demand: Both
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff

Gillian Miller

represented by **Gary E. Klein**
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Plaintiff

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Plaintiff

Arthur Davis

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Plaintiff

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V.

Defendant

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Defendant

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ATTORNEY TO BE NOTICED

Defendant

Countrywide Correspondent Lending

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Defendant**Full Spectrum Lending, Inc.**represented by **James W. McGarry**
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*ATTORNEY TO BE NOTICED***Michelle R. Gonnam**
(See above for address)
*ATTORNEY TO BE NOTICED***Thomas M. Hefferon**
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TERMINATED: 03/06/2008
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Date Filed	#	Docket Text
07/12/2007	<u>1</u>	COMPLAINT against Summit Mortgage LLC, Loans for Residential Homes Mortgage Corp., Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. Filing fee: \$ 350, receipt number 1590027, filed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Attachments: # <u>1</u> Civil Action Cover Sheet# <u>2</u> Category Form# <u>3</u> Exhibit 1-10)(Klein, Gary) (Entered: 07/12/2007)
07/12/2007		ELECTRONIC NOTICE of Case Assignment. Judge Richard G. Stearns 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 Sorokin (Nici, Richard) (Entered: 07/12/2007)

07/12/2007		Summons Issued as to Summit Mortgage LLC, Loans for Residential Homes Mortgage Corp., Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Nici, Richard) (Entered: 07/12/2007)
07/24/2007	<u>2</u>	SUMMONS Returned Executed Summit Mortgage LLC served on 7/19/2007, answer due 8/8/2007. (Feiner, Gillian) (Entered: 07/24/2007)
07/26/2007	<u>3</u>	STIPULATION (<i>Joint Stipulation and Order to Extend Time to Answer or Otherwise Respond to the Complaint</i>) by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (McGarry, James) (Entered: 07/26/2007)
07/27/2007	<u>4</u>	NOTICE of Appearance by James W. McGarry on behalf of Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. (McGarry, James) (Entered: 07/27/2007)
07/27/2007	<u>5</u>	NOTICE of Appearance by Thomas M. Hefferon on behalf of Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. (Hefferon, Thomas) (Entered: 07/27/2007)
07/27/2007	<u>6</u>	CORPORATE DISCLOSURE STATEMENT by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (McGarry, James) (Entered: 07/27/2007)
07/30/2007	<u>7</u>	NOTICE of Appearance by Gillian R. Feiner on behalf of Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis (Feiner, Gillian) (Entered: 07/30/2007)
07/30/2007	<u>8</u>	NOTICE of Appearance by Shennan Alexandra Kavanagh on behalf of Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis (Kavanagh, Shennan) (Entered: 07/30/2007)
08/06/2007	<u>9</u>	SUMMONS Returned Executed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. Loans for Residential Homes Mortgage Corp. served on 7/20/2007 (Feiner, Gillian) Modified on 8/6/2007 (Flaherty, Elaine). (Entered: 08/06/2007)
08/06/2007	<u>10</u>	SUMMONS Returned Executed Full Spectrum Lending, Inc. served on 7/19/2007, answer due 8/8/2007. (Feiner, Gillian) (Entered: 08/06/2007)
08/06/2007	<u>11</u>	SUMMONS Returned Executed Countrywide Correspondent Lending served on 7/19/2007, answer due 8/8/2007. (Feiner, Gillian) (Entered: 08/06/2007)
08/06/2007	<u>12</u>	SUMMONS Returned Executed Countrywide Home Loans, Inc. served on 7/19/2007, answer due 8/8/2007. (Feiner, Gillian) (Entered: 08/06/2007)
08/06/2007	<u>13</u>	SUMMONS Returned Executed Countrywide Bank, N.A. served on 7/19/2007, answer due 8/8/2007. (Feiner, Gillian) (Entered: 08/06/2007)
08/06/2007		Notice of correction to docket made by Court staff. Correction: doc 9 corrected because: to reflect correct dates (Flaherty, Elaine) (Entered: 08/06/2007)
08/24/2007		Set Deadlines/Hearings: Loans for Residential Homes Mortgage Corp. answer due 8/24/2007. (Flaherty, Elaine) (Entered: 08/28/2007)
08/24/2007	<u>14</u>	ANSWER to Complaint by Loans for Residential Homes Mortgage Corp..(Flaherty, Elaine) (Entered: 09/04/2007)
09/10/2007	<u>15</u>	ANSWER to Complaint with Jury Demand by Summit Mortgage LLC.(Worth, William) (Entered: 09/10/2007)
09/10/2007	<u>16</u>	MOTION to Dismiss by Countrywide Bank, N.A., Countrywide Correspondent Lending, Full Spectrum Lending, Inc..(Hefferon, Thomas) (Entered: 09/10/2007)
09/10/2007	<u>17</u>	MEMORANDUM in Support re <u>16</u> MOTION to Dismiss filed by Countrywide Bank, N.A., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Hefferon, Thomas) (Entered: 09/10/2007)
09/13/2007	<u>18</u>	NOTICE of Appearance by Michelle R. Gonnam on behalf of Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. (Gonnam, Michelle) (Entered: 09/13/2007)

09/18/2007	<u>19</u>	NOTICE by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis <i>of Firm Name Change</i> (Klein, Gary) (Entered: 09/18/2007)
09/19/2007	<u>20</u>	STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO THE DEFENDANTS' MOTION TO DISMISS by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis, Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Klein, Gary) (Entered: 09/19/2007)
09/21/2007	<u>21</u>	NOTICE of Appearance by Matthew E. Van Tine on behalf of Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis (Van Tine, Matthew) (Entered: 09/21/2007)
10/04/2007		Judge Richard G. Stearns : ELECTRONIC ENDORSEMENT re <u>20</u> Stipulation, filed by Arthur Davis, Countrywide Bank, N.A., Countrywide Correspondent Lending, Luella Davis, Full Spectrum Lending, Inc., Gillian Miller, Countrywide Home Loans, Inc., Lakisha Austin "Stipulation approved UNTIL 10/15/07." (Flaherty, Elaine) (Entered: 10/04/2007)
10/15/2007	<u>22</u>	Opposition re <u>16</u> MOTION to Dismiss <i>Filed By Countrywide And Memorandum In Support Thereof</i> filed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Klein, Gary) (Entered: 10/15/2007)
10/25/2007		ELECTRONIC NOTICE of Hearing on Motion <u>16</u> MOTION to Dismiss : Motion Hearing set for 1/18/2008 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 10/25/2007)
11/14/2007	<u>23</u>	DECLARATION OF GARY KLEIN FOR THE PURPOSE OF SUBMITTING SUPPLEMENTAL AUTHORITY DIRECTLY RELEVANT TO COUNTRYWIDE'S MOTION TO DISMISS by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Attachments: # <u>1</u> Declaration Exhibits 1 – 6)(Klein, Gary) (Entered: 11/14/2007)
11/16/2007	<u>24</u>	MOTION for Leave to File a Reply Brief (<i>Countrywide's Unopposed Motion for Leave to File a Reply Brief in Further Support of Motion to Dismiss</i>) by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Attachments: # <u>1</u> Reply Brief in Support of the Countrywide Defendants' Motion to Dismiss)(McGarry, James) (Entered: 11/16/2007)
11/19/2007		Judge Richard G. Stearns : Electronic ORDER entered granting <u>24</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. (York, Steve) (Entered: 11/21/2007)
11/21/2007	<u>25</u>	REPLY to Response to Motion re <u>16</u> MOTION to Dismiss (<i>Reply Brief In Support of the Countrywide Defendants' Motion to Dismiss</i>) filed by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (McGarry, James) (Entered: 11/21/2007)
12/07/2007	<u>26</u>	NOTICE of Withdrawal of Appearance by Gillian R. Feiner (Feiner, Gillian) (Entered: 12/07/2007)
12/21/2007	<u>27</u>	DECLARATION of Gary Klein for the Purpose of Submitting Supplemental Authority Directly Relevant to Countrywide's Motion to Dismiss by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Roddy, John) (Entered: 12/21/2007)
01/11/2008		ELECTRONIC NOTICE OF RESCHEDULING: "due to a Court conflict, the motion to dismiss hearing is re-scheduled to Thursday, 3/20/2008 at 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. " Mary Johnson, Deputy Clerk.(Johnson, Mary) . (Entered: 01/11/2008)
01/17/2008	<u>28</u>	Assented to MOTION to Continue Hearing to April 3, 2008 or April 4, 2008 by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc..(McGarry, James) (Entered: 01/17/2008)

01/23/2008	<u>29</u>	Opposition re <u>28</u> Assented to MOTION to Continue Hearing to April 3, 2008 or April 4, 2008 filed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Klein, Gary) (Entered: 01/23/2008)
01/23/2008		Judge Richard G. Stearns: Electronic ORDER entered denying <u>28</u> Motion to Continue. "In light of the fact that this Court's calendar cannot accommodate an earlier hearing date other than March 20, 2008, the Court must deny defendants' request for a continuance and the hearing will remain on the calendar for March 20, 2008 at 2:30 P.M. SO ORDERED." R. G. Stearns, USDJ. (Johnson, Mary) Modified on 1/23/2008 (Johnson, Mary). (Entered: 01/23/2008)
02/04/2008	<u>30</u>	Assented to MOTION to Continue Hearing to April 3, 2008 by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc..(McGarry, James) (Entered: 02/04/2008)
02/05/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>30</u> Motion to Continue. Hearing re-scheduled to Thursday, 4/10/2008 at 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 02/05/2008)
03/05/2008	<u>31</u>	MOTION to Withdraw as Attorney by Loans for Residential Homes Mortgage Corp..(Hagopian, Michael) (Entered: 03/05/2008)
03/06/2008	<u>32</u>	DECLARATION of Gary Klein for the Purpose of Submitting Supplemental Authority Directly Relevant to Countrywide's Motion to Dismiss by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Klein, Gary) (Entered: 03/06/2008)
03/06/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>31</u> Motion to Withdraw as Attorney. (Flaherty, Elaine) (Entered: 03/06/2008)
03/11/2008	<u>33</u>	NOTICE of Appearance by Kevin Costello on behalf of Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis (Costello, Kevin) (Entered: 03/11/2008)
03/14/2008	<u>34</u>	REPORT of Rule 26(f) Planning Meeting. (Klein, Gary) (Entered: 03/14/2008)
04/08/2008	<u>35</u>	Response by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. to Plaintiffs' Submissions of "Supplemental Authority". (Attachments: # <u>1</u> Exhibit A)(McGarry, James) (Entered: 04/08/2008)
04/10/2008		Clerk's Notes for proceedings held before Judge Richard G. Stearns: Motion Hearing held on 4/10/2008 re <u>16</u> MOTION to Dismiss filed by Countrywide Bank, N.A., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. After a hearing, the court takes the matter under advisement. (Court Reporter: Gibbons, James)(Attorneys present: Gary E. Klein and Shennan Alexandra Kavanagh for plaintiffs; Thomas M. Hefferon and James W. McGarry for defendants) (Prussia, Kevin) (Entered: 04/10/2008)
04/17/2008	<u>36</u>	Judge Richard G. Stearns: ORDER OF RECUSAL. case sent to draw clerk to be redrawn(Flaherty, Elaine) (Entered: 04/17/2008)
04/22/2008	<u>37</u>	NOTICE of Withdrawal of Appearance by Kevin Costello (Costello, Kevin) (Entered: 04/22/2008)
04/23/2008		ELECTRONIC NOTICE of Reassignment. Judge Joseph L. Tauro added. Judge Richard G. Stearns no longer assigned to case. (Sonnenberg, Elizabeth) (Entered: 04/23/2008)
05/06/2008	<u>38</u>	Judge Joseph L. Tauro: ORDER entered. ORDER OF RECUSAL.(Abaid, Kimberly) (Entered: 05/07/2008)
05/08/2008		ELECTRONIC NOTICE of Reassignment. Judge Nancy Gertner added. Judge Joseph L. Tauro no longer assigned to case. (Gaudet, Jennifer) (Entered: 05/08/2008)
05/19/2008	<u>39</u>	DECLARATION Fourth Declaration of Gary Klein for the Purpose of Submitting Supplemental Authority Directly Relevant to Countrywide's Motion to Dismiss by Gillian Miller. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Costello, Kevin) (Entered: 05/19/2008)

05/20/2008		ELECTRONIC NOTICE of Hearing on <u>16</u> MOTION to Dismiss : Motion Hearing set for 7/9/2008 03:15 PM in Courtroom 2 before Judge Nancy Gertner. (Molloy, Maryellen) (Entered: 05/20/2008)
06/04/2008	<u>40</u>	NOTICE by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis <i>To Transfer Actions For Consolidated And Coordinated Pretrial Proceedings Pursuant To 28 U.S.C. § 1407</i> (Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>41</u>	MOTION to Consolidate Cases <i>Under 28 U.S.C. § 1407 To Transfer For Consolidated And Coordinated Pretrial Proceedings</i> by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis.(Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>42</u>	EXHIBIT re <u>41</u> MOTION to Consolidate Cases <i>Under 28 U.S.C. § 1407 To Transfer For Consolidated And Coordinated Pretrial Proceedings – Exhibit Volume</i> by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B – Part 1, # <u>3</u> Exhibit B – Part 2, # <u>4</u> Exhibit B – Part 3, # <u>5</u> Exhibit C – Part 1, # <u>6</u> Exhibit C – Part 2)(Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>43</u>	MEMORANDUM in Support re <u>41</u> MOTION to Consolidate Cases <i>Under 28 U.S.C. § 1407 To Transfer For Consolidated And Coordinated Pretrial Proceedings</i> filed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>44</u>	NOTICE of Appearance by Gary E. Klein on behalf of Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis (Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>45</u>	NOTICE by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis <i>Reasons Why Oral Argument Should Be Heard</i> (Klein, Gary) (Entered: 06/04/2008)
06/04/2008	<u>46</u>	CERTIFICATE OF SERVICE by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis re <u>42</u> Exhibit, <u>44</u> Notice of Appearance, <u>40</u> Notice (Other), <u>43</u> Memorandum in Support of Motion, <u>45</u> Notice (Other), <u>41</u> MOTION to Consolidate Cases <i>Under 28 U.S.C. § 1407 To Transfer For Consolidated And Coordinated Pretrial Proceedings</i> . (Klein, Gary) (Entered: 06/04/2008)
06/18/2008	<u>47</u>	NOTICE of Appearance by Tricia Jean Bloomer on behalf of Courtroom View Network (Bloomer, Tricia) (Entered: 06/18/2008)
06/18/2008	<u>48</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Jonathan Sherman Filing fee \$ 50, receipt number 0101000000002007151. by Courtroom View Network. (Attachments: # <u>1</u> Certificate of Jonathan Sherman)(Bloomer, Tricia) (Entered: 06/18/2008)
06/18/2008	<u>49</u>	MOTION to Intervene <i>Pursuant to Fed. R. Civ. P. 24 and to Provide Audio–Visual Coverage of Argument Via Secure Internet Feed</i> by Courtroom View Network. (Attachments: # <u>1</u> Verified Intervention Complaint for Relief Pursuant to Local Rule 83.3)(Bloomer, Tricia) (Entered: 06/18/2008)
06/18/2008	<u>50</u>	MEMORANDUM in Support re <u>49</u> MOTION to Intervene <i>Pursuant to Fed. R. Civ. P. 24 and to Provide Audio–Visual Coverage of Argument Via Secure Internet Feed</i> filed by Courtroom View Network. (Bloomer, Tricia) (Entered: 06/18/2008)
06/18/2008	<u>51</u>	DECLARATION re <u>49</u> MOTION to Intervene <i>Pursuant to Fed. R. Civ. P. 24 and to Provide Audio–Visual Coverage of Argument Via Secure Internet Feed</i> , <u>50</u> Memorandum in Support of Motion by Courtroom View Network. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 Part A, # <u>3</u> Exhibit 2 Part B, # <u>4</u> Exhibit 3, # <u>5</u> Exhibits 4–7, # <u>6</u> Exhibit 8, # <u>7</u> Exhibits 9–20, # <u>8</u> Exhibits 21–22, # <u>9</u> Exhibit 23 Part A, # <u>10</u> Exhibit 23 Part B, # <u>11</u> Exhibit 23 Part C, # <u>12</u> Exhibit 23 Part D)(Bloomer, Tricia) (Entered: 06/18/2008)
06/19/2008	<u>52</u>	MOTION for Leave to File <i>Amended Memorandum of Law in Support of Motion to Intervene Pursuant to Fed. R. Civ. P. 24 and to Provide Audio–Visual Coverage of Argument Via Secure Internet Feed</i> by Courtroom View Network.(Bloomer, Tricia) (Entered: 06/19/2008)
06/19/2008	<u>53</u>	Amended MEMORANDUM in Support re <u>49</u> MOTION to Intervene <i>Pursuant to Fed. R. Civ. P. 24 and to Provide Audio–Visual Coverage of Argument Via Secure Internet Feed (Correcting Docket Entry #50)</i> filed by Courtroom View Network.

		(Bloomer, Tricia) (Entered: 06/19/2008)
06/23/2008	<u>54</u>	MOTION to Stay <i>July 9, 2008 Hearing on Countrywide Defendants' Motion to Dismiss</i> by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Attachments: # <u>1</u> Exhibit A)(McGarry, James) (Entered: 06/23/2008)
06/24/2008	<u>55</u>	Letter/request (non-motion) from MDL Panel to Judge Gertner re transfer of case to MDL panel. (Gaudet, Jennifer) (Entered: 06/24/2008)
06/27/2008	<u>56</u>	RESPONSE to Motion re <u>54</u> MOTION to Stay <i>July 9, 2008 Hearing on Countrywide Defendants' Motion to Dismiss</i> filed by Gillian Miller, Lakisha Austin, Arthur Davis, Luella Davis. (Klein, Gary) (Entered: 06/27/2008)
06/30/2008		Judge Nancy Gertner: Electronic ORDER entered denying <u>54</u> Motion to Stay July 9, 2008 Hearing on Countrywide Defendants' Motion to Dismiss by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc. (Gaudet, Jennifer) (Entered: 06/30/2008)
07/02/2008	<u>57</u>	Opposition re <u>49</u> MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 and to Provide Audio-Visual Coverage of Argument Via Secure Internet Feed filed by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(McGarry, James) (Entered: 07/02/2008)
07/08/2008		Judge Nancy Gertner: Electronic ORDER entered reserving ruling on <u>49</u> Motion to Intervene Pursuant to Fed. R. Civ. P. 24 and to Provide Audio-Visual Coverage of Argument Via Secure Internet Feed by Courtroom View Network. "Courtroom View Network ("CVN") moves to intervene pursuant to Fed. R. Civ. P. 24 and to provide audio-visual coverage of oral argument via secure internet feed. The proceeding in which CVN seeks to intervene is a putative nationwide class action suit involving allegations of racially discriminatory mortgage lending practices. The purpose of the intervention is to permit CVN to "narrowcast" the proceedings over the Internet. The term narrowcast refers to the practice of making content or information available only to those individuals who have subscribed to the service, rather than the general public. Defendants oppose the narrowcasting and the intervention. It should be noted that similar class actions have been filed in two other venues and, further, that the plaintiffs have filed a motion under 28 U.S.C. § 1407 to transfer the pending cases to a single district for pretrial proceedings. That the matter will shortly be considered by the Judicial Panel on Multidistrict litigation. The proceeding that triggered this motion to intervene is the hearing on defendants' motion to dismiss scheduled for July 9, 2008. The hearing involves only legal argument; no witnesses will appear; no jurors will be impaneled. While CVN's motion seeks to have the content available to those who have subscribed to the service, it is clear that the Court could issue a narrower order, i.e. one limiting distribution of the content to the parties to this case and their counsel, or the parties in the relevant parallel proceedings across the country. The Court will defer ruling on this motion for several reasons: The motion was filed on June 18, 2008. The defendants opposition papers were received on July 2, 2008. Both sides have raised important questions: How should the Court construe the language of Local Rule 83.3 which permits broadcast by "order of the court?" Does Local Rule 83.3 suggest that an individual judge may order broadcasting in an individual case, or does such a decision require a collective decision by all of the judges of this Court? If an individual judge is authorized to make such an order, what criterion should inform that decision? For example, is streaming video to counsel comparable to streaming transcript which has been permitted in some cases? Moreover, if these cases are consolidated under § 1407, to what degree would such a service save costs to all of the parties? Is intervention appropriate under Rule 24, in any case? In light of the multiple questions raised and the relatively short amount of time the parties have been given to address them, the Court will defer ruling on CVNs motion to allow for full consideration of all the implications of such an intervention." (Gaudet, Jennifer) (Entered: 07/08/2008)
07/09/2008		Electronic Clerk's Notes for proceedings held before Judge Nancy Gertner: Motion Hearing held on 7/9/2008 re <u>16</u> MOTION to Dismiss filed by Countrywide Bank, N.A.,Countrywide Correspondent Lending, Full Spectrum Lending, Inc. Oral

		argument held, all matters taken under advisement. (Court Reporter: Helena Kline.)(Attorneys present: Atty Klein, Kavanagh, Hefferon, McGarry) (Molloy, Maryellen) (Entered: 07/09/2008)
07/14/2008	<u>58</u>	Withdrawal of motion: <u>49</u> MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 and to Provide Audio-Visual Coverage of Argument Via Secure Internet Feed filed by Courtroom View Network.. (Bloomer, Tricia) (Entered: 07/14/2008)
07/15/2008		Judge Nancy Gertner: Electronic ORDER entered withdrawing <u>49</u> Motion to Intervene Pursuant to Fed. R. Civ. P. 24 and to Provide Audio-Visual Coverage of Argument Via Secure Internet Feed filed by Courtroom View Network. (Gaudet, Jennifer) (Entered: 07/15/2008)
07/18/2008	<u>59</u>	CORPORATE DISCLOSURE STATEMENT by Countrywide Bank, N.A., Countrywide Home Loans, Inc., Countrywide Correspondent Lending, Full Spectrum Lending, Inc.. (McGarry, James) (Entered: 07/18/2008)
07/23/2008	<u>60</u>	Amended MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 For the Limited Purpose of Applying to Provide Audio Visual Coverage of Proceedings Via Secure Internet Feed by Courtroom View Network. (Attachments: # <u>1</u> Verified Intervention Complaint for Relief Pursuant to Local Rule 83.3)(Bloomer, Tricia) (Entered: 07/23/2008)
07/23/2008	<u>61</u>	MEMORANDUM in Support re <u>60</u> Amended MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 For the Limited Purpose of Applying to Provide Audio Visual Coverage of Proceedings Via Secure Internet Feed filed by Courtroom View Network. (Bloomer, Tricia) (Entered: 07/23/2008)
07/23/2008	<u>62</u>	DECLARATION re <u>60</u> Amended MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 For the Limited Purpose of Applying to Provide Audio Visual Coverage of Proceedings Via Secure Internet Feed by Courtroom View Network. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2 Part A, # <u>4</u> Exhibit 2 Part B, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4-7, # <u>7</u> Exhibit 8, # <u>8</u> Exhibit 9-20, # <u>9</u> Exhibit 21-22, # <u>10</u> Exhibit 23 Part A, # <u>11</u> Exhibit 23 Part B, # <u>12</u> Exhibit 23 Part C, # <u>13</u> Exhibit 23 Part D, # <u>14</u> Exhibit 24)(Bloomer, Tricia) (Entered: 07/23/2008)
07/23/2008	<u>63</u>	DECLARATION re <u>60</u> Amended MOTION to Intervene Pursuant to Fed. R. Civ. P. 24 For the Limited Purpose of Applying to Provide Audio Visual Coverage of Proceedings Via Secure Internet Feed by Courtroom View Network. (Bloomer, Tricia) (Entered: 07/23/2008)
07/23/2008	<u>64</u>	Joint MOTION for Extension of Time to File Response/Reply for 14 Days from Decision by JPML Re Plaintiffs' Motion to Transfer for Consolidated and Coordinated Pretrial Proceedings by Courtroom View Network.(Bloomer, Tricia) (Entered: 07/23/2008)
07/24/2008		Judge Nancy Gertner: Electronic ORDER entered granting <u>64</u> Joint Motion for Extension of Time to File Response/Reply for 14 Days from Decision by JPML Re Plaintiffs' Motion to Transfer for Consolidated and Coordinated Pretrial Proceedings. (Gaudet, Jennifer) (Entered: 07/24/2008)
07/29/2008	<u>65</u>	Transcript of Motion Hearing held on July 9, 2008, before Judge Gertner. Court Reporter: Helana E. Kline at 508/525-7769. 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 8/18/2008. Redacted Transcript Deadline set for 8/26/2008. Release of Transcript Restriction set for 10/24/2008. (Scalfani, Deborah) (Entered: 07/29/2008)
07/29/2008	<u>66</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: 07/29/2008)
07/30/2008		Judge Nancy Gertner: Electronic ORDER entered denying <u>16</u> Motion to Dismiss. (Gaudet, Jennifer) (Entered: 07/31/2008)
07/30/2008	<u>67</u>	Judge Nancy Gertner: MEMORANDUM AND ORDER Re: Motion to Dismiss.(Gaudet, Jennifer) (Entered: 07/31/2008)

08/07/2008	<u>68</u>	Informational E-mailed Copy of MDL Conditional Transfer Order in MDL Case 1974 received from the mdl panel.(Jones, Sherry) (Entered: 08/07/2008)
08/21/2008	<u>69</u>	Copy of MDL Conditional Transfer Order number 1 in MDL Case 1974 received from MDL Panel. (Hassett, Kathy) (Entered: 08/21/2008)
08/22/2008		Case transferred to the Western District of Kentucky pursuant to Conditional Transfer Order entered by the MDL Panel on 8/7/08. Transmittal of the record done electronically. (Gaudet, Jennifer) (Entered: 08/22/2008)
09/26/2008		Case transferred from Massachusetts has been opened in Western District of Kentucky as case 3:08-cv-00448, filed 08/22/2008. (Gaudet, Jennifer) (Entered: 09/26/2008)
01/20/2009		Judge Nancy Gertner: Electronic ORDER entered finding as moot <u>41</u> Motion to Consolidate Cases; finding as moot <u>48</u> Motion for Leave to Appear Pro Hac Vice; ; finding as moot <u>52</u> Motion for Leave to File; ; finding as moot <u>60</u> Motion to Intervene. The case is closed. (Gaudet, Jennifer) (Entered: 01/20/2009)