

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:06-cv-01383-OWW-DLB**

Jose Hernandez v. Leo Balakian, et.al.
Assigned to: Senior Judge Oliver W. Wanger
Referred to: Magistrate Judge Dennis L. Beck
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 10/05/2006
Date Terminated: 05/01/2008
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Petitioner

Jose Hernandez

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V.

Defendant

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Defendant

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Christine M. Cooper , PHV

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Natalie K. Brouwer , PHV
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Defendant

Vince Balakian

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Natalie K. Brouwer , PHV
 (See above for address)
 TERMINATED: 01/26/2007

Date Filed	#	Docket Text
10/05/2006	<u>1</u>	COMPLAINT <i>and Civil Cover Sheet</i> against all defendants by Jose Hernandez. Attorney Wagner, Nicholas J.P. added. (Attachments: # <u>1</u>)(Wagner, Nicholas) (Entered: 10/05/2006)
10/05/2006	<u>3</u>	APPLICATION for <i>Pro Hac Vice</i> by Jose Hernandez. (Wagner, Nicholas) (Entered: 10/05/2006)
10/05/2006		RECEIPT number 101 9529 for \$350.00 for Civil Filing Fee from Daniel Kopfman. (Timken, A) (Entered: 10/05/2006)
10/05/2006	<u>4</u>	SUMMONS ISSUED as to *Anthony Balakian, Vince Balakian, Leo Balakian* with answer to complaint due within *20* days. Attorney *Nicholas J.P. Wagner* *Law Offices of Wagner & Jones* *1111 East Herndon Ste 317* *Fresno, CA 93720*. (Timken, A) (Entered: 10/05/2006)
10/05/2006	<u>5</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 2/14/2007 at 08:45 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Timken, A) (Entered: 10/05/2006)
10/05/2006	<u>6</u>	CLERK'S NOTICE: Attn: J. Wagner <u>3</u> Application ; Advance payment of a fee in the amount of \$180.00 is required and should be submitted electronically using an event in the category Credit Card Payments. Your document will not be filed until the fee is paid (Local Rule 77-121c). (Kusamura, W) (Entered: 10/05/2006)
10/06/2006		RECEIPT number 101 9549 for \$180.00 for Pro Hac Vice re <u>3</u> from Daniel Kopfman. (Gil-Garcia, A) (Entered: 10/06/2006)
10/24/2006	<u>8</u>	REQUEST for WAIVER of SERVICE sent to Leo Balakian, Anthony Balakian, Vince Balakian by Jose Hernandez. Attorney Foster - PRO HAC VICE, Howard W. added. (Foster - PRO HAC VICE, Howard) (Entered: 10/24/2006)

10/31/2006	<u>9</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Anthony Balakian, Vince Balakian, Leo Balakian for attorney Monte B. Lake to appear Pro Hac Vice. Attorney Kahn, Jan Leslie added. (Kahn, Jan) (Entered: 10/31/2006)
10/31/2006	<u>10</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Anthony Balakian, Vince Balakian, Leo Balakian for attorney Natalie K. Brouwer to appear Pro Hac Vice. (Kahn, Jan) (Entered: 10/31/2006)
10/31/2006	<u>11</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Anthony Balakian, Vince Balakian, Leo Balakian for attorney Christine M. Cooper to appear Pro Hac Vice. (Kahn, Jan) (Entered: 10/31/2006)
10/31/2006		RECEIPT number 101 9681 for \$180.00 for Pro Hac Vice – Monte B. Lake from Kahn Soares & Conway. (Carter–Ford, R) (Entered: 10/31/2006)
10/31/2006		RECEIPT number 101 9682 for \$360.00 for Pro Hac Vice – Natalie K. Brouwer and Christine M. Cooper from Kahn Soares & Conway. (Carter–Ford, R) (Entered: 10/31/2006)
11/02/2006	<u>14</u>	PRO HAC VICE ORDER Added attorney Natalie K. Brouwer – PRO HAC VICE for Anthony Balakian, Leo Balakian and Vince Balakian. Signed by Judge Oliver W. Wanger on 10/31/06. (Hellings, J) (Entered: 11/02/2006)
11/02/2006	<u>15</u>	PRO HAC VICE ORDER: Added attorney Christine M. Cooper – PRO HAC VICE for Anthony Balakian, Leo Balakian and Vince Balakian. Signed by Judge Oliver W. Wanger on 10/31/06. (Hellings, J) (Entered: 11/02/2006)
11/02/2006	<u>16</u>	PRO HAC VICE ORDER: Added attorney Monte B. Lake – PRO HAC VICE for Anthony Balakian, Leo Balakian and Vince Balakian. Signed by Judge Oliver W. Wanger on 10/31/06. (Hellings, J) (Entered: 11/02/2006)
12/05/2006	<u>17</u>	MOTION to DISMISS by Anthony Balakian, Vince Balakian, Leo Balakian. Motion Hearing set for 1/8/2007 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Memorandum of Points and Authorities# <u>2</u> Proposed Order # <u>3</u> Lexis Case)(Brouwer – PRO HAC VICE, Natalie) (Entered: 12/05/2006)
12/05/2006	<u>18</u>	REQUEST for JUDICIAL NOTICE by Anthony Balakian, Vince Balakian, Leo Balakian in re <u>17</u> Motion to Dismiss,. (Attachments: # <u>1</u> Brewer Part 1 of 2# <u>2</u> Brewer Part 2 of 2)(Brouwer – PRO HAC VICE, Natalie) (Entered: 12/05/2006)
12/06/2006	<u>19</u>	CLERK'S NOTICE: Attn: Natalie Brouwer regarding <u>18</u> Request for Judicial Notice – Wrong Document Attached Your filing is entitled Request for judicial notice, however, the actual document attached is "Jury Demanded" "Class Action Complaint" for a case in the District of Washington division of Yakima, case # CV–06–3090 RHW Marin v. Evans. Please re–file your document using the correct event. If you need assistance, please contact the CM/ECF help desk at 866–884–5444. (Kusamura, W) (Entered: 12/06/2006)
12/08/2006	<u>20</u>	REQUEST for JUDICIAL NOTICE by Anthony Balakian, Vince Balakian, Leo Balakian in re <u>17</u> Motion to Dismiss,. <i>Amended Request</i> (Attachments: # <u>1</u> Marin Complaint# <u>2</u> Brewer Complaint Part 1 of 2# <u>3</u> Brewer Complaint Part 2 of 2)(Brouwer – PRO HAC VICE, Natalie) (Entered: 12/08/2006)
12/19/2006	<u>21</u>	MOTION for EXTENSION 14 Days by Jose Hernandez re <u>17</u> MOTION to DISMISS by Jose Hernandez. (Foster – PRO HAC VICE, Howard) (Entered: 12/19/2006)
12/19/2006	<u>22</u>	PROPOSED ORDER Proposed Order re <u>21</u> MOTION for EXTENSION 14 Days by Jose Hernandez re <u>17</u> MOTION to DISMISS by Jose Hernandez. (Foster – PRO HAC VICE, Howard) (Entered: 12/19/2006)
12/21/2006	<u>23</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>To Plaintiff's Request for Two Week Extension to Respond to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit Attachment A to Response in Opposition)(Cooper – PRO HAC VICE, Christine) (Entered: 12/21/2006)

12/21/2006	<u>24</u>	ORDER GRANTING <u>21</u> Plaintiff's Motion for Extension of time to file opposition to defendants' Motion to Dismiss. Plaintiff's opposition is due by 1/5/07. The hearing on the Motion to Dismiss currently set for 1/8/07 is hereby CONTINUED to 1/29/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, signed by Judge Oliver W. Wanger on 12/21/06. (Robles, S) (Entered: 12/21/2006)
01/03/2007	<u>25</u>	MOTION for SANCTIONS by Jose Hernandez. Motion Hearing set for 2/5/2007 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Foster – PRO HAC VICE, Howard) (Entered: 01/03/2007)
01/03/2007	<u>26</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>25</u> MOTION for SANCTIONS. (Foster – PRO HAC VICE, Howard) (Entered: 01/03/2007)
01/03/2007	<u>27</u>	STIPULATION and PROPOSED ORDER Stipulation to Reschedule Oral Argument by Jose Hernandez. (Foster – PRO HAC VICE, Howard) (Entered: 01/03/2007)
01/04/2007	<u>28</u>	REQUEST for <i>Consolidation Of Court's Hearings For Defendants' Motion To Dismiss And Plaintiff's Motion For Sanctions</i> by Anthony Balakian, Vince Balakian, Leo Balakian re <u>27</u> Stipulation and Proposed Order filed by Jose Hernandez,. (Attachments: # <u>1</u> Proposed Order)(Brouwer – PRO HAC VICE, Natalie) (Entered: 01/04/2007)
01/04/2007	29	MINUTE ORDER: TEXT ONLY ENTRY – The hearing on the motion to dismiss currently set for 1/29/2007 and the hearing on the motion for sanctions set for 2/5/2007 at 9:00 am will both be heard on 2/5/2007 at 10:00 AM (the courts regular law and motion hearing time) in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Lucas, G) (Entered: 01/04/2007)
01/05/2007	<u>30</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>17</u> MOTION to DISMISS. (Foster – PRO HAC VICE, Howard) (Entered: 01/05/2007)
01/08/2007	<u>31</u>	ORDER signed by Judge Oliver W. Wanger on 1/5/07 ORDERING <u>17</u> MOTION to DISMISS Hearing CONTINUED from 1/29/07 to 2/5/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Carter–Ford, R) (Entered: 01/08/2007)
01/17/2007	<u>32</u>	REQUEST for <i>Rescheduling the Court's Rule 16 Conference</i> by Anthony Balakian, Vince Balakian, Leo Balakian. (Attachments: # <u>1</u> Proposed Order)(Brouwer – PRO HAC VICE, Natalie) (Entered: 01/17/2007)
01/18/2007	<u>33</u>	ORDER GRANTING Joint Request to Reschedule the Court's Rule 16 Conference. Signed by Judge Oliver W. Wanger on 1/18/07. (Hellings, J) (Entered: 01/18/2007)
01/19/2007	<u>34</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>25</u> MOTION for SANCTIONS. (Attachments: # <u>1</u> Exhibit A – Mendoza Complaint# <u>2</u> Exhibit B, Mendoza RICO Case Statement)(Brouwer – PRO HAC VICE, Natalie) (Entered: 01/19/2007)
01/19/2007	<u>35</u>	REQUEST for <i>Judicial Notice of Complaint and RICO Case Statement Filed in Federal Court</i> by Anthony Balakian, Vince Balakian, Leo Balakian re <u>34</u> Memorandum/Response in Opposition to Motion filed by Leo Balakian,, Anthony Balakian,, Vince Balakian,. (Attachments: # <u>1</u> Mendoza Complaint# <u>2</u> Mendoza RICO Case Statement)(Brouwer – PRO HAC VICE, Natalie) (Entered: 01/19/2007)
01/19/2007	36	MINUTE ORDER: TEXT ONLY ENTRY – Due to the Court's heavy caseload, the hearing on the Motion to Dismiss and Motion for Sanctions currently set for 2/5/07 has been continued to 3/19/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. If the new hearing date is not agreeable to all parties, a stipulation signed by all parties must be submitted to the court with a new proposed hearing date that is not earlier than 4/9/07. (Robles, S) (Entered: 01/19/2007)
01/25/2007	<u>37</u>	NOTICE by all defendants. <i>Notice of Withdrawal of Natalie K. Brouwer</i> (Brouwer – PRO HAC VICE, Natalie) (Entered: 01/25/2007)

01/26/2007	<u>38</u>	REPLY to RESPONSE to MOTION re <u>25</u> MOTION for SANCTIONS. (Foster – PRO HAC VICE, Howard) (Entered: 01/26/2007)
03/12/2007	<u>39</u>	REPLY to RESPONSE to MOTION re <u>17</u> MOTION to DISMISS. (Lake – PRO HAC VICE, Monte) (Entered: 03/12/2007)
03/19/2007	40	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : DEFENDANTS' MOTION TO DISMISS AND PLAINTIFF'S MOTION FOR SANCTIONS HEARING held on 3/19/2007. Matter argued and submitted. Order to be prepared by the court. Scheduling Conference set for 4/13/2007 at 08:45 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Plaintiffs Counsel H. Foster present. Defendants Counsel M. Lake present. Court Reporter/CD Number: K. Lopez. (Robles, S) (Entered: 03/19/2007)
03/27/2007	<u>41</u>	ORDER GRANTING IN PART WITH LEAVE TO AMEND AND DENYING IN PART <u>17</u> MOTION to DISMISS filed by Leo Balakian, Anthony Balakian, Vince Balakian and DENYING <u>25</u> MOTION for SANCTIONS filed by Jose Hernandez. Case Management due by 5/1/2007 for filing of first amended complaint. signed by Judge Oliver W. Wanger on 3/23/07. (Robles, S) (Entered: 03/27/2007)
04/02/2007	<u>42</u>	FIRST AMENDED COMPLAINT against all defendants by Jose Hernandez.(Foster – PRO HAC VICE, Howard) (Entered: 04/02/2007)
04/06/2007	<u>43</u>	STATEMENT of Defendants' Case Management Statement and Proposed Order by Defendants Anthony Balakian, Vince Balakian, Leo Balakian. (Lake – PRO HAC VICE, Monte) (Entered: 04/06/2007)
04/09/2007	<u>44</u>	SCHEDULING REPORT by Jose Hernandez. (Foster – PRO HAC VICE, Howard) (Entered: 04/09/2007)
04/12/2007	45	CLERK'S NOTICE of DOCKET CORRECTION to Monte Lake re <u>43</u> Statement: The document should be filed with the event Proposed Order or Stipulation and Proposed Order. Additionally, Local Rule 5–137(b) requires that you email the proposed order in word processing format to the appropriate Judge. Please refer to "E–Mail Addresses for Proposed Orders" on our website (please disregard if you have emailed your document to the judge).(Hellings, J) (Entered: 04/12/2007)
04/13/2007	<u>46</u>	PROPOSED ORDER Defendants' Case Management Statement and Proposed Order by Anthony Balakian, Vince Balakian, Leo Balakian. (Lake – PRO HAC VICE, Monte) (Entered: 04/13/2007)
04/13/2007	47	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : SCHEDULING CONFERENCE held on 4/13/2007. Order to be prepared by the Court. (Robles, S) (Entered: 04/13/2007)
04/16/2007	<u>48</u>	DEFENDANTS' ANSWER to AMENDED COMPLAINT by Anthony Balakian, Vince Balakian, Leo Balakian.(Lake – PRO HAC VICE, Monte) (Entered: 04/16/2007)
04/17/2007	<u>49</u>	FIRST SCHEDULING CONFERENCE ORDER; class certification discovery cut–off due by 8/13/2007; motion for class certification due by 8/13/2007; in–court hearing re same set for 9/24/2007 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; order signed by Judge Oliver W. Wanger on 4/13/07. (Rooney, M) (Entered: 04/17/2007)
04/24/2007	<u>50</u>	MOTION for DISCOVERY to Strike Defs' Affirmative Defenses by Jose Hernandez. Motion Hearing set for 6/4/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Foster – PRO HAC VICE, Howard) (Entered: 04/24/2007)
04/24/2007	<u>51</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>50</u> MOTION for DISCOVERY to Strike Defs' Affirmative Defenses. (Foster – PRO HAC VICE, Howard) (Entered: 04/24/2007)
04/25/2007	<u>52</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>50</u> MOTION for DISCOVERY to Strike Defs' Affirmative Defenses. AMENDED (Foster – PRO HAC VICE, Howard) (Entered: 04/25/2007)

05/18/2007	<u>53</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>50</u> MOTION for DISCOVERY to Strike Defs' Affirmative Defenses. (Attachments: # <u>1</u> Exhibit Attachment A Marin v. Evans# <u>2</u> Exhibit Attachment B Jones v. Tozzi)(Lake – PRO HAC VICE, Monte) (Entered: 05/18/2007)
05/25/2007	<u>54</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>50</u> MOTION for DISCOVERY to Strike Defs' Affirmative Defenses. (Foster – PRO HAC VICE, Howard) (Entered: 05/25/2007)
05/29/2007	55	MINUTE ORDER: TEXT ONLY ENTRY – NOTICE TO COUNSEL: Counsel are reminded of the local rule requirement that when any document which has been electronically filed exceeds 25 pages, counsel must also submit a courtesy paper copy to chambers which is properly tabbed and fastened. (Timken, A) (Entered: 05/29/2007)
05/30/2007	<u>56</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Jose Hernandez for attorney Matthew A. Galin to appear Pro Hac Vice. (Goldberg, Michael) (Entered: 05/30/2007)
05/31/2007		RECEIPT number 101–205242 for \$180.00 for Pro Hac Vice Application Fee as to <u>Matthew A. Galin</u> from Johnson & Bell. (Arellano, S.) (Entered: 05/31/2007)
06/01/2007	<u>57</u>	ORDER DENYING <u>50</u> Plaintiff's MOTION to strike defendants' affirmative defenses signed by Judge Oliver W. Wanger on 6/1/2007. (Timken, A) (Entered: 06/01/2007)
06/05/2007	<u>58</u>	PRO HAC VICE ORDER Added attorney Matthew A. Galin– PRO HAC VICE for Jose Hernandez, signed by Judge Oliver W. Wanger on 6/1/07. (Gil–Garcia, A) (Entered: 06/05/2007)
06/07/2007		RECEIPT Number 101–205334 for \$180.00 for Pro Hac Vice Application Fee as to Wendel V. Hall From McGuiness, Norris & Williams LLP.(Arellano, S.) (Entered: 06/08/2007)
06/12/2007	<u>59</u>	PRO HAC VICE ORDER Added attorney Wendel V. Hall–PRO HAC VICE for Anthony Balakian and Vince Balakian, signed by Judge Oliver W. Wanger on 06/08/2007. (Martin, S) (Entered: 06/12/2007)
07/02/2007	<u>60</u>	MOTION to COMPEL by Jose Hernandez.Motion Hearing set for 7/27/2007 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Foster – PRO HAC VICE, Howard) (Entered: 07/02/2007)
07/02/2007	<u>61</u>	STATEMENT of Joint Statement of Plaintiff and Defendant by Plaintiff Jose Hernandez re <u>60</u> MOTION to COMPEL. (Attachments: # <u>1</u> Exhibit Exhibits A–K)(Foster – PRO HAC VICE, Howard) (Entered: 07/02/2007)
07/27/2007	62	MINUTES (Text Only) for proceedings held before Judge Dennis L. Beck : MOTION HEARING held on 7/27/2007 ; MOTIONS SUBMITTED: taking under submission, Court to issue Order re: Plaintiff's <u>60</u> Motion to Compel. Plaintiffs Counsel Howard Foster by telephone. Defendants Counsel Christine Cooper, Jan Leslie Kahn, Wendall Hall, Monte Lake by telephone. Court Reporter/CD Number: ECRO. (Hernandez, M) (Entered: 07/27/2007)
07/30/2007	<u>63</u>	MOTION to VACATE <i>Class Certification Schedule</i> by Jose Hernandez.Motion Hearing set for 9/10/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Foster – PRO HAC VICE, Howard) (Entered: 07/30/2007)
07/30/2007	<u>64</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>63</u> MOTION to VACATE <i>Class Certification Schedule</i> . (Foster – PRO HAC VICE, Howard) (Entered: 07/30/2007)
07/30/2007	<u>65</u>	NOTICE by Anthony Balakian, Vince Balakian, Leo Balakian. of <i>Withdrawal of Christine M. Cooper</i> (Cooper – PRO HAC VICE, Christine) (Entered: 07/30/2007)
08/02/2007	<u>66</u>	NOTICE of CHANGE of ADDRESS by Monte B. Lake – PRO HAC VICE. (Lake – PRO HAC VICE, Monte) (Entered: 08/02/2007)
08/24/2007	<u>67</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>63</u> MOTION to VACATE <i>Class Certification Schedule</i> . (Lake, Monte) (Entered: 08/24/2007)

09/05/2007	<u>68</u>	ORDER granting <u>60</u> Motion to Compel in part signed by Judge Dennis L. Beck on 9/5/2007. (Hernandez, M) (Entered: 09/05/2007)
09/10/2007	<u>70</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION to vacate class certification schedule HEARING held on 9/10/2007. The Court grants the motion as to the class certification schedule. The Court orders counsel to resolve the class discovery period, if no resolution is made, the matter is to be reset on calendar. Plaintiffs Counsel Not Present present. Defendants Counsel J. Kahn present. Court Reporter/CD Number: K. Lopez. (Timken, A) (Entered: 09/13/2007)
09/11/2007	<u>69</u>	STIPULATION and PROPOSED ORDER by Anthony Balakian, Vince Balakian, Leo Balakian. (Attachments: # <u>1</u> Proposed Order)(Hall, Wendel) (Entered: 09/11/2007)
09/25/2007	<u>71</u>	ORDER GRANTING Plaintiff's Motion to Vacate <u>63</u> . Signed by Judge Oliver W. Wanger on 9/25/07. (Hellings, J) (Entered: 09/25/2007)
09/25/2007		SERVICE BY MAIL: <u>71</u> Order on Motion to Vacate served on Matthew A. Galin PHV, Wendel Hall PHV. (Hellings, J) (Entered: 09/25/2007)
11/05/2007	<u>72</u>	ORDER signed by Judge Oliver W. Wanger on 11/5/2007 setting Scheduling Conference for 1/4/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 11/05/2007)
12/17/2007	<u>73</u>	MOTION to CERTIFY CLASS by Jose Hernandez.Motion Hearing set for 2/11/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Foster, Howard) (Entered: 12/17/2007)
12/17/2007	<u>74</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>73</u> MOTION to CERTIFY CLASS. (Attachments: # <u>1</u> Exhibit A through D# <u>2</u> Exhibit E though J# <u>3</u> Exhibit K# <u>4</u> Exhibit L# <u>5</u> Exhibit M through O)(Foster, Howard) (Entered: 12/17/2007)
12/28/2007	<u>75</u>	JOINT SCHEDULING REPORT by Jose Hernandez. (Foster, Howard) (Entered: 12/28/2007)
01/04/2008	<u>76</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : SCHEDULING CONFERENCE held on 1/4/2008. Specific dates to be given upon the Court's ruling on the class action motion. If the matter is not deemed a class action a further scheduling conference will be held. The Court to issue order. Plaintiffs Counsel M. Galin, H. Foster present. Defendants Counsel J. Kahn, M. Lake, W. Hall present. (Timken, A) (Entered: 01/04/2008)
01/09/2008	<u>77</u>	ORDER After Scheduling Conference signed by Judge Oliver W. Wanger on 1/8/08. (Verduzco, M) (Entered: 01/09/2008)
01/25/2008	<u>78</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>73</u> MOTION to CERTIFY CLASS. (Attachments: # <u>1</u> Proposed Order Form of Order per Standing Order)(Lake, Monte) (Entered: 01/25/2008)
01/25/2008	<u>79</u>	STATEMENT of Appendix of Exhibits in Support of Defendants' Memorandum in Opposition to Plaintiff's Motion to Certify Class by Defendants Anthony Balakian, Vince Balakian, Leo Balakian re <u>78</u> Memorandum/Response in Opposition to Motion. (Attachments: # <u>1</u> Exhibit Excerpts from Deposition of Jose Hernandez, # <u>2</u> Exhibit Declaration of Anthony Balakian, # <u>3</u> Exhibit Declaration of Vince Balakian, # <u>4</u> Exhibit Declaration of Leo Balakian, # <u>5</u> Exhibit Pew Center Report, # <u>6</u> Exhibit Declaration of Dr. Finis Welch, # <u>7</u> Exhibit DHS Subpoena re Olivarez, # <u>8</u> Exhibit Significant Obstacles, # <u>9</u> Exhibit GAO Report: Weaknesses Hinder Employment Verification, # <u>10</u> Exhibit Agreement Between Plaintiff and Counsel, # <u>11</u> Exhibit Jose Hernandez I-9 Form with Translator's Signature, # <u>12</u> Exhibit Felony Complaint, # <u>13</u> Exhibit Order re Preliminary Hearing, # <u>14</u> Exhibit Salyer Complaint, # <u>15</u> Exhibit Evans Complaint, # <u>16</u> Exhibit Affidavit of Jose Hernandez (English/Spanish), # <u>17</u> Exhibit Workers' Compensation Deposition, # <u>18</u> Exhibit Letter transmitting File)(Lake, Monte) (Entered: 01/25/2008)
01/31/2008	<u>80</u>	MOTION to AMEND the COMPLAINT amending <u>42</u> Amended Complaint <i>and Vacate Schedule</i> by Jose Hernandez. Motion Hearing set for 2/11/2008 at 10:00 AM in Courtroom 3 (OWW) before District Judge Oliver W. Wanger. (Foster,

		Howard) (Entered: 01/31/2008)
01/31/2008	<u>81</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>80</u> MOTION to AMEND the COMPLAINT amending <u>42</u> Amended Complaint <i>and Vacate Schedule</i> . (Foster, Howard) (Entered: 01/31/2008)
02/01/2008	82	MINUTE ORDER: ***TEXT ONLY ENTRY*** Notice to counsel: The hearing date re motion to amend the complaint, <u>80</u> , has been changed to allow proper notice pursuant to Local Rule 78-230(b). The Hearing re Motion to Amend the Complaint has been re-set to 3/17/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 02/01/2008)
02/08/2008	<u>83</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>80</u> MOTION to AMEND the COMPLAINT amending <u>42</u> Amended Complaint <i>and Vacate Schedule</i> . (Attachments: # <u>1</u> Exhibit Bodner v Oreck Direct, LLC, # <u>2</u> Proposed Order)(Lake, Monte) (Entered: 02/08/2008)
02/11/2008	84	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: HEARING re Motion to Certify Class <u>73</u> held on 2/11/2008. The matter is argued and submitted. The Court denies the motion without prejudice. Court Reporter/CD Number: ECRO. (Timken, A) (Entered: 02/11/2008)
03/07/2008	<u>85</u>	REPLY to RESPONSE to MOTION re <u>80</u> MOTION to AMEND the COMPLAINT amending <u>42</u> Amended Complaint <i>and Vacate Schedule</i> . (Foster, Howard) (Entered: 03/07/2008)
03/17/2008	86	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: MOTION to Amend Complaint HEARING held on 3/17/2008. The Court grants the motion to amend re new representative plaintiff only. Amended Complaint due by 4/17/2008. A Scheduling Conference has been set for 5/2/2008 at 08:15 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger to revise scheduling dates. The Court to issue decision. Plaintiffs Counsel H. Foster, M. Galin present. Defendants Counsel M. Lake, W. Hall present. Court Reporter/CD Number: K. Lopez. (Timken, A) (Entered: 03/17/2008)
03/19/2008	<u>87</u>	MEMORANDUM DECISION and ORDER Granting Plaintiff's Motion to Leave to Amend the Complaint and Vacate the Schedule <u>80</u> signed by Judge Oliver W. Wanger on 3/18/08. Amended Complaint due by 4/17/2008.(Verduzco, M) (Entered: 03/19/2008)
03/25/2008	<u>88</u>	MOTION for PROTECTIVE ORDER <i>Prohibiting Solicitation Of Potential Class Members As Class Representative Or Lead Plaintiff</i> by Anthony Balakian, Vince Balakian, Leo Balakian. Motion Hearing set for 5/19/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Exhibit Spanish Solicitation Letter, # <u>3</u> Exhibit Certified Translation Of Spanish Solicitation Letter, # <u>4</u> Exhibit English Solicitation Letter, # <u>5</u> Exhibit Deposition Excerpts, # <u>6</u> Proposed Order)(Lake, Monte) (Entered: 03/25/2008)
04/22/2008	<u>89</u>	PROPOSED ORDER by Anthony Balakian, Vince Balakian, Leo Balakian. (Lake, Monte) (Entered: 04/22/2008)
05/01/2008	<u>90</u>	ORDER of DISMISSAL, signed by Judge Oliver W. Wanger on 4/30/08. CASE CLOSED(Gil-Garcia, A) (Entered: 05/01/2008)
01/26/2011	<u>91</u>	TRANSCRIPT of Proceedings held on 2/11/2008, before Judge Oliver W. Wanger. MOTION TO CERTIFY CLASS HEARING filed by ECRO Otilia Figueroa, Phone number 559-499-5928 E-mail ofigueroa@caed.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 2/17/2011. Redacted Transcript Deadline set for 2/28/2011. Release of Transcript Restriction set for 4/28/2011. (Figueroa, O) (Entered: 01/26/2011)