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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-11196-SAS**

Bernstein et al v. Appellate Division First Department Departmental Disciplinary Committee et al
Assigned to: Judge Shira A. Scheindlin
Demand: \$9,999,000
Related Case: [1:07-cv-09599-DLC](#)
Case in other court: US Court of Appeals, 2nd Circuit, 08-04873-cv
US Court of Appeals, Second Circuit, 10-05303
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 12/12/2007
Date Terminated: 08/08/2008
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt Organization
Jurisdiction: Federal Question

Plaintiff

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Individually

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(See above for address)
ATTORNEY TO BE NOTICED

Stephen M. Hall
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

John Anthony Boggs
in his individual capacity

represented by **Gregg M Mashberg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Walter Fried
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard M. Howard
(See above for address)
LEAD ATTORNEY
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Stephen M. Hall
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Kenneth Marvin
in his official capacity

represented by **Gregg M Mashberg**
(See above for address)
LEAD ATTORNEY
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John Walter Fried
(See above for address)

*LEAD ATTORNEY
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Defendant

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Defendant

Thomas Hall
in his official capacity

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PRO HAC VICE
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Defendant

Debroah Yarborough
in her official capacity

represented by **Gregg M Mashberg**
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LEAD ATTORNEY
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John Walter Fried
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Defendant

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in her individual capacity

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Stephen M. Hall
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PRO HAC VICE
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Defendant

Virginia State Bar

represented by **Gregg M Mashberg**
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Stephen M. Hall
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Andrew H. Goodman
in his official capacity

represented by **Gregg M Mashberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Walter Fried
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Stephen M. Hall
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Andrew H. Goodman
in his individual capacity

represented by **Gregg M Mashberg**
(See above for address)
LEAD ATTORNEY

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John Walter Fried

(See above for address)

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Monica Anne Connell

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ATTORNEY TO BE NOTICED

Stephen M. Hall

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PRO HAC VICE

ATTORNEY TO BE NOTICED

Defendant

Noel Sengel

in her official capacity

represented by **Gregg M Mashberg**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Walter Fried

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LEAD ATTORNEY

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Stephen M. Hall
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Defendant

Noel Sengel
in her individual capacity

represented by **Gregg M Mashberg**
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LEAD ATTORNEY
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John Walter Fried
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Monica Anne Connell

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ATTORNEY TO BE NOTICED

Stephen M. Hall

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PRO HAC VICE

ATTORNEY TO BE NOTICED

Defendant

Mary W. Martelino

in her individual capacity

represented by **Gregg M Mashberg**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Walter Fried

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LEAD ATTORNEY

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Richard M. Howard

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ATTORNEY TO BE NOTICED

Stephen M. Hall

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PRO HAC VICE

ATTORNEY TO BE NOTICED

Defendant

John Does

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ATTORNEY TO BE NOTICED

Stephen M. Hall
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/2007	1	COMPLAINT against Catherine O'Hagen Wolfe(in their individual capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Martin R. Gold(in his individual capacity), Martin R. Gold(in thier offical capacity), Angela M. Mazzarelli(in her official capacity), Angela M. Mazzarelli(in her individual capacity), Richard T. Andrias(in his official capacity), Richard T. Andrias(in his individual capacity), David B. Saxe, David B. Saxe, David Friedman(in his official capacity), David Friedman(in his individual capacity), Luiz A. Gonzales(in his official capacity), Luiz A. Gonzales(in his individual capacity), Appellate Division Second Department Departmental Disciplinary Committee, Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), Diana Maxfield Kears(e in her official capacity), Diana Maxfield Kears(e in her individual capacity), James E. Peltzer(in his offical capacity), James E. Peltzer(in his individual capcity), A. Gail Prudenti(in her offical capacity), A. Gail Prudenti(in her individual capacity), Steven C. Krane(in his official capacity), Steven C. Krane(in his individual capacity), Judith S. Kaye, Judith S. Kaye, Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP, Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer, Raymond A. Joao, Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker, State of New York Commission of Investigation, Appellate Division First Department Departmental Disciplinary Committee, Lawyers Fund for Client Protection of the State of New York, The Florida Bar, Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Eric Turner(in his official capacity), Eric Turner(in his individual capacity), John Anthony Boggs(in his official capacity), John Anthony Boggs(in his individual capacity), Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Thomas J. Cahill(in his official capacity), Thomas Hall(in his official capacity), Thomas Hall(in his individual capacity), Debroah Yarborough(in her official capacity), Debroah Yarborough(in her individual capacity), Virginia State Bar, Andrew

		H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), Mary W. Martelino, Thomas J. Cahill(in his individual capacity), John Does, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Catherine O'Hagen Wolfe(in their official capacity). (Filing Fee \$ 350.00, Receipt Number 635712)Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein, P. Stephen Lamont.(mbe) (Entered: 12/14/2007)
12/12/2007		SUMMONS ISSUED as to Catherine O'Hagen Wolfe(in their individual capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Martin R. Gold(in his individual capacity), Martin R. Gold(in thier offical capacity), Angela M. Mazzarelli(in her official capacity), Angela M. Mazzarelli(in her individual capacity), Richard T. Andrias(in his official capacity), Richard T. Andrias(in his individual capacity), David B. Saxe, David B. Saxe, David Friedman(in his official capacity), David Friedman(in his individual capacity), Luiz A. Gonzales(in his official capacity), Luiz A. Gonzales(in his individual capacity), Appellate Division Second Department Departmental Disciplinary Committee, Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), Diana Maxfield Kears(e in her official capacity), Diana Maxfield Kears(e in her individual capacity), James E. Peltzer(in his official capacity), James E. Peltzer(in his individual capacity), A. Gail Prudenti(in her official capacity), A. Gail Prudenti(in her individual capacity), Steven C. Krane(in his official capacity), Steven C. Krane(in his individual capacity), Judith S. Kaye, Judith S. Kaye, Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP, Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer, Raymond A. Joao, Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker, State of New York Commission of Investigation, Appellate Division First Department Departmental Disciplinary Committee, Lawyers Fund for Client Protection of the State of New York, The Florida Bar, Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Eric Turner(in his official capacity), Eric Turner(in his individual capacity), John Anthony Boggs(in his official capacity), John Anthony Boggs(in his individual capacity), Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Thomas J. Cahill(in his official capacity), Thomas Hall(in his official capacity), Thomas Hall(in his individual capacity), Debroah Yarborough(in her official capacity), Debroah Yarborough(in her individual capacity), Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), Mary W. Martelino, Thomas J. Cahill(in his individual capacity), John Does, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Catherine O'Hagen Wolfe(in their official capacity). (mbe) (Entered: 12/14/2007)
12/12/2007		CASE REFERRED TO Judge Shira A. Shindlin as possibly related to 1:07-cv-9599. (mbe) (Entered: 12/14/2007)
12/21/2007		CASE ACCEPTED AS RELATED. Create association to 1:07-cv-09599-SAS. Notice of Assignment to follow. (laq) (Entered: 01/10/2008)
12/21/2007	4	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (laq) (Entered: 01/10/2008)
12/21/2007		Magistrate Judge Douglas F. Eaton is so designated. (laq) (Entered: 01/10/2008)
12/26/2007	2	MOTION for appointment of pro bono counsel; MOTION for Extension of Time to file amended complaint after original complaint has been filed on some or all of the defendants; MOTION for order for the United States Marshal Service to serve papers on remaining or all of the defendants; MOTION to accept limited power of attorney of plaintiff Bernstein and Plaintiff Lamont Accept Remote appearance of plaintiff Bernstein for Court Proceedings; and Physical Protection of Plaintiffs for Court Appearances. Attached is Affidavit in Support. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein.(djc) (Entered: 01/08/2008)
12/26/2007	3	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Eliot I. Bernstein(Individually).(djc) (Entered: 01/09/2008)
01/10/2008		Mailed notice to the attorney(s) of record. (laq) (Entered: 01/10/2008)
01/10/2008	5	ORDER granting in part and denying in part 2 Motion to Appoint Counsel ; granting in part and denying in part 2 Motion for Extension of Time; granting in part and denying in part 2 Motion to Serve; granting in part and denying in part 2 Motion. For the reasons stated above, plaintiffs' motions are granted in part and denied in part. The United States Marshals are directed to serve the Complaint on defendants. Plaintiffs will have until twenty days after service is completed on all defendants to file an amended complaint. The Clerk of the Court is directed to close these motions (document no. 2 on the docket sheet). (Signed by Judge Shira A. Scheindlin on 1/9/2008)(jmi) (Entered: 01/11/2008)
01/23/2008		AMENDED SUMMONS ISSUED as to Catherine O'Hagen Wolfe(in their individual capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Martin R. Gold(in his individual capacity), Martin R. Gold(in thier offical capacity), Angela M. Mazzarelli(in her official capacity), Angela M. Mazzarelli(in her individual capacity), Richard T. Andrias(in his official capacity), Richard T. Andrias(in his individual capacity), David B. Saxe, David B. Saxe, David Friedman(in his official capacity), David Friedman(in his individual capacity), Luiz A. Gonzales(in his official capacity), Luiz A. Gonzales(in his individual capacity), Appellate Division Second Department Departmental Disciplinary Committee, Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), Diana Maxfield Kears(e in her official capacity), Diana Maxfield Kears(e in her individual capacity), James E. Peltzer(in his official capacity), James E. Peltzer(in his individual capacity), A. Gail Prudenti(in her official capacity), A. Gail Prudenti(in her individual capacity), Steven C. Krane(in his official capacity), Steven C. Krane(in his individual capacity), Judith S. Kaye, Judith S. Kaye, Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP, Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer, Raymond A. Joao, Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker, State of New York Commission of Investigation, Appellate Division First Department Departmental Disciplinary Committee, Lawyers Fund for Client Protection of the State of New York, The Florida Bar, Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Eric Turner(in his official capacity), Eric Turner(in his individual capacity), John Anthony Boggs(in his official capacity), John Anthony Boggs(in his individual capacity), Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Thomas J. Cahill(in his official capacity), Thomas Hall(in his official capacity), Thomas Hall(in his individual capacity), Debroah Yarborough(in her official capacity), Debroah Yarborough(in her individual capacity), Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual

		capacity), Mary W. Martelino, Thomas J. Cahill(in his individual capacity), John Does, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Catherine O'Hagen Wolfe(in their official capacity). (tro) (Entered: 01/25/2008)
03/07/2008	6	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. David B. Saxe served on 2/28/2008, answer due 3/19/2008; David B. Saxe served on 2/28/2008, answer due 3/19/2008. Service was accepted by David B. Saxe. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/10/2008)
03/10/2008	<u>7</u>	ORDER: I have considered plaintiffs' request and have determined that the Attorney General does not face an improper conflict of interest in representing the State Defendants. If, however, the Attorney General concludes that an investigation of defendants is warranted, then independent counsel would be required. Plaintiffs request that the Court find that defendant Raymond A. Joao's counsel, alleged to be John W. Fried is conflicted because Fried will be required to testify and may be added as a defendant. Plaintiffs' request is denied at this time. Plaintiff also request that the Court reconsider its earlier denial of plaintiffs' request for pro bono counsel. Plaintiffs have presented no such decisions or factual matters. The Request is denied. Defendants time to return waivers of personal service is hereby extended until March 21, 2008. Defendants shall move or answer no later than May 30, 2008. (Signed by Judge Shira A. Scheindlin on 3/7/2008) (jpo) (Entered: 03/10/2008)
03/11/2008	8	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Martin R. Gold(in his individual capacity) served on 2/29/2008, answer due 3/20/2008; Martin R. Gold(in their official capacity) served on 2/29/2008, answer due 3/20/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (jmi) (Entered: 03/14/2008)
03/14/2008	9	ACKNOWLEDGMENT OF SERVICE. John Anthony Boggs(in his official capacity) served on 3/4/2008, answer due 3/24/2008. Service was accepted by John Anthony Boggs. Document filed by Eliot I. Bernstein. (djc) (Entered: 03/17/2008)
03/19/2008	10	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE UNEXECUTED as to Debroah Yarborough(in her official capacity). Attempted Service of Summons and Complaint. Service was attempted on 3/12/08. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein. (pl) (Entered: 03/20/2008)
03/21/2008	<u>11</u>	ORDER: plaintiffs are again reminded that pursuant to Standing Order M10-468, all communications with the Court, including all motions and letters are to be directed to the Court's Pro Se Office, not to chambers. Violation of the Standing Order may lead to a finding of contempt of court. Plaintiffs have requested reconsideration of the Court's Order dated March 7, 2008. The Court declines to revisit its earlier decision. Plaintiffs have also requested legal advice on several topics. The Court does not give legal advice to parties. Plaintiffs have requested legal advice on several topics. The Court does not give legal advice to parties. Plaintiffs have requested that the Court notify the appropriate authorities of defendants' alleged criminal misconduct. At this early stage of the litigation, such notification would be both inappropriate and premature. Finally, plaintiffs have requested permission to make use of the Court's electronic case filing and case management system. At this time, permission to do so is denied. Any further consideration of the substantive issues raised by plaintiffs, including plaintiffs' requests regarding conflicts of interest, must await the resolution of anticipated motions to dismiss. (Signed by Judge Shira A. Scheindlin on 3/21/08) (tro) (Entered: 03/21/2008)
03/21/2008	12	MOTION to Dismiss pursuant to F. R. Civ. P. 12(b)(2) and (6). (Attached is the Declaration of Glenn T. Burhans, Jr., in Support of The Florida Bar Defendants' Motion to Dismiss.) Document filed by The Florida Bar, Lorraine Christine Hoffman(in her individual capacity), Eric Turner(in his official capacity), John Anthony Boggs(in his official capacity), Kenneth Marvin(in his official capacity).(rw) (Entered: 03/24/2008)
03/21/2008	13	MEMORANDUM OF LAW in Support of the Florida Bar Defendants' Motion to dismiss the Complaint pursuant to F.R.C.P. 12(b)and (6). Document filed by The Florida Bar, Lorraine Christine Hoffman(in her official capacity), Eric Turner(in his official capacity), John Anthony Boggs(in his official capacity), Kenneth Marvin(in his individual capacity). (jpo) (Entered: 03/24/2008)
03/24/2008	<u>14</u>	ORDER all defendants that seek to move to dismiss must so move and submit memoranda of law no later than May 30, 2008. Plaintiffs' response is due on June 30, 2008. Defendants' reply, if any, is due on July 14, 2008. The parties are reminded that the restrictions on page limits and exhibits detailed in the Court's Individual Rules and Procedures are in effect, and memoranda of law that do not comply with these Rules will be rejected. SO ORDERED. (Responses due by 6/30/2008, Replies due by 7/14/2008.) (Signed by Judge Shira A. Scheindlin on 3/24/2008) (jmi) (Entered: 03/25/2008)
03/24/2008	15	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Proskauer Rose LLP served on 3/18/2008, answer due 4/7/2008. Service was accepted by Greg Mashberg. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	16	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Kenneth Rubenstein served on 3/18/2008, answer due 4/7/2008. Service was accepted by Greg Mashberg. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	17	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Steven C. Krane(in his official capacity) served on 3/18/2008, answer due 4/7/2008; Steven C. Krane(in his individual capacity) served on 3/18/2008, answer due 4/7/2008. Service was accepted by Gregg Mashberg. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	18	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Estate of Stephen Kaye served on 3/18/2008, answer due 4/7/2008. Service was accepted by Gregg Mashberg. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	20	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Mary W. Martelino served on 3/14/2008, answer due

		4/3/2008. Service was accepted by Stephen Hall. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	21	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Virginia State Bar served on 3/14/2008, answer due 4/3/2008. Service was accepted by Stephen Hall. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	22	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Noel Sengel(in her official capacity) served on 3/14/2008, answer due 4/3/2008; Noel Sengel(in her individual capacity) served on 3/14/2008, answer due 4/3/2008. Service was accepted by Stephen Hall. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/24/2008	23	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Andrew H. Goodman(in his official capacity) served on 3/14/2008, answer due 4/3/2008; Andrew H. Goodman(in his individual capacity) served on 3/14/2008, answer due 4/3/2008. Service was accepted by Stephen Hall. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 03/25/2008)
03/25/2008	<u>19</u>	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - NOTICE OF APPEARANCE by John Walter Fried on behalf of Raymond A. Joao (Attachments: # <u>1</u> Affidavit of Service)(Fried, John) Modified on 3/26/2008 (db). (Entered: 03/25/2008)
03/25/2008	24	NOTICE OF APPEARANCE by Monica Anne Connell on behalf of Catherine O'Hagen Wolfe(in their individual capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Martin R. Gold(in his individual capacity), Martin R. Gold(in thier official capacity), Angela M. Mazzarelli(in her official capacity), Angela M. Mazzarelli(in her individual capacity), Richard T. Andrias(in his official capacity), Richard T. Andrias(in his individual capacity), David B. Saxe, David B. Saxe, David Friedman(in his official capacity), David Friedman(in his individual capacity), Luiz A. Gonzales(in his official capacity), Luiz A. Gonzales(in his individual capacity), Appellate Division Second Department Departmental Disciplinary Committee, Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), Diana Maxfield Kearse(in her official capacity), Diana Maxfield Kearse(in her individual capacity), James E. Peltzer(in his official capacity), James E. Peltzer(in his individual capacity), A. Gail Prudenti(in her official capacity), A. Gail Prudenti(in her individual capacity), Judith S. Kaye, Judith S. Kaye, State of New York Commission of Investigation, Appellate Division First Department Departmental Disciplinary Committee, Lawyers Fund for Client Protection of the State of New York, Thomas J. Cahill(in his official capacity), Thomas J. Cahill(in his individual capacity), Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Catherine O'Hagen Wolfe(in their official capacity) (dle) (Entered: 03/26/2008)
03/26/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney John Walter Fried to MANUALLY RE-FILE Document Notice of Appearance, Document No. 19. This case is not ECF. (db) (Entered: 03/26/2008)
03/26/2008	25	NOTICE OF APPEARANCE by John Walter Fried on behalf of Raymond A. Joao. (jco) (Entered: 03/27/2008)
03/27/2008	26	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Michael C. Grebe served on 3/16/2008, answer due 5/30/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	27	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Lorraine Christine Hoffman(in her official capacity) served on 3/5/2008, answer due 3/25/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	28	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Judith S. Kaye served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	29	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Lawyers Fund for Client Protection of the State of New York served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	30	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. State of New York Commission of Investigation served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	31	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Paul Curran(in individual capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	32	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Angela M. Mazzarelli(in her official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	33	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. James E. Peltzer(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	34	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Joseph Wigley(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	35	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Catherine O'Hagen Wolfe(in their official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)

03/27/2008	36	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Richard T. Andrias(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	37	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Thomas J. Cahill(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	38	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Diana Maxfield Kears(e in her official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	39	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. A. Gail Prudenti(in her official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	40	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Lawrence DiGiovanna(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	41	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Appellate Division Second Department Departmental Disciplinary Committee served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	42	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. David Friedman(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	43	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Luiz A. Gonzales(in his official capacity) served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	44	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Kenneth Marvin(in his official capacity) served on 3/17/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/27/2008	45	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Appellate Division First Department Departmental Disciplinary Committee served on 3/18/2008, answer due 4/7/2008. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (pl) (Entered: 03/31/2008)
03/31/2008	46	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kent K. Anker dated 3/28/2008 re: Requesting that defendants Foley & Lardner LLP, Steven C. Beeker, Douglas A. Behm, William J. Dick, and Michael W. Grebe be granted an extension of time to respond to plaintiffs' complaint. ENDORSEMENT: Defendants request is granted. Plaintiffs response is due June 30, 2008, Defendants' reply is due July 14, 2008. So Ordered. (Signed by Judge Shira A. Scheindlin on 3/28/2008) (jpo) (Entered: 03/31/2008)
04/07/2008	47	MOTION to Allow Filing of an Amend/Correct 1 Complaint. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein.(jmi) (Entered: 04/08/2008)
04/07/2008	48	MOTION in Opposition to Defendants re: 12 MOTION to Dismiss Based on Material and Substantial Evidence. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein.(jmi) (Entered: 04/08/2008)
04/08/2008	49	ORDER: The Court has received a document styled "opposition to Defendants Motion to dismiss." from plaintiffs. This document was apparently sent directly to Chambers, not to the Courts Pro Se Office. Because plaintiffs have failed to comply with the Court's standing order this document is rejected. If plaintiff seeks to file a motion they must do so through the Court's Pro SE Office. The time for defendants to move to dismiss is extended to May 30, 2008, plaintiffs response is due by June 30, 2008 Defendants reply is due July 14, 2008. (Signed by Judge Shira A. Scheindlin on 4/8/2008) (jpo) (Entered: 04/09/2008)
04/11/2008	50	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Raymond A. Joao served on 3/25/2008, answer due 5/30/2008. Service was accepted by John W. Fried. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 04/11/2008)
04/11/2008	51	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. William J. Dick served on 3/25/2008, answer due 5/30/2008. Service was accepted by William J. Dick. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 04/11/2008)
04/11/2008	52	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Douglas A. Boehm served on 3/24/2008, answer due 5/30/2008. Service was accepted by Douglas Boehm. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 04/11/2008)
04/11/2008	53	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Steven C. Becker served on 3/24/2008, answer due 5/30/2008. Service was accepted by Steven Becker. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 04/11/2008)
04/11/2008	54	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Complaint, served. Foley Lardner LLP served on 3/20/2008, answer due 5/30/2008. Service was accepted by James R. Clark. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (dle) (Entered: 04/11/2008)

04/15/2008	<u>55</u>	ORDER that the Court has received plaintiffs' request to file an Amended Complaint. Plaintiffs' request is granted. The Amended Complaint must be filed no later than 5/10/08. Notwithstanding the filing of the Amended Complaint, defendants' deadline to move to dismiss or file an Answer remains 5/30/08. Plaintiffs' response remains due on 6/30/08. Defendants' reply, if any, remains due on 7/14/08. The parties are again reminded that the restrictions on page limits and exhibits detailed in the Court's Individual Rules and Procedures are in effect, and memoranda of law that do not comply with these Rules will be rejected. (Signed by Judge Shira A. Scheindlin on 4/14/08) (dle) (Entered: 04/15/2008)
04/24/2008	<u>56</u>	MOTION for Stephen Hall to Appear Pro Hac Vice. Document filed by Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), Mary W. Martelino.(dle) (Entered: 04/25/2008)
04/29/2008		CASHIERS OFFICE REMARK on <u>56</u> Motion to Appear Pro Hac Vice, in the amount of \$25.00, paid on 04/24/2008, Receipt Number 649058. (jd) (Entered: 04/29/2008)
05/02/2008	57	DECLARATION of Kent K. Anker RESPONSE to Plaintiffs' Motion for Pro Bono Counsel. Document filed by Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker. (jmi) (Entered: 05/05/2008)
05/02/2008	58	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker.(jmi) (Entered: 05/05/2008)
05/02/2008	59	NOTICE OF APPEARANCE by Lili Zandpour, Kent Kari Anker on behalf of Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker (jmi) (Entered: 05/05/2008)
05/09/2008	<u>60</u>	ORDER: Service of any amended complaint will be stayed until such time as the scheduled motions to dismiss have been decided. Accordingly, the time for newly named defendants to respond to the Complaint is hereby stayed until after the Court has ruled on those motions. This Order is subject to reconsideration upon receipt of opposition, if any, from plaintiffs. (Signed by Judge Shira A. Scheindlin on 5/9/08) (tro) (Entered: 05/12/2008)
05/12/2008	61	NOTICE OF APPEARANCE by Joanna Frances Smith on behalf of Steven C. Krane(in his individual capacity), Kenneth Rubenstein, Proskauer Rose LLP (pl) (Entered: 05/13/2008)
05/12/2008	62	MOTION for a pro se office to copy and transmit amended complaint to U.S. Marshal's Office. Document filed by Eliot I. Bernstein(Individually), P. Stephen Lamont.(pl) (Entered: 05/13/2008)
05/12/2008	87	AMENDED COMPLAINT amending 1 Complaint,,,,,,,,, against Catherine O'Hagen Wolfe(in their individual capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Martin R. Gold(in his individual capacity), Martin R. Gold(in their official capacity), Angela M. Mazzarelli(in her official capacity), Angela M. Mazzarelli(in her individual capacity), Richard T. Andrias(in his official capacity), Richard T. Andrias(in his individual capacity), David B. Saxe, David B. Saxe, David Friedman(in his official capacity), David Friedman(in his individual capacity), Luiz A. Gonzales(in his official capacity), Luiz A. Gonzales(in his individual capacity), Appellate Division Second Department Departmental Disciplinary Committee, Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), Diana Maxfield Kearsse(in her official capacity), Diana Maxfield Kearsse(in her individual capacity), James E. Peltzer(in his official capacity), James E. Peltzer(in his individual capacity), A. Gail Prudenti(in her official capacity), A. Gail Prudenti(in her individual capacity), Steven C. Krane(in his official capacity), Steven C. Krane(in his individual capacity), Judith S. Kaye, Judith S. Kaye, Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP, Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer, Raymond A. Joao, Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker, State of New York Commission of Investigation, Appellate Division First Department Departmental Disciplinary Committee, Lawyers Fund for Client Protection of the State of New York, The Florida Bar, Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Eric Turner(in his official capacity), Eric Turner(in his individual capacity), John Anthony Boggs(in his official capacity), John Anthony Boggs(in his individual capacity), Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Thomas J. Cahill(in his official capacity), Thomas Hall(in his official capacity), Thomas Hall(in his individual capacity), Debroah Yarborough(in her official capacity), Debroah Yarborough(in her individual capacity), Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), Mary W. Martelino, Thomas J. Cahill(in his individual capacity), John Does, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Catherine O'Hagen Wolfe(in their official capacity).Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein, P. Stephen Lamont. Related document: 1 Complaint,,,,,,,,, filed by P. Stephen Lamont, Eliot I. Bernstein.(dle) (Entered: 07/03/2008)
05/13/2008	<u>63</u>	ORDER granting <u>56</u> Motion for Stephen M. Hall to Appear Pro Hac Vice. (Signed by Judge Shira A. Scheindlin on 5/13/08) (mme) (Entered: 05/13/2008)
05/14/2008	<u>64</u>	MEMO ENDORSEMENT on re: 62 MOTION for a pro se office to copy and transmit amended complaint to U.S. Marshal's Office. filed by P. Stephen Lamont, Eliot I. Bernstein ENDORSEMENT; In accordance with this court's order dated May 9, 2008, service of any amended complaint is stayed until such the as the scheduled motions to dismiss are decided. Plaintiff's motion is therefore denied with leave to renew after that time. (Signed by Judge Shira A. Scheindlin on 5/13/08) (mme) (Entered: 05/14/2008)
05/22/2008	65	MOTION IN OPPOSITION TO <u>60</u> STAY ORDER dated 5/9/08 - REQUEST FOR CLARIFICATION ORDER. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein, P. Stephen Lamont.(db) (Entered: 05/22/2008)
05/28/2008	66	MOTION for an order of dismissal, under FRCP Rule 12 dismissing the Complaint in this action as to the Virginia Defendants in its entirety. Document filed by Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual

		capacity), Mary W. Martelino.(dle) (Entered: 05/29/2008)
05/28/2008	67	MEMORANDUM OF LAW in Support re: 66 MOTION to Dismiss. Document filed by Virginia State Bar, Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), Mary W. Martelino. (dle) (Entered: 05/29/2008)
05/30/2008	68	MOTION for an order pursuant to F.R.C.P. 12(b)(2) and (6) to Dismiss the Amended Complaint; w/ atch. Declaration in support. Document filed by Lorraine Christine Hoffman(in her official capacity), Eric Turner(in his official capacity), John Anthony Boggs(in his official capacity), Kenneth Marvin(in his official capacity).(pl) (Entered: 05/30/2008)
05/30/2008	69	MEMORANDUM OF LAW in Support re: 68 MOTION to Dismiss.. Document filed by Lorraine Christine Hoffman(in her official capacity), John Anthony Boggs(in his official capacity), Kenneth Marvin(in his official capacity, et al. (pl) (Entered: 05/30/2008)
05/30/2008	<u>70</u>	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - CROSS MOTION to Dismiss Complaint. Document filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer.(Howard, Richard) Modified on 6/2/2008 (KA). (Entered: 05/30/2008)
05/30/2008	<u>71</u>	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - AFFIDAVIT of Richard M. Howard, Esq. in Support re: <u>70</u> CROSS MOTION to Dismiss Complaint. Document filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer. (Howard, Richard) Modified on 6/2/2008 (KA). (Entered: 05/30/2008)
05/30/2008	<u>72</u>	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - AFFIDAVIT OF SERVICE of Notice of Cross Motion with Affidavit in Support served on Elliot I. Bernstein, P. Stephen Lamont, Monica Connell, Esq., Gregg M. Mashberg, Esq., Glenn T. Burhans, Jr., Esq., John W. Fried, Esq. on May 30, 2008. Service was made by Mail. Document filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer. (Howard, Richard) Modified on 6/2/2008 (KA). (Entered: 05/30/2008)
05/30/2008	73	MOTION to Dismiss the Amended Complaint. Document filed by State of New York Commission of Investigation et al.(cd) (Entered: 06/02/2008)
05/30/2008	74	MEMORANDUM OF LAW in Support re: 73 MOTION to Dismiss.. Document filed by State of New York Commission of Investigation et al. (cd) (Entered: 06/02/2008)
05/30/2008	75	MOTION for an order pursuant to Rules 8 (a)(2), 9(b), 12(b)(1), and 12(b)(6), of the F.R.C.P. to Dismiss the Amended Complaint. Document filed by Raymond A. Joao.(pl) (Entered: 06/02/2008)
05/30/2008	76	MEMORANDUM OF LAW in Support re: 75 MOTION to Dismiss. Document filed by Raymond A. Joao. (pl) (Entered: 06/02/2008)
05/30/2008	77	DECLARATION of John W. Fried in Support re: 75 MOTION to Dismiss.. Document filed by Raymond A. Joao. (pl) (Entered: 06/02/2008)
05/30/2008	78	MOTION to Dismiss the Complaint and Amended Complaint, with prejudice. Document filed by Steven C. Krane(in his individual capacity), Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP.(cd) (Entered: 06/02/2008)
05/30/2008	79	DECLARATION of Joanna Smith in Support re: 78 MOTION to Dismiss. Document filed by Steven C. Krane(in his official capacity), Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP. (cd) (Entered: 06/02/2008)
05/30/2008	80	MEMORANDUM OF LAW in Support re: 78 MOTION to Dismiss. Document filed by Steven C. Krane(in his individual capacity), Kenneth Rubenstein, Estate of Stephen Kaye, Proskauer Rose LLP. (cd) (Entered: 06/02/2008)
05/30/2008	81	MOTION for an order pursuant to F.R.C.P. 9(b) and 12(b)(b) dismissing the original and amended complaints. Document filed by Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker.(pl) (Entered: 06/02/2008)
05/30/2008	82	DECLARATION of Lili Zandpour in Support re: 81 MOTION to Dismiss.. Document filed by Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker. (pl) (Entered: 06/02/2008)
06/02/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Richard M. Howard to MANUALLY RE-FILE Document Cross-Motion to Dismiss Complaint, Document No. 70. This case is not ECF. (KA) (Entered: 06/02/2008)
06/02/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Richard M. Howard to MANUALLY RE-FILE Document Affidavit in Support of Motion, Document No. 71. This case is not ECF. (KA) (Entered: 06/02/2008)
06/02/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Richard M. Howard to MANUALLY RE-FILE Document Affidavit of Service, Document No. 72. This case is not ECF. (KA) (Entered: 06/02/2008)
06/03/2008	83	CROSS-MOTION to Dismiss plaintiffs' complaint purs to FRCP Rule 12(b)(6). Attached is Affidavit. Document filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer.(djc) Modified on 6/5/2008 (djc). (Entered: 06/05/2008)
06/06/2008	85	MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTIONS TO DISMISS DUE TO EXTRANEIOUS CIRCUMSTANCES AND POSSIBLE ABUSE OF PROCESS AND REQUESTS COURT TO REVISIT PRO BONO COUNSEL. Document filed by Eliot I. Bernstein(Individually), P. Stephen Lamont.(pl) (Entered: 06/11/2008)

06/09/2008	84	DECLARATION OF SERVICE by Attorney Monica Connell, of Motion to dismiss dated 5/30/08, the Declaration of Monica A. Connell and State Defendants Memorandum in support of Motion to Dismiss the Amended Complaint served on Pro Se Plaintiff, Attorneys for Harvey Gladstein & Partners, Attorneys for Alan Isaac, and Attorneys for the City defendants on 5/30/08. Service was made by Federal Express. Document filed by Appellate Division Second Department Departmental Dicipinary Committee, Lawrence DiGiovanna, A. Gail Pudenti, James E. Peltzer, Virginia State Bar, et al... (pl) Modified on 6/10/2008 (pl). Modified on 7/8/2008 (pl). Modified on 7/8/2008 (pl). (Entered: 06/10/2008)
06/18/2008	<u>86</u>	ORDER: Plaintiff's moved (doc. #85), for an extension of time to respond to the Motions to Dismiss. Plaintiffs responses due 7/14/08. Defendants replies due 7/28/08. NO FURTHER EXTENSIONS WILL BE GRANTED. Set Deadlines/Hearing as to 73 MOTION to Dismiss. 83 MOTION to Dismiss. 68 MOTION to Dismiss. 78 MOTION to Dismiss. 75 MOTION to Dismiss. 81 MOTION to Dismiss. 66 MOTION to Dismiss: (Responses due by 7/14/2008, Replies due by 7/28/2008.) (Signed by Judge Shira A. Scheindlin on 6/17/07) (db) (Entered: 06/18/2008)
07/03/2008	88	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Amended Complaint served. Thomas Hall(in his individual capacity) served on 6/6/2008, answer due 6/26/2008. Service was accepted by Vickie Vanlith, Administrative Assistant. Document filed by Eliot I. Bernstein(Individually). (pl) (Entered: 07/07/2008)
07/07/2008	89	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Amended Complaint served. The Florida Bar served on 6/6/2008, answer due 6/26/2008. Service was accepted by Jack Harkness-Executive Director. Document filed by Eliot I. Bernstein(Individually). (pl) (Entered: 07/07/2008)
07/14/2008	90	OPPOSITION/RESPONSE to Motion re: 83 MOTION to Dismiss. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/14/2008	91	OPPOSITION/RESPONSE to Motion re: 75 MOTION to Dismiss. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/14/2008	92	Co-Plaintiff Lamont's Opposition to the Sate Defendants' Motion to Dismiss. (djc) (Entered: 07/15/2008)
07/14/2008	93	opposition/RESPONSE to Motion re: 78 MOTION to Dismiss.. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/14/2008	94	OPPOSITION/RESPONSE to Motion re: 81 MOTION to Dismiss.. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/14/2008	95	RESPONSE to Motion re: 12 MOTION to Dismiss. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/14/2008	96	OPPOSITION RESPONSE to Motion re: 66 MOTION to Dismiss.. Document filed by P. Stephen Lamont. (djc) (Entered: 07/15/2008)
07/15/2008	97	MOTION for Extension of Time To File Responsive Pleadings to Motions to Dismiss & Opposition to Motions to Dismiss; attached are papers in support. Document filed by Eliot I. Bernstein(Individually).(cd) (Entered: 07/17/2008)
07/16/2008	99	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Amended Complaint, served. Appellate Division First Department Departmental Disciplinary Committee served on 6/19/2008, answer due 7/9/2008. Service was accepted by Tom McGowan. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein; P. Stephen Lamont. (jpo) (Entered: 07/21/2008)
07/16/2008	100	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Amended Complaint served. Meltzer Lippe Goldstein & Breistone LLP served on 6/19/2008, answer due 7/9/2008. Service was accepted by Tom McGowan. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (tro) (Entered: 07/21/2008)
07/17/2008	<u>98</u>	ORDER: It is hereby stipulated and agreed that the Clerk's Certificate obtained by plaintiff is vacated. (Signed by Judge Shira A. Scheindlin on 7/17/2008) (jpo) (Entered: 07/17/2008)
07/24/2008	101	REPLY MEMORANDUM OF LAW ON BEHALF of Defendants Lewis and MLGB Document filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer. (djc) (Entered: 07/25/2008)
07/28/2008	102	REPLY MEMORANDUM OF LAW in Support re: 75 MOTION to Dismiss.. Document filed by Raymond A. Joao. (pl) (Entered: 07/29/2008)
07/28/2008	103	REPLY MEMORANDUM OF LAW in Support re: 81 MOTION to Dismiss.. Document filed by Foley Lardner LLP, Michael C. Grebe, William J. Dick, Douglas A. Boehm, Steven C. Becker. (pl) (Entered: 07/29/2008)
07/28/2008	104	SUPPLEMENTAL DECLARATION of Joanna Smith in Support re: 78 MOTION to Dismiss. Document filed by Steven C. Krane(in his official capacity), Kenneth Rubenstein. (pl) (Entered: 07/29/2008)
07/28/2008	105	REPLY MEMORANDUM OF LAW in Support re: 78 MOTION to Dismiss.. Document filed by Steven C. Krane(in his official capacity), Kenneth Rubenstein. (pl) (Entered: 07/29/2008)
08/01/2008	<u>106</u>	ENDORSED LETTER addressed to Judge Schira A. Scheindlin from P. Stephen Lamont dated 7/29/08 re: Request for leave to file a sur reply. ENDORSEMENT: Plaintiff's request to file a sur-reply is denied. (Signed by Judge Shira A. Scheindlin on 8/1/08) (cd) (Entered: 08/04/2008)

08/08/2008	<u>107</u>	OPINION AND ORDER that for the reasons stated above, defendants' motions to dismiss are granted. The remaining defendants are dismissed sua sponte. The Clerk of the Court is directed to close these and related motions (documents no. 12,47,48,65,66,68,73,75,78,81,83, and 97 on the docket sheet) and this case re: 75 MOTION to Dismiss, filed by Raymond A. Joao, 47 MOTION to Amend/Correct 1 Complaint, filed by Eliot I. Bernstein, 66 MOTION to Dismiss, filed by Andrew H. Goodman, Virginia State Bar, Noel Sengel, Mary W. Martelino, 83 MOTION to Dismiss, filed by Meltzer Lippe Goldstein & Breistone LLP, Lewis S. Meltzer, 68 MOTION to Dismiss, filed by Eric Turner, Lorraine Christine Hoffman, Kenneth Marvin, John Anthony Boggs, 48 MOTION in Opposition to Defendants Motion to Dismiss Based on Material and Substantial Evidence re: 12 MOTION to Dismiss, filed by Eliot I. Bernstein, 97 MOTION for Extension of Time, filed by Eliot I. Bernstein, 73 MOTION to Dismiss, filed by State of New York Commission of Investigation, 81 MOTION to Dismiss, filed by Michael C. Grebe, Foley Lardner LLP, William J. Dick, Douglas A. Boehm, Steven C. Becker, 12 MOTION to Dismiss, filed by Eric Turner, Lorraine Christine Hoffman, Kenneth Marvin, John Anthony Boggs, The Florida Bar, 65 MOTION re: 60 Order, filed by P. Stephen Lamont, Eliot I. Bernstein, 78 MOTION to Dismiss, filed by Proskauer Rose LLP, Kenneth Rubenstein, Estate of Stephen Kaye, Steven C. Krane. (Signed by Judge Shira A. Scheindlin on 8/8/08) Copies sent by chambers.(cd) (Entered: 08/11/2008)
08/08/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>107</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (cd) (Entered: 08/11/2008)
08/19/2008	<u>108</u>	ORDER: Plaintiffs move for reconsideration of the Opinion and Order dated 8/8/08, in which this Court granted certain defendants' motions to dismiss and dismissed all other defendants sua sponte. The federal courts are simply not the appropriate forum for plaintiffs to seek redress of these grievances. Plaintiffs have not identified any material facts or law overlooked by the Court. Reconsideration is there denied. (Signed by Judge Shira A. Scheindlin on 8/19/08) (tro) (Entered: 08/19/2008)
08/19/2008	109	MOTION for Reconsideration and Modification of the Court's August 8,2008 re: <u>107</u> Memorandum & Opinion. Document filed by Eliot I. Bernstein(Individually), Eliot I. Bernstein.(jmi) (Entered: 09/11/2008)
09/04/2008	112	NOTICE OF APPEAL from <u>107</u> Memorandum & Opinion. Document filed by P. Stephen Lamont. Filing fee \$ 455.00, receipt number E 662193. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 09/30/2008)
09/05/2008	111	NOTICE OF APPEAL from <u>107</u> Memorandum & Opinion. Document filed by Eliot I. Bernstein. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 09/30/2008)
09/05/2008		Appeal Remark as to 111 Notice of Appeal filed by Eliot I. Bernstein. \$455.00 APPEAL FEE DUE. (tp) (Entered: 09/30/2008)
09/23/2008	110	MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE EXECUTED Summons and Amended Complaint served. Eric Turner(in his official capacity) served on 8/13/2008, answer due 9/2/2008; Eric Turner(in his individual capacity) served on 8/13/2008, answer due 9/2/2008. Service was made by MAIL. Document filed by Eliot I. Bernstein(Individually); Eliot I. Bernstein. (js) (Entered: 09/24/2008)
09/30/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 111 Notice of Appeal. (tp) (Entered: 09/30/2008)
09/30/2008		Transmission of Notice of Appeal to the District Judge re: 111 Notice of Appeal. (tp) (Entered: 09/30/2008)
09/30/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 112 Notice of Appeal. (tp) (Entered: 09/30/2008)
09/30/2008		Transmission of Notice of Appeal to the District Judge re: 112 Notice of Appeal. (tp) (Entered: 09/30/2008)
10/02/2008	<u>113</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 111 Notice of Appeal filed by Eliot I. Bernstein 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd) (tp). (Entered: 10/02/2008)
10/02/2008		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 111 Notice of Appeal filed by Eliot I. Bernstein were transmitted to the U.S. Court of Appeals. (Total of 4 volumes sent to USCA on 10/3/2008). (nd) (Entered: 10/02/2008)
10/02/2008	<u>114</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 112 Notice of Appeal filed by P. Stephen Lamont 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd) (tp). (Entered: 10/02/2008)
10/02/2008		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 112 Notice of Appeal filed by P. Stephen Lamont were transmitted to the U.S. Court of Appeals. (nd) (Entered: 10/02/2008)
10/08/2008		USCA Case Number 08-4873-cv from the US Court of Appeals, 2nd Circuit assigned to 112 Notice of Appeal filed by P. Stephen Lamont. (nd) (Entered: 10/08/2008)
02/05/2010	<u>115</u>	MANDATE of USCA (Certified Copy) as to 111 Notice of Appeal filed by Eliot I. Bernstein USCA Case Number 08-4873-cv. Appellant Bernstein, pro se, move to compel the appointment of counsel and for extensive relief. Upon due consideration, it is hereby ORDERED that the motion is DENIED to the extent it seeks to compel the appointment of counsel and the appeal is DISMISSED because it lacks an arguable basis in law or fact. IT IS FURTHER ORDERED that the remainder of Appellant Bernstein's motion to compel, and all motions that remain pending before this court, are DENIED as moot. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 1/27/2010. (nd) (Entered: 02/05/2010)
10/05/2010	<u>116</u>	ENDORSED LETTER addressed to Judge Shira Scheindlin from P. Stephen Lamont dated 9/10/2010 re: As an individual Plaintiff in the above referenced case, I respectfully

		request leave to file a Motion to Re-Open based upon exceptional circumstances that have ensued after your Order and Opinion dismissing the complaint on August 8, 2008. ENDORSEMENT: There is nothing in the Federal Rules of Civil Procedure requiring a party to obtain leave to file a motion to re-open a case. This Court's Pro Se Office can provide guidance as to procedure but cannot offer legal advice. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 10/5/2010) (jmi) (Entered: 10/06/2010)
10/12/2010	<u>117</u>	MOTION to Reopen docket No. 07-cv-11196 based on Exceptional Circumstances. Document filed by P. Stephen Lamont. (Attachments: # <u>1</u> part 2)(mro) (Entered: 10/15/2010)
10/19/2010	<u>118</u>	ORDER that any defendant who wishes to oppose the Motion to Re-Open must file and serve opposition papers by October 29,2010. If this Court receives opposition papers from any defendant(s), plaintiff's reply will be due by November 5,2010. SO ORDERED. (Replies due by 11/5/2010.) (Signed by Judge Shira A. Scheindlin on 10/18/2010) (jmi) (Entered: 10/19/2010)
10/21/2010	119	NOTICE OF PRO SE REPRESENTATION AND REQUEST FOR EXTENSION OF TIME TO RESPOND TO MOTION TO REOPEN CASE. Document filed by Raymond A. Joao.(mbe) (Entered: 10/29/2010)
10/25/2010	<u>120</u>	RESPONSE IN OPPOSITION TO PLAINTIFF LAMONT'S MOTION TO REOPEN CASE. Document filed by Raymond A. Joao. (mbe) (Entered: 10/29/2010)
10/27/2010	121	RESPONSE in Opposition to Plaintiffs' Motion to Reopen Docket. Document filed by Steven C. Becker, Douglas A. Boehm, William J. Dick, Foley Lardner LLP. (mro) (Entered: 10/29/2010)
10/27/2010	122	PROSKAUER DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO REOPEN DOCKET. Document filed by Proskauer Rose LLP, Kenneth Rubenstein, Steven C. Krane, The Estate of Stephen Rackow Kaye. (mro) (Entered: 10/29/2010)
10/29/2010	124	MEMORANDUM OF LAW in Opposition re: <u>117</u> MOTION to Reopen Docket. Document filed by State Defendants. (Received in the night deposit box on 10/29/10 at 4:57pm) (mro) (Entered: 11/03/2010)
11/01/2010	<u>123</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Monica Connell dated 10/13/2010, re: Counsel writes in response to a "Motion to Re-open Docket" which was sent by fax on October 11, 2010. The motion also seeks the disqualification of the Attorney General from representing the State Defendants in this case. Because this motion is entirely without merit, we ask that the Court accept this letter as opposition to the motion and deny the same. Alternatively, due to pressing briefing schedules in other cases, State defendants ask to have until November 15, 2010 to submit formal opposition. ENDORSEMENT: The State Defendants may file their opposition to plaintiff's motion to re-open by Nov 15, 2010. Plaintiff's reply will then be due by Nov 30, 2010. So Ordered. Set Deadlines as to <u>117</u> MOTION to Reopen. (Response/Opposition due by 11/15/2010. Replies due by 11/30/2010) (Signed by Judge Shira A. Scheindlin on 10/29/2010) (lnl) (Entered: 11/01/2010)
11/03/2010	125	THE FLORIDA BAR DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF LAMONT'S MOTION TO REOPEN CASE. Document filed by John Anthony Boggs(in his individual capacity), Lorraine Christine Hoffman(in her official capacity), Kenneth Marvin(in his official capacity), The Florida Bar, Eric Turner(in his individual capacity). (mro) (Entered: 11/04/2010)
11/10/2010	<u>126</u>	ORDER. This Court's endorsement, dated October 29, 2010, to the State Defendants' letter, dated October 13, 2010, is hereby vacated because the State Defendants submitted their opposition without the need for an extension of time. Plaintiff, who has had the State Defendants' Opposition since on or about October 29, 2010, may file his reply by November 15, 2010. No further adjournment requests will be granted. (Signed by Judge Shira A. Scheindlin on 11/9/10) (rjm) (Entered: 11/10/2010)
11/10/2010		Set Deadlines/Hearings: Replies due by 11/15/2010. (rjm) (Entered: 11/10/2010)
11/15/2010	<u>127</u>	REPLY TO DEFENDANTS' OPPOSITION TO MOTION TO REOPEN BASED ON EXCEPTIONAL CIRCUMSTANCES. Document filed by P. Stephen Lamont. (mbe) (Entered: 11/16/2010)
12/15/2010	<u>128</u>	MEMORANDUM OPINION AND ORDER, #99750 for the reasons stated in this Order, Lamont's Motion to Re-Open is denied. The Clerk of the Court is directed to close the Motion to Re-Open (Document # 117). (Signed by Judge Shira A. Scheindlin on 12/15/10) (pl) Modified on 12/15/2010 (pl). Modified on 12/20/2010 (ajc). (Entered: 12/15/2010)
12/16/2010	<u>129</u>	MOTION for Request to Proceed In Forma Pauperis on Appeal. Document filed by P. Stephen Lamont.(kj) (Entered: 12/16/2010)
12/16/2010	<u>131</u>	NOTICE OF APPEAL from <u>128</u> Memorandum & Opinion. Document filed by P. Stephen Lamont. (tp) (Entered: 12/29/2010)
12/16/2010		Appeal Remark as to <u>131</u> Notice of Appeal filed by P. Stephen Lamont. \$455.00 APPEAL FEE DUE. IFP DENIED 12/17/10. (tp) (Entered: 12/29/2010)
12/20/2010	<u>130</u>	ORDER: Pro se plaintiff P. Stephen Lamont has moved to proceed in forma pauperis on his appeal of this Court's denial of his Motion to Re-Open. Plaintiff's motion is hereby DENIED. (Signed by Judge Shira A. Scheindlin on 12/17/2010) (jfe) (Entered: 12/20/2010)
12/29/2010		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>131</u> Notice of Appeal. (tp) (Entered: 12/29/2010)
12/29/2010		Transmission of Notice of Appeal to the District Judge re: <u>131</u> Notice of Appeal. (tp) (Entered: 12/29/2010)
12/29/2010	<u>132</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for <u>131</u> Notice of Appeal filed by P. Stephen Lamont 3 Copies of the index,

		Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 12/29/2010)
12/29/2010		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for <u>131</u> Notice of Appeal filed by P. Stephen Lamont were transmitted to the U.S. Court of Appeals. (tp) (Entered: 12/29/2010)
01/05/2011	<u>133</u>	MEMO ENDORSEMENT on Motion Request to Proceed In Forma Pauperis on Appeal <u>129</u> . ENDORSEMENT: Request Denied. So Ordered. (Signed by Judge Shira A. Scheindlin on 12/17/2010) The Pro Se Office Has Mailed Copies. (kj) (Entered: 01/05/2011)
01/06/2011		USCA Case Number 10-5303 from the US Court of Appeals, Second Circuit assigned to <u>131</u> Notice of Appeal filed by P. Stephen Lamont. (nd) (Entered: 01/06/2011)
02/15/2011	<u>134</u>	ORDER: Plaintiff Stephen Lamont's motion to re-open the above case was closed in a Memorandum Opinion and Order, signed December 15, 2010. Defendant Raymond A. Joao's Notice of Pro Se Representation and Request for Extension of Time to Respond to Motion to Re-Open Case is hereby denied as moot. The Clerk of the Court is directed to close this motion (Document # 119). SO ORDERED. (Signed by Judge Shira A. Scheindlin on 2/14/2011) (lnl) (Entered: 02/15/2011)
02/18/2011		Appeal Record Returned. [4 vols.] Indexed record on Appeal Files for Appeal Record Sent to USCA - File USCA Case Number 08-4873-cv, returned from the U.S. Court of Appeals. (nd) (Entered: 02/22/2011)
05/05/2011	<u>135</u>	MANDATE of USCA (Certified Copy) as to <u>131</u> Notice of Appeal filed by P. Stephen Lamont USCA Case Number 10-5303-cv. Upon due consideration, it is hereby ORDERED that the motion to proceed in forma pauperis is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 05/05/2011. (nd) (Entered: 05/05/2011)
08/11/2011		Appeal Record Returned. Indexed record on Appeal Files for Appeal Record Sent to USCA - File USCA Case Number 10-5303, returned from the U.S. Court of Appeals. (nd) (Entered: 11/01/2011)
07/11/2012	<u>136</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Eliot I. Bernstein dated 7/9/2012 re: Pursuant to my conversation with your chambers, whom referred me to the ECF court filing department, I am requesting that I, Eliot I. Bernstein, be granted permission to file ECF Submissions in my case, #07 CIV. 11196. ENDORSEMENT: Eliot I. Bernstein's request to file Court submissions through ECF is granted in the case 07civ. 11196. (Signed by Judge Shira A. Scheindlin on 7/10/2012) (djc) (Entered: 07/11/2012)
07/11/2012		Case Designated ECF. (pursuant to instructions from Chambers and document #136) (djc) (Entered: 07/11/2012)
07/12/2012	<u>137</u>	NOTICE OF APPEARANCE by Gregg M Mashberg on behalf of Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), Proskauer Rose LLP, Kenneth Rubenstein (Attachments: # <u>1</u> Exhibit Affidavit of Service of Notice of Appearance of Gregg Mashberg upon Pro Se plaintiffs Eliot I. Bernstein and P.Stephen Lamont by first class mail on 7-12-12)(Mashberg, Gregg) (Entered: 07/12/2012)
07/27/2012	<u>138</u>	EMERGENCY MOTION (pursuant to Rule 40 60(b) and (d)(3) of the FRCP to Reopen Case, MOTION for appointment of a federal monitor and MOTION for New Trial and for a fair and impartial jury trial as the law may deem just and proper. Document filed by Eliot Ivan Bernstein, Eliot Ivan Bernstein(Individually). (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(djc; Dktd purs to instructions from Chambers. Modified on 8/13/2012 (djc). (Entered: 08/10/2012)
08/13/2012	<u>139</u>	MEMORANDUM OF LAW in Opposition re: <u>138</u> MOTION to Reopen Case. MOTION for New Trial. <i>Proskauer Defendants' Opposition to Plaintiff's Emergency Motion to Reopen Docket</i> . Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Attachments: # <u>1</u> Exhibit 1 to Opposition Decision in Lamont v. Proskauer Rose LLP, Civ. Action No. 11-0949 (BJR) (D.D.C.), # <u>2</u> Affidavit of Service of Proskauer Defendants' Opposition to Plaintiff's Emergency Motion to Reopen Docket upon Pro Se Plaintiffs Eliot Ivan Bernstein and P.Stephen Lamont by first class mail on 8-13-12)(Mashberg, Gregg) (Entered: 08/13/2012)
08/14/2012	<u>140</u>	MEMORANDUM OF LAW in Opposition re: <u>138</u> MOTION to Reopen Case. MOTION for New Trial. <i>Motion by New York State Defendants</i> . Document filed by Richard T. Andrias(in his individual capacity), Richard T. Andrias(in his official capacity), Appellate Division First Department Departmental Disciplinary Committee, Appellate Division Second Department Departmental Disciplinary Committee, Thomas J. Cahill(in his individual capacity), Thomas J. Cahill(in his official capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), David Friedman(in his official capacity), David Friedman(in his individual capacity), Martin R. Gold(in thier official capacity), Martin R. Gold(in his individual capacity), Judith S. Kaye, Judith S. Kaye, Diana Maxfield Kearse(in her individual capacity), Diana Maxfield Kearse(in her official capacity), Lawyers Fund for Client Protection of the State of New York, Angela M. Mazzarelli(in her individual capacity), Angela M. Mazzarelli(in her official capacity), Catherine O'Hagen Wolfe(in their individual capacity), Catherine O'Hagen Wolfe(in their official capacity), James E. Peltzer(in his individual capacity), James E. Peltzer(in his official capacity), A. Gail Prudenti(in her individual capacity), A. Gail Prudenti(in her official capacity), David B. Saxe, David B. Saxe, State of New York Commission of Investigation. (Connell, Monica) (Entered: 08/14/2012)
08/15/2012	<u>141</u>	ORDER denying <u>138</u> Motion to Reopen Case; denying <u>138</u> Motion; denying <u>138</u> Motion for New Trial. Plaintiff is cautioned that any additional frivolous filings in this case could subject him to sanctions under Federal Rule of Civil Procedure 11. Monetary and/or injunctive sanctions may be imposed upon motion of the parties or by this Court sua sponte. The Clerk of the Court is directed to close this Motion (Docket Entry # 138). (Signed by Judge Shira A. Scheindlin on 8/14/2012) (pl) Modified on 8/15/2012 (pl). (Entered: 08/15/2012)
02/28/2013	<u>142</u>	SECOND MOTION to Reopen Case <i>1:07-cv-11196-SAS</i> . Document filed by Eliot Ivan Bernstein, Eliot Ivan Bernstein(Individually).(Bernstein, Eliot) (Entered: 02/28/2013)

03/18/2013	143	MEMORANDUM OF LAW in Opposition re: 142 SECOND MOTION to Reopen Case <i>1:07-cv-11196-SAS</i> . Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Attachments: # 1 Exhibit Affidavit of Service of Proskauer Defendants' Opposition to Plaintiff's Second Motion to Reopen Docket upon Plaintiffs Pro Se Eliot I. Bernstein and P. Stephen Lamont by first class mail on 3-18-13)(Mashberg, Gregg) (Entered: 03/18/2013)
04/29/2013	144	MEMORANDUM OF LAW in Opposition re: 142 SECOND MOTION to Reopen Case <i>1:07-cv-11196-SAS</i> . Document filed by Richard T. Andrias(in his individual capacity), Richard T. Andrias(in his official capacity), Appellate Division First Department Departmental Disciplinary Committee, Appellate Division Second Department Departmental Disciplinary Committee, Thomas J. Cahill(in his individual capacity), Thomas J. Cahill(in his official capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), David Friedman(in his official capacity), David Friedman(in his individual capacity), Martin R. Gold(in thier official capacity), Martin R. Gold(in his individual capacity), Luiz A. Gonzales(in his individual capacity), Luiz A. Gonzales(in his official capacity), Judith S. Kaye, Judith S. Kaye, Diana Maxfield Kears(e in her individual capacity), Diana Maxfield Kears(e in her official capacity), Lawyers Fund for Client Protection of the State of New York, Angela M. Mazza(relli in her individual capacity), Angela M. Mazza(relli in her official capacity), Catherine O'Hagen Wolfe(in their individual capacity), Catherine O'Hagen Wolfe(in their official capacity), James E. Peltzer(in his individual capcity), James E. Peltzer(in his official capacity), David B. Saxe, David B. Saxe, State of New York Commission of Investigation, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity). (Attachments: # 1 Declaration of Service)(Connell, Monica) (Entered: 04/29/2013)
05/07/2013	145	MOTION for Sanctions <i>Proskauer Defendants' Notice of Motion For Sanctions Pursuant to Fed. R. Civ. P. 11</i> . Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Proskauer Rose LLP, Kenneth Rubenstein.(Mashberg, Gregg) (Entered: 05/07/2013)
05/07/2013	146	DECLARATION of Gregg M. Mashberg in Support of the Proskauer Defendants' Motion For Sanctions in Support re: 145 MOTION for Sanctions <i>Proskauer Defendants' Notice of Motion For Sanctions Pursuant to Fed. R. Civ. P. 11</i> . Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Attachments: # 1 Exhibit A, # 2 Exhibit 2)(Mashberg, Gregg) (Entered: 05/07/2013)
05/07/2013	147	MEMORANDUM OF LAW in Support re: 145 MOTION for Sanctions <i>Proskauer Defendants' Notice of Motion For Sanctions Pursuant to Fed. R. Civ. P. 11</i> . Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Mashberg, Gregg) (Entered: 05/07/2013)
05/07/2013	148	AFFIDAVIT OF SERVICE of Proskauer Defendants' Notice of Motion for Sanctions Pursuant to Fed. R. Civ. P. 11, Declaration of Gregg M. Mashberg in Support of Motion with Exhibits A & 2, Memorandum of Law In Support of Motion for Sanctions, served on Eliot I. Bernstein, P. Stephen Lamont, Glenn T. Burhans, & Stephen M. Hall on 5/7/13. Service was made by Mail. Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Mashberg, Gregg) (Entered: 05/07/2013)
05/13/2013	149	MOTION to Reopen Case. Document filed by Richard T. Andrias(in his individual capacity), Richard T. Andrias(in his official capacity), Appellate Division First Department Departmental Disciplinary Committee, Appellate Division Second Department Departmental Disciplinary Committee, Steven C. Becker, Eliot Ivan Bernstein, Eliot Ivan Bernstein(Individually), Douglas A. Boehm, John Anthony Boggs(in his individual capacity), John Anthony Boggs(in his official capacity), Thomas J. Cahill(in his individual capacity), Thomas J. Cahill(in his official capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), William J. Dick, Estate of Stephen Kaye, Foley Lardner LLP, David Friedman(in his official capacity), David Friedman(in his individual capacity), Martin R. Gold(in thier official capacity), Martin R. Gold(in his individual capacity), Luiz A. Gonzales(in his individual capacity), Luiz A. Gonzales(in his official capacity), Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Michael C. Grebe, Thomas Hall(in his individual capacity), Thomas Hall(in his official capacity), Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Raymond A. Joao, John Does, Judith S. Kaye, Judith S. Kaye, Diana Maxfield Kears(e in her individual capacity), Diana Maxfield Kears(e in her official capacity), Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), P. Stephen Lamont, Lawyers Fund for Client Protection of the State of New York, Mary W. Martelino, Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Angela M. Mazza(relli in her individual capacity), Angela M. Mazza(relli in her official capacity), Lewis S. Meltzer, Meltzer Lippe Goldstein & Breistone LLP, Catherine O'Hagen Wolfe(in their individual capacity), Catherine O'Hagen Wolfe(in their official capacity), James E. Peltzer(in his individual capacity), James E. Peltzer(in his official capacity), Proskauer Rose LLP, A. Gail Prudenti(in her individual capacity), A. Gail Prudenti(in her official capacity), Kenneth Rubenstein, David B. Saxe, David B. Saxe, Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), State of New York Commission of Investigation, The Florida Bar, Eric Turner(in his individual capacity), Eric Turner(in his official capacity), Virginia State Bar, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Debroah Yarborough(in her individual capacity), Debroah Yarborough(in her official capacity). (Attachments: # 1 Exhibit EXHIBIT 1 EXPOSE CORRUPT STORIES, # 2 Exhibit EXHIBIT 2 NOTIFICATION TO THIS COURT, # 3 Exhibit EXHIBIT 3 PART 1 EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE, # 4 Exhibit EXHIBIT 3 PART 2 EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE, # 5 Exhibit EXHIBIT 3 PART 3 EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE, # 6 Exhibit EXHIBIT 3 PART 4 EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE, # 7 Exhibit EXHIBIT 4

		REVOCAION OF WAIVER OF ACCOUNTING AND PORTIONS OF PETITION FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR DISCHARGE; AND RECEIPT OF BENEFICIARY AND CONSENT TO DISCHARGE", # <u>8</u> Exhibit EXHIBIT 5 FORGED AND FRAUDULENT NOTARY SIGNATURES IN SHIRLEY BERNSTEIN ESTATE, # <u>9</u> Exhibit EXHIBIT 6 PROSKAUER ROSE INSERTED EXHIBIT 1 OF WILL OF SIMON L. BERNSTEIN, # <u>10</u> Exhibit EXHIBIT 7 SIMON BERNSTEIN AMENDED TRUST SIGNATURE PAGE WITH DEFECIENT NOTARIZATION, # <u>11</u> Exhibit EXHIBIT 8 JUDGE SCHEINDLIN CONFLICT OF DISCLOSURE REQUEST TO SIGN AND RETURN PRIOR TO ANY ACTION FORWARD)(Bernstein, Eliot) (Entered: 05/13/2013)
05/13/2013	<u>150</u>	FIRST MOTION for Reconsideration <i>1:07-cv-11196-SAS Bernstein et al v. Appellate Division First Department Departmental Disciplinary Committee et al.</i> Document filed by Richard T. Andrias(in his individual capacity), Richard T. Andrias(in his official capacity), Appellate Division First Department Departmental Disciplinary Committee, Appellate Division Second Department Departmental Disciplinary Committee, Steven C. Becker, Eliot Ivan Bernstein, Eliot Ivan Bernstein(Individually), Douglas A. Boehm, John Anthony Boggs(in his individual capacity), John Anthony Boggs(in his official capacity), Thomas J. Cahill(in his individual capacity), Thomas J. Cahill(in his official capacity), Paul Curran(in their official capacity), Paul Curran(in individual capacity), Lawrence DiGiovanna(in his official capacity), Lawrence DiGiovanna(in his individual capacity), William J. Dick, Estate of Stephen Kaye, Foley Lardner LLP, David Friedman(in his official capacity), David Friedman(in his individual capacity), Martin R. Gold(in thier offical capacity), Martin R. Gold(in his individual capacity), Luiz A. Gonzales(in his individual capacity), Luiz A. Gonzales(in his official capacity), Andrew H. Goodman(in his official capacity), Andrew H. Goodman(in his individual capacity), Michael C. Grebe, Thomas Hall(in his individual capacity), Thomas Hall(in his official capacity), Lorraine Christine Hoffman(in her official capacity), Lorraine Christine Hoffman(in her individual capacity), Raymond A. Joao, John Does, Judith S. Kaye, Judith S. Kaye, Diana Maxfield Kearse(in her individual capacity), Diana Maxfield Kearse(in her official capacity), Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), P. Stephen Lamont, Lawyers Fund for Client Protection of the State of New York, Mary W. Martelino, Kenneth Marvin(in his official capacity), Kenneth Marvin(in his individual capacity), Angela M. Mazzaelli(in her individual capacity), Angela M. Mazzaelli(in her official capacity), Lewis S. Meltzer, Meltzer Lippe Goldstein & Breistone LLP, Catherine O'Hagen Wolfe(in their individual capacity), Catherine O'Hagen Wolfe(in their official capacity), James E. Peltzer(in his individual capacity), James E. Peltzer(in his offical capacity), Proskauer Rose LLP, A. Gail Prudenti(in her individual capacity), A. Gail Prudenti(in her offical capacity), Kenneth Rubenstein, David B. Saxe, David B. Saxe, Noel Sengel(in her official capacity), Noel Sengel(in her individual capacity), State of New York Commission of Investigation, The Florida Bar, Eric Turner(in his individual capacity), Eric Turner(in his official capacity), Virginia State Bar, Joseph Wigley(in his official capacity), Joseph Wigley(in his individual capacity), Debroah Yarborough(in her individual capacity), Debroah Yarborough(in her official capacity). (Attachments: # <u>1</u> Exhibit EXHIBIT 1 LIST OF AMENDED COMPLAINT DEFENDANTS APPROVED BY COURT AND SUED THEREIN DEFENDANTS LISTED ON FACE PAGE OF AMENDED COMPLAINT, # <u>2</u> Exhibit EXHIBIT 2 PROSKAUER MARCH 21, 2012 LETTER)(Bernstein, Eliot) (Entered: 05/13/2013)
05/15/2013	<u>151</u>	ORDER dismissing <u>150</u> Motion for Reconsideration; terminating <u>142</u> Motion to Reopen Case; terminating <u>149</u> Motion to Reopen Case. In addition to opposing the Second Motion to Reopen, the Proskauer Defendants seek sanctions against Bernstein, both monetary and injunctive. As for a monetary sanction, the Proskauer Defendants seek to impose a sanction of no less than \$3,500 for Bernstein's "abusive filings." As for injunctive relief, the Proskauer Defendants seek to enjoin plaintiff from filing any action in this Court, or any other court, related to the subject matter of this action without first obtaining leave of the Court. In the August 14th Order, I cautioned plaintiff that any additional frivolous filings in this case could subject him to sanctions under Federal Rule of Civil Procedure 11. Monetary and/or injunctive sanctions may be imposed upon motion of the parties or by this Court sua sponte. The Proskauer Defendants served their sanctions motion on Bernstein by first class mail. Bernstein was served on April 5, 2013, which was at least twenty one days before the filing of the motion on May 7, 2013. Although he should have responded to the motion by now, plaintiff has not done so. Accordingly, plaintiff is directed to file and serve his opposition papers, if any, by May 31, 2013. If he fails to do so, the sanctions motion will be decided solely upon the papers submitted by the Proskauer Defendants. The Clerk of the Court is directed to close these motions (Docket Entries # 142, 149 and 150). (Signed by Judge Shira A. Scheindlin on 5/15/2013) (ja) (Entered: 05/15/2013)
05/15/2013		Set/Reset Deadlines: Responses due by 5/31/2013. (ja) (Entered: 05/15/2013)
05/30/2013	<u>152</u>	RESPONSE to Motion re: <u>145</u> MOTION for Sanctions <i>Proskauer Defendants' Notice of Motion For Sanctions Pursuant to Fed. R. Civ. P. 11. Plaintiff Response to Proskauer Motion to Sanction.</i> Document filed by Eliot Ivan Bernstein, Eliot Ivan Bernstein(Individually). (Attachments: # <u>1</u> Exhibit Exhibit 1 - AT&T Settlement Offer Letter)(Bernstein, Eliot) (Entered: 05/30/2013)
06/10/2013	<u>153</u>	REPLY MEMORANDUM OF LAW in Support re: <u>145</u> MOTION for Sanctions <i>Proskauer Defendants' Notice of Motion For Sanctions Pursuant to Fed. R. Civ. P. 11. Proskauer Defendants' Reply in Further Support of their Motion for Sanctions pursuant to Fed. R. Civ. P.11.</i> Document filed by Estate of Stephen Kaye, Steven C. Krane(in his individual capacity), Steven C. Krane(in his official capacity), Proskauer Rose LLP, Kenneth Rubenstein. (Attachments: # <u>1</u> Exhibit Affidavit of Service of Proskauer Defendants' Reply in further Support of Motion for Sanctions upon plaintiff's Berstein, Lamont, Glenn T. Thomas of Greenberg Traurig, and Stephen M. Hall, Office of the Attorney General by first class mail on 6-10-13)(Mashberg, Gregg) (Entered: 06/10/2013)
08/29/2013	<u>154</u>	ORDER terminating <u>145</u> Motion for Sanctions. For the foregoing reasons, a monetary sanction in the amount of \$3,500 is hereby imposed on Bernstein as is the injunctive sanction described above. The money is to be paid to the Clerk of the Court, Southern District of New York, forthwith. If Bernstein ignores the monetary sanction, defendants may obtain an enforceable judgment in the amount of \$3,500. If Bernstein continues to file motions in this case, he may be subject to additional monetary sanctions. The Clerk of the Court is directed to close the motion for sanctions (Docket Entry # 145). (Signed by Judge Shira A. Scheindlin on 8/29/2013) (rsh) (Entered: 08/29/2013)

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