

**U.S. District Court  
District of New Jersey [LIVE] (Newark)  
CIVIL DOCKET FOR CASE #: 2:98-cv-03660-SRC-CCC**

PHILLIP C. ENGERS, et al v. ATTAND ATTMANAGE, et al  
Assigned to: Judge Stanley R. Chesler  
Referred to: Magistrate Judge C. C. Cecchi  
Demand: \$0  
Case in other court: Third Circuit, 10-02752  
Cause: 29:1149 Recover Pension & Profit Sharing

Date Filed: 08/05/1998  
Date Terminated: 06/07/2010  
Jury Demand: Plaintiff  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**MANAGEMENT EMPLOYEES OF  
AT  
TERMINATED: 06/08/1999**

represented by **GERALD SMIT**  
14 SARAH COURT  
BRIDGEWATER, NJ 08807  
*TERMINATED: 06/08/1999*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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**Plaintiff**

**GERALD SMIT**

represented by **MAUREEN BINETTI**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JONATHAN I. NIRENBERG**  
(See above for address)  
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**Defendant**

AT

represented by **CHRISTOPHER H. MILLS**  
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*LEAD ATTORNEY*  
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**Defendant**

ATTMANAGEMENT PENSION  
PLAN

represented by **CHRISTOPHER H. MILLS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**PATRICIA S. ROBINSON**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

ATTINC.

represented by **CHRISTOPHER H. MILLS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**PATRICIA S. ROBINSON**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

ATTPension Benefit Plan

represented by **CHRISTOPHER H. MILLS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**PATRICIA S. ROBINSON**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

ATTPuerto Rican Pension Benefit Plan

represented by **CHRISTOPHER H. MILLS**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**PATRICIA S. ROBINSON**  
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**Plaintiff**

**PHILLIP C. ENGERS**

represented by **GERALD SMIT**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**MAUREEN BINETTI**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**JONATHAN I. NIRENBERG**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**WARREN J. MCFALL**

represented by **GERALD SMIT**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**MAUREEN BINETTI**  
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*LEAD ATTORNEY  
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**NEIL H. DEUTSCH**  
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*TERMINATED: 06/20/2007  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**JONATHAN I. NIRENBERG**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**DONALD G. NOERR**  
*individually and on behalf of all others  
similarly situated*

represented by **GERALD SMIT**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**MAUREEN BINETTI**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**NEIL H. DEUTSCH**  
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**JONATHAN I. NIRENBERG**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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08/05/1998	<u>1</u>	COMPLAINT filed; jury demand FILING FEE \$ 150.00 RECEIPT # 253017 (femp) Additional attachment(s) added on 12/21/2005 (ev, ). (Entered: 08/06/1998)
08/05/1998	<u>2</u>	NOTICE of Allocation and Assignment filed. Magistrate Judge RONALD J. HEDGES (femp) (mn, ). (Entered: 08/06/1998)
08/19/1998		SUMMONS(ES) issued for ATTAND ATTMANAGE ( 20 Days) (Mailed to Counsel) (femp) (Entered: 08/19/1998)
09/23/1998	<u>3</u>	APPLICATION by ATTAND ATTMANAGE and Clerk's Order extending time to answer. Answer due 11/3/98 for ATTAND ATTMANAGE (femp) (in-md, ). (Entered: 09/24/1998)
10/21/1998	4	STIPULATION and ORDER, extending time , answer due for 12/2/98 for ATTAND ATTMANAGE ( signed by Mag. Judge Ronald J. Hedges ) (femp) (Entered: 10/22/1998)
10/21/1998	<u>5</u>	WAIVER OF SERVICE RETURNED EXECUTED as to ATTAND ATTMANAGE 8/20/98 Answer deadline projected for 10/19/98 for ATTAND ATTMANAGE (femp) (in-md, ). (Entered: 10/22/1998)
11/13/1998	6	NOTICE of Call for Dismissal Pursuant to Rule 41.1 Motion hearing set for 12/14/98 (femp) (Entered: 11/16/1998)
11/19/1998	7	WAIVER OF SERVICE RETURNED EXECUTED as to ATTAND ATTMANAGE 8/20/98 Answer deadline projected for 10/19/98 for ATTAND ATTMANAGE (femp) (Entered: 11/19/1998)
12/03/1998	8	ANSWER to Complaint by ATTAND ATTMANAGE (femp) (Entered: 12/03/1998)
12/03/1998	9	ANSWER to Complaint by ATATTMANAGEMENT PEN (femp) (Entered: 12/03/1998)
12/10/1998	10	Notice of Intent to submit a Dispositive motion by ATATTMANAGEMENT PEN (femp) (Entered: 12/11/1998)
12/14/1998	<u>11</u>	Minute entry: Proceedings recorded by ; Minutes of: 12.14.98; The following actions were taken, withdrawing [6-1] dismiss/dismissal notice Call for Dismissal By Judge Nicholas H. Politan (femp) (in-md, ). (Entered: 12/17/1998)
01/05/1999	12	Notice of Intent to submit a Dispositive motion by ATATTMANAGEMENT PEN (femp) (Entered: 01/05/1999)
01/19/1999	13	ORDER extending time to 2.1.99 within which pltf's may serve opp to defts' motion for partial dismissal ( signed by Mag. Judge Ronald J. Hedges ) (femp) (Entered: 01/20/1999)
01/25/1999	<u>14</u>	ORDER that pltf's. must provide opposition to defts.' motion for partial dismissal by 2/12/99 set motion filing deadline for defts. by 2/26/99 ( signed by Mag. Judge Ronald J. Hedges ) (DD) (in-md, ). (Entered: 01/26/1999)
01/27/1999	<u>15</u>	ORDER, scheduling conference for 3/26/99 ( signed by Mag. Judge Ronald J. Hedges ) (femp) (in-md, ). (Entered: 01/28/1999)
02/01/1999	<u>16</u>	ORDER extending time to 2.12.99 for pltf to serve opposition to defts' motion for partial dismissal purs to R 12(b)(6); deft to serve any reply thereto and deliver all motion papers to the court is set at 2.26.99 ( signed by Mag. Judge Ronald J. Hedges ) (femp) (in-md, ). (Entered: 02/02/1999)
02/26/1999	<u>17</u>	Notice of MOTION for partial dismissal by ATATTMANAGEMENT PEN, Motion set for 3/22/99 on [17-1] motion proof of service (Brief/PO Subm) (femp) (in-md, ). (Entered: 03/01/1999)
02/26/1999	<u>18</u>	CERTIFICATION of Alan Sefcik on behalf of ATATTMANAGEMENT PEN Re: [17-1] motion for partial dismissal (femp) (in-md, ). (Entered: 03/01/1999)
03/08/1999	<u>19</u>	Notice of Intent to submit a Dispositive motion by ATATTMANAGEMENT PEN (femp) (in-md, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> signed) (in-md, ). (Entered: 03/08/1999)

03/22/1999	<u>20</u>	Minute entry: Proceedings recorded by Ct-Reporter: Rizman; Minutes of: 3.22.99; The following actions were taken, [17-1] motion for partial dismissal taken under advisement ; ordered counsel to replead within 30 days by preparing proper caption and allegations; ordered that each count of the complaint to represent a separate cause of action, each count must be specific. By Judge Nicholas H. Politan (femp) (in-md, ). (Entered: 03/23/1999)
03/22/1999	<u>21</u>	ORDER, for Stephan R. Bruce to appear pro hac vice ( signed by Judge Nicholas H. Politan ) (femp) (in-md, ). (Entered: 03/23/1999)
03/31/1999	<u>22</u>	TRANSCRIPT of Proceedings taken on 3.22.99 (femp) (cf, ). (Entered: 04/01/1999)
04/23/1999	<u>23</u>	OPINION ( signed by Judge Nicholas H. Politan ) (femp) (in-md, ). (Entered: 04/23/1999)
04/23/1999	<u>24</u>	ORDER granting [17-1] motion for partial dismissal; counts one through five and counts ten through fifteen are dismissed with prejudice; remainder of the complaint is dismissed without prejudice; pltfs are granted 45 days within to file an amended class action complaint that is consistent with this Court's 4-14-99 letter opinion ( signed by Judge Nicholas H. Politan ) (femp) (in-md, ). (Entered: 04/23/1999)
04/23/1999		Case closed (femp) (Entered: 04/23/1999)
06/07/1999	<u>25</u>	AMENDED COMPLAINT by MANAGEMENT EMPLOYEES , amending [1-1] complaint against PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR (nr) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> amended) (in-md, ). (Entered: 06/08/1999)
06/25/1999	<u>26</u>	APPLICATION by ATATTMANAGEMENT PEN and Clerk's Order extending time to answer. Answer due 7/13/99 for ATTMANAGEMENT PEN, for ATT(femp) (in-md, ). (Entered: 06/28/1999)
07/27/1999	<u>27</u>	STIPULATION and ORDER, extending time , answer due for 8/16/99 for ATTMANAGEMENT PEN, for ATT( signed by Mag. Judge Ronald J. Hedges ) (femp) Modified on 07/27/1999 (in-md, ). (Entered: 07/27/1999)
08/17/1999	<u>28</u>	ANSWER by ATATTMANAGEMENT PEN to amended complaint (femp) (Entered: 08/18/1999)
09/10/1999	<u>29</u>	ORDER that oral argument be conducted at 10:00 on 9/27/99; etc. ( signed by Mag. Judge Ronald J. Hedges ) (femp) (in-md, ). (Entered: 09/13/1999)
09/17/1999	<u>31</u>	CERTIFICATION of Gerald J. Smit on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: EEOC age discrimination charge (femp) (in-md, ). (Entered: 09/23/1999)
09/23/1999	<u>30</u>	ORDER that pltfs must provide defts with an original and one copy of pltfs' opp papers to defts' motion for partial dismissal by 10.4.99; etc. ( signed by Mag. Judge Ronald J. Hedges ) (femp) (in-md, ). (Entered: 09/23/1999)
09/27/1999	<u>32</u>	Minute entry: Proceedings recorded by ; Minutes of: 9.27.99; The following actions were taken, denying [17-1] motion for partial dismissal By Mag. Judge Ronald J. Hedges (femp) (in-md, ). (Entered: 10/01/1999)
10/01/1999	<u>33</u>	ORDER that discovery is stayed as to all claims that defts have moved to dismiss purs to R 12(b)(6) pending resolution of that motion; etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (femp) (in-md, ). (Entered: 10/04/1999)
10/04/1999	<u>34</u>	Notice of MOTION by The American Association of Retired Persons for leave to file brief Amicus Curiae in support of the pltfs opp , Motion set for 11/8/99 on [34-1] motion proof of service (Brief/PO Subm) (femp) Modified on 10/06/1999 (in-md, ). (Entered: 10/05/1999)
10/29/1999	<u>35</u>	Notice of MOTION for partial dismissal by ATATTMANAGEMENT PEN, Motion set for 11/22/99 on [35-1] motion proof of service (Brief/PO Subm) (femp) (in-md, ). (Entered: 11/03/1999)

10/29/1999	<u>36</u>	CERTIFICATION of Terrence J. Nolan, Esq. on behalf of ATATTMANAGEMENT PEN Re: [35-1] motion for partial dismissal (femp) (in-md, ). (Entered: 11/03/1999)
10/29/1999	<u>37</u>	CERTIFICATION of Allen Sefcik on behalf of ATATTMANAGEMENT PEN Re: [35-1] motion for partial dismissal (femp) (cf, ). (Additional attachment(s) added on 10/8/2009: # <u>1</u> CERTIFICATION PART 2 OF 5) (cf, ). (Additional attachment(s) added on 10/8/2009: # <u>2</u> CERTIFICATION PART 3 OF 5) (cf, ). (Additional attachment(s) added on 10/8/2009: # <u>3</u> CERTIFICATION PART 4 OF 5) (cf, ). (Additional attachment(s) added on 10/8/2009: # <u>4</u> CERTIFICATION PART 5 OF 5) (cf, ). (Entered: 11/03/1999)
10/29/1999	<u>38</u>	CERTIFICATION of Gerald J. Smit on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: [35-1] motion for partial dismissal (femp) (in-md, ). (Entered: 11/03/1999)
10/29/1999	<u>39</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN (femp) (in-md, ). (Entered: 11/03/1999)
11/05/1999	<u>40</u>	Notice of MOTION to dismiss Pltf's First, Second & Ninth Claims by ATATTMANAGEMENT PEN, Motion set for 12/13/99 on [40-1] motion ; w/cert. of serv. (Brief/PO Subm) (DD) (in-md, ). (Entered: 11/08/1999)
11/05/1999	<u>41</u>	CERTIFICATION of TERRENCE J. NOLAN, ESQ. w/attached exhibits A-I on behalf of ATATTMANAGEMENT PEN Re: [40-1] motion to dismiss Pltf's First, Second & Ninth Claims (DD) (cf, ). (Entered: 11/08/1999)
11/05/1999	<u>42</u>	CERTIFICATION of GERALD SMIT on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: in opposition to [40-1] motion to dismiss Pltf's First, Second & Ninth Claims (DD) (in-md, ). (Entered: 11/08/1999)
11/05/1999	<u>43</u>	CERTIFICATION of STEPHEN BRUCE on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: in opposition to [40-1] motion to dismiss Pltf's First, Second & Ninth Claims (DD) (in-md, ). (Entered: 11/08/1999)
11/08/1999	<u>44</u>	ORDER granting [34-1] motion for leave to file brief Amicus Curiae in support of the pltfs opp ( signed by Judge Nicholas H. Politan ) (aa) (in-md, ). (Entered: 11/09/1999)
11/08/1999	<u>45</u>	Minute entry: Proceedings recorded by Ct-Reporter: NONE; Minutes of: 11/8/99; The following actions were taken, At call for [34-1] motion for leave to file brief Amicus Curiae in support of the pltfs opp taken under advisement, purs to Rule 78. By Judge Nicholas H. Politan (DD) (in-md, ). (Entered: 11/09/1999)
11/09/1999		Case reopened (as per chambers) (femp) (Entered: 11/09/1999)
11/10/1999	<u>46</u>	Notice of MOTION for leave to file amended complaint by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, and certificate of service Motion set for 9:30 12/13/99 on [46-1] motion . (Brief/PO Subm) (aa) (in-md, ). (Entered: 11/15/1999)
11/29/1999	<u>47</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN (femp) (Entered: 11/30/1999)
12/01/1999	<u>48</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN re: reply brief (femp) (in-md, ). (Entered: 12/02/1999)
12/13/1999	<u>49</u>	Minute entry: Proceedings recorded by Ct-Reporter: Stan Rizman; Minutes of: 12/13/99; The following actions were taken, [46-1] motion for leave to file amended complaint taken under advisement, decision reserved. By Judge Nicholas H. Politan (bl) (in-md, ). (Entered: 12/15/1999)
12/13/1999	<u>50</u>	Minute entry: Proceedings recorded by Ct-Reporter: Stan Rizman; Minutes of: 12/13/99; The following actions were taken, [35-1] motion for partial dismissal taken under advisement, decision Reserved. By Judge Nicholas H. Politan (bl) (in-md, ). (Entered: 12/15/1999)



12/13/1999	<u>51</u>	Minute entry: Proceedings recorded by Ct-Reporter: Stan Rizman; Minutes of: 12/13/99; The following actions were taken, [40-1] motion to dismiss Pltf's First, Second & Ninth Claims taken under advisement, per rule 78. By Judge Nicholas H. Politan (bl) (Entered: 12/15/1999)
04/14/2000	<u>52</u>	Notice of MOTION for preliminary injunction by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, Motion set for 5/8/00 on [52-1] motion proof of service (Brief/PO Subm) (femp) (in-md, ). (Entered: 04/17/2000)
04/14/2000	<u>53</u>	CERTIFICATION of Gerald J. Smit, Esq. on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: [52-1] motion for preliminary injunction (femp) (in-md, ). (Entered: 04/17/2000)
04/24/2000	<u>54</u>	CERTIFICATION in opposition of Sharon A. Byrne on behalf of ATTRe: [52-1] motion for preliminary injunction (femp) (in-md, ). (Entered: 04/25/2000)
04/24/2000	<u>55</u>	CERTIFICATE OF SERVICE by ATT(femp) (in-md, ). (Entered: 04/25/2000)
05/09/2000	<u>56</u>	Minute entry: Proceedings recorded by Ct-Reporter: Rizman; Minutes of: 5.9.00; The following actions were taken, granting [52-1] motion for preliminary injunction By Judge Nicholas H. Politan (femp) (in-md, ). (Entered: 05/10/2000)
05/11/2000	<u>58</u>	CERTIFICATION of Carol Rosa on behalf of MANAGEMENT EMPLOYEES, PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR (femp) (in-md, ). (Entered: 05/15/2000)
05/12/2000	<u>57</u>	TRANSCRIPT of Proceedings taken on 05/09/00 (sr) (cf, ). (Entered: 05/12/2000)
05/15/2000	<u>59</u>	APPLICATION/motion for Edgar Pauk to appear pro hac vice by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR (copy to chambers) (femp) (in-md, ). (Entered: 05/16/2000)
06/07/2000	<u>60</u>	ORDER for Edgar Pauk, Esq. to appear pro hac vice ( signed by Mag. Judge Ronald J. Hedges ) n/m (femp) (in-md, ). (Entered: 06/08/2000)
06/29/2000	<u>61</u>	LETTER-OPINION ( signed by Judge Nicholas H. Politan ) (jd) Modified on 06/30/2000 (in-md, ). (Entered: 06/30/2000)
06/29/2000	<u>62</u>	ORDER granting [46-1] motion for leave to file amended complaint granting in part, denying in part [40-1] motion to dismiss Pltf's First, Second & Ninth Claims granting in part, denying in part [35-1] motion for partial dismissal; Specifically, the First, Second, and Eighth Claims are dismissed with prejudice. Defts' motions to dismiss are denied as to the Fourth, Fifth, Sixth and Ninth Claims. ( signed by Judge Nicholas H. Politan ) n/m (jd) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> order) (in-md, ). (Entered: 06/30/2000)
07/18/2000	<u>63</u>	SCHEDULING ORDER setting Status conference 10:30 9/15/00 ; etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (RG) (in-md, ). (Entered: 07/19/2000)
07/26/2000	<u>64</u>	ANSWER by ATATTMANAGEMENT PEN to second amended complaint; jury demand, cert of service (sr) (in-md, ). (Entered: 07/26/2000)
07/28/2000	<u>65</u>	Notice of MOTION for reargument of dismissal of Adea claims one and two, or entry of FRCP 54(b) or 28 USC 1292(b) order by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, Motion set for 9/11/00 on [65-1] motion . proof of service (Brief/PO Subm) (RG) (in-md, ). (Entered: 07/28/2000)
09/08/2000	<u>66</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN re: opp to pltfs' motion for reargument (RG) (in-md, ). (Entered: 09/11/2000)
09/14/2000	<u>67</u>	Amended CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN (RG) (in-md, ). (Entered: 09/14/2000)
09/15/2000	<u>68</u>	SCHEDULING ORDER setting Status conference 2/6/01 ; etc. ( signed by Mag. Judge Ronald J. Hedges ) (RG) (in-md, ). (Entered: 09/18/2000)
10/04/2000	<u>69</u>	ORDER denying [65-1] motion for reargument of dismissal of Adea claims one and two, or entry of FRCP 54(b) or 28 USC 1292(b) order ( signed by Judge Nicholas H. Politan ) n/m (RG) (in-md, ). (Entered: 10/04/2000)

10/10/2000	<u>70</u>	ORDER, for protective order ( signed by Mag. Judge Ronald J. Hedges ) nm (DR) (in-md, ). (Entered: 10/12/2000)
10/20/2000	<u>71</u>	Notice of MOTION for class certification and approval of Adea Representative Action by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, Motion set for 12/11/00 on [71-1] motion proof of service (Brief/PO Subm) (RG) (in-md, ). (Entered: 10/23/2000)
11/13/2000	<u>72</u>	CERTIFICATION of Kevin R. Armant on behalf of ATATTMANAGEMENT PEN Re: [71-1] motion for class certification and approval of Adea Representative Action (RG) (cf, ). (Additional attachment(s) added on 10/6/2009: # <u>1</u> CERTIFICATION PART 2 OF 3) (cf, ). (Additional attachment(s) added on 10/6/2009: # <u>2</u> CERTIFICATION PART 3 OF 3) (cf, ). (Entered: 11/14/2000)
11/13/2000	<u>73</u>	CERTIFICATION of Christopher H. Mills, Esq. on behalf of ATATTMANAGEMENT PEN Re: [71-1] motion for class certification and approval of Adea Representative Action (RG) (cf, ). (Additional attachment(s) added on 10/6/2009: # <u>1</u> CERTIFICATION PART 2 OF 3) (cf, ). (Additional attachment(s) added on 10/6/2009: # <u>2</u> CERTIFICATION PART 3 OF 3) (cf, ). (Entered: 11/14/2000)
11/13/2000	<u>74</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN (RG) (in-md, ). (Entered: 11/14/2000)
01/23/2001	<u>75</u>	Minute entry: Proceedings recorded by Ct-Reporter: Rizman; Minutes of: 1.23.01; The following actions were taken, [71-1] motion for class certification and approval of Adea Representative Action taken under advisement By Judge Nicholas H. Politan (RG) (in-md, ). (Entered: 01/30/2001)
02/08/2001	<u>76</u>	ORDER directing pltfs' counsels to submit requested materials re: qualifications as to various resources needed to manage a class action; ( signed by Judge Nicholas H. Politan ) n/m (RG) (in-md, ). (Entered: 02/09/2001)
04/02/2001	<u>77</u>	Case Management order/SCHEDULING ORDER setting Status conference 3:00 5/10/01; etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (RG) (in-md, ). (Entered: 04/03/2001)
06/07/2001	<u>78</u>	LETTER-OPINION ( signed by Judge Nicholas H. Politan ) (jd) (in-md, ). (Entered: 06/11/2001)
06/07/2001	<u>79</u>	ORDER granting [71-1] motion for class certification w/regard to the remaining claims in the Second Amended Complaint; the ninth claim for relief in the pltfs' second amended class action complaint is dismissed; pltfs shall submit, w/in 30 days of the date of this order, evidence which would tend to counter the defts' contention that none of the named pltfs will suffer a reduction in annual benefits commencing at age 65 by virtue of the Plan Amendment, etc. ( signed by Judge Nicholas H. Politan ) n/m (jd) (in-md, ). (Entered: 06/11/2001)
06/15/2001	<u>80</u>	ORDER, extending time to file any application for relief from the order entered on June 6, 2001 an additional 10 days ( signed by Judge Nicholas H. Politan ) n/m (nr) (in-md, ). (Entered: 06/18/2001)
06/25/2001	<u>81</u>	Notice of MOTION for reconsideration of [79-1] order by ATATTMANAGEMENT PEN, Motion set for 7/23/01 on [81-1] motion . (Letter Brief/PO Subm) (ar) (in-md, ). (Entered: 06/27/2001)
06/25/2001	<u>82</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re: [81-1] motion for reconsideration of [79-1] order (ar) (in-md, ). (Entered: 06/27/2001)
07/06/2001	<u>83</u>	Notice of MOTION for leave to file amended complt. by MANAGEMENT EMPLOYEES, proof of service. Motion set for 9/10/01 on [83-1] motion . (Brief/PO Subm) (nr) (in-md, ). (Entered: 07/10/2001)
07/10/2001	84	*** UNDER SEAL - CERTIFICATION of STEPHEN BRUCE on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Re: in support of plas' proffer of evidence on ERISA 204(H) CLAIM (ar) (Entered: 07/13/2001)



07/10/2001	<u>85</u>	AFFIDAVIT of CLAUDE POULIN on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR (ar) (Entered: 07/13/2001)
07/10/2001	<u>86</u>	CERTIFICATE OF SERVICE by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Service Re: Letter Brief and [85-1] affidavit, [84-1] ****UNDER SEAL certification (ar) (Entered: 07/13/2001)
07/16/2001	<u>87</u>	CERTIFICATE OF SERVICE re: defts' reply brief opposing ATs Motion for reconsideration served upon counsel of record via Federal Express (sr) (in-md, ). (Entered: 07/18/2001)
07/18/2001	<u>88</u>	ORDER, for an in camera inspection be conducted on 9/5/01 (signed by Mag. Judge Ronald J. Hedges)n/m (mh) (in-md, ). (Entered: 07/19/2001)
07/23/2001	<u>89</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 07/23/01; The following actions were taken, at call for [81-1] motion for reconsideration of [79-1] order taken under advisement, purs to Rule 78 By Judge Nicholas H. Politan (sr) (in-md, ). (Entered: 07/24/2001)
08/27/2001	<u>90</u>	CERTIFICATE OF SERVICE of defts opposition to pltfs' motion for leave to file third amended complt. served upon counsel via federal express &hand delivery (sr) (in-md, ). (Entered: 08/28/2001)
08/27/2001	<u>91</u>	CERTIFICATION of Patricia A. Cullen, Esq. on behalf of ATTRe: [83-1] motion for leave to file amended complt. (brief &appendix subm) (sr) (in-md, ). (Entered: 08/28/2001)
09/10/2001	<u>92</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 9/10/01; The following actions were taken, [83-1] motion for leave to file amended complt. taken under advisement. Rule 78. By Judge Nicholas H. Politan (jd) (in-md, ). (Entered: 09/13/2001)
09/25/2001	<u>93</u>	CERTIFICATION of KENNETH C. MORGAN on behalf of ATATTMANAGEMENT PEN (nr) (in-md, ). (Entered: 09/26/2001)
10/03/2001	<u>94</u>	ORDER re: in camera review of dft's privileged doc., etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (ak) (in-md, ). (Entered: 10/05/2001)
10/04/2001	<u>95</u>	TRANSCRIPT of Proceedings taken on 1/23/01 by Court Reporter Stanley B. Rizman (DS) (cf, ). (Entered: 10/05/2001)
10/29/2001	<u>96</u>	SUPPLEMENTAL CERTIFICATION of KENNETH C. MORGAN re pro hac vice (nr) Modified on 11/02/2001 (in-md, ). (Entered: 11/02/2001)
11/02/2001	<u>97</u>	Notice of MOTION for reconsideration of [94-1] order by ATATTMANAGEMENT PEN, &cert. of service. Motion set for 11/30/01 on [97-1] motion . (Brief/PO Subm) (mn) (in-md, ). (Entered: 11/07/2001)
11/13/2001	<u>98</u>	TRANSCRIPT of Proceedings taken on 9/5/01 (aa) (cf, ). (Entered: 11/14/2001)
11/13/2001	<u>99</u>	TRANSCRIPT of Proceedings taken on 10/29/01 (aa) (cf, ). (Entered: 11/14/2001)
11/16/2001	<u>100</u>	CERTIFICATE OF SERVICE by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR Service in opposition Re: [97-1] motion for reconsideration of [94-1] order (Brief sub.) (aa) (in-md, ). (Entered: 11/20/2001)
11/20/2001	<u>101</u>	LETTER-OPINION ( signed by Judge Nicholas H. Politan ) (jd) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> district court) (in-md, ). (Entered: 11/26/2001)
11/20/2001	<u>102</u>	ORDER granting [83-1] motion for leave to file a Third amended complt. denying [81-1] motion for reconsideration of [79-1] order; granting pltfs' motion to certify this matter as a class action (signed by Judge Nicholas H. Politan ) n/m (jd) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> order) (in-md, ). (Entered: 11/26/2001)
11/26/2001	<u>103</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 11/26/01; The following actions were taken, [97-1] motion for reconsideration of [94-1] order taken under advisement pursuant to R78. By Mag. Judge Ronald J. Hedges (aa) (in-md, ). (Entered: 11/28/2001)

11/29/2001	<u>104</u>	Third AMENDED Class Action COMPLAINT by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR ; jury demand (jd) (in-md, ). (Entered: 11/29/2001)
11/30/2001	<u>105</u>	ORDER re: in camera review of certain documents; the Court shall continue the in camera review of dfts' privileged documents at a conference on 11/30/01 at 9:30 a.m., etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (aa) (in-md, ). (Entered: 12/03/2001)
12/03/2001	<u>106</u>	ORDER denying [97-1] motion for reconsideration of [94-1] order ( signed by Mag. Judge Ronald J. Hedges )n/m (ak) (in-md, ). (Entered: 12/04/2001)
12/12/2001	<u>107</u>	APPLICATION by ATATTMANAGEMENT PEN and Clerk's Order extending time to answer third amended complaint. Answer due 1/2/02 for ATTMANAGEMENT PEN, for ATT(jd) (in-md, ). (Entered: 12/12/2001)
12/19/2001	<u>108</u>	STIPULATION and ORDER, for protective amended order ( signed by Mag. Judge Ronald J. Hedges ) (bl) (in-md, ). (Entered: 12/20/2001)
12/19/2001	<u>109</u>	ORDER ruling on dfts' claims of privilege for those documents reviewed in camera on 11/30/01; for production of certain documents in the certification of Kenneth C. Morgan dated 9/25/01; separate order to address #s 2731 and #2736 to be turned over except for 2nd sentence of entry #65, etc. ( signed by Mag. Judge Ronald J. Hedges )n/m (aa) (in-md, ). (Entered: 12/27/2001)
12/28/2001	<u>113</u>	CERTIFICATION of Stephen Bruce on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT Re: to complete record of in camera review before Mag. Judge Hedges. (mn) (in-md, ). (Entered: 01/08/2002)
01/03/2002	<u>110</u>	Notice of MOTION for partial dismissal of the Third Amended Complaint, dismissing First, Second, Eighth, Ninth, Tenth, Eleventh and Twelfth Claims by dfts., ATATTMANAGEMENT PEN, Motion set for 1/28/02 on [110-1] motion (Brief/PO Subm) (cs) Additional attachment(s) added on 12/21/2004 (ev, ). (Entered: 01/04/2002)
01/03/2002	<u>111</u>	CERTIFICATION of PATRICIA S. ROBINSON, ESQ. on behalf of dfts., ATATTMANAGEMENT PEN and in support of [110-1] motion for partial dismissal of the Third Amended Complaint, dismissing First, Second, Eighth, Ninth, Tenth, Eleventh and Twelfth Claims (cs) (in-md, ). (Entered: 01/04/2002)
01/03/2002	<u>112</u>	CERTIFICATE OF SERVICE of [111-1] certification, [110-1] motion for partial dismissal of the Third Amended Complaint, dismissing First, Second, Eighth, Ninth, Tenth, Eleventh and Twelfth Claims and supporting brief w/appendix etc. (cs) (in-md, ). (Entered: 01/04/2002)
01/09/2002	<u>114</u>	TRANSCRIPT of Proceedings taken on 11/30/01 by Court Reporter Rapid Transcript Service, Inc. (DS) (cf, ). (Entered: 01/15/2002)
01/09/2002	<u>115</u>	TRANSCRIPT of Proceedings taken on 12/17/01 by Court Reporter Rapid Transcript Service, Inc. (DS) (cf, ). (Entered: 01/15/2002)
01/11/2002		Deadline updated; reset status conference for 1:00 1/30/02 (nc) (Entered: 01/11/2002)
01/11/2002	<u>116</u>	ORDER of REASSIGNMENT to Judge Bassler ( signed by Chief Judge John W. Bissell ) (ar) (in-md, ). (Entered: 01/16/2002)
01/11/2002		CASE reassigned to Judge William G. Bassler (ar) (Entered: 01/16/2002)
01/16/2002	<u>117</u>	ORDER re: Court's rulings on defts' claims of privilege for those documents reviewed in camera on 12/17/01, etc. ( signed by Mag. Judge Ronald J. Hedges ) n/m (sr) (in-md, ). (Entered: 01/17/2002)
01/22/2002	<u>118</u>	LETTER ORDER, setting status conference for 2:00 2/4/02 ( signed by Magistrate Judge Madeline C. Arleo ) n/m (nr) (in-md, ). (Entered: 01/24/2002)
02/04/2002	<u>120</u>	NOTICE of APPEAL by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT of Magistrate decision to District Court RE: [109-1] order, [105-1] order, [94-1] order Hearing on magistrate appeal set

		for 3/11/02, w/cert of service (brief subm). (sr) (in-md, ). (Entered: 02/11/2002)
02/07/2002	119	Certified Copy Of Order from the USCA denied petition for permission to appeal; appeal no. 01-8045 (DS) (Entered: 02/08/2002)
02/19/2002	<u>121</u>	Notice of Intent to submit a Dispositive motion partial dismissal of third amended complt. by ATATTMANAGEMENT PEN (mn) (in-md, ). (Entered: 02/22/2002)
02/19/2002	<u>122</u>	Notice of MOTION to dismiss, 10th, 11th &12th claim in the third amended complt. by ATATTMANAGEMENT PEN, Motion set for 3/11/02 on [121-1] dispositive motion notice partial dismissal of third amended complt. . (Brief w/appendix/PO Subm) (mn) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> notice of motion) (in-md, ). (Entered: 02/22/2002)
02/19/2002	<u>123</u>	CERTIFICATION of Patricia S. Robinson on behalf of ATATTMANAGEMENT PEN Re: [122-1] dispositive motion to dismiss, 10th, 11th &12th claim in the third amended complt. (mn) (in-md, ). (Entered: 02/22/2002)
02/19/2002	<u>124</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re: [122-1] dispositive motion to dismiss, 10th, 11th &12th claim in the third amended complt., brief, appendix &proposed form of order. (mn) (in-md, ). (Entered: 02/22/2002)
02/19/2002	<u>125</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re:deft's reply brief in support of mot. for partial dism. of third amended complt. (mn) (in-md, ). (Entered: 02/22/2002)
02/22/2002	<u>126</u>	Minute entry: Proceedings recorded by Ct-Reporter: tape; Minutes of: 2/22/02; The following actions were taken, Status conference. No discovery to take place on claims not in the case. Counsel sent to jury deliberation room to work on discovery issues. By Magistrate Judge Madeline C. Arleo (aa) (in-md, ). (Entered: 02/26/2002)
02/25/2002	<u>127</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN as to Service of brief in opposition to pltf's motion pursuant to Rule 72 objecting to Mag. Orders re atty-client privilege (bl) (in-md, ). (Entered: 02/27/2002)
03/11/2002	<u>128</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 3/11/02; The following actions were taken, [120-1] Magistrate appeal taken under advisement - RULE 78 By Judge William G. Bassler (ar) (in-md, ). (Entered: 03/14/2002)
05/14/2002	<u>129</u>	Minute entry: Proceedings recorded by ; Minutes of: 05/14/02; The following actions were taken, Status Conference, Court will not change any ruling of Mag. Judge Hedges. Mr. Mills to confirm production of Donald Harrington and Hal Burlingham by the end of June. Depositions of Sethrec and Basseu will not take place until after Judge Bassler rules on pending motion to dismiss. Interrogatories 11 &19 more specific answers to be answered by dfts by 05/24/02 Mr. Bruce to rephrase request 38 and 39 t obe more specific by the 05/31/02. Deft to give amended responses to document #24 and #26 of the 04/09/02 letter of plt. Interrogatory answers to be amended as to request #11 and #15 of plt's April 9, 2002 letter. Ruling made on resquest #30-36 of P1f's letter of April 9 2002. Counsel to write a proposed form of order to be signed today. Balance of requests to be worked out by counsel to the extent possible and the Court will rule on any unresolved issued. Counsel worked out other issues. Status conference set for 06/26/02 12:pm By Magistrate Judge Madeline C. Arleo (JB) (in-md, ). (Entered: 05/15/2002)
05/16/2002	<u>130</u>	ORDER, compelling discovery , for leave to take deposition of Adele Kellman , setting status conference for 12:00 6/26/02 ( signed by Magistrate Judge Madeline C. Arleo ) (NM) (JB) (in-md, ). (Entered: 05/17/2002)
05/28/2002	<u>131</u>	TRANSCRIPT of Proceedings taken on 5/14/02 (Arleo) (jd) (cf, ). (Entered: 05/29/2002)
06/26/2002	<u>132</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 06/26/02; The following actions were taken, Status conf held on the record. Mr. Gollota's

		deposition to be sched promptly. ATTto produce Thomas Wyman if they are going to represent him. If not ATTis to turn over last known address. Both depts to be taken by the end of July or by a date agreed upon in August. Counsel for defendant to send a letter brief and documents re: confidentiality issue to the Court for in camera review by 07/10/02. Pla, to respd by 07/24/02. Statcnf to be set if necessary. Any pty cannot disseminate videotape depts on web sites w/out prior notice and consent of adversary. If counsel cannot agree Court will make the final ruling. Ms. Robinson to draft order. Pla to send a letter to the court why certain docs previous deemed confidential no longer be deemed confidential by 07/10/02. Deft to sent the Court a letter why said docs should remain protected under the protective order by 07/24/02. Pla is to include in his July 10th letter Interrogatories #2,3,4 and 6 and Judge Hedges' prior ruling. Deft to reply in her 07/24/02 letter. Pla to take a 30(b)(6) dep re: requests for docs as to rates of benefit accrual Status conference set for. (no date assigned). By Magistrate Judge Madeline C. Arleo (JB) (in-md, ). (Entered: 07/01/2002)
07/10/2002	<u>133</u>	OPINION ( signed by Judge William G. Bassler ) (NJLJ, NJL) (JB) Modified on 07/15/2002 (in-md, ). (Entered: 07/15/2002)
07/10/2002	<u>134</u>	ORDER that Magistrate Judge Hedges' Orders filed on Oct 3, 2001, Nov. 30, 2001, Dec 17, 2001, and Jan. 16, 2001 are hereby AFFIRMED.( signed by Judge William G. Bassler ) (NM) (JB) (in-md, ). (Entered: 07/15/2002)
07/12/2002	<u>136</u>	CASE MANAGEMENT ORDER, setting status conference for 2:30 7/31/02 etc. ( signed by Magistrate Judge Madeline C. Arleo ) (NM) (JB) (in-md, ). (Entered: 07/19/2002)
07/17/2002	<u>135</u>	TRANSCRIPT of Proceedings taken on 6/26/02 by Rapid Transcript Service (DS) (cf, ). (Entered: 07/18/2002)
09/04/2002	<u>137</u>	Minute entry: Proceedings recorded by ; Minutes of: 09/04/02; The following actions were taken, Hearing on the record regarding redaction of document. Case management conference set for 11/07/02 at 2:00pm. Counsel to submit to the court a proposed discovery plan prior to the case management conference. By Magistrate Judge Madeline C. Arleo (JB) (in-md, ). (Entered: 09/10/2002)
09/19/2002	<u>138</u>	TRANSCRIPT of Proceedings taken on 09/04/02(Honorable Arleo). (cs) (cf, ). (Entered: 09/20/2002)
10/11/2002	<u>139</u>	ORDER, status conference for 2:00 11/7/02 ; etc. ( signed by Magistrate Judge Madeline C. Arleo ) (NM) (sr) (in-md, ). (Entered: 10/16/2002)
10/17/2002	<u>141</u>	OPINION ( signed by Judge William G. Bassler ) (NJLJ, NJL). (JB) (cf, ). (Entered: 10/23/2002)
10/17/2002	<u>140</u>	ORDER granting [110-1] motion for partial dismissal of the Third Amended Complaint, dismissing First, Second, Eighth, Ninth, Tenth, Eleventh and Twelfth Claims ( signed by Judge William G. Bassler ) (NM) (JB) Additional attachment(s) added on 12/21/2004 (ev, ). (Additional attachment(s) added on 6/22/2009: # <u>1</u> filed) (in-md, ). (Entered: 10/23/2002)
11/07/2002	<u>141</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 11/7/02; The following actions were taken, Status conference held on the record. Court rules that pltf's request for more specific answers to interrogatories is denied. Court sets schedule for letters on attorney/client privilege issue. Pltf's letter due 11/15/02. Counsel to work out a deposition of an ATTboard member on issues presently in the case only. Mr. Basu's deposition put on hold until after motion to dismiss. Mr. Morgan's depts to be held in Judge Arleo's jury. Any issues that have not been worked out are to be brought before Judge Arleo before the deposition. By Magistrate Judge Madeline C. Arleo (aa) (Additional attachment(s) added on 9/30/2009: # 1 MINUTE ENTRY) (cf, ). (Additional attachment(s) added on 9/30/2009: # 2 MINUTE ENTRY) (cf, ). (Entered: 11/13/2002)
11/07/2002	<u>142</u>	Notice of MOTION for reargument of partial dismissal by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT, Motion set for 12/9/02 on [142-1] motion w/certsvc. (Brief Subm) (aa) (cf, ). (Entered: 11/13/2002)



11/25/2002	<u>143</u>	Notice of CROSS MOTION to strike [104-1] Third amended complaint allegations to dismissed claims. by ATATTMANAGEMENT PEN, Motion set for 12/23/02 on [143-1] cross motion w/cert of service (Brief/PO subm.). (JB) Modified on 11/27/2002 (cf, ). (Entered: 11/27/2002)
11/25/2002	<u>144</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re:of brief in opposition to [142-1] motion for reargument of partial dismissal (JB) (cf, ). (Entered: 11/27/2002)
12/02/2002	<u>145</u>	LETTER ORDER denying [142-1] motion for reargument of partial dismissal for failure to set forth a basis for reconsideration permitted under local Rule 7.1 (g). ( signed by Judge William G. Bassler ) (NM) (JB) Modified on 12/03/2002 (cf, ). (Entered: 12/03/2002)
12/03/2002	<u>146</u>	TRANSCRIPT of Proceedings taken on November 7, 2002 Honorable Madeline Cox Arleo (ce) (cf, ). (Entered: 12/03/2002)
12/17/2002	<u>147</u>	ORDER of REASSIGNMENT, from Judge Bassler to Judge Linares ( signed by Chief Judge John W. Bissell ) (NM) (ak) (cf, ). (Entered: 12/17/2002)
12/17/2002		CASE reassigned to Judge Jose L. Linares (ak) (Entered: 12/17/2002)
12/31/2002	<u>148</u>	ORDER, setting status conference for 10:30 3/6/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 01/07/2003)
01/13/2003	<u>149</u>	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 01/13/03; The following actions were taken, setting motion hearing on [143-1] cross motion to strike [104-1] Third amended complaint allegations to dismissed claims. by ATTMANAGEMENT PEN, ATTfor 10:00 2/24/03 By Judge Jose L. Linares (JB) (cf, ). (Entered: 01/15/2003)
02/19/2003	<u>150</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re: a copy of Deft's Letter in reply to plaintiff's opposition to defendants's motion to strike. (JB) (cf, ). (Entered: 02/20/2003)
03/07/2003	<u>151</u>	ORDER, resetting status conference for 11:00 4/9/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 03/07/2003)
04/23/2003	<u>152</u>	ORDER, Pltf's application to compel production of documets described in request No. 24 of plaintiffs' second request for production of documents is DENIED setting status conference for 1:00 4/28/03 etc. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 04/29/2003)
05/20/2003	<u>154</u>	ORDER, granting in part and denying in part application for production of documents setting discovery due for 6/30/03 , status conference for 4:00 6/4/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (nr) (cf, ). (Entered: 05/22/2003)
05/21/2003	<u>153</u>	TRANSCRIPT of Proceedings taken on 4/28/03 Honorable Ronald J. Hedges (ce) (cf, ). (Entered: 05/21/2003)
06/02/2003	<u>155</u>	ORDER, that the court's Order of 04/23/03 remains in full force and effect except as modified herein. etc. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 06/03/2003)
06/06/2003	<u>157</u>	Notice of MOTION for reconsideration of [155-1] order, [154-1] order setting discovery due for 6/30/03 by ATATTMANAGEMENT PEN, Motion set for 7/14/03 on [157-1] motion . (Letter Brief/PO Subm) (JB) (cf, ). (Entered: 06/10/2003)
06/09/2003	<u>156</u>	ORDER, that paragraph 16 of the Court's Orders entered on 05/22/03 and on 06/03/03 providing that fact discovery shall be completed on or before 06/30/03 is hereby vacated. rescheduling status conference for 1:00 6/30/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 06/09/2003)
06/10/2003	<u>158</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re: [157-1] motion for reconsideration of [155-1] order, [154-1] order setting discovery due for 6/30/03 serve on 06/06/03 via Federal Express to plaintiff. along w/ copy of Local Rule 7.1(g) Letter brief and Motion. (JB) (cf, ). (Entered: 06/11/2003)



07/01/2003	<u>159</u>	ORDER denying [157-1] motion for reconsideration of [155-1] order, [154-1] order setting discovery due for 6/30/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 07/02/2003)
07/10/2003	<u>160</u>	TRANSCRIPT of Proceedings taken on June 30, 2003 Honorable Ronald J. Hedges (ce) (cf, ). (Entered: 07/11/2003)
07/14/2003	<u>164</u>	Minute entry: Proceedings recorded by Ct-Reporter: 07/14/03; Minutes of: 07/14/03; The following actions were taken, denying [157-1] motion for reconsideration of [155-1] order, [154-1] order setting discovery due for 6/30/03 By Mag. Judge Ronald J. Hedges (JB) (cf, ). (Entered: 07/25/2003)
07/15/2003	<u>161</u>	ORDER, that paragraph 9 of the Order entered on May 22, 2003 and paragraph 9 of the Order entered on June 06, 2003 hereby stayed pending the outcome of defendant's appeal therefrom. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 07/17/2003)
07/17/2003	<u>162</u>	Notice of MOTION Appealing from Magistrate Judge's Discovery ruling pursuant to Local Civ. Rule 72.1(c)(1)(A) by ATATTMANAGEMENT PEN, Motion set for 9/8/03 on [162-1] motion w/cert of service. (Brief/PO Subm) (JB) (cf, ). (Entered: 07/21/2003)
07/17/2003	<u>163</u>	CERTIFICATION of PATRICIA S. ROBINSON, ESQ. on behalf of ATATTMANAGEMENT PEN Re: in support of [162-1] motion Appealing from Magistrate Judge's Discovery ruling pursuant to Local Civ. Rule 72.1(c)(1)(A) (JB) (cf, ). (Entered: 07/21/2003)
07/31/2003	<u>165</u>	ORDER, that Plaintiff shall be permitted to take the deposition of Kal Basu only by telephone. The deposition shall not exceed one hour and the questioning shall be limited to inquiring as to whether Mr. Basu had anything to do with preparation of notices etc. setting fact discovery due for 8/15/03 , setting status conference for 2:00 10/8/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 08/05/2003)
08/21/2003	<u>166</u>	Notice of MOTION objecting to ruling on doc. requests &a key deposition by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT, &cert. of service. Motion set for 9/22/03 on [166-1] motion . (Brief/PO Subm) (mn) (cf, ). (Entered: 08/22/2003)
08/21/2003	<u>167</u>	CERTIFICATION of Stephen R. bruce on behalf of PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT Re: [166-1] in support of motion objecting to ruling on doc. requests &a key deposition (mn) (cf, ). (Additional attachment(s) added on 9/30/2009: # <u>1</u> CERTIFICATION PART 2 OF 2) (cf, ). (Entered: 08/22/2003)
08/25/2003	<u>168</u>	CERTIFICATION of Stephen R. Bruce Re: [162-1] opposing defts motion Appealing from Magistrate Judge's Discovery ruling pursuant to Local Civ. Rule 72.1(c)(1)(A) &cert. of service. (brief sub.) (mn) (cf, ). (Entered: 08/27/2003)
09/08/2003	<u>169</u>	Minute entry: Proceedings recorded by ; Minutes of: 09/08/03; The following actions were taken, [162-1] motion Appealing from Magistrate Judge's Discovery ruling pursuant to Local Civ. Rule 72.1(c)(1)(A) taken under advisement pursuant to R78. By Judge Jose L. Linares (JB) (cf, ). (Entered: 09/15/2003)
09/08/2003	<u>170</u>	CERTIFICATION of PATRICIA A. CULLEN, ESSQ. on behalf of ATATTMANAGEMENT PEN Re: in opposition [166-1] motion objecting to ruling on doc. requests &a key deposition (JB) (cf, ). (Entered: 09/16/2003)
09/08/2003	<u>171</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PEN Service Re: [170-1] certification and Brief in response to plaintiff's motion appealing the Magistrate Judge's Discovery Orders. (JB) (cf, ). (Entered: 09/16/2003)
09/11/2003	<u>172</u>	ORDER, that defendants shall be premitted to take the depositions of Bonny Berger and Edward O'Brien by 09/30/03. Defts, shall also be allowed to depose one of the three individuals who were identified as Gary Morse, Ralph Colotti, or Bob Strong. Deposition shall also occur by 9/30/03. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 09/18/2003)

09/22/2003	<u>173</u>	ORDER, that defendants' request to extend the deadline for taking depositions beyond 08/15/03 is Granted. The parteis are directed to make every effort to completer the depositions by 09/30/03. etc. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 09/24/2003)
09/30/2003	<u>174</u>	ORDER, that the time for serving the expert report of the plaintiff's communications expert is extended to 11/03/03 ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 10/02/2003)
11/05/2003	<u>175</u>	CERTIFICATION of BRIAN M. BYRNES on behalf of ATATTMANAGEMENT PEN Re: in connection w/defts response to request No. 13 of plaintiff's second request for documents, which demanded the production of "any legal memoranda on cash balance issues in the possession of plan administrator" etc. (JB) (cf, ). (Entered: 11/10/2003)
11/12/2003	<u>176</u>	TRANSCRIPT of Proceedings taken on 10/29/03 Hon. Ronald J. Hedges (ce) (cf, ). (Additional attachment(s) added on 10/7/2009: # <u>1</u> TRANSCRIPT) (cf, ). (Entered: 11/13/2003)
11/26/2003	<u>178</u>	CERTIFICATE OF SERVICE by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT Service Re: of SUBPOENA as to Universal Mailing services Inc. c/o Edwin Adam. accepted by Rosel Frank. on 11/19/03. (JB) (cf, ). (Entered: 12/04/2003)
12/01/2003	<u>177</u>	ORDER, that defendant shall produce to plaintiffs, w/in 7 days of the date of this conference, a list as describe in the Court's August 5, 2003. order etc. and Plaintiff's application for additional info re: materials presented to ATS Board of Directors re: the Plan Amendment is DENIED, ETC. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 12/03/2003)
12/04/2003		Deadline updated; terminating [122-2] hearing Motion set for 3/11/02 on [121-1] dispositive motion notice partial dismissal of third amended complt. (dh) (Entered: 12/04/2003)
12/04/2003	<u>179</u>	OPINION AND ORDER granting in part, denying in part [143-1] cross motion to strike [104-1] Third amended complaint allegations to dismissed claims. ( signed by Judge Jose L. Linares ) (JB) (cf, ). (Entered: 12/09/2003)
12/15/2003	<u>180</u>	ORDER, extending time for service of report of defendant's actuarial expert. ( signed by Mag. Judge Ronald J. Hedges ) (NM) (JB) (cf, ). (Entered: 12/18/2003)
12/22/2003	<u>181</u>	ANSWER by ATATTMANAGEMENT PEN to third amended class action complaint; jury demand w/certif of service. (JB) (cf, ). (Entered: 12/31/2003)
01/26/2004		Minute Entry for proceedings held before Judge Ronald J. Hedges : Scheduling Conference held on 1/26/2004. (Del Mauro, M) (Entered: 01/29/2004)
02/02/2004	<u>182</u>	ORDER extending time for service of report of defendants communications expert until 02/06/04. all other provisions of the Courts's Order entered on 12/03/03 remain in effect except as modified herein. Signed by Judge Ronald J. Hedges on 02/02/04. (JB, ) (Entered: 02/06/2004)
02/24/2004	<u>183</u>	ORDER that the depositions of the commmunication experts shall be conducted in Newark the week of 2-23-27,2004. All other provisions of the Court's Order entered on 12/03/03 remain in effect as modified herein. No ruling is intended as to whether the defts are entitled to offer two reports from communication experts on the identical subject matter and topics. . Signed by Judge Ronald J. Hedges on 02/24/04. (JB, ) (Entered: 03/01/2004)
03/08/2004	<u>185</u>	ORDER re <u>184</u> Opinion, Order Judge Linares remanded one matter to me for furhter consideration. I will hear oral argument on production of the "Sales Agreement" at 3:00p.m. on March 22, 2004. Plaintiff may make any written sbumission w/regard to this document. not later than 03/15/04. Defts may respond not later than 03/18/04. Defendants shall produce the Sales Agreement for in Camera inspection during oral argument.. Signed by Judge Ronald J. Hedges on 03/08/04. (JB, ) (Entered: 03/09/2004)

03/09/2004	<u>184</u>	OPINION & ORDER that plaintiff's appeal of paragraph 2 of the June 2, 2003 Order by Magistrate Judge Hedges to deny Plaintiff's application to Compel Production is DENIED etc. . Signed by Judge Jose L. Linares on 03/08/04. (JB, ) (Entered: 03/09/2004)
03/16/2004	<u>186</u>	ORDER that dispositive motion practice shall be governed by Appendix N of the local Civil Rules. etc.. Signed by Judge Ronald J. Hedges on 03/16/04. (JB, ) (Entered: 03/18/2004)
03/18/2004	<u>187</u>	ORDER that initial and opposition brief filed by either party during dispositive motion practice shall not exceed 50 (fifty), Reply brief by either party shall not exceed 20 (twenty).. Signed by Judge Jose L. Linares on 03/18/04. (JB, ) (Entered: 03/22/2004)
04/21/2004	<u>188</u>	SCHEDULING ORDER:Any dispostive Motions due by 5/21/2004.Opposition papers be served by 6/11/2004.Reply brief, and the motion packages filed w/Court by 6/25/2004. Signed by Judge Ronald J. Hedges on 4/21/2004. (mn, ) (Entered: 04/23/2004)
05/19/2004		Minute Entry for proceedings held before Judge Ronald J. Hedges : Discovery Hearing held on 5/19/2004. (Del Mauro, M) (Entered: 05/19/2004)
05/20/2004	<u>189</u>	LETTER OPINION AND ORDER, for the reasons set forth above, defendants shall produce the Sales Agreement in issue w/in 10 days of the date herein. . Signed by Judge Ronald J. Hedges on 05/20/04. (JB, ) (Entered: 05/20/2004)
05/20/2004	<u>190</u>	ORDER that dispositive motion practice shall be governed by appendix N of the local civil rules. Opening briefs in support of any dispositive motions by either party shall be served on the other party by 6/18/04. etc. . Signed by Judge Ronald J. Hedges on 05/20/04. (JB, ) (Entered: 05/21/2004)
05/25/2004		Minute Entry for proceedings held before Judge Ronald J. Hedges : Scheduling Conference held on 5/25/2004. (Del Mauro, M) (Entered: 05/28/2004)
06/04/2004	<u>191</u>	ORDER w/seven (7) days of 5/25/04, counsel for defendants shall produce to counsel for plaintiffs a copy of tyhe videotape of the 9/25/97 walk-through of the Cash balance seminar produced by AYCO in responce to plaintiff's subpoena etc.. Signed by Judge Ronald J. Hedges on 06/04/04. (JB, ) (Entered: 06/07/2004)
06/23/2004	<u>192</u>	Notice of Intent to submit a Dispositive motion by ATT(Attachments: # <u>1</u> )(MILLS, CHRISTOPHER) (Entered: 06/23/2004)
06/23/2004	<u>193</u>	Notice of Intent to submit a Dispositive motion by PHILLIP C. ENGERS, MANAGEMENT EMPLOYEES OF ATWARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated, (NIRENBERG, JONATHAN) (Entered: 06/23/2004)
06/25/2004	<u>197</u>	Notice of Intent to submit a Dispositive motion by defendants. (dc, ) (Entered: 07/08/2004)
06/28/2004		CLERKS OFFICE QUALITY CONTROL MESSAGE – The Notice of Intent Dispositive motion, document number 193 submitted by J. Nirenberg on 6/23/04. The Document did not contain a proper electronic signature (s/). PLEASE RESUBMIT THE DOCUMENT WITH THE PROPER ELECTRONIC SIGNATURE BY 7/1/04. This submission will remain on the docket unless otherwise ordered by the court. This message is for informational purposes only. (cs) (Entered: 06/28/2004)
06/28/2004	<u>194</u>	ORDER date of service of opening briefs in support of dispositive motions under Appendix N of the Local Rules is extended to 6/23/04, etc.. Signed by Judge Ronald J. Hedges on 6/28/04. (bl, ) (Entered: 06/29/2004)
06/29/2004	<u>195</u>	Notice of Intent to submit a Dispositive motion by PHILLIP C. ENGERS, MANAGEMENT EMPLOYEES OF ATWARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated, (NIRENBERG, JONATHAN) (Entered: 06/29/2004)
07/07/2004	<u>196</u>	NOTICE by PHILLIP C. ENGERS, MANAGEMENT EMPLOYEES OF ATWARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on

		behalf of all others similarly situated, re <u>195</u> Notice of Intent to submit a Dispositive motion, <u>193</u> Notice of Intent to submit a Dispositive motion – <i>revised brief</i> (NIRENBERG, JONATHAN) (Entered: 07/07/2004)
07/08/2004	<u>198</u>	ORDER that Pltf's Memorandum of Law in Support of Summary Judgment dated 6/23/04, is STRICKEN for failure to conform w/Local Civil Rule 7.2(b) and (d) & this Court's Order dated 3/18/04; substitute brief due 7/7/04; all subsequent filing deadlines are extended two weeks; etc.. Signed by Judge Jose L. Linares on 7/8/04. (DD, ) (Entered: 07/09/2004)
07/12/2004	<u>199</u>	ORDER that Pltfs' Memorandum of Law in Support of Motion for Summary Judgment dated 6/23/04 is WITHDRAWN; Pltfs shall serve a substitute brief, no later than 7/7/04, no longer than 50 pgs; all subsequent filing deadlines set forth in Mag. Judge Hedges' Order dated 5/19/04 are extended by 2 weeks; opposition due 8/13/04; reply briefs due 9/17/04; etc.. Signed by Judge Jose L. Linares on 7/9/04. (DD, ) (Entered: 07/12/2004)
08/09/2004	<u>200</u>	Consent ORDER that the date for service of briefs in opposition to motions for summary judgment is hereby extended to 8/20/04; the date for service of reply briefs and filing of all motion papers with the Court purs. to Appendix N is extended to 9/30/04. Signed by Judge Ronald J. Hedges on 8/9/04. (jd, ) (Entered: 08/10/2004)
08/20/2004	<u>201</u>	Letter from Stephen Bruce/Jonathan I. Nirenberg re: Plaintiffs' Opposition to Defendants' Motin for Summary Judgment. (NIRENBERG, JONATHAN) (Entered: 08/20/2004)
09/14/2004	<u>202</u>	MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> by PHILLIP C. ENGERS, MANAGEMENT EMPLOYEES OF ATWARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Brief in support of Motion to Amend Complaint# <u>2</u> Certification of Stephen R. Bruce# <u>3</u> Proposed Amended Complaint# <u>4</u> Text of Proposed Order # <u>5</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 09/14/2004)
09/15/2004		Set Deadlines as to <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> . Motion Hearing set for 10/12/2004 10:00 AM before Judge Jose L. Linares. Please be advised that this motion will be decided on the papers unless otherwise notified by the Court. (mn, ) (Entered: 09/15/2004)
09/21/2004	<u>203</u>	ORDER that the return date of pltfs' motion for leave to file a fourth amended class action complaint and to amend the class definition be adjourned from 10/12/04 to 10/25/04, etc.. Signed by Judge Jose L. Linares on 9/20/04. (jd, ) (Entered: 09/21/2004)
09/21/2004		Reset Deadlines as to <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> . Motion Hearing set for 10/25/2004 before Judge Jose L. Linares. (Please be advised that this motion will be decided on the papers unless otherwise notified by the court) (jd, ) (Entered: 09/21/2004)
09/29/2004	<u>204</u>	ORDER that the date for service of briefs in reply to motions for summary judgment is hereby extended on 10/07/04. etc.. Signed by Judge Jose L. Linares on 09/29/04. (JB, ) (Entered: 09/30/2004)
10/07/2004	<u>205</u>	MOTION for Summary Judgment by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. Responses due by 10/7/2004 (Attachments: # <u>1</u> Brief # <u>2</u> Statement of Facts# <u>3</u> Certification Bruce# <u>4</u> Certification Poulin# <u>5</u> Certification Anderson# <u>6</u> Text of Proposed Order # <u>7</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 10/07/2004)
10/07/2004	<u>206</u>	BRIEF in Opposition re <u>205</u> MOTION for Summary Judgment ( <i>Plaintiffs'</i> ) filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Statement Defendants' Response to Plaintiffs' 56.1 Statement of Material Facts# <u>2</u> Certification pf Robinson, Esq. in Opposition to Plaintiffs' Motion for Summary Judgment# <u>3</u> Certification of Service of Defendants' Opposition Papers)(MILLS, CHRISTOPHER) (Entered: 10/07/2004)



10/07/2004	<u>207</u>	MOTION for Summary Judgment by ATATTMANAGEMENT PENSION PLAN. Responses due by 10/7/2004 (Attachments: # <u>1</u> Brief of Defendants in Support of Motion for Summary Judgment# <u>2</u> Statement by Defendants of Undisputed Material Facts, pursuant to Local Civil Rule 56.1# <u>3</u> Exhibit s A &B to Defendants Rule 56.1 Statement# <u>4</u> Certification of Robinson, Esq. in Support of Defendants' Motion for Summary Judgment# <u>5</u> Certification of Brian M. Byrnes in Support of Defendants' Motion for Summary Judgment# <u>6</u> Certification of Edwin J. Adam in Support of Defendants' Motion for Summary Judgment# <u>7</u> Text of Proposed Order Granting Summary Judgment to Defendants# <u>8</u> Certification of Service of Defendants' Moving Papers in Support of Defendants' Motion for Summary Judgment)(MILLS, CHRISTOPHER) (Entered: 10/07/2004)
10/07/2004	<u>208</u>	REPLY to Response to Motion re <u>207</u> MOTION for Summary Judgment filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief Reply Brief in Further Support of Defendants' Motion for Summary Judgment# <u>2</u> Certification of Mills, Esq. in Support of Defendants' Motion for Summary Judgment# <u>3</u> Statement of Defendants' in Response to Plaintiffs' Rule 56.1 Counter-Statement of Material Facts# <u>4</u> Statement of Abbreviations/Short Name Conventions used by Defendants in papers submitted on both motions for summary judgment# <u>5</u> Certification of Service of Defendants's Reply Papers, of E-filing and of filing documents under seal)(MILLS, CHRISTOPHER) (Entered: 10/07/2004)
10/07/2004	<u>209</u>	BRIEF in Opposition re <u>207</u> MOTION for Summary Judgment filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Counter-Statement of Material Facts# <u>2</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 10/07/2004)
10/07/2004	<u>210</u>	REPLY to Response to Motion re <u>205</u> MOTION for Summary Judgment ( <i>Plaintiffs'</i> ) filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 10/07/2004)
10/07/2004	<u>213</u>	Defendants' appendix in support of motion for summary judgment (VOLUME 1-7) filed by ATATTMANAGEMENT PENSION PLAN. (JB, ) Additional attachment(s) added on 4/6/2005 (JB, ). Modified on 4/6/2005 (JB, ). (all the exhibits to all volumes are located in clerk's office file room in a large box.) (Entered: 10/14/2004)
10/07/2004	<u>214</u>	APPENDIX VOULUMES I-VI in support of plaintiff's motion for summary judgment. filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (JB, ) Additional attachment(s) added on 4/6/2005 (JB, ). Modified on 4/6/2005 (JB, ).(all exhibits of all volumes are located in clerk's file room in a large box) (Entered: 10/14/2004)
10/08/2004		CLERKS OFFICE QUALITY CONTROL MESSAGE – The attachment for the Brief in opposition to motion for summary judgment submitted by Christopher Mills on 10/07/04 is unreadable. PLEASE RESUBMIT THE DOCUMENT BY breaking it in part by saving 50 pages at a time or 2.0 MB. Please resubmit by 10/13/04 three buiness days from the date of this annonation.(JB, ) (Entered: 10/08/2004)
10/08/2004	<u>211</u>	RESPONSE to Motion re <u>205</u> MOTION for Summary Judgment <i>PER THE COURT CLERK'S INSTRUCTIONS DEFENDANTS ARE RE-FILING THEIR RESPONSE TO PLAINTIFFS' RULE 56.1 STATEMENT OF UNDISPUTED MATERIAL FACTS (This document consists of pages 1-51)</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Statement (Pages 52-99)# <u>2</u> Statement (Pages 100-151))(MILLS, CHRISTOPHER) (Entered: 10/08/2004)
10/12/2004	<u>212</u>	Cross MOTION to Strike <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> , <u>205</u> MOTION for Summary Judgment ( <i>by Plaintiffs</i> ) by ATATTMANAGEMENT PENSION PLAN. Responses due by 10/18/2004 (Attachments: # <u>1</u> Brief of Defendants in Support of Cross-Motion to Strike Portions of Plaintiffs' Motion for Summary Judgment, and in Opposition to



		Plaintiffs' Motion for Leave to Amend Complaint and Class Definition# <u>2</u> Text of Proposed Order Striking Portions of Plaintiffs' Motion for Summary Judgment# <u>3</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 10/12/2004)
10/14/2004	<u>217</u>	CERTIFICATE OF SERVICE by ATATTMANAGEMENT PENSION PLAN re <u>213</u> Brief (JB, ) (Entered: 10/18/2004)
10/15/2004	<u>215</u>	MOTION to Strike <u>205</u> MOTION for Summary Judgment ( <i>filed by Plaintiffs</i> ) by ATATTMANAGEMENT PENSION PLAN. Responses due by 10/25/2004 (Attachments: # <u>1</u> Brief of Defendants' in Support of Motion to Exclude Certain Evidence and to Strike Portions of Plaintiffs' R.56 Statment in Support of Motion for Summary Judgment# <u>2</u> Certification of Patricia S. Robinson Esq. in Support of Defendants' Motion to Exclude Evidence and Strike Portions of Plaintiffs' R. 56.1 Statement of Undisputed Material Facts# <u>3</u> Text of Proposed Order # <u>4</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 10/15/2004)
10/15/2004	<u>216</u>	MOTION to Preclude Testimony of Experts Claude Poulin and James Stratman ( <i>Certification of Patricia A. Cullen, Esq. is oversized and is being filed by hand</i> ) by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief of Defendants in Support of Motion to Exclude Testimony of Plaintiffs' Experts Claude Poulin and James Stratman# <u>2</u> Text of Proposed Order # <u>3</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 10/15/2004)
10/15/2004	<u>220</u>	Certification of Patricia A. Cullen, Esq. on behalf of ATATTMANAGEMENT PENSION PLAN in support of <u>216</u> Motion to Preclude., (JB, ) (Entered: 10/21/2004)
10/20/2004	<u>218</u>	REPLY to Response to Motion re <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated., (Attachments: # <u>1</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 10/20/2004)
10/20/2004	<u>219</u>	BRIEF in Opposition re <u>212</u> Cross MOTION to Strike <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> , <u>205</u> MOTION for Summary Judgment ( <i>by Plaintiffs</i> ) filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated., (Attachments: # <u>1</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 10/20/2004)
10/20/2004	<u>221</u>	ORDER that the date for service and filing plaintiff's reply brief in support of the moiton for leave to amned (doc#202) is extended to 10/20/04. etc. . Signed by Judge Jose L. Linares on 10/20/04. (JB, ) (Entered: 10/21/2004)
10/21/2004	<u>222</u>	BRIEF in Opposition re <u>212</u> Cross MOTION to Strike <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> , <u>205</u> MOTION for Summary Judgment ( <i>by Plaintiffs</i> ) <i>refiled brief because page was missing from initial version</i> filed by PHILLIP C. ENGERS, MANAGEMENT EMPLOYEES OF ATWARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated., (NIRENBERG, JONATHAN) (Entered: 10/21/2004)
11/01/2004		setting Deadlines as to <u>205</u> MOTION for Summary Judgment, <u>207</u> MOTION for Summary Judgment, <u>212</u> Cross MOTION to Strike <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> , <u>205</u> MOTION for Summary Judgment ( <i>by Plaintiffs</i> ). Motion Hearing set for 11/8/2004 10:00 AM before Judge Jose L. Linares. (PLEASE BE ADVISE THAT THIS MOTION WILL BE DECIDED ON PAPERS UNLESS OTHERWISE NOTIFY BY THE COURT). (JB, ) (Entered: 11/01/2004)
11/01/2004		Setting Deadlines as to <u>215</u> MOTION to Strike <u>205</u> MOTION for Summary Judgment ( <i>filed by Plaintiffs</i> ), <u>216</u> MOTION to Preclude Testimony of Experts Claude Poulin and James Stratman ( <i>Certification of Patricia A. Cullen, Esq. is oversized and is being filed by hand</i> ). Motion Hearing set for 11/22/2004 10:00 AM before Judge Jose L. Linares. (Please be advised that this motion will be decide on papers unless otherwise notify by the court). (JB, ) (Entered: 11/01/2004)

11/01/2004		CLERKS OFFICE QUALITY CONTROL MESSAGE – The Statement of facts document #209 w/83 pages submitted by Jonathan Nirenberg on 10/07/04 is unreadable. PLEASE RESUBMIT THE DOCUMENT BY November 3, 2004 3 business days from the date of this annotation. Please be advised that the document needs to be less than 2.0 MB in order to be read by the system. You need to re-submit this documents save in 2 parts, eg. pages 1–40 then 41–83. thanks.(JB, ) (Entered: 11/01/2004)
11/01/2004		CLERKS OFFICE QUALITY CONTROL MESSAGE – The response to motion #205 submitted by Chritopher Mills on 10/08/04 is unreadable. PLEASE RESUBMIT THE DOCUMENT BY November 5, 2004 three business days from the date of the annotation, this documents needs to be split in part of 30 pages per save or less than 2.0 MB in order for the system to be able to read it. Thanks.(JB, ) (Entered: 11/01/2004)
11/01/2004	<u>223</u>	RESPONSE in Opposition re <u>205</u> MOTION for Summary Judgment <i>THIS IS DEFENDANTS' RESPONSE TO PLAINTIFFS' RULE 56.1 STATEMENT OF MATERIAL FACTS (It is being re-filed a 2nd time pursuant to the Clerk's 11/1/04 request. It has been broken into 5 sub-parts. The first sub-part consists of pages 1– 30. The other sub-parts are attached.)</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> [Pages 31 – 60]# <u>2</u> [Pages 61 – 91]# <u>3</u> [Pages 92 – 123]# <u>4</u> [Pages 124 – 153])(MILLS, CHRISTOPHER) (Entered: 11/01/2004)
11/03/2004	<u>224</u>	RESPONSE in Opposition re <u>207</u> MOTION for Summary Judgment <i>This is Plaintiffs' LR 56.1 Counter-Statement originally filed under Dkt # 209. It is being refiled in two parts in response to the Clerk's 11/1/04 request. The first part consists of the cover page plus pages 1–39. Attachment # 1 contains the second part.</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> [Pages 40–82 of LR 56.1 Counter-Statement])(NIRENBERG, JONATHAN) (Entered: 11/03/2004)
11/08/2004	<u>225</u>	ORDER that the motion hearing date for defendant's motions to exclude expert testimony and certain evidence dkt#215 and 216 is re-set for 12/27/04. Plaintiffs shall file their opposition by 11/22/04. defendants shall file their reply by 12/13/04.. Signed by Judge Jose L. Linares on 11/08/04. (JB, ) (Entered: 11/08/2004)
11/08/2004		adjourning deadline for <u>216</u> MOTION to Preclude Testimony of Experts Claude Poulin and James Stratman ( <i>Certification of Patricia A. Cullen, Esq. is oversized and is being filed by hand</i> ). Motion reset for 12/27/2004 10:00 AM before Judge Jose L. Linares. (JB, ) (Entered: 11/08/2004)
11/08/2004	<u>226</u>	Minute Entry for proceedings held before Judge Ronald J. Hedges : Motion Hearing held on 11/8/2004 re <u>202</u> MOTION to Amend/Correct <u>196</u> Notice (Other), Notice (Other) <i>the Complaint</i> filed by MANAGEMENT EMPLOYEES OF ATPHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. ORDERED MOTION GRANTED IN PART. (Tape #04–43.) (nm, ) (Entered: 11/09/2004)
11/08/2004	<u>227</u>	ORDER denying <u>202</u> Motion to Amend class action complaint. Plaintiff may submitt new form of order to allow new legal theories only to be pled. . Signed by Judge Ronald J. Hedges on 11/08/04. (JB, ) (Entered: 11/09/2004)
11/08/2004	<u>228</u>	TRANSCRIPT of Proceedings held on 11/8/2004 before Judge Hedges. PLEASE NOTE: The complete transcript of these proceedings is maintained in paper format on file in the Clerks Office. To request copies of this transcript, contact the Official Court Reporter or Transcription Service who prepared the transcript. (ji, ) (Entered: 11/18/2004)
11/19/2004	<u>229</u>	ORDER that plaintiff may plead the following new legal theoris as set forth in paragraphs 88A and 94A of the proposed Fourth Amended Class Action Complaint etc. Plaitiff's motion to amned the class definition in the Order dated 1/19/01 to remove the proviso that a class member must be "currently over age forty" is DENIED. Accordingly, paragraph 12 of the complaint shal not be amended.. Signed by Judge Ronald J. Hedges on 11/19/04. (JB, ) (Entered: 11/22/2004)

11/22/2004	<u>230</u>	BRIEF in Opposition re <u>216</u> MOTION to Preclude Testimony of Experts Claude Poulin and James Stratman ( <i>Certification of Patricia A. Cullen, Esq. is oversized and is being filed by hand</i> ) filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Certification of Stephen Bruce w/ Exhibits 1-3# <u>2</u> Text of Proposed Order # <u>3</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 11/22/2004)
11/22/2004	<u>231</u>	BRIEF in Opposition re <u>215</u> MOTION to Strike <u>205</u> MOTION for Summary Judgment ( <i>filed by Plaintiffs</i> ) filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Certification of Stephen Bruce w/ Exhibits A-B# <u>2</u> Text of Proposed Order # <u>3</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 11/22/2004)
11/23/2004	<u>232</u>	AMENDED COMPLAINT <i>filed pursuant to Order (dkt. # 229)</i> against ATATTMANAGEMENT PENSION PLAN, filed by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated.,(NIRENBERG, JONATHAN) (Entered: 11/23/2004)
12/06/2004	<u>233</u>	MOTION to Set Aside <u>229</u> Order, <i>of Magistrate Judge Which Permitted Plaintiffs to File a Fourth Amended Complaint [Oversized Certification of Patricia S. Robinson, Esq. with exhibits is being filed separately]</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Defendants' Motion to Set Aside the Magistrate Judge's Ruling Permitting Plaintiffs to File a Fourth Amended Complaint# <u>2</u> Text of Proposed Order # <u>3</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 12/06/2004)
12/06/2004		Set Deadlines as to <u>233</u> MOTION to Set Aside <u>229</u> Order, <i>of Magistrate Judge Which Permitted Plaintiffs to File a Fourth Amended Complaint [Oversized Certification of Patricia S. Robinson, Esq. with exhibits is being filed separately]</i> . Motion Hearing set for 1/10/2005 10:00 AM before Judge Jose L. Linares. (mn, ) (Entered: 12/07/2004)
12/07/2004	<u>234</u>	MOTION to Vacate <i>Paragraph 2 of Order (dkt #219) under LR 72.1(c) and Modify Class Definition to Remove Age Limitation</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, GERALD SMIT, DONALD G. individually and on behalf of all others similarly situated,. (Attachments: # <u>1</u> Brief in Support# <u>2</u> Certification of Stephen Bruce w/ Exhibits 1-7# <u>3</u> Text of Proposed Order # <u>4</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 12/07/2004)
12/07/2004	<u>235</u>	Certification of PATRICIA S. ROBINSON on behalf of ATATTMANAGEMENT PENSION PLAN Re <u>233</u> Motion to Set Aside, (Oversized certification exhibits A-J located in clerk's file room). (JB, ) (Entered: 12/09/2004)
12/13/2004	<u>236</u>	NOTICE by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated., GERALD SMIT <i>correcting typographical error in Dkt Entry # 234: Dkt Entry # 234 refers to Para. 2 of an Order by Judge Hedges. In parentheses a cross-reference is given to Dkt Entry # 219. The cross-reference should be to Dkt. Entry # 229.</i> (NIRENBERG, JONATHAN) (Entered: 12/13/2004)
12/13/2004	<u>237</u>	REPLY to Response to Motion re <u>216</u> MOTION to Preclude Testimony of Experts Claude Poulin and James Stratman ( <i>Certification of Patricia A. Cullen, Esq. is oversized and is being filed by hand</i> ) <b>DEFENDANTS' REPLY BRIEF IN FURTHER SUPPORT OF MOTION TO EXCLUDE TESTIMONY OF PLAINTIFFS' EXPERTS CLAUDE POULIN AND JAMES STRATMAN</b> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 12/13/2004)
12/13/2004	<u>238</u>	RESPONSE in Support re <u>215</u> MOTION to Strike <u>205</u> MOTION for Summary Judgment ( <i>filed by Plaintiffs</i> ) <b>DEFENDANTS' REPLY BRIEF IN FURTHER SUPPORT OF MOTION TO EXCLUDE CERTAIN EVIDENCE AND TO STRIKE PORTIONS OF PLAINTIFFS' L.CIV.R. 56.1 STATEMENT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT</b> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Service)(MILLS,

		CHRISTOPHER) (Entered: 12/13/2004)
12/21/2004	<u>239</u>	BRIEF in Opposition re <u>234</u> MOTION to Vacate <i>Paragraph 2 of Order (dkt #219) under LR 72.1(c) and Modify Class Definition to Remove Age Limitation defendants' brief</i> filed by ATATTMANAGEMENT PENSION PLAN. (MILLS, CHRISTOPHER) (Entered: 12/21/2004)
12/21/2004	<u>240</u>	BRIEF in Opposition re <u>234</u> MOTION to Vacate <i>Paragraph 2 of Order (dkt #219) under LR 72.1(c) and Modify Class Definition to Remove Age Limitation</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief Defendants' Brief in opposition to plaintiffs' motion objecting under L.Cv.R. 72.1(c)(2) to Order denying modification of class definition# <u>2</u> Certification of Christopher H. Mills in opposition to plaintiffs' motion objecting under L.Cv.R. 72.1(c)(2) to Order denying modification of class definition# <u>3</u> Certificate of Service as to defendants' brief in opposition to plaintiffs' motion objecting under L.Cv.R. 72.1(c)(2) to Order denying modification of class definition)(MILLS, CHRISTOPHER) (Entered: 12/21/2004)
12/21/2004	<u>243</u>	ORDER that defendant must answer, move the fourth amended complaint w/in 10 days.. Signed by Judge Ronald J. Hedges on 12/21/04. (JB, ) (Entered: 12/29/2004)
12/27/2004	<u>241</u>	BRIEF in Opposition re <u>233</u> MOTION to Set Aside <u>229</u> Order, of <i>Magistrate Judge Which Permitted Plaintiffs to File a Fourth Amended Complaint [Oversized Certification of Patricia S. Robinson, Esq. with exhibits is being filed separately]</i> filed by MANAGEMENT EMPLOYEES OF ATPHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Certification of Stephen Bruce in Support with Exhibits 1-4# <u>2</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 12/27/2004)
12/28/2004	<u>242</u>	ORDER staying the time for defendants to answer, move, or otherwise reply to the Fourth Amended Complaint pending the outcome of defendants' appeal of the Magistrate Judge's Order entered on 11/22/04, etc.. Signed by Judge Jose L. Linares on 12/29/04. (dc, ) (Entered: 12/28/2004)
01/03/2005	<u>244</u>	REPLY to Response to Motion re <u>234</u> MOTION to Vacate <i>Paragraph 2 of Order (dkt #219) under LR 72.1(c) and Modify Class Definition to Remove Age Limitation</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Supplemental Certification of Stephen Bruce with Ex. 8# <u>2</u> Certification of Service)(NIRENBERG, JONATHAN) (Entered: 01/03/2005)
01/03/2005	<u>245</u>	ORDER that the time for defendants to answer, move or otherwise reply to Fourth Amended Complaint is hereby STAYED pending the outcome of defendants' appeal of the magistrate Judge Order on 11/22/04. etc.. Signed by Judge Jose L. Linares on 01/03/05. (JB, ) (Entered: 01/04/2005)
04/01/2005	<u>246</u>	ORDER The appendix volumes filed under docket entries #213 and 214 shall be unsealed. The only material to be redacted shall be the social security numbers of the named plaintiffs and three other class members whose papers are included in the exhibits. the Clerk shall make the appendix volumes filed by both parties available to plaintiffs' counsel to redact those security numbers w/in 5 days of the date of this order etc. Signed by Judge Jose L. Linares on 4/1/05. (JB, ) (Entered: 04/01/2005)
08/10/2005	<u>247</u>	ORDER denying <u>216</u> Motion to Preclude . Signed by Judge Ronald J. Hedges on 8/10/05. (nm, ) (Entered: 08/10/2005)
08/24/2005	<u>248</u>	MOTION for Reconsideration re <u>247</u> Order on Motion to Preclude <i>Plaintiffs' Experts</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Motion for Reconsideration# <u>2</u> Text of Proposed Order Proposed Form of Order Granting Reconsideration# <u>3</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 08/24/2005)
08/24/2005		Set/Reset Deadlines as to <u>248</u> MOTION for Reconsideration re <u>247</u> Order on Motion to Preclude <i>Plaintiffs' Experts</i> . Motion Hearing set for 9/26/2005 10:00 AM in Newark – Courtroom 5D before Judge Jose L. Linares. (PLEASE BE



		ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT). (dh, ) (Entered: 08/26/2005)
09/09/2005	<u>249</u>	LETTER OPINION AND ORDER denying defts' <u>215</u> motion to exclude the supplemental declaration of Claude Poulin, granting defts' motion to exclude the declaration of Martha Anderson, granting in part defts' motion to strike portions of plfts' L.Civ.R.56.1 statement. Signed by Judge Jose L. Linares on 9/8/05. (sr, ) (Entered: 09/09/2005)
09/09/2005	<u>250</u>	LETTER OPINION AND ORDER dismissing <u>212</u> Motion to Strike . Signed by Judge Jose L. Linares on 9/9/05. (sr, ) (Entered: 09/09/2005)
09/12/2005	<u>251</u>	BRIEF in Opposition re <u>248</u> MOTION for Reconsideration re <u>247</u> Order on Motion to Preclude <i>Plaintiffs' Experts</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 09/12/2005)
09/13/2005	<u>252</u>	LETTER OPINION AND ORDER denying <u>233</u> Motion to Set Aside . Signed by Judge Jose L. Linares on 9/13/05. (sr, ) (Entered: 09/13/2005)
09/19/2005	<u>253</u>	LETTER-OPINION and ORDER denying <u>234</u> MOTION to Vacate <i>Paragraph 2 of Order (dkt #219) under LR 72.1(c) and Modify Class Definition to Remove Age Limitation</i> filed by PHILLIP C. ENGERS,, WARREN J. MCFALL,, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT,, . Signed by Judge Jose L. Linares on 9/16/2005. (mn, ) (Entered: 09/19/2005)
09/27/2005	<u>254</u>	ANSWER to Amended Complaint ( <i>Fourth Amended Complaint</i> ) by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Service)(MILLS, CHRISTOPHER) (Entered: 09/27/2005)
10/06/2005	<u>255</u>	<i>Amended</i> ANSWER to Amended Complaint <i>Fourth Amended Complaint</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification Proof of Service)(MILLS, CHRISTOPHER) (Entered: 10/06/2005)
10/12/2005	<u>256</u>	ORDER denying <u>248</u> Motion for Reconsideration . Signed by Judge Ronald J. Hedges on 10/12/05. (sr, ) (Entered: 10/12/2005)
10/26/2005	<u>257</u>	MOTION to Set Aside <u>247</u> Order on Motion to Preclude <i>Appeal of Magistrate Judge's Order</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Appeal from Magistrate Judge's Order Denying Motion to Exclude Testimony of Plaintiffs' Experts Claude Poulin and James Stratman# <u>2</u> Text of Proposed Order Setting Aside Order of Magistrate Judge# <u>3</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 10/26/2005)
10/26/2005		Set/Reset Deadlines as to <u>257</u> MOTION to Set Aside <u>247</u> Order on Motion to Preclude <i>Appeal of Magistrate Judge's Order</i> . Motion Hearing set for 11/28/2005 10:00 AM in Newark – Courtroom 5D before Judge Jose L. Linares. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT). (dh, ) (Entered: 10/28/2005)
11/14/2005	<u>258</u>	BRIEF in Opposition re <u>257</u> MOTION to Set Aside <u>247</u> Order on Motion to Preclude <i>Appeal of Magistrate Judge's Order</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 11/14/2005)
02/08/2006	<u>259</u>	Substitution of Attorney – Attorney JONATHAN I. NIRENBERG and JONATHAN I. NIRENBERG for PHILLIP C. ENGERS and WARREN J. MCFALL added.. (NIRENBERG, JONATHAN) (Entered: 02/08/2006)
03/16/2006	<u>260</u>	MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief Brief in Support of Defendants' Motion Under Fed.R.Civ.P. 12(c) for Partial Dismissal of Fourth Amended Complaint# <u>2</u> Text of Proposed Order Granting Motion Under Fed.R.Civ.P. 12(c) for Partial Dismissal of



		Fourth Amended Complaint# <u>3</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 03/16/2006)
03/17/2006		Set Deadline as to <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint</i> . Motion Hearing set for 4/10/2006 before Judge Jose L. Linares. (please be advised that this motion will be decided on the papers unless otherwise notified by the court) (sr, ) (Entered: 03/17/2006)
03/22/2006	<u>261</u>	Letter from Plaintiffs Invoking L.R. 7.1(d)(5) Procedure for Automatic Extension of Time to Oppose re <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint</i> . (NIRENBERG, JONATHAN) (Entered: 03/22/2006)
03/29/2006	<u>262</u>	Letter from Christopher H. Mills, Esq., Counsel for Defendants, Requesting Extension of Time to File Reply Papers re <u>261</u> Letter, <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint</i> . (MILLS, CHRISTOPHER) (Entered: 03/29/2006)
03/31/2006	<u>263</u>	OPINION fld.. Signed by Judge Jose L. Linares on 3/30/06. (sr, ) (Entered: 03/31/2006)
03/31/2006	<u>264</u>	ORDER denying <u>205</u> Motion for Summary Judgment, granting in part and denying in part <u>207</u> Motion for Summary Judgment . Signed by Judge Jose L. Linares on 3/30/06. (sr, ) (Entered: 03/31/2006)
04/04/2006	<u>265</u>	MOTION to Amend/Correct <u>263</u> Opinion, <u>264</u> Order on Motion for Summary Judgment, by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Defendants' Motion for Clarification of Court's Decision on Motions for Summary Judgment# <u>2</u> Text of Proposed Order Granting Motion for Clarification of Court's Decision on Motions for Summary Judgment# <u>3</u> Text of Proposed Order --Revised Order Denying and Granting Partial Summary Judgment# <u>4</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 04/04/2006)
04/06/2006		Set Deadline as to <u>265</u> MOTION to Amend/Correct <u>263</u> Opinion, <u>264</u> Order on Motion for Summary Judgment,. Motion Hearing set for 5/8/2006 before Judge Jose L. Linares. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 04/06/2006)
04/10/2006	<u>266</u>	MOTION to Seal Document <i>CD Containing "Class List"</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Brief # <u>2</u> Exhibit A# <u>3</u> Certificate of Service # <u>4</u> Text of Proposed Order)(NIRENBERG, JONATHAN) (Entered: 04/10/2006)
04/10/2006	<u>267</u>	MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. Responses due by 4/24/2006 (Attachments: # <u>1</u> Brief in Support of Motion for Partial Summary Judgment on Tenth and Twelfth Claims and in Opposition to Defendants' Rule 12(c) Motion for Partial Dismissal of Same Claims# <u>2</u> Declaration of Allison Caalim with Exs. A and B# <u>3</u> Second Supplemental Declaration of Claude Poulin with Exs. 1 and 2# <u>4</u> Text of Proposed Order # <u>5</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 04/10/2006)
04/10/2006	<u>268</u>	BRIEF in Opposition re <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint (Brief and Declarations also filed under Dkt.# 267)</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Declaration of Allison Caalim with Exs. A and B# <u>2</u> Second Supplemental Declaration of Claude Poulin with Exs. 1 and 2# <u>3</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 04/10/2006)
04/10/2006	<u>270</u>	(SEALED) DECLARATION of Allison Caalim. (Attachments: # <u>1</u> cert. of service)(sr, ) (Entered: 04/13/2006)

04/11/2006		Set Deadline as to <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> , <u>266</u> MOTION to Seal Document <i>CD Containing "Class List"</i> . Motion Hearing set for 5/8/2006 before Judge Jose L. Linares. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 04/11/2006)
04/11/2006	<u>269</u>	ORDER granting an extension of time for defts to file reply papers. Signed by Judge Jose L. Linares on 4/10/06. (sr, ) (Entered: 04/11/2006)
04/14/2006	<u>271</u>	Letter from Christopher H. Mills requesting stay re <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> , <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint</i> , <u>268</u> Brief in Opposition to Motion,, <u>266</u> MOTION to Seal Document <i>CD Containing "Class List"</i> . (MILLS, CHRISTOPHER) (Entered: 04/14/2006)
04/17/2006	<u>272</u>	MEMORANDUM & ORDER dismissing <u>257</u> Motion to Set Aside, & affirming <u>247</u> Order on Motion to Preclude . Signed by Judge Jose L. Linares on 4/17/06. (sr, ) (Entered: 04/17/2006)
04/17/2006	<u>273</u>	MOTION for Reconsideration re <u>263</u> Opinion, <u>264</u> Order on Motion for Summary Judgment, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Brief in Support of Motion to Reconsider Decisions on the Class' Third, Sixth, and Seventh Claims# <u>2</u> Text of Proposed Order # <u>3</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 04/17/2006)
04/17/2006	<u>274</u>	RESPONSE to Motion re <u>265</u> MOTION to Amend/Correct, <u>263</u> Opinion, <u>264</u> Order on Motion for Summary Judgment, filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 04/17/2006)
04/20/2006		Minute Entry for proceedings held before Judge Ronald J. Hedges : Discovery Hearing held on 4/20/2006. (nm, ) (Entered: 04/20/2006)
04/20/2006	<u>275</u>	ORDER granting <u>266</u> Motion to Seal CD with class list . Signed by Judge Ronald J. Hedges on 4/20/06. (sr, ) (Entered: 04/20/2006)
04/25/2006	<u>276</u>	ORDER that the second supplemental declaration of Claude Poulin w/exhibits filed by pltf's in support of thier motion for partial summary judgment is stricken . Signed by Judge Ronald J. Hedges on 4/24/06. (sr, ) (Entered: 04/25/2006)
04/26/2006		Set Deadline as to <u>273</u> MOTION for Reconsideration re <u>263</u> Opinion, <u>264</u> Order on Motion for Summary Judgment,. Motion Hearing set for 5/22/2006 before Judge Jose L. Linares. (PLEASE BE ADVISED THAT THIS MTOION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 04/26/2006)
04/26/2006	<u>277</u>	BRIEF of Defendants in Opposition to Plaintiffs' Motion (re 273) for Reconsideration of Summary Judgment Decision on the Third, Sixth, and Seventh Claims for Relief filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 04/26/2006)
04/26/2006	<u>278</u>	DECLARATION of Stephen R. Bruce in Opposition to Request That Judicial Notice Be Taken of Uncertified Charts and Calculations re <u>268</u> Brief in Opposition to Motion,, <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Notice of Substitute Filing# <u>2</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 04/26/2006)
05/11/2006		Judge Claire C. Cecchi added. (nc, ) (Entered: 05/11/2006)
05/11/2006	<u>279</u>	BRIEF in Opposition re <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief of plaintiffs</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Defendants' Supplemental Response to

		Plaintiffs' Rule 56.1 Statement of Material Facts# <u>2</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 05/11/2006)
05/11/2006	<u>280</u>	REPLY to Response to Motion re <u>260</u> MOTION to Dismiss <i>Under Fed.R.Civ.P. 12(c) – Partial Dismissal of Fourth Amended Complaint – – Brief in reply to plaintiffs' opposition (docket entry number 268) and in further support of defendants' motion to dismiss</i> , filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Defendants' Supplemental Response to Plaintiffs' Rule 56.1 Statement of Material Facts# <u>2</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 05/11/2006)
05/15/2006		Case reassigned to Judge Claire C. Cecchi. Judge Ronald J. Hedges no longer assigned to the case. (Entered: 05/15/2006)
05/17/2006	<u>281</u>	MOTION for Extension of Time to File Response/Reply as to <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated., GERALD SMIT. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 05/17/2006)
05/18/2006		Set Deadline as to <u>281</u> MOTION for Extension of Time to File Response/Reply as to <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> . Motion Hearing set for 6/12/2006 before Judge Jose L. Linares. (please be advised that this motion will be decided on the papers unless otherwise notified by the court) (sr, ) (Entered: 05/18/2006)
05/24/2006	<u>282</u>	RESPONSE to Motion re <u>281</u> MOTION for Extension of Time to File Response/Reply as to <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief (Defendants' Brief in Response to Plaintiffs' "Unopposed" Motion for Extension of Time to File Reply)</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Christopher H. Mills# <u>2</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 05/24/2006)
05/26/2006	<u>283</u>	ORDER granting <u>281</u> Motion for Extension of Time to File Response/Reply . Signed by Judge Jose L. Linares on 5/25/06. (sr, ) (Entered: 05/26/2006)
06/05/2006	<u>284</u>	REPLY to Response to Motion re <u>267</u> MOTION for Partial Summary Judgment <i>on Tenth and Twelfth Claims for Relief</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated., GERALD SMIT. (Attachments: # <u>1</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 06/05/2006)
07/10/2006	<u>285</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Stanley R. Chesler for all further proceedings. Judge Jose L. Linares no longer assigned to case. Signed by Judge Garrett E. Brown, Jr. on 7/5/06. (sr, ) (Entered: 07/12/2006)
07/17/2006		Set/Reset Scheduling Order Deadlines: Status/SETTLEMENT Conference set for 7/26/2006 10:00 AM before Judge Stanley R. Chesler–COUNSEL SHALL REPORT TO THE WHIPPLE ATTORNEY CONFERENCE ROOM LOCATED ON THE 4TH FLOOR OF THE US COURTHOUSE AND PO BUILDING, NEWARK, NEW JERSEY;COUNSEL MUST HAVE FULL SETTLEMENT AUTHORITY;CLIENTS MUST BE AVAILABLE BY PHONE OR IN PERSON. THIS CONFERENCE DOES NOT OBLIVATE COUNSEL'S OBLIGATION TO ATTEND ANY PREVIOUSLY SCHEDULED CONFERENCES WITH THE MAGISTRATE JUDGE ASSIGNED TO THIS MATTER; COUNSEL SHALL SUBMIT TO THE COURT A LETTER STATING ALL RELEVANT FACTS, ISSUES AND SETTLEMENT DEMAND. ALL LETTERS REGARDING THIS INFORMATION SHALL BE MAILED DIRECTLY TO CHAMBERS 2 DAYS PRIOR TO THE SCHEDULED DATE. (tt, ) (Entered: 07/17/2006)
08/01/2006		Set/Reset Scheduling Order Deadlines: Status Conference set for 8/24/2006 10:00 AM before Judge Stanley R. Chesler. COUNSEL MUST HAVE FULL SETTLEMENT AUTHORITY;CLIENTS AVAILABLE BY PHONE OR IN PERSON;ALL PARTIES ARE TO REPORT TO THE WHIPPLE ATTORNEY CONFERENCE ROOM, LOCATED ON THE 4TH FLOOR OF THE U.S.

		COURTHOUSE AND P.O. BUILDING, NEWARK, NEW JERSEY. PARTIES SHALL SUBMIT TO THE COURT A LETTER STATING ALL RELEVANT FACTS AND ISSUES PENDING ALONG WITH ANY SETTLEMENT DEMAND. PARTIES SHALL FAX THIS LETTER DIRECTLY TO CHAMBERS. (tt, ) (Entered: 08/01/2006)
08/22/2006		RESCHEDULED SETTLEMENT CONFERENCE/ Status Conference set for 9/21/2006 11:30 AM before Judge Stanley R. Chesler. COUNSEL WITH FULL SETTLEMENT AUTHORITY SHALL APPEAR; CLIENTS AVAILABLE BY PHONE OR IN PERSON; COUNSEL SHALL REPORT TO THE WHIPPLE ATTORNEY CONFERENCE ROOM LOCATED ON THE 4TH FLOOR OF THE US COURTHOUSE AND PO BUILDING, NEWARK; COUNSEL SHALL SUBMIT VIA FAX TO CHAMBERS A LETTER STATING ALL RELEVANT FACTS, ISSUES AND SETTLEMENT DEMAND 2 DAYS PRIOR TO THE SCHEDULED CONFERENCE DATE; ANY CONFERENCE SCHEDULED BEFORE JUDGE CHESLER DOES NOT OBTAIN COUNSEL'S REQUIREMENT TO APPEAR FOR ANY SCHEDULED MATTERS BEFORE THE MAGISTRATE (tt, ) (Entered: 08/22/2006)
09/21/2006	<u>286</u>	Minute Entry for proceedings held before Judge Stanley R. Chesler : Status Conference held on 9/21/2006. (tt, ) (Entered: 09/21/2006)
09/27/2006	<u>287</u>	MOTION for Reconsideration re <u>79</u> Order,,, <u>62</u> Order,, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Brief # <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Text of Proposed Order # <u>8</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 09/27/2006)
10/06/2006	<u>288</u>	BRIEF in Opposition re <u>287</u> MOTION for Reconsideration re <u>79</u> Order,,, <u>62</u> Order,, filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Christopher H. Mills# <u>2</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 10/06/2006)
10/10/2006		Set Deadlines as to <u>287</u> MOTION for Reconsideration re <u>79</u> Order, <u>62</u> Order Motion Hearing set for 10/23/2006 before Judge Stanley R. Chesler. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 10/10/2006)
11/20/2006	<u>289</u>	OPINION fld.. Signed by Judge Jose L. Linares on 11/15/06. (sr, ) (Entered: 11/20/2006)
11/20/2006	<u>290</u>	ORDER granting <u>265</u> Motion to Amend/Correct, denying <u>273</u> Motion for Reconsideration . Signed by Judge Jose L. Linares on 11/17/06. (sr, ) (Entered: 11/20/2006)
11/20/2006	<u>291</u>	AMENDED ORDER granting <u>207</u> MOTION for Summary Judgment filed by ATATTMANAGEMENT PENSION PLAN,, denying <u>205</u> MOTION for Summary Judgment filed by PHILLIP C. ENGERS,, WARREN J. MCFALL,, DONALD G. individually and on behalf of all others similarly situated,,, GERALD SMIT, & that the dismissal of Count Six of the Fourth Amended Compl. is clarified as dismissed w/prejudice. Signed by Judge Jose L. Linares on 11/17/06. (sr, ) (Entered: 11/20/2006)
12/05/2006	<u>292</u>	Letter from Stephen R. Bruce on Exhaustion of Internal Appeal Procedure and on Decision and Orders dated Nov. 15 and 17, 2006. (NIRENBERG, JONATHAN) (Entered: 12/05/2006)
12/05/2006	<u>293</u>	Letter from Christopher Mills in response to plaintiff's letter dated 11/29/06. (MILLS, CHRISTOPHER) (Entered: 12/05/2006)
12/06/2006	<u>294</u>	Notice of Request by Pro Hac Vice Stephen R. Bruce to receive Notices of Electronic Filings. (NIRENBERG, JONATHAN) (Entered: 12/06/2006)
12/06/2006	<u>295</u>	Notice of Request by Pro Hac Vice Edgar Pauk to receive Notices of Electronic Filings. (NIRENBERG, JONATHAN) (Entered: 12/06/2006)



12/12/2006	<u>296</u>	ORDER granting in part and denying in part <u>287</u> Motion for Reconsideration vacating in part <u>62</u> Order of 6/29/00 . Signed by Judge Stanley R. Chesler on 12/12/06. (sr, ) (Entered: 12/13/2006)
12/18/2006	<u>297</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to Defendants.. (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 12/18/2006)
12/18/2006	<u>298</u>	ORDER as to pltf's request for clarification of the effect of the decision and order filed by Judge Linares on 11/20/06, this Court agrees w/defts that Judge Linares properly addressed the motion for reconsideration and the motion for clarification relating to his prior Opinions &Orders; etc. Signed by Judge Stanley R. Chesler on 12/18/06. (sr, ) (Entered: 12/19/2006)
12/21/2006		Clerk's extension granted (doc #297)Update Answer Due Deadline as to AtT&AtTManagement Pension Plan until 1/11/07 (sr, ) (Entered: 12/21/2006)
01/03/2007	<u>299</u>	OPINION . Signed by Judge Stanley R. Chesler on 1/3/07. (DD, ) (Entered: 01/03/2007)
01/03/2007	<u>300</u>	ORDER denying <u>267</u> Motion for Partial Summary Judgment . Signed by Judge Stanley R. Chesler on 1/3/07. (DD, ) (Entered: 01/03/2007)
01/04/2007	<u>301</u>	MOTION to Certify Class <i>in ADEA Collective Action</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Brief # <u>2</u> Proposed ADEA Notice and Consent to Join Form# <u>3</u> Text of Proposed Order # <u>4</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 01/04/2007)
01/04/2007	<u>302</u>	DECLARATION of Stephen Bruce re <u>301</u> MOTION to Certify Class <i>in ADEA Collective Action</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit 1 (with Tab I)# <u>4</u> Exhibit 2 (with Tabs 1 and 6)# <u>5</u> Exhibit 36# <u>6</u> Exhibit 42# <u>7</u> Exhibit 43# <u>8</u> Exhibit 44# <u>9</u> Exhibit 45# <u>10</u> Exhibit 68# <u>11</u> Exhibit 84# <u>12</u> Exhibit 110# <u>13</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 01/04/2007)
01/09/2007		Set Deadline as to <u>301</u> MOTION to Certify Class <i>in ADEA Collective Action</i> . Motion Hearing set for 2/12/2007 before Judge Stanley R. Chesler. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 01/09/2007)
01/11/2007	<u>303</u>	MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> by ATATTMANAGEMENT PENSION PLAN. Responses due by 1/29/2007 (Attachments: # <u>1</u> Brief in Support of Defendants' Motion Under Fed. R. Civ. P. 12(b)(6) for Dismissal of the First and Second Claims for Relief of the Fourth Amended Complaint# <u>2</u> Text of Proposed Order Granting Motion Under Fed. R. Civ. P. 12(b)(6) for Dismissal of the First and Second Claims for Relief of the Fourth Amended Complaint# <u>3</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 01/11/2007)
01/12/2007		Set Deadline as to <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> . Motion Hearing set for 1/12/2007 before Judge Stanley R. Chesler. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OHTERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 01/12/2007)
01/18/2007	<u>304</u>	Letter from Defendant ATTattaching Proposed Order to Stay Proceedings Associated with Docket Entries 301 and 302. re <u>301</u> MOTION to Certify Class <i>in ADEA Collective Action</i> , <u>302</u> Declaration,, (MILLS, CHRISTOPHER) (Entered: 01/18/2007)
01/18/2007	<u>305</u>	Letter from Plaintiffs Invoking L.R. 7.1(d)(5) Extension to Oppose re <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> . (NIRENBERG, JONATHAN) (Entered: 01/18/2007)

01/18/2007	<u>306</u>	MOTION for Reconsideration by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Defendants? Motion for Reconsideration of the Court?s January 3, 2007 Opinion and Order Denying the Motion for Partial Dismissal of the Fourth Amended Complaint Under Fed. R. Civ. P. 12(c)# <u>2</u> Text of Proposed Order Proposed Order# <u>3</u> Certificate of Service Proof of Service)(MILLS, CHRISTOPHER) (Entered: 01/18/2007)
01/22/2007		Set Deadline as to <u>306</u> MOTION for Reconsideration. Motion Hearing set for 2/12/2007 before Judge Stanley R. Chesler. (PLEASE BE ADVISED HAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 01/22/2007)
01/25/2007	<u>307</u>	ORDER staying all proceedings associated with pltfs' Motion to conditionally certify a class in ADEA collective action. Signed by Judge Stanley R. Chesler on 1/24/07. (sr, ) (Entered: 01/25/2007)
01/25/2007	<u>308</u>	Letter from Stephen R. Bruce Re: objection to the proposal that the Court stay briefing schedule and consideration of pltfs' Motion for conditional approval of ADEA action; etc. (sr, ) (Entered: 01/25/2007)
01/25/2007	<u>309</u>	Letter from Christopher H. Mills to Judge Chesler requesting a conference call with the court RE: pltfs Motion for a conditional approval of ADEA collective action and authorization of Notice to the Class; etc. (sr, ) (Entered: 01/25/2007)
01/31/2007	<u>310</u>	NOTICE of Change of Address by JONATHAN I. NIRENBERG (NIRENBERG, JONATHAN) (Entered: 01/31/2007)
01/31/2007	<u>311</u>	BRIEF in Opposition re <u>306</u> MOTION for Reconsideration <i>with Certificate of Service</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (NIRENBERG, JONATHAN) (Entered: 01/31/2007)
02/07/2007	<u>312</u>	ORDER denying <u>306</u> Motion for Reconsideration . Signed by Judge Stanley R. Chesler on 2/7/07. (sr, ) (Entered: 02/08/2007)
02/12/2007	<u>313</u>	BRIEF in Opposition re <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6) with Certificate of Service</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Exhibit 2 (Tab 1)# <u>2</u> Exhibit 36# <u>3</u> Exhibit 42# <u>4</u> Exhibit 43# <u>5</u> Exhibit 44# <u>6</u> Exhibit 84)(NIRENBERG, JONATHAN) (Entered: 02/12/2007)
02/13/2007	<u>314</u>	Letter from Christopher H. Mills, Esq. requesting Extension of Time for Defendants to File Reply Papers re <u>313</u> Brief in Opposition to Motion,, <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> . (Attachments: # <u>1</u> Text of Proposed Order Granting Application for Extension of Time for Defendants to File Reply Papers# <u>2</u> Exhibit E–mail from plaintiffs' counsel to defendants' counsel)(MILLS, CHRISTOPHER) (Entered: 02/13/2007)
02/16/2007	<u>315</u>	ORDER granting defts appl. for an extension of time to file reply papers. Signed by Judge Stanley R. Chesler on 2/15/07. (sr, ) (Entered: 02/16/2007)
02/27/2007	<u>316</u>	REPLY to Response to Motion re <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 02/27/2007)
03/02/2007	<u>317</u>	MOTION to Amend/Correct <i>Pleadings Under FRCP 15(d) with Certificate of Service</i> by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Brief # <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Text of Proposed Order # <u>7</u> Proposed Supplemented Complaint)(NIRENBERG, JONATHAN) (Entered: 03/02/2007)
03/05/2007		Set Deadline as to <u>317</u> MOTION to Amend/Correct <i>Pleadings Under FRCP 15(d) with Certificate of Service</i> . Motion Hearing set for 3/26/2007 before Judge Stanley

		R. Chesler. (PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr, ) (Entered: 03/05/2007)
03/12/2007	<u>318</u>	RESPONSE to Motion re <u>317</u> MOTION to Amend/Correct <i>Pleadings Under FRCP 15(d) with Certificate of Service Defendants' Brief in Response to Plaintiffs' Motion to Supplement Pleadings Under Fed. R. Civ. P. 15(d)</i> filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certification of Christopher H. Mills in Support of Defendants' Response to Plaintiffs' Motion to Supplement Pleadings Under Fed. R. Civ. P. 15(d)# <u>2</u> Text of Proposed Order Granting Plaintiffs' Motion for Leave to File Supplemented Fourth Amended Class Action Complaint# <u>3</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 03/12/2007)
03/23/2007	<u>319</u>	Letter from Plaintiffs with Notice of Supplemental Authority re <u>313</u> Brief in Opposition to Motion,. (Attachments: # <u>1</u> Tomlinson v. El Paso Decision)(NIRENBERG, JONATHAN) (Entered: 03/23/2007)
03/28/2007	<u>320</u>	Letter from Defendants in response to plaintiffs' letter with "notice of supplemental authority" re <u>303</u> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> MOTION to Dismiss <i>First and Second Claims for Relief of Fourth Amended Complaint Under Fed. R. Civ. P. 12(b)(6)</i> , <u>316</u> Reply to Response to Motion, <u>313</u> Brief in Opposition to Motion, <u>319</u> Letter. (MILLS, CHRISTOPHER) (Entered: 03/28/2007)
03/29/2007	<u>321</u>	OPINION fld.. Signed by Judge Stanley R. Chesler on 3/29/07. (sr, ) (Entered: 03/30/2007)
03/29/2007	<u>322</u>	ORDER denying <u>303</u> Motion to Dismiss. Signed by Judge Stanley R. Chesler on 3/29/07. (sr, ) (Entered: 03/30/2007)
04/10/2007	<u>323</u>	Letter from Christopher H. Mills to Magistrate Judge Cecchi, Requesting In-Court Conference on Discovery with Respect to Remaining Claims. (Attachments: # <u>1</u> Exhibit A – E–Mail Exchanges)(MILLS, CHRISTOPHER) (Entered: 04/10/2007)
04/12/2007	<u>324</u>	CONSENT ORDER indiating the return date of pltfs' Collective Action Motion shall be 5/14/07. Signed by Judge Stanley R. Chesler on 4/11/07. (sr, ) (Entered: 04/12/2007)
04/13/2007	<u>325</u>	MOTION for Leave to Appear Pro Hac Vice by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Affidavit Certification of Christopher H. Mills in Support of Pro Hac Vice Motion# <u>2</u> Declaration of Linton J. Childs# <u>3</u> Declaration of Jeffrey R. Tone# <u>4</u> Declaration of Charles W. Douglas# <u>5</u> Declaration of Anne E. Rea# <u>6</u> Text of Proposed Order Granting Admission Pro Hac Vice# <u>7</u> Certificate of Service Proof of Service)(MILLS, CHRISTOPHER) (Entered: 04/13/2007)
04/13/2007	<u>326</u>	<i>Second Amended ANSWER to Amended Complaint Fourth Amended Complaint and Jury Demand</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 04/13/2007)
04/13/2007	<u>327</u>	MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Brief in Support of Defendants' Motion for Reconsideration or, in the Alternative, for Certification Under 28 U.S.C. sec. 1292(b)# <u>2</u> Text of Proposed Order Granting Reconsideration (First Alternative Proposed Order)# <u>3</u> Text of Proposed Order Granting Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b) (Second Alternative Proposed Order)# <u>4</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 04/13/2007)
04/19/2007		Set/Reset Deadlines as to <u>327</u> MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u>

		Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ). Responses due by 4/30/2007 Replies due by 5/7/2007. Motion Hearing set for 5/14/2007 10:00 AM before Judge Stanley R. Chesler. COURT INDICATED MOTION TO BE DECIDED PURSUANT TO RULE 78; NO APPEARANCE REQUIRED UNLESS NOTIFIED BY CHAMBERS (tt, ) (Entered: 04/19/2007)
04/23/2007	<u>328</u>	BRIEF in Opposition re <u>301</u> MOTION to Certify Class in ADEA Collective Action Defendants' Brief in Response to Plaintiffs' Motion for Conditional Approval of ADEA Collective Action filed by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Exhibit A to Brief# <u>2</u> Exhibit B to Brief# <u>3</u> Exhibit C Part 1 to Brief# <u>4</u> Exhibit C Part 2 to Brief# <u>5</u> Exhibit D to Brief# <u>6</u> Text of Proposed Order with attached proposed Notice and Consent-to-Join Form# <u>7</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 04/23/2007)
04/27/2007	<u>329</u>	BRIEF in Opposition re <u>327</u> MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) MOTION for Reconsideration re <u>322</u> Order on Motion to Dismiss, <u>321</u> Opinion ( <i>Motion for Reconsideration or, in the Alternative, for Certification for Interlocutory Appeal Under 28 U.S.C. sec. 1292(b)</i> ) filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (NIRENBERG, JONATHAN) (Entered: 04/27/2007)
05/07/2007	<u>330</u>	ORDER denying <u>327</u> Motion for Reconsideration. Signed by Judge Stanley R. Chesler on 5/4/07. (sr, ) (Entered: 05/07/2007)
05/07/2007	<u>331</u>	REPLY to Response to Motion re <u>301</u> MOTION to Certify Class in ADEA Collective Action filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated,, GERALD SMIT. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Text of Proposed Order)(NIRENBERG, JONATHAN) (Entered: 05/07/2007)
05/11/2007		Set/Reset Deadlines as to <u>325</u> MOTION for Leave to Appear Pro Hac Vice. Motion Hearing REFERRED TO JUDGE CECCHI AND set for 5/14/2007 10:00 AM; NO APPEARANCE IS REQUIRED UNLESS NOTIFIED BY CHAMBERS (tt, ) (Entered: 05/11/2007)
05/15/2007	<u>332</u>	ORDER granting <u>325</u> Motion for Leave to Appear Pro Hac Vice re: Anne E. Rea, Charles W. Douglas, Jeffrey R. Tone, Linton J. Childs. Signed by Judge Claire C. Cecchi on 5/15/07. (sr, ) (Entered: 05/16/2007)
05/16/2007		Set/Reset Deadlines as to <u>301</u> MOTION to Certify Class in ADEA Collective Action. Motion Hearing set for 5/14/2007 10:00 AM before Judge Stanley R. Chesler. NO APPEARANCE REQUIRED BY COUNSEL UNLESS NOTIFIED BY CHAMBERS (tt, ) (Entered: 05/16/2007)
05/18/2007	<u>333</u>	STATEMENT <i>Disclosure Statement Pursuant to Fed. R. Civ. P. 7.1</i> by ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 05/18/2007)
05/18/2007	<u>334</u>	NOTICE of Change of Address by CHRISTOPHER H. MILLS (Attachments: # <u>1</u> Certificate of Service)(MILLS, CHRISTOPHER) (Entered: 05/18/2007)
05/24/2007	<u>335</u>	OPINION fld.. Signed by Judge Stanley R. Chesler on 5/24/07. (sr, ) (Entered: 05/24/2007)
05/24/2007	<u>336</u>	ORDER granting <u>301</u> Motion to Certify Class. Signed by Judge Stanley R. Chesler on 5/24/07. (sr, ) (Entered: 05/24/2007)
05/29/2007		Pro Hac Vice fee: \$ 600, receipt number 345494 re: Anne E. Rea, Jeffrey R. Tone, Charles W. Douglas, Linton J. Childs (sr, ) (Entered: 05/31/2007)



05/31/2007	<u>337</u>	Notice of Request by Pro Hac Vice Linton J. Childs, Esq. to receive Notices of Electronic Filings. (MILLS, CHRISTOPHER) (Entered: 05/31/2007)
05/31/2007	<u>338</u>	Notice of Request by Pro Hac Vice Charles W. Douglas, Esq. to receive Notices of Electronic Filings. (MILLS, CHRISTOPHER) (Entered: 05/31/2007)
05/31/2007	<u>339</u>	Notice of Request by Pro Hac Vice Anne E. Rea, Esq. to receive Notices of Electronic Filings. (MILLS, CHRISTOPHER) (Entered: 05/31/2007)
05/31/2007	<u>340</u>	Notice of Request by Pro Hac Vice Jeffrey R. Tone, Esq. to receive Notices of Electronic Filings. (MILLS, CHRISTOPHER) (Entered: 05/31/2007)
06/20/2007	<u>341</u>	Substitution of Attorney – Attorney JONATHAN I. NIRENBERG and JONATHAN I. NIRENBERG for PHILLIP C. ENGERS and WARREN J. MCFALL added. Attorney NEIL H. DEUTSCH terminated.. (NIRENBERG, JONATHAN) (Entered: 06/20/2007)
07/03/2007		Minute Entry for proceedings held before Judge Claire C. Cecchi : Status Conference held on 7/3/2007. (nc, ) (Entered: 07/03/2007)
07/13/2007	<u>342</u>	ORDER on oral motion scheduling Status/ Settlement Conference set for 9/18/2007 04:00 PM before Magistrate Judge Claire C. Cecchi. Signed by Judge Claire C. Cecchi on 7/13/07. (sr, ) (Entered: 07/13/2007)
07/18/2007	<u>343</u>	CASE MANAGEMENT ORDER Discovery due by 1/18/2008., Status Conference set for 9/18/2007 04:00 PM before Magistrate Judge Claire C. Cecchi; etc.. Signed by Judge Claire C. Cecchi on 7/18/07. (sr, ) (Entered: 07/18/2007)
08/13/2007	<u>344</u>	Letter from Linton J. Childs, Christopher H. Mills, addressed to Hon. Claire C. Cecchi on behalf of defendants, regarding ADEA collective action notice and improper website communications by plaintiffs' counsel. (MILLS, CHRISTOPHER) (Entered: 08/13/2007)
08/13/2007	<u>345</u>	Letter from Plaintiffs' counsel re <u>344</u> Letter. (NIRENBERG, JONATHAN) (Entered: 08/13/2007)
08/14/2007		Set Deadlines/Hearings: Status Conference regarding letters submitted to the Court shall be set for 8/16/2007 02:00 PM before Judge Stanley R. Chesler. (tt, ) (Entered: 08/14/2007)
08/15/2007	<u>346</u>	Letter from Jeffrey Tone, Christopher H. Mills, addressed to Hon. Stanley R. Chesler on behalf of defendants regarding issues raised for first time in 8/13/07 letter from plaintiff's counsel re <u>345</u> Letter. (MILLS, CHRISTOPHER) (Entered: 08/15/2007)
08/16/2007	<u>347</u>	Minute Entry for proceedings held before Judge Stanley R. Chesler : Status Conference held on 8/16/2007. (tt, ) (Entered: 08/16/2007)
08/23/2007	<u>348</u>	Letter from Jeffrey R. Tone and Patricia S. Robinson to Hon. Chesler re: 8/16/07 Conf. instructions on docs #344–346. (ROBINSON, PATRICIA) (Entered: 08/23/2007)
09/18/2007		Minute Entry for proceedings held before Judge Claire C. Cecchi : Telephone Status/Settlement Conference held on 9/18/2007. (nc, ) (Entered: 09/19/2007)
09/19/2007	<u>349</u>	Letter from Plaintiffs submitted for 9/18/07 Status Conference re <u>342</u> Order, Set Deadlines/Hearings. (NIRENBERG, JONATHAN) (Entered: 09/19/2007)
09/20/2007	<u>350</u>	Letter from Jeffrey Tone & Christopher Mills on 9/13/07 to Mag. Cecchi re: attached Case Management Order of 7/18/07. (ROBINSON, PATRICIA) (Entered: 09/20/2007)
10/11/2007	<u>351</u>	CASE MANAGEMENT ORDER: Status Conference set for 12/12/2007 11:30 AM before Magistrate Judge Claire C. Cecchi.. Signed by Judge Claire C. Cecchi on 10/10/07. (sr, ) (Entered: 10/11/2007)
10/11/2007	<u>352</u>	Letter from Linton Childs and Christopher Mills requesting conference on "Proposed Reminder Notice". (ROBINSON, PATRICIA) (Entered: 10/11/2007)

10/12/2007		Set/Reset Hearings: TELEPHONE CONFERENCE CALL HAS BEEN set for 10/22/2007 03:00 PM before Judge Stanley R. Chesler. COUNSEL SHALL INITIATE THE CALL TO CHAMBERS WITH ALL PARTIES REGARDING THE 10/11/07 LETTER (tt, ) (Entered: 10/12/2007)
10/12/2007	<u>353</u>	Letter from Plaintiffs to Magistrate Judge Cecchi about Parties' Agreement on Mediator re <u>351</u> Order, Set Deadlines/Hearings. (NIRENBERG, JONATHAN) (Entered: 10/12/2007)
10/17/2007	<u>354</u>	Consent ORDER granting <u>317</u> Motion to Amend/Correct. Signed by Judge Claire C. Cecchi on 10/16/07. (jd, ) (Entered: 10/17/2007)
10/17/2007	<u>355</u>	AMENDED COMPLAINT <i>reinstating Fourth and Fifth Claims filed pursuant to Consent Order (dkt. # 354)</i> against all defendants all defendants., filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. individually and on behalf of all others similarly situated., GERALD SMIT.(NIRENBERG, JONATHAN) (Entered: 10/17/2007)
10/19/2007	<u>356</u>	ORDER ON INFORMAL MOTION REFERRING CASE to Mediation, appointing Eric D. Green, Esq., Resolutions, LLC, 222 Berkeley St., Ste. 1060, Boston MA as Mediator in this case.. Signed by Judge Claire C. Cecchi on 10/19/07. (sr, ) (Entered: 10/23/2007)
10/25/2007	<u>357</u>	ORDER re: proposed questions & answers; etc. Signed by Judge Stanley R. Chesler on 10/24/07. (sr, ) (Entered: 10/25/2007)
10/26/2007	<u>358</u>	ORDER on Oral Motion: adjourning the 12/12/07 status conference until 1/22/08, extending discovery through 3/31/08; etc. Signed by Judge Claire C. Cecchi on 10/26/07. (sr, ) (Entered: 10/29/2007)
10/29/2007		Judge Michael A. Shipp added. Judge Claire C. Cecchi no longer assigned to case. (cs, ) (Entered: 10/29/2007)
11/15/2007	<u>359</u>	ORDER OF RECUSAL. Judge Michael A. Shipp recused. Case reassigned to Judge Claire C. Cecchi for all further proceedings. Signed by Judge Michael A. Shipp on 11/14/07. (sr, ) (Entered: 11/15/2007)
11/16/2007	<u>360</u>	ANSWER to Amended Complaint <i>Supplemented Fourth Amended Class Action Complaint with Demand for Jury Trial</i> by ATTINC., ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (Attachments: # <u>1</u> Certificate of Service of Answer of ATTInc., ATTPension Benefit Plan, and ATTPuerto Rican Pension Benefit Plan to Supplemented Fourth Amended Complaint with Demand for Jury Trial)(MILLS, CHRISTOPHER) (Entered: 11/16/2007)
11/16/2007	<u>361</u>	Certification of Corrected Proof of Service of Answer to Supplemented Fourth Amended Complaint with Demand for Jury Trial on behalf of ATTINC., ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan Re <u>360</u> Answer to Amended Complaint,. (MILLS, CHRISTOPHER) (Entered: 11/16/2007)
11/19/2007	<u>362</u>	NOTICE/CONSENT to join action as a party pltf by Dewaine J. Glyda (sr, ) (Entered: 11/28/2007)
11/21/2007		TEXT ORDER adjourning In Person Status Conference from 1/22/08 10:00 AM to 2/11/2008 11:00 AM before Magistrate Judge Claire C. Cecchi. Ordered by Judge Claire C. Cecchi on 11/21/07. (nc, ) (Entered: 11/21/2007)
12/19/2007	<u>363</u>	Letter from Plaintiffs re Filing of ADEA Opt-In Forms re <u>336</u> Order on Motion to Certify Class, <u>335</u> Opinion. (NIRENBERG, JONATHAN) (Entered: 12/19/2007)
12/21/2007	<u>364</u>	Letter from C. Mills and L. Childs to Chesler re: Opt-in plaintiff list. (MILLS, CHRISTOPHER) (Entered: 12/21/2007)
12/27/2007	<u>365</u>	NOTICE by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT <i>of Filing of ADEA Opt-In Forms</i> (Attachments: # <u>1</u> List of ADEA Opt-Ins, Abarr to Lyu# <u>2</u> List of ADEA Opt-Ins, Ma to Zylbert# <u>3</u> Certificate of Service)(NIRENBERG, JONATHAN) (Entered: 12/27/2007)
01/10/2008		Remark: CDs with images of Consent Forms for ADEA Opt-In-Plaintiffs forms submitted 12/28/2007 consisting of (Disk 1, Abarr-Lyu) and (Disk 2,

		Ma-Zylbert-Bruns) will be placed in clerk's file. (See doc. 365 for list) (mn, ) (Entered: 01/10/2008)
01/10/2008	<u>366</u>	NOTICE of Appearance by MAUREEN BINETTI on behalf of all plaintiffs (BINETTI, MAUREEN) (Entered: 01/10/2008)
02/07/2008	<u>367</u>	Letter from Plaintiffs Re: Proposed Case Management Order. (Attachments: # <u>1</u> Text of Proposed Order)(NIRENBERG, JONATHAN) (Entered: 02/07/2008)
02/07/2008	<u>368</u>	Letter from Jeffrey R. Tone and Christopher H. Mills. (Attachments: # <u>1</u> Text of Proposed Order to letter to Magistrate Judge Cecchi)(MILLS, CHRISTOPHER) (Entered: 02/07/2008)
02/08/2008		TEXT ORDER adjourning In-Person Status Conference from 2/11/08 11:00 AM to 3/25/2008 02:30 PM before Magistrate Judge Claire C. Cecchi. Ordered by Magistrate Judge Claire C. Cecchi on 2/8/08. (nc, ) (Entered: 02/08/2008)
02/27/2008		TEXT ORDER adjourning In Person Status Conference from 3/25/08 2:30 PM to 5/5/2008 2:00 PM before Magistrate Judge Claire C. Cecchi. Ordered by Magistrate Judge Claire C. Cecchi on 2/27/08. (nc, ) (Entered: 02/27/2008)
05/01/2008	<u>369</u>	Letter from Plaintiffs Re: Proposed Case Management Order. (Attachments: # <u>1</u> Text of Proposed Order)(NIRENBERG, JONATHAN) (Entered: 05/01/2008)
05/01/2008	<u>370</u>	Letter from Jeffrey Tone and Christopher Mills. (Attachments: # <u>1</u> Text of Proposed Order Proposed Case Management Order)(MILLS, CHRISTOPHER) (Entered: 05/01/2008)
05/05/2008	<u>371</u>	Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Status Conference with oral argument on informal applications document # <u>369</u> and <u>370</u> held on 5/5/2008. (CD# 08-08) (nc, ) (Entered: 05/07/2008)
05/05/2008	<u>375</u>	Amended Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Status Conference held on 5/5/2008. Hearing on informal applications document # <u>369</u> and <u>370</u> . (CD# 08-08) (nc, ) (Entered: 05/14/2008)
05/09/2008	<u>372</u>	Letter from Jeffrey Tone, Esq. and Christopher Mills, Esq. to Judge Cecchi. (Attachments: # <u>1</u> Text of Proposed Order)(MILLS, CHRISTOPHER) (Entered: 05/09/2008)
05/09/2008	<u>373</u>	Letter from Plaintiffs re Case Management Schedule. (Attachments: # <u>1</u> Text of Proposed Order)(NIRENBERG, JONATHAN) (Entered: 05/09/2008)
05/13/2008	<u>376</u>	Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Status Conference held on 5/13/2008. Oral Argument on discovery application re: <u>372</u> and <u>373</u> . Order to be submitted. (nc, ) (Entered: 05/13/2008)
05/13/2008	<u>374</u>	ORDER re: defts production of certian information to pltf; etc. Signed by Magistrate Judge Claire C. Cecchi on 5/13/08. (sr, ) (Entered: 05/14/2008)
05/15/2008	<u>377</u>	Consent MOTION for Protective Order <i>THIS IS AN AMENDED STIPULATION AND PROTECTIVE ORDER SIGNED BY ALL PARTIES FOR HON. USMJ CECCHI TO REVIEW AND ENTER</i> by ATTINC., ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan, ATATTMANAGEMENT PENSION PLAN. (Attachments: # <u>1</u> Appendix Protective Order Entered 10/10/00, # <u>2</u> Appendix Amended Protective Order Entered 12/20/01)(ROBINSON, PATRICIA) (Entered: 05/15/2008)
05/19/2008	<u>378</u>	Proposed MOTION for Protective Order <i>Proposed Amended Protective Order agree upon by all parties</i> by JEFFREY R. TONE, CHARLES W. DOUGLAS, LINTON J. CHILDS, ATTINC., ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan, ATATTMANAGEMENT PENSION PLAN. (MILLS, CHRISTOPHER) (Entered: 05/19/2008)
05/19/2008	<u>379</u>	AMENDED STIPULATION AND PROTECTIVE ORDER fld.. Signed by Magistrate Judge Claire C. Cecchi on 5/16/08. (sr, ) (Entered: 05/20/2008)
05/19/2008	<u>380</u>	CASE MANAGEMENT ORDER, Discovery due by 10/29/2008., Status Conference set for 9/24/2008 11:30 AM before Magistrate Judge Claire C. Cecchi;

		etc.. Signed by Magistrate Judge Claire C. Cecchi on 5/19/08. (sr, ) (Entered: 05/20/2008)
07/09/2008	<u>381</u>	AMENDED CASE MANAGEMENT ORDER, fact Discovery due by 12/17/2008., Status Conference set for 9/24/2008 11:30 AM before Magistrate Judge Claire C. Cecchi; etc. Signed by Magistrate Judge Claire C. Cecchi on 7/8/08. (sr, ) (Entered: 07/10/2008)
07/29/2008	<u>382</u>	ORDER on Oral Motion: granting the extension granted by Aon Consulting, Inc.. Signed by Magistrate Judge Claire C. Cecchi on 7/29/08. (sr, ) (Entered: 07/29/2008)
07/31/2008	<u>383</u>	ORDER on Oral Motion Re: discovery; etc. Signed by Magistrate Judge Claire C. Cecchi on 7/30/08. (sr, ) (Entered: 07/31/2008)
09/24/2008		Text Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Status Conference held on 9/24/2008. (nc, ) (Entered: 09/24/2008)
09/29/2008	<u>384</u>	ORDER ON ORAL MOTION, Fact Discovery due by 2/16/2009., in person Status Conference set for 1/28/2009 11:00 AM before Magistrate Judge Claire C. Cecchi; etc. Signed by Magistrate Judge Claire C. Cecchi on 9/26/08. (sr, ) (Entered: 09/29/2008)
01/27/2009	<u>385</u>	ORDER ON ORAL MOTION: that the in person status conference scheduled for 1/28/09 at 11:00 a.m. has been converted to a telephone status conference. Signed by Magistrate Judge Claire C. Cecchi on 1/26/09. (sr, ) (Entered: 01/27/2009)
01/28/2009		Text Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Telephone Status Conference held on 1/28/2009. (nc, ) (Entered: 01/30/2009)
02/06/2009	<u>386</u>	AMENDED CASE MANAGEMENT SCHEDULING ORDER: Status Conference set for 2/23/2009 04:30 PM before Magistrate Judge Claire C. Cecchi. Fact Discovery due by 4/16/2009. Dispositive Motions due by 6/16/2009; etc.. Signed by Magistrate Judge Claire C. Cecchi on 2/4/09. (DD, ) (Entered: 02/06/2009)
02/17/2009	<u>387</u>	ORDER ON ORAL MOTION RE: discovery; etc., & adjourning Telephone Status/Settlement Conference to 3/12/2009 12:30 PM. Signed by Magistrate Judge Claire C. Cecchi on 2/17/09. (sr, ) (Entered: 02/17/2009)
03/30/2009	<u>388</u>	Letter from Defendants to Hon. Claire C. Cecchi, U.S.M.J., Applying for Protective Order. (Attachments: # <u>1</u> Exhibit Exhibits A through H to Letter, # <u>2</u> Certificate of Service of Letter Applying for Protective Order)(ROBINSON, PATRICIA) (Entered: 03/30/2009)
03/31/2009	<u>389</u>	ORDER ON ORAL MOTION: rescheduling telephone Status/Settlement Conference for 5/21/2009 04:00 PM before Magistrate Judge Claire C. Cecchi. Signed by Magistrate Judge Claire C. Cecchi on 3/31/09. (sr, ) (Entered: 03/31/2009)
04/06/2009	<u>390</u>	Letter from Michael P. Madden, Esquire regarding Subpoenas and discovery requests served upon Aon.. (MADDEN, MICHAEL) (Entered: 04/06/2009)
04/29/2009	<u>391</u>	BRIEF <i>in opposition to defendants' application for a protective order</i> filed by MANAGEMENT EMPLOYEES OF ATPHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (BINETTI, MAUREEN) (Entered: 04/29/2009)
05/01/2009	<u>392</u>	Letter from Maureen S. Binetti, Esq. re <u>391</u> Brief. (BINETTI, MAUREEN) (Entered: 05/01/2009)
05/08/2009	<u>393</u>	Letter from Defendants filed as reply to [#391] plaintiffs 4/29/09 letter, which was filed as a response to [#388] Defendants 3/30/09 letter Applying for a Protective Order. re <u>388</u> Letter, <u>391</u> Brief. (ROBINSON, PATRICIA) (Entered: 05/08/2009)
05/20/2009	<u>394</u>	Letter from Maureen Binetti. (BINETTI, MAUREEN) (Entered: 05/20/2009)
06/19/2009	<u>395</u>	ORDER by 7/3/09, the parties shall meet and confer in an effort to resolve the pending discovery disputes in this matter, etc.; there shall be a telephone status/settlement conference on 8/31/09 at 11:00 a.m., etc. Signed by Magistrate



		Judge Claire C. Cecchi on 6/18/09. (jd, ) (Entered: 06/19/2009)
07/21/2009	<u>396</u>	ORDER ON ORAL MOTION: that by 7/31/09, the parties shall submit to the court a joint letter limited to 10 pages in length, regarding any discovery disputes that remain after they meet & confer. Signed by Magistrate Judge Claire C. Cecchi on 7/17/09. (sr, ) (Entered: 07/21/2009)
07/31/2009	<u>397</u>	ORDER ON ORAL MOTION: granting parties' request for an extension is granted. A joint letter regarding any unresolved discovery disputes shall be filed by 8/14/09. Signed by Magistrate Judge Claire C. Cecchi on 7/31/09. (sr, ) (Entered: 07/31/2009)
08/14/2009	<u>398</u>	Letter from Plaintiffs and Defendants re <u>395</u> Order,. (NIRENBERG, JONATHAN) (Entered: 08/14/2009)
08/31/2009		Text Only Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Telephone Status Conference held on 8/31/2009. (nc, ) (Entered: 08/31/2009)
10/06/2009	<u>399</u>	Letter from Maureen Binetti, Esq.. (BINETTI, MAUREEN) (Entered: 10/06/2009)
10/06/2009	<u>400</u>	Letter from Jeffrey Tone re <u>399</u> Letter. (ROBINSON, PATRICIA) (Entered: 10/06/2009)
10/09/2009	<u>401</u>	ORDER denying deft's motion for protective order; etc. Signed by Magistrate Judge Claire C. Cecchi on 10/09/09. (sr, ) (Entered: 10/09/2009)
11/04/2009		Text Only Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Telephone Status Conference held on 11/4/2009. (nc, ) (Entered: 11/12/2009)
11/12/2009	<u>402</u>	SCHEDULING ORDER:Telephone Status/ Settlement Conference set for 1/5/2010 11:00 AM before Magistrate Judge Claire C. Cecchi. Signed by Magistrate Judge Claire C. Cecchi on 11/12/09. (sr, ) (Entered: 11/12/2009)
11/12/2009	<u>403</u>	SCHEDULING ORDER:Telephone Status/ Settlement Conference set for 1/5/2010 11:00 AM before Magistrate Judge Claire C. Cecchi. Signed by Magistrate Judge Claire C. Cecchi on 11/12/09. (sr, ) (Entered: 11/16/2009)
01/05/2010		Text Only Minute Entry for proceedings held before Magistrate Judge Claire C. Cecchi: Telephone Status/Settlement Conference held on 1/5/2010. (nc, ) (Entered: 01/06/2010)
01/06/2010	<u>404</u>	Letter from Defendants requesting permission to file an overlength brief. (Attachments: # <u>1</u> Text of Proposed Order Granting Leave to File Overlength Brief (Defendants'), # <u>2</u> Text of Proposed Order Granting Leave to File Overlength Brief (Plaintiffs'))(ROBINSON, PATRICIA) (Entered: 01/06/2010)
01/08/2010	<u>405</u>	ORDER granting leave to file overlength briefs. Signed by Judge Stanley R. Chesler on 1/8/10. (sr, ) (Entered: 01/11/2010)
01/12/2010	<u>406</u>	ORDER ON ORAL MOTION: indicating fact & expert discovery is closed; summary judgment motions shall be served after the close of all discovery, but no later than 01/15/2010, opposition paper shall be served by 03/01/2010, and reply papers shall be served by 03/22/2010. Motion papers shall not be filed with the Court until all briefing is complete. Signed by Magistrate Judge Claire C. Cecchi on 1/12/10. (sr, ) Modified on 1/27/2010 (nc, ) (Entered: 01/12/2010)
03/01/2010	<u>407</u>	Letter from Maureen Binetti, Esq.. (Attachments: # <u>1</u> Order)(BINETTI, MAUREEN) (Entered: 03/01/2010)
03/02/2010	<u>408</u>	Letter from Maureen S. Binetti. (Attachments: # <u>1</u> Text of Proposed Order)(BINETTI, MAUREEN) (Entered: 03/02/2010)
03/03/2010	<u>409</u>	AMENDED CASE MANAGEMENT ORDER fld. Signed by Magistrate Judge Claire C. Cecchi on 3/3/10. (sr, ) (Entered: 03/03/2010)
03/17/2010	<u>410</u>	Letter from defendants requesting extension to file summary judgment reply papers. (Attachments: # <u>1</u> Text of Proposed Order)(ROBINSON, PATRICIA)

		(Entered: 03/17/2010)
03/22/2010	<u>411</u>	AMENDED CASE MANAGEMENT ORDER that on or before 4/2/10, pltfs & defts shall file their reply papers. Signed by Magistrate Judge Claire C. Cecchi on 3/22/10. (sr, ) (Entered: 03/22/2010)
03/30/2010	<u>412</u>	Letter from Linton J. Childs, Esq. and Patricia S. Robinson, Esq. counsel for defendants to Hon. Claire C. Cecchi, USMJ requesting leave under Local Rule 5.2.11 to file 2 voluminous exhibits (approx. 15,000 pages) on CDs rather than using the ECF system. Plaintiffs do not object to this request with respect to the manner of filing.. (Attachments: # <u>1</u> Text of Proposed Order)(ROBINSON, PATRICIA) (Entered: 03/30/2010)
04/01/2010	<u>413</u>	ORDER that defts may file Exhibit A to the Declaration of Richard E. Hoss & exhibit A to the Declaration of Paula Phillips on CDs rather than in PDF format via the ECF system. Signed by Magistrate Judge Claire C. Cecchi on 4/1/10. (sr, ) (Entered: 04/05/2010)
04/05/2010	<u>414</u>	MOTION for Summary Judgment <i>ON THE SUPPLEMENTED FOURTH AMENDED COMPLAINT</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Brief, # <u>3</u> Exhibit A, # <u>4</u> Statement of Facts pursuant to Rule 56.1, # <u>5</u> Text of Proposed Order, # <u>6</u> Certification of Patricia S. Robinson, Esq.)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>415</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1–127</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1–79, # <u>2</u> Appendix DAI 80–127)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>416</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 128–199</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 128–199)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>417</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 200–299</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 200–299)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>418</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 300–405</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 300–337, # <u>2</u> Appendix DAI 338–380, # <u>3</u> Appendix DAI 381–405)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>419</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 406–552</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 406–435, # <u>2</u> Appendix DAI 436–442, # <u>3</u> Appendix DAI 443–474, # <u>4</u> Appendix DAI 475–496, # <u>5</u> Appendix DAI 497–519, # <u>6</u> Appendix DAI 520–523, # <u>7</u> Appendix DAI 524–525, # <u>8</u> Appendix DAI 526–545, # <u>9</u> Appendix DAI 546–552)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>420</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 553–645</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 553–645)(ROBINSON, PATRICIA) (Entered: 04/05/2010)

04/05/2010	<u>421</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 646–758</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 646–758)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>422</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 759–874</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 759–870, # <u>2</u> Appendix DAI 871–874)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>423</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 875–989</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 875–879, # <u>2</u> Appendix DAI 880–886, # <u>3</u> Appendix DAI 887–888, # <u>4</u> Appendix DAI 889–931, # <u>5</u> Appendix DAI 932–989)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>424</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 990–1076</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 990–1076)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>425</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1077–1161</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1077–1161)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>426</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1162–1280</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1162–1280)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>427</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1281–1420</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1281–1394, # <u>2</u> Appendix DAI 1395–1420)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>428</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1421–1539</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> DAI 1421–1460, # <u>2</u> DAI 1461–1465, # <u>3</u> DAI 1466–1469, # <u>4</u> DAI 1470–1494, # <u>5</u> DAI 1495–1502, # <u>6</u> DAI 1503–1526, # <u>7</u> DAI 1527–1539)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>429</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1540–1612</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> DAI 1540–1542, # <u>2</u> DAI 1543–1545, # <u>3</u> DAI 1546–1559, # <u>4</u> DAI 1560–1579, # <u>5</u> DAI 1580–1597, # <u>6</u> DAI 1598–1608, # <u>7</u> DAI 1609–1612)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>430</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1613–1692</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> DAI 1613–1624, # <u>2</u> DAI 1625–1640, # <u>3</u> DAI 1641–1651, # <u>4</u> DAI 1652–1658, # <u>5</u> DAI 1659–1671, # <u>6</u> DAI 1672–1689, # <u>7</u> DAI 1690–1692)(ROBINSON, PATRICIA) (Entered: 04/05/2010)

04/05/2010	<u>431</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 1-79 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 1-79)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>432</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 80-154 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 80-154)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>433</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 155-325 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 155-240, # <u>2</u> Appendix DSA 241-325)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>434</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 326-424 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 326-424)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>435</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 425-486 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 425-486)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>436</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 487-567 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 487-567)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>437</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 568-610 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 568-610)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>438</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 611-711 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 611-711)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>439</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 712-843 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 712-737, # <u>2</u> Appendix DSA 738-843)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>440</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 844-914 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATPension Benefit Plan, ATPuerto Rican Pension Benefit Plan. Responses due



		by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 844–914)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>441</u>	MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 915–1016 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DSA 915–1016)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>442</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Brief, # <u>3</u> Statement of Facts Pursuant to Rule 56.1, # <u>4</u> Text of Proposed Order for Decertification of Class, # <u>5</u> Text of Proposed Order for Partial Summary Judgment)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>443</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1–99)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>444</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 100–170, # <u>2</u> Appendix DAI 171–249)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>445</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 250–365, # <u>2</u> Appendix DAI 366–371, # <u>3</u> Appendix DAI 372–412)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>446</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 413–459, # <u>2</u> Appendix DAI 460–462)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>447</u>	MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 463–561)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>448</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 562–689)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>449</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 690–459)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>450</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 760–872)(ROBINSON, PATRICIA) (Entered: 04/05/2010)

04/05/2010	<u>451</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 843-937)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>452</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 938-1029)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>453</u>	MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. Responses due by 4/5/2010 (Attachments: # <u>1</u> Appendix DAI 1030-1112, # <u>2</u> Appendix DAI 1113-1116, # <u>3</u> Appendix DAI 1117-1125, # <u>4</u> Appendix DAI 1126-1135, # <u>5</u> Appendix DAI 1136-1139)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>454</u>	MOTION for Partial Summary Judgment by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. Responses due by 4/5/2010 (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Statement of Undisputed Material Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Certification of Stephen Bruce with Index of Exhibits, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, Part 1, # <u>7</u> Exhibit 2, Part 2, # <u>8</u> Exhibit 3, # <u>9</u> Exhibit 4, # <u>10</u> Exhibit 5, # <u>11</u> Exhibit 6, # <u>12</u> Exhibit 7, # <u>13</u> Exhibit 8, # <u>14</u> Exhibit 9, # <u>15</u> Exhibit 10, # <u>16</u> Exhibit 11, # <u>17</u> Exhibit 12, # <u>18</u> Exhibit 13, # <u>19</u> Exhibit 14, # <u>20</u> Exhibit 15, # <u>21</u> Exhibit 16, # <u>22</u> Exhibit 17, # <u>23</u> Exhibit 18, # <u>24</u> Exhibit 19, # <u>25</u> Exhibit 20, # <u>26</u> Exhibit 21, # <u>27</u> Exhibit 22, # <u>28</u> Exhibit 23, # <u>29</u> Exhibit 24, # <u>30</u> Exhibit 25, # <u>31</u> Exhibit 26, # <u>32</u> Exhibit 27, # <u>33</u> Exhibit 28, # <u>34</u> Exhibit 29, # <u>35</u> Exhibit 30)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>455</u>	Exhibit to <u>454</u> Motion for Partial Summary Judgment,,, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (Attachments: # <u>1</u> Exhibit 31, # <u>2</u> Exhibit 32, # <u>3</u> Exhibit 33, # <u>4</u> Exhibit 34, # <u>5</u> Exhibit 35, # <u>6</u> Exhibit 36, # <u>7</u> Exhibit 37, # <u>8</u> Exhibit 38, # <u>9</u> Exhibit 39, # <u>10</u> Exhibit 40, # <u>11</u> Exhibit 41, # <u>12</u> Exhibit 42, # <u>13</u> Exhibit 43, # <u>14</u> Exhibit 44, # <u>15</u> Exhibit 45, # <u>16</u> Exhibit 46, # <u>17</u> Exhibit 47, # <u>18</u> Exhibit 48, # <u>19</u> Exhibit 49, # <u>20</u> Exhibit 50, # <u>21</u> Exhibit 51, # <u>22</u> Exhibit 52, # <u>23</u> Exhibit 53, # <u>24</u> Exhibit 54, # <u>25</u> Exhibit 55, # <u>26</u> Exhibit 56, # <u>27</u> Exhibit 57, # <u>28</u> Exhibit 58, # <u>29</u> Exhibit 59, # <u>30</u> Exhibit 60, # <u>31</u> Exhibit 61, # <u>32</u> Exhibit 62, # <u>33</u> Exhibit 63, # <u>34</u> Exhibit 64, # <u>35</u> Exhibit 65, # <u>36</u> Exhibit 66, # <u>37</u> Exhibit 67, # <u>38</u> Exhibit 68, # <u>39</u> Exhibit 69, # <u>40</u> Exhibit 70, # <u>41</u> Exhibit 71, # <u>42</u> Exhibit 72, # <u>43</u> Exhibit 73, # <u>44</u> Exhibit 74, # <u>45</u> Exhibit 75)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>456</u>	BRIEF in Opposition re <u>442</u> MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (Attachments: # <u>1</u> Statement Responses to Defendants' Rule 56.1 Statement and Statement of Additional Disputed and Undisputed Material Facts, # <u>2</u> Certification of Stephen Bruce with Index of Exhibits, # <u>3</u> Exhibit 76, # <u>4</u> Exhibit 77, # <u>5</u> Exhibit 78, # <u>6</u> Exhibit 79, # <u>7</u> Exhibit 80, # <u>8</u> Exhibit 81, # <u>9</u> Exhibit 82, # <u>10</u> Exhibit 83, # <u>11</u> Exhibit 84, # <u>12</u> Exhibit 85, # <u>13</u> Exhibit 86, # <u>14</u> Exhibit 87, # <u>15</u> Exhibit 88, # <u>16</u> Exhibit 89, # <u>17</u> Exhibit 90, # <u>18</u> Exhibit 91, # <u>19</u> Exhibit 92, # <u>20</u> Exhibit 93, # <u>21</u> Exhibit 94, # <u>22</u> Exhibit 95, # <u>23</u> Exhibit 96, # <u>24</u> Exhibit 97, # <u>25</u> Exhibit 98, # <u>26</u> Exhibit 99, # <u>27</u> Exhibit 100, # <u>28</u> Exhibit 101, # <u>29</u> Exhibit 102, # <u>30</u> Exhibit 103, # <u>31</u> Exhibit 104, # <u>32</u> Exhibit 105, # <u>33</u> Exhibit 106, # <u>34</u> Exhibit 107, # <u>35</u> Exhibit 108)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>457</u>	BRIEF in Opposition re <u>414</u> MOTION for Summary Judgment <i>ON THE SUPPLEMENTED FOURTH AMENDED COMPLAINT</i> filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (Attachments: # <u>1</u> Statement Responses to Defendants' Rule 56.1 Statement and Statement of Additional Disputed and Undisputed Material Facts, # <u>2</u> Certification of Stephen Bruce with Index of Exhibits, # <u>3</u> Exhibit 109, # <u>4</u> Exhibit 110, # <u>5</u> Exhibit 111, # <u>6</u> Exhibit 112, # <u>7</u> Exhibit 113, # <u>8</u> Exhibit 114, # <u>9</u> Exhibit 115, #

		<u>10</u> Exhibit 116, # <u>11</u> Exhibit 117, # <u>12</u> Exhibit 118, # <u>13</u> Exhibit 119, # <u>14</u> Exhibit 120, # <u>15</u> Exhibit 121, # <u>16</u> Exhibit 122, # <u>17</u> Exhibit 123, # <u>18</u> Exhibit 124, # <u>19</u> Exhibit 125, # <u>20</u> Exhibit 126, # <u>21</u> Exhibit 127, # <u>22</u> Exhibit 128, # <u>23</u> Exhibit 129, # <u>24</u> Exhibit 130, # <u>25</u> Exhibit 131, # <u>26</u> Exhibit 132, # <u>27</u> Exhibit 133, # <u>28</u> Exhibit 134, # <u>29</u> Exhibit 135, # <u>30</u> Exhibit 136, # <u>31</u> Exhibit 137, # <u>32</u> Exhibit 138, # <u>33</u> Exhibit 139, # <u>34</u> Exhibit 140)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>458</u>	Exhibit to <u>457</u> Brief in Opposition to Motion,,,, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (Attachments: # <u>1</u> Exhibit 141, # <u>2</u> Exhibit 142, # <u>3</u> Exhibit 143, # <u>4</u> Exhibit 144, # <u>5</u> Exhibit 145, # <u>6</u> Exhibit 146, # <u>7</u> Exhibit 147, # <u>8</u> Exhibit 148, # <u>9</u> Exhibit 149, # <u>10</u> Exhibit 150, # <u>11</u> Exhibit 151, # <u>12</u> Exhibit 152, # <u>13</u> Exhibit 153, # <u>14</u> Exhibit 154, # <u>15</u> Exhibit 155, # <u>16</u> Exhibit 156, # <u>17</u> Exhibit 157, # <u>18</u> Exhibit 158, # <u>19</u> Exhibit 159, # <u>20</u> Exhibit 160, # <u>21</u> Exhibit 161, # <u>22</u> Exhibit 162, # <u>23</u> Exhibit 163, # <u>24</u> Exhibit 164, # <u>25</u> Exhibit 165, # <u>26</u> Exhibit 166, # <u>27</u> Exhibit 167, # <u>28</u> Exhibit 168, # <u>29</u> Exhibit 169, # <u>30</u> Exhibit 170)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>459</u>	Exhibit to <u>457</u> Brief in Opposition to Motion,,,, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (Attachments: # <u>1</u> Exhibit 171, # <u>2</u> Exhibit 172, # <u>3</u> Exhibit 173, # <u>4</u> Exhibit 174, # <u>5</u> Exhibit 175, # <u>6</u> Exhibit 176, # <u>7</u> Exhibit 177, # <u>8</u> Exhibit 178, # <u>9</u> Exhibit 179, # <u>10</u> Exhibit 180, # <u>11</u> Exhibit 181, # <u>12</u> Exhibit 182, # <u>13</u> Exhibit 183, # <u>14</u> Exhibit 184, # <u>15</u> Exhibit 185, # <u>16</u> Exhibit 186, # <u>17</u> Exhibit 187, # <u>18</u> Exhibit 188, # <u>19</u> Exhibit 189, # <u>20</u> Exhibit 190, # <u>21</u> Exhibit 191)(NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>460</u>	NOTICE by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan <i>NOTICE OF FILING LENGTHY EXHIBITS IN SUPPORT OF MOTION [DOCKET NO. 442] ON CD RATHER THAN IN PDF FORM ON THE ECF SYSTEM (Pursuant to Court Order on Docket No. 413)</i> (ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>461</u>	BRIEF in Opposition re <u>454</u> MOTION for Partial Summary Judgment filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Statement Counterstatement of Facts, # <u>3</u> Certification of Jeffrey Tone, Esq., # <u>4</u> Appendix DSA-II 1-30, # <u>5</u> Appendix DSA -II 31-38, # <u>6</u> Appendix DSA-II 39-47, # <u>7</u> Appendix DSA-II 48-51, # <u>8</u> Appendix DSA-II 52-55, # <u>9</u> Appendix DSA-II 56-62, # <u>10</u> Appendix DSA-II 63-69, # <u>11</u> Appendix DSA-II 70-72, # <u>12</u> Appendix DSA-II 73-80, # <u>13</u> Appendix DSA-II 81-91, # <u>14</u> Appendix DSA-II 92-94, # <u>15</u> Appendix DSA-II 95-108, # <u>16</u> Appendix INDEX TO DSA-II)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>462</u>	REPLY BRIEF to Opposition to Motion re <u>414</u> MOTION for Summary Judgment <i>ON THE SUPPLEMENTED FOURTH AMENDED COMPLAINT</i> filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Statement Defendants'Reply to Pls' Resp. to Def. R. 56.1 Statement, # <u>3</u> Statement Defendants' Response to Pl. Counterstatement of Facts, # <u>4</u> Certification of Jeffrey Tone, Esq.)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>463</u>	REPLY BRIEF to Opposition to Motion re <u>454</u> MOTION for Partial Summary Judgment filed by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. (NIRENBERG, JONATHAN) (Entered: 04/05/2010)
04/05/2010	<u>464</u>	REPLY BRIEF to Opposition to Motion re <u>442</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i> filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Statement Defendants Response to Plaintiffs Local Civil Rule 56.1 Counterstatement of Additional Undisputed Material Facts in Response to Defendants Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class, # <u>3</u> Statement Defendants Reply to Plaintiffs Response to Defendants Local Civil Rule 56.1 Statement of Undisputed Material Facts in

		Support of their Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class, # <u>4</u> Certification of Jeffrey R. Tone, Esq. in Support of Defendants Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>465</u>	REPLY BRIEF to Opposition to Motion re <u>442</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS **AMENDED** – To Replace Dkt. No. 464</i> filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Statement Defendants Response to Plaintiffs Local Civil Rule 56.1 Counterstatement of Additional Undisputed Material Facts in Response to Defendants Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class, # <u>3</u> Statement Defendants Reply to Plaintiffs Response to Defendants Local Civil Rule 56.1 Statement of Undisputed Material Facts in Support of their Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class, # <u>4</u> Declaration Certification of Jeffrey R. Tone, Esq. in Support of Defendants Motion for Partial Summary Judgment, or in the Alternative, Decertification of Class)(ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/05/2010	<u>466</u>	STATEMENT of Material Facts in Opposition re <u>454</u> MOTION for Partial Summary Judgment ( <i>In connection with Dkt. No. 461</i> ) filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (ROBINSON, PATRICIA) (Entered: 04/05/2010)
04/06/2010	<u>467</u>	APPENDIX in Support re <u>420</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 553–645, <u>414</u> MOTION for Summary Judgment ON THE SUPPLEMENTED FOURTH AMENDED COMPLAINT (**CORRECTED VERSION** To replace Dkt. No. 420)</i> filed by ATATTINC., ATTMANAGEMENT PENSION PLAN, ATTPension Benefit Plan, ATTPuerto Rican Pension Benefit Plan. (ROBINSON, PATRICIA) (Entered: 04/06/2010)
04/06/2010		Set Deadlines as to <u>427</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1281–1420, <u>444</u> MOTION for Partial Summary Judgment or. in the Alternative, DECERTIFICATION OF CLASS, <u>415</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 1–127, <u>414</u> MOTION for Summary Judgment ON THE SUPPLEMENTED FOURTH AMENDED COMPLAINT, <u>425</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 1077–1161, <u>441</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 915–1016 (Aministrative Records from Plaintiffs' Claim for Benefits) MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 915–1016 (Aministrative Records from Plaintiffs' Claim for Benefits), <u>437</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 568–610 (Aministrative Records from Plaintiffs' Claim for Benefits) MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 568–610 (Aministrative Records from Plaintiffs' Claim for Benefits), <u>416</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 128–199, <u>422</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 759–874, <u>442</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS, <u>440</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 844–914 (Aministrative Records from Plaintiffs' Claim for Benefits) MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DSA 844–914 (Aministrative Records from Plaintiffs' Claim for Benefits), <u>454</u> MOTION for Partial Summary Judgment, <u>452</u> MOTION for Partial Summary Judgment or, in the Alternative, DECERTIFICATION OF CLASS, <u>429</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 1540–1612, <u>426</u> MOTION for Summary Judgment On The Supplemented Fourth Amended Complaint APPENDIX DAI 1162–1280, <u>451</u> MOTION for Partial Summary Judgment or, in the Alternative, DECERTIFICATION OF CLASS, <u>423</u> MOTION</i></i>



		<p>for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 875–989</i>, <u>433</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 155–325 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 155–325 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>448</u> MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i>, <u>432</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 80–154 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 80–154 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>439</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 712–843 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 712–843 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>417</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 200–299</i>, <u>445</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i>, <u>424</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 990–1076</i>, <u>430</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1613–1692</i>, <u>450</u> MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i>, <u>443</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i>, <u>438</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 611–711 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 611–711 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>446</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i>, <u>419</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 406–552</i>, <u>434</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 326–424 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 326–424 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>436</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 487–567 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 487–567 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>449</u> MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i>, <u>420</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 553–645</i>, <u>428</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 1421–1539</i>, <u>447</u> MOTION for Partial Summary Judgment <i>or. in the Alternative, DECERTIFICATION OF CLASS</i>, <u>453</u> MOTION for Partial Summary Judgment <i>or, in the Alternative, DECERTIFICATION OF CLASS</i>, <u>435</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 425–486 (Aministrative Records from Plaintiffs' Claim for Benefits)</i> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DSA 425–486 (Aministrative Records from Plaintiffs' Claim for Benefits)</i>, <u>421</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 646–758</i>, <u>418</u> MOTION for Summary Judgment <i>On The Supplemented Fourth Amended Complaint APPENDIX DAI 300–405</i>. Motion set for 5/3/2010 10:00 AM before Judge Stanley R. Chesler. The motion will be decided on the papers. No appearances required unless notified by the court. (tt, ) (Entered: 04/06/2010)</p>
04/06/2010	<u>468</u>	ORDER setting Final Pretrial Conference on 9/21/10 at 2:30 p.m.; etc. Signed by Magistrate Judge Claire C. Cecchi on 4/6/10. (sr, ) (Entered: 04/06/2010)
06/07/2010	<u>469</u>	OPINION fld. Signed by Judge Stanley R. Chesler on 6/7/10. (sr, ) (Entered: 06/07/2010)

06/07/2010	<u>470</u>	ORDER granting <u>414</u> Motion for Summary Judgment ***CIVIL CASE TERMINATED; denying <u>442</u> Motion for Partial Summary Judgment; denying <u>454</u> Motion for Partial Summary Judgment. Signed by Judge Stanley R. Chesler on 6/7/10. (sr, ) (Entered: 06/07/2010)
06/11/2010	<u>471</u>	NOTICE OF APPEAL as to <u>140</u> Order, <u>290</u> Order on Motion to Amend/Correct, Order on Motion for Reconsideration, <u>264</u> Order on Motion for Summary Judgment, <u>470</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment, by PHILLIP C. ENGERS, WARREN J. MCFALL, DONALD G. NOERR, GERALD SMIT. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (NIRENBERG, JONATHAN) (Entered: 06/11/2010)
06/14/2010	<u>472</u>	USCA Appeal Fees received \$ 455 receipt number 0312-3163005 re <u>471</u> Notice of Appeal (USCA), filed by DONALD G. NOERR, GERALD SMIT, WARREN J. MCFALL, PHILLIP C. ENGERS. (ji, ) (Entered: 06/14/2010)
06/14/2010	<u>473</u>	USCA Case Number 10-2752 for <u>471</u> Notice of Appeal (USCA), filed by DONALD G. NOERR, GERALD SMIT, WARREN J. MCFALL, PHILLIP C. ENGERS. USCA Case Manager Desiree White-Banks (Document Restricted - Court Only) (ca3dwb, ) (Entered: 06/14/2010)
07/07/2010	<u>474</u>	Transcript of Proceedings held on December 13, 1999, before Judge Politan. Court Reporter/Transcriber Stanley Rizman, Contact Rose Danaghue at Telephone number 973-645-4637 with any inquiries. <b>NOTICE REGARDING REDACTION OF TRANSCRIPTS:</b> The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript. Redaction Request due 7/28/2010. Redacted Transcript Deadline set for 8/9/2010. Release of Transcript Restriction set for 10/5/2010. (ji, ) (Entered: 07/08/2010)
08/27/2010	<u>475</u>	Transcript of Proceedings held on 1/23/01, before Judge Politan. Court Reporter/Transcriber Stanley Rizman, Telephone number N/A. <b>NOTICE REGARDING REDACTION OF TRANSCRIPTS:</b> The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript. Redaction Request due 9/17/2010. Redacted Transcript Deadline set for 9/27/2010. Release of Transcript Restriction set for 11/29/2010. (tjg, ) (Entered: 08/27/2010)
10/04/2010	<u>476</u>	NOTICE/CONSENT to become a party pltf submitted by Juliana Caini (sr, ) (Entered: 10/19/2010)
06/01/2011	<u>477</u>	NOTICE/CONSENT TO JOIN ACTION AS PARTY PLAINTIFF by Bradford N. Motley. (sr, ) (Entered: 06/02/2011)
06/22/2011	<u>478</u>	USCA JUDGMENT as to <u>471</u> Notice of Appeal (USCA) filed by DONALD G. NOERR, GERALD SMIT, WARREN J. MCFALL, PHILLIP C. ENGERS (ca3dwb, ) (Entered: 06/22/2011)
06/22/2011		Pursuant to Local Rule 79.4, notice is hereby given of the Appellate ruling filed on 6/22/11. In the event that the mandate or judgment provides for costs or directs a disposition other than an affirmance, the prevailing party shall prepare and submit an order implementing the mandate or judgment. (tjg, ) (Entered: 06/23/2011)