U.S. District Court Southern District of New York (Foley Square) CIVIL DOCKET FOR CASE #: 1:07-cv-02207-JGK-GWG

Bellifemine v. Sanofi–Aventis U.S. LLC et al Assigned to: Judge John G. Koeltl Referred to: Magistrate Judge Gabriel W. Gorenstein Demand: \$9,999,000 Cause: 42:2000e–2sx Job Discrimination (Sex) **Plaintiff**

Karen Bellifemine

Individually and on behalf of all others similarly situated

Date Filed: 03/14/2007 Date Terminated: 08/09/2010 Jury Demand: Plaintiff Nature of Suit: 442 Civil Rights: Jobs Jurisdiction: Federal Question

represented by **David W. Sanford**

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<u>Plaintiff</u> Michelle Popa

<u>Plaintiff</u> Amy Zeoli

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<u>Plaintiff</u>

Sue Sullivan TERMINATED: 04/11/2008

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<u>Plaintiff</u>

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<u>Plaintiff</u>

Jennifer Storm *individually and on behalf of others similary situated* represented by David W. Sanford

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Grant E. Morris (See above for address) ATTORNEY TO BE NOTICED

Kristen Walsh (See above for address) PRO HAC VICE ATTORNEY TO BE NOTICED

Steven Lance Wittels (See above for address) ATTORNEY TO BE NOTICED Sanofi-Aventis U.S. LLC TERMINATED: 09/18/2007

Defendant

Sanofi-Aventis TERMINATED: 09/18/2007

<u>Defendant</u>

Sanofi-Aventis U.S. LLC

represented by Michael S. Burkhardt

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Date Filed	#	Docket Text
03/14/2007	1	COMPLAINT against Sanofi–Aventis U.S. LLC, Sanofi–Aventis. (Filing Fee \$ 350.00, Receipt Number 609125)Document filed by Karen Bellifemine.(mbe) (Entered: 03/15/2007)

03/14/2007		SUMMONS ISSUED as to Sanofi–Aventis U.S. LLC, Sanofi–Aventis. (mbe) (Entered: 03/15/2007)
03/14/2007		Magistrate Judge Gabriel W. Gorenstein is so designated. (mbe) (Entered: 03/15/2007)
03/14/2007		Case Designated ECF. (mbe) (Entered: 03/15/2007)
08/29/2007	2	AMENDED COMPLAINT amending 1 Complaint against Sanofi–Aventis U.S. LLC, Sanofi–Aventis. Document filed by Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine. Related document: 1 Complaint filed by Karen Bellifemine. (jco) Additional attachment(s) added on 9/4/2007 (Correa, Julie). (Entered: 08/29/2007)
09/18/2007	<u>3</u>	STIPULATION AND ORDER all claims against defendant Sanofi–Aventis are hereby withdrawn and DISMISSED WITHOUT PREJUDICE. The withdrawal and dismissal of claims against Sanofi–Aventis is predicated on Sanofi–Aventis U.S. LLC's representation that Sanofi–Aventis U.S. LLC is the appropriate defendant in this matter and that it can satisfy a judgment entered in this action, if any; and Sanofi–Aventis shall be removed from the caption and shall not be listed as a defendant in future pleadings; and Defendant Sanofi–Aventis U.S. LLC shall answer or otherwise plead in response to the Amended Complaint within 30 days after its counsel receive a stamped filed copy of the Amended Complaint from Plaintiffs' counsel. SO ORDERED. (Signed by Judge John G. Koeltl on 9/11/2007) (jmi) (Entered: 09/19/2007)
10/01/2007	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying sanofi-aventis as Corporate Parent. Document filed by Sanofi-Aventis U.S. LLC.(Burkhardt, Michael) (Entered: 10/01/2007)
10/01/2007	<u>5</u>	ANSWER to Amended Complaint. Document filed by Sanofi–Aventis U.S. LLC. Related document: <u>2</u> Amended Complaint, filed by Amy Zeoli, Sue Sullivan, Michelle Popa, Karen Bellifemine.(Burkhardt, Michael) (Entered: 10/01/2007)
10/01/2007	<u>6</u>	NOTICE OF CHANGE OF ADDRESS by Leni Dylan Battaglia on behalf of Sanofi–Aventis U.S. LLC. New Address: Morgan, Lewis & Bockius LLP, 101 Park Avenue, New York, NY, USA 10178, 212.309.7177. (Battaglia, Leni) (Entered: 10/01/2007)
10/02/2007	7	NOTICE OF APPEARANCE by Leni Dylan Battaglia on behalf of Sanofi–Aventis U.S. LLC (Battaglia, Leni) (Entered: 10/02/2007)
10/02/2007	<u>8</u>	MOTION for Michael L. Banks to Appear Pro Hac Vice. Document filed by Sanofi–Aventis U.S. LLC. (jco) (Entered: 10/04/2007)
10/02/2007	2	MOTION for Sarah E. Pontoski to Appear Pro Hac Vice. Document filed by Sanofi–Aventis U.S. LLC. (jco) (Entered: 10/04/2007)
10/05/2007	<u>10</u>	MOTION for Meenoo Chahbazi to Appear Pro Hac Vice. Document filed by Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine. (jco) (Entered: 10/12/2007)
10/05/2007	<u>11</u>	MOTION for David W. Sanford to Appear Pro Hac Vice. Document filed by Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine. (jco) (Entered: 10/12/2007)
10/10/2007		CASHIERS OFFICE REMARK on <u>8</u> Motion to Appear Pro Hac Vice, <u>9</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 10/02/2007, Receipt Number 628542. (jd) (Entered: 10/10/2007)
10/16/2007	<u>12</u>	ORDER; granting <u>11</u> Motion for David W. Sanford to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 10/16/07) (pl) (Entered: 10/16/2007)
10/16/2007	<u>13</u>	ORDER granting <u>10</u> Motion for Meenoo Chahbazi to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 10/16/07) (pl) (Entered: 10/16/2007)
10/16/2007		Transmission to Attorney Admissions Clerk. Transmitted re: <u>12</u> Order on Motion to Appear Pro Hac Vice, <u>13</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (pl) (Entered: 10/16/2007)
10/31/2007	<u>14</u>	ORDER: The parties should submit a revised case management schedule by November 2, 2007. (Signed by Judge John G. Koeltl on 10/30/07) (tro) (Entered: 10/31/2007)

11/02/2007	<u>15</u>	CASE MANAGEMENT PLAN: This case is to be tried by a jury. Amended Pleadings due by 1/31/2008. Joinder of Parties due by 1/31/2008. All class discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims is to be completed by 6/30/2008. Plaintiffs' expert reports shall be filed by 7/31/2008. Defendant shall have until 10/15/2008 to conduct expert discovery and to file its expert report. Plaintiffs shall have until 11/28/2008 to conduct expert discovery and submit any rebuttal expert report. Plaintiffs shall have until 1/30/2009 to submit their class certification brief. Defendant shall file any motions for summary judgment related to the Named Plaintiffs' class certification brief. Plaintiffs' class certification brief. Plaintiffs' shall have until 3/30/2009 to file their responses to Defendant's motions for summary judgment. Plaintiffs shall have until 4/30/2009 to file their responses to Defendant's motions for summary judgment. Plaintiff's shall have until 4/30/2009 to file a reply to Defendant's opposition to class certification. (Signed by Judge John G. Koeltl on 11/2/07) (tro) (Entered: 11/05/2007)
01/31/2008	<u>16</u>	SECOND AMENDED COMPLAINT against Sanofi–Aventis U.S. LLC.Document filed by Nancy Beaney, Jennifer Storm, Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine.(jmi) (Entered: 02/06/2008)
02/19/2008	<u>17</u>	STIPULATION AND ORDER EXTENDING TIME FOR DEFENDANT TO ANSWER, MOVE OR OTHERWISE RESPOND TO PLAINTIFF'S SECOND AMENDED COMPLAINT: that Defendant shall have an extension until 2/29/08 to answer, move, or otherwise respond to Plaintiffs' Second Amended Complaint. (Signed by Judge John G. Koeltl on 2/19/08) (tro) (Entered: 02/19/2008)
02/29/2008	<u>18</u>	MOTION to Dismiss <i>Partial Motion to Dismiss the Second Amended Complaint</i> . Document filed by Sanofi–Aventis U.S. LLC.(Burkhardt, Michael) (Entered: 02/29/2008)
02/29/2008	<u>19</u>	MEMORANDUM OF LAW in Support re: <u>18</u> MOTION to Dismiss <i>Partial Motion to Dismiss the Second Amended Complaint</i> . Document filed by Sanofi–Aventis U.S. LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Burkhardt, Michael) (Entered: 02/29/2008)
02/29/2008	<u>20</u>	ANSWER to Amended Complaint. Document filed by Sanofi–Aventis U.S. LLC. Related document: <u>16</u> Amended Complaint filed by Amy Zeoli, Sue Sullivan, Nancy Beaney, Michelle Popa, Jennifer Storm, Karen Bellifemine.(Burkhardt, Michael) (Entered: 02/29/2008)
03/05/2008	<u>21</u>	MEMO ENDORSEMENT on document <u>9</u> granting Motion for Sarah E. Pontoski to Appear Pro Hac Vice. ENDORSEMENT: APPLICATION GRANTED SO ORDERED. (Signed by Judge John G. Koeltl on 3/4/2008) (jpo) (Entered: 03/05/2008)
03/05/2008	<u>22</u>	MEMO ENDORSEMENT on document <u>8</u> granting Motion for Michael L. Banks to Appear Pro Hac Vice. ENDORSEMENT: APPLICATION GRANTED SO ORDERED.(Signed by Judge John G. Koeltl on 3/4/2008) (jpo) (Entered: 03/05/2008)
03/05/2008		Transmission to Attorney Admissions Clerk. Transmitted re: <u>21</u> Order on Motion to Appear Pro Hac Vice, <u>22</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jpo) (Entered: 03/05/2008)
03/05/2008	<u>23</u>	STIPULATION AND ORDER EXTENDING TIME FOR PLAINTIFFS TO FILE OPPOSITION TO DEFENDANT'S PARTIAL MOTION TO DISMISS: It is hereby stipulated and agreed by and between the parties that Plaintiffs shall have an extension until April 4, 2008 to file an Opposition to Defendants Partial Motion to Dismiss. (Signed by Judge John G. Koeltl on 3/4/2008) (jpo) (Entered: 03/05/2008)
04/10/2008	24	STIPULATION AND ORDER EXTENDING TIME FOR DISCOVERY, by and between the parties in this matter that all class discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims in the above–captioned matter was originally scheduled to be completed by June 30, 2008, and that the parties shall be granted an extension of until September 30, 2008 to complete class discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims. All other subsequent deadlines shall also be extended 3 months to allow for the completion of discovery and subsequent filing is attached. SO ORDERED. (Discovery due by 9/30/2008.) (Signed by Judge John G. Koeltl on 4/4/2008) (jmi) (Entered: 04/10/2008)

04/10/2008	<u>25</u>	CASE MANAGEMENT PLAN: All class discovery regarding the merits of the Named Plaintiffs' claims is to be completed by September 30, 2008. Expert Discovery due by 2/28/2009. Motions due by 4/30/2009. Responses due by 6/30/2009 Replies due by 7/30/2009. (Signed by Judge John G. Koeltl on 4/10/2008) (jmi) (Entered: 04/10/2008)
04/10/2008	<u>26</u>	MEMORANDUM OF LAW in Opposition re: <u>18</u> MOTION to Dismiss Partial Motion to Dismiss the Second Amended Complaint Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Appendix A)(Sanford, David) (Entered: 04/10/2008)
04/10/2008	<u>27</u>	MOTION to Amend/Correct <i>To File Third Amended Complaint</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm.(Sanford, David) (Entered: 04/10/2008)
04/10/2008	<u>28</u>	MEMORANDUM OF LAW in Support re: <u>27</u> MOTION to Amend/Correct <i>To File Third Amended Complaint</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit Proposed Third Amended Complaint, # <u>2</u> Appendix A)(Sanford, David) (Entered: 04/10/2008)
04/11/2008	<u>29</u>	STIPULATION AND ORDER EXTENDING TIME FOR PLAINTIFFS TO FILE OPPOSITION TO DEFENDANT'S PARTIAL MOTION TO DISMISS THE SECOND AMENDED COMPLAINT: It is hereby stipulated and agreed by and between the parties that plaintiffs time to file an opposition to defendants partial motion to dismiss is extended to April 10, 2008. (Signed by Judge John G. Koeltl on 4/10/2008) (jpo) (Entered: 04/11/2008)
04/11/2008	<u>30</u>	STIPULATION AND ORDER OF DISMISSING PLAINTIFF SUE SULLIVAN: Pursuant to F.R.C.P. 41, it is hereby stipulated and agreed, by and through undersigned counsel in this action, that plaintiff Sue Sullivan hereby dismisses her claims with prejudice against Sanofi–Aventis U.S. LLC. (Signed by Judge John G. Koeltl on 4/10/2008) (jpo) (Entered: 04/11/2008)
04/16/2008	<u>31</u>	ORDER granting <u>27</u> Motion to Amend/Correct. Plaintiffs' Motion for Leave To File Their Amended Complaint be GRANTED, and that Plaintiffs may file the Third Amended Complaint. (Signed by Judge John G. Koeltl on 4/15/08) (tro) (Entered: 04/16/2008)
04/21/2008	<u>32</u>	AMENDED COMPLAINT amending <u>16</u> Amended Complaint against Sanofi–Aventis U.S. LLC.Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. Related document: <u>16</u> Amended Complaint filed by Amy Zeoli, Sue Sullivan, Nancy Beaney, Michelle Popa, Jennifer Storm, Karen Bellifemine.(dle) (dle). (Entered: 04/21/2008)
05/05/2008	<u>33</u>	ANSWER to Amended Complaint. Document filed by Sanofi–Aventis U.S. LLC.(Burkhardt, Michael) (Entered: 05/05/2008)
05/22/2008	<u>34</u>	ORDER denying <u>18</u> Motion to Dismiss. (Signed by Judge John G. Koeltl on 5/21/08) (mme) (Entered: 05/22/2008)
06/02/2008		***DELETED DOCUMENT. Deleted document number <u>35</u> Order. The document wa incorrectly filed in this case. (tve) (Entered: 06/02/2008)
06/23/2008	<u>35</u>	MOTION to Quash <i>Third–party Subpoenas</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Text of Proposed Order)(Sanford, David) (Entered: 06/23/2008)
06/23/2008	<u>36</u>	MEMORANDUM OF LAW in Support re: <u>35</u> MOTION to Quash <i>Third-party</i> <i>Subpoenas.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Sanford, David) (Entered: 06/23/2008)
06/26/2008	<u>37</u>	NOTICE of Supplemental Authority re: <u>35</u> MOTION to Quash <i>Third-party</i> <i>Subpoenas.</i> , <u>36</u> Memorandum of Law in Support of Motion,. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit Supplemental Authorities)(Sanford, David) (Entered:

		06/26/2008)
06/27/2008	<u>38</u>	MEMORANDUM OF LAW in Opposition re: <u>35</u> MOTION to Quash <i>Third-party</i> <i>Subpoenas.</i> . Document filed by Sanofi–Aventis U.S. LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Burkhardt, Michael) (Entered: 06/27/2008)
07/02/2008	<u>39</u>	STIPULATION AND ORDER EXTENDING TIME FOR DISCOVERY: All discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims in the above–captioned matter was originally scheduled to be completed by 9/30/08, and that the parties shall be granted an extension until 12/30/08 to complete class discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims. All other subsequent deadlines shall also be extended 3 months to allow for the completion of discovery. (Signed by Judge John G. Koeltl on 7/2/08) (tro) (Entered: 07/02/2008)
07/02/2008	<u>40</u>	REVISED JOINT CASE MANAGEMENT PLAN: This case is to be tried by a jury. All class discovery and all fact discovery regarding the merits of the Named Plaintiffs' claims is to be completed by 12/30/08. Plaintiffs' expert reports shall be filed by 1/30/09. Defendant shall have until 4/15/09 to conduct expert discovery and to file its expert report. Plaintiffs shall have until 5/29/08 to conduct expert discovery and submit any rebuttal expert report. Plaintiffs shall have until; 7/31/09 to submit their class certification brief. Defendant shall file any motions for summary judgment related to the Named Plaintiffs' class certification brief. Plaintiffs' class certification brief. Plaintiffs' class certification brief. Plaintiffs shall have until 9/30/09 to submit an opposition to Plaintiffs' class certification brief. Plaintiffs shall have until 9/30/09 to file their responses to Defendant's motions for summary judgment. Plaintiffs shall have until 10/30/09 to file a reply to Defendant's opposition to class certification. Defendant shall have until 10/30/09 to file any reply briefs in further support of its motions for summary judgment. (Signed by Judge John G. Koeltl on 7/1/08) (tro) (Entered: 07/02/2008)
07/02/2008	<u>41</u>	NOTICE of Notice of Filing re: <u>35</u> MOTION to Quash <i>Third-party Subpoenas</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Supplement Motion to Quash, # <u>2</u> Supplement Memorandum of Law, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F)(Sanford, David) (Entered: 07/02/2008)
07/02/2008	<u>42</u>	NOTICE of Filing (Corrected). Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # 1 Supplement Motion, # 2 Supplement Memorandum of Law, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F)(Sanford, David) (Entered: 07/02/2008)
07/03/2008	<u>43</u>	REPLY MEMORANDUM OF LAW in Support re: <u>35</u> MOTION to Quash <i>Third-party Subpoenas.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sanford, David) (Entered: 07/03/2008)
07/08/2008	<u>44</u>	ORDER OF REFERENCE TO A MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific non–Dispostive Motion/Dispute: Motion to quash third–party subpoenas. Referred to Magistrate Judge Gabriel W. Gorenstein. Motions referred to Gabriel W. Gorenstein. (Signed by Judge John G. Koeltl on 7/7/08) (mme) (Entered: 07/08/2008)
07/11/2008	<u>45</u>	STIPULATION AND ORDER: It is hereby stipulated and agreed by and between the parties that the deadline for all class discovery and all fact discovery is extended to 12/30/2008. (Signed by Judge John G. Koeltl on 7/10/2008) (jpo) (Entered: 07/11/2008)
07/11/2008	<u>46</u>	REVISED JOINT CASE MANAGEMENT PLAN: Amended Pleadings due by 1/31/2008. Motions for summary judgment due by 7/31/2009. Responses due by 9/30/2009 Replies due by 10/30/2009. All discovery due by 12/30/2008, as set forth herein. (Signed by Judge John G. Koeltl on 7/10/2008) (jpo) (Entered: 07/11/2008)
07/11/2008	<u>47</u>	ORDER: It is the Court's intention to treat plaintiff's motion to quash as a motion for a protective order. Oral Argument on this motion shall take place on 7/23/2008 at 3:30 p.m. in Courtroom 17–A, 500 Pearl Street, New York, NY. To preserve the status quo pending the decision on the motion, the Court grants a temporary protective order as

		further set forth in this Order. Set Hearing as to <u>35</u> MOTION to Quash (Oral Argument set for 7/23/2008 at 03:30 PM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/11/2008) (tve) Modified on 9/15/2008 (tve). (Entered: 07/11/2008)
07/18/2008	<u>48</u>	MOTION for Leave to Appear by Telephone. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Text of Proposed Order)(Sanford, David) (Entered: 07/18/2008)
07/21/2008	<u>49</u>	MEMO ENDORSED striking <u>48</u> Motion for Leave to Appear ENDORSEMENT: This motion (Docket # 48) is improper (it violates Local Civil Rule 7.1 and paragraph 2.A of this Courts Individual Practices) and wasteful, and it is thus stricken. Nonetheless, permission is granted (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/21/08) (mme) (Entered: 07/21/2008)
07/24/2008	<u>50</u>	ORDER granting <u>35</u> Motion to Quash. For the reasons stated today on the record, the motion to quash the subpoenas (Docket #35) is treated as a motion for a protective order, and is granted. Defendant shall not take any action to enforce the subpoenas at issue and the subpoenaed entities shall suspend their compliance with the subpoenas. In addition, defendant should not issue any subpoenas in the future to employees of the plaintiffs or putative class members without first seeking leave of the court. Notwithstanding the above, and as discussed at oral argument, defendant has leave to seek the information called for by the subpoenas in the future by submitting additional argument or other information by letter at any time prior to the close of discovery. Defendant is directed to provide a copy of this Order to each subpoenaed entity. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/23/08) (tro) (Entered: 07/24/2008)
07/24/2008		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Oral Argument held on 7/23/2008 at 3:30 p.m. (jpo) (Entered: 07/28/2008)
09/04/2008	<u>51</u>	MOTION for W. John Lee to Appear Pro Hac Vice. Document filed by Sanofi–Aventis U.S. LLC.(dle) (Entered: 09/05/2008)
09/09/2008		CASHIERS OFFICE REMARK on <u>51</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/04/2008, Receipt Number 662244. (jd) (Entered: 09/09/2008)
09/10/2008	<u>52</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>51</u> Motion for W. John Lee to Appear Pro Hac Vice. W. John Lee is admitted to practice pro hac vice as counsel for Defendant Sanofi–Aventis in the above captioned case. (Signed by Judge John G. Koeltl on 9/9/08) (tro) (Entered: 09/10/2008)
09/10/2008		Transmission to Attorney Admissions Clerk. Transmitted re: <u>52</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (tro) (Entered: 09/10/2008)
09/11/2008	53	TRANSCRIPT of proceedings held on 7/23/08 before Magistrate Judge Gabriel W. Gorenstein. (ama) (Entered: 09/11/2008)
10/09/2008	<u>54</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – NOTICE of Withdrawal of Attorney Meenoo Chahbazi as Counsel for Plaintiffs. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Sanford, David) Modified on 10/10/2008 (jar). (Entered: 10/09/2008)
10/09/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney David Sanford to E-MAIL Document No. <u>54</u> Notice of Attorney Withdrawal to judgments@nysd.uscourts.gov. This document is not filed via ECF. (jar) (Entered: 10/10/2008)
11/14/2008	<u>58</u>	MOTION for Kristen Walsh to Appear Pro Hac Vice. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm.(db) (Entered: 12/11/2008)
11/17/2008	<u>55</u>	STIPULATION AND ORDER EXTENDING TIME FOE DISCOVERY; that the parties shall be granted an extension until 3/30/2009 to complete class discovery and all fact discovery regarding the merits of the Named Plaintiff' claims. All other subsequent deadlines shall also be extended 3 months to allow for the completion of

		discovery. SO ORDERED.(Discovery due by 3/30/2009.) (Signed by Judge John G. Koeltl on 11/14/2008) (tve) (Entered: 11/17/2008)
11/17/2008	<u>56</u>	REVISED JOINT CASE MANAGEMENT PLAN: This case is to be tried to a jury. The deadline for adding parties and amending the complaint shall be set for 1/31/2008. All class discovery and all fact discovery regarding the merits of the Named Plaintiffs; claims is to be completed by 3/30/2009. Plaintiffs' exert reports shall be filed by 4/30/2009. Defendant shall have until 7/15/20096 to conduct expert discovery and to file its expert report. Plaintiffs shall have until 8/29/2009 to conduct expert discovery and submit any rebuttal expert report. Plaintiffs shall until 10/31/2009 to submit their class certification brief. Defendant shall file any motions for summary judgment related to the Named Plaintiffs by 10/31/2009. Defendant shall have until 12/30/2009 to submit an opposition to Plaintiffs' class certification brief. Plaintiffs shall have until 12/30/2009 to file their responses to Defendant's motion for summary judgment. Plaintiffs shall have until 1/30/2010 to file a reply to Defendant's opposition to class certification. Defendant shall have until 1/30/2010 to file any reply brief in further support of its motions for summary judgment.SO ORDERED. (Signed by Judge John G. Koeltl on 11/14/2008) (tve) (Entered: 11/17/2008)
11/17/2008	<u>57</u>	NOTICE OF WITHDRAWAL OF ATTORNEY MEENOO CHAAHBAZI AS COUNSEL FOR PLAINTIFFS; attorney Meenuo Chahbazi herehy respectfully notifies this Court ofher withdrawal as counsel of record for Plaintiffs in the above captioned matter. Ms. Chahbazi will be leaving the law firm of Sanford Wittels &Heisler, LLP this October. Attorneys David Sanford, Steven Wiltels, and Jeremy Heisler of Sanford Wittels & Heisler, LLP continue to serve as counsel for Plaintiffs. Parties are currently engaged in the discovery process. SO ORDERED. (Signed by Judge John G. Koeltl on 11/14/2008) (tve) (Entered: 11/17/2008)
11/19/2008	<u>59</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>58</u> Motion for Kristen Walsh to Appear Pro Hac Vice for plaintiffs Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Signed by Judge John G. Koeltl on 11/19/08) (db) (Entered: 12/11/2008)
11/19/2008		Transmission to Attorney Admissions Clerk. Transmitted re: <u>59</u> Order on Motion to Appear Pro Hac Vice to the Attorney Admissions Clerk for updating of Attorney Information. (db) (Entered: 12/16/2008)
03/24/2009	<u>60</u>	STIPULATION AND ORDER EXTENDING TIME FOR DISCOVERY: IT IS HEREBY STIPULATED AND AGREED by and between the parties in this matter that all class discovery and all fact discovery regarding the merits of the named Plaintiffs' claims in the above captioned matter was originally scheduled to be completed by March 30, 2009, and the parties shall be granted an extension until November 30, 2009 to complete class discovery and and all fact discovery regarding the merits of the Named Plaintiffs claims. The parties are seeking this extended deadline because they have produced over 2 million pages of documents in connection with this matter, and as a result of the large volume of discovery materials, they need additional time to review the documents and conduct depositions. In addition, the parties seek additional to explore a resolution of this matter All other subsequent deadlines shall be: extended eight months to allow for thecompletion of discovery and all subsequent filing dates is attached (Signed by Judge John G. Koeltl on 3/23/09) (js) (ad). (Entered: 03/24/2009)
03/24/2009	<u>61</u>	CASE MANAGEMENT PLAN: Motions due by 6/30/2010. Responses due by 8/31/2010 Replies due by 9/30/2010. Discovery due by 4/30/2010. (Signed by Judge John G. Koeltl on 3/23/09) (js) (Entered: 04/08/2009)
11/16/2009	<u>62</u>	STIPULATION REGARDING SETTLEMENT AND ORDER: Plaintiffs Karen Bellifemine, Amy Zeoli, Michelle Popa, Nancy Beaney, and Jennifer Storm (collectively, "Plaintiffs") and Defendant sanofi–aventis U.S. LLC, by and through their undersigned attorneys, hereby stipulate and agree that this action has settled and the parties are in the process of preparing and executing the Class Action Settlement Agreement. The parties anticipate filing a Motion for Preliminary Approval of the Class Action Settlement by December 31, 2009, The parties also stipulate and agree that all deadlines in this action be suspended during the settlement process. (Signed by Judge John G. Koeltl on 11/16/2009) (jfe) (Entered: 11/16/2009)

01/20/2010	<u>63</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Sarah E. Pontoski dated 1/19/2010 re: We write to inform Your Honor that the parties have executed the Class Action Settlement Agreement; however, they are still in the process of finalizing the Motion for Preliminary Approval of the Class Action Settlement. The parties anticipate that they will file a Motion for Preliminary. ENDORSEMENT: The parties should submit the motion or a status report by 2/26/10. SO ORDERED. (Motions due by 2/26/2010, Status Report due by 2/26/2010.) (Signed by Judge John G. Koeltl on 1/20/2010) (jmi) (Entered: 01/20/2010)
03/01/2010	<u>64</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Michael S. Burkhardt dated 2/25/2010 re: Requesting that the Court allow the parties an additional two weeks until March 12, 2010 to file the motion for preliminary approval. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge John G. Koeltl on 2/25/2010) (jpo) (Entered: 03/01/2010)
03/12/2010	<u>65</u>	MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief.</i> Document filed by Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine, Nancy Beaney.(Wittels, Steven) (Entered: 03/12/2010)
03/12/2010	<u>66</u>	MEMORANDUM OF LAW in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs'</i> <i>Notice of Unopposed Motion for Preliminary Approval of Class Action Settlement and</i> <i>Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 03/12/2010)
03/12/2010	<u>67</u>	DECLARATION of Steven L. Wittels and David W. Sanford in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 03/12/2010)
03/12/2010	<u>68</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – DECLARATION of Steven L. Wittels and David W. Sanford, Exhibit A in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) Modified on 3/15/2010 (db). (Entered: 03/12/2010)
03/12/2010	<u>69</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – DECLARATION of Steven L. Wittels and David W. Sanford, Exhibits B–E in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for</i> <i>Preliminary Approval of Class Action Settlement and Related Relief.</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) Modified on 3/15/2010 (db). (Entered: 03/12/2010)
03/12/2010	<u>70</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – DECLARATION of Steven L. Wittels and David W. Sanford, Exhibit F in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) Modified on 3/15/2010 (db). (Entered: 03/12/2010)
03/12/2010	<u>71</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – AFFIRMATION of Steven L. Wittels and David W. Sanford, Exhibit G in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief.</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) Modified on 3/15/2010 (db). (Entered: 03/12/2010)
03/12/2010	<u>72</u>	CERTIFICATE OF SERVICE of Documents in Support of Preliminary Approval of Class Action Settlement on 3/12/10. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 03/12/2010)
03/12/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Steven Lance Wittels. Exhibits are not filed via ECF, they may be filed as attachments to other documents Document Nos. [68–71]. These documents are not filed via ECF. (db) (Entered: 03/15/2010)

03/15/2010	<u>73</u>	DECLARATION of Steven L. Wittels and David W. Sanford in Support re: <u>65</u> MOTION for Settlement <i>Plaintiffs' Notice of Unopposed Motion for Preliminary</i> <i>Approval of Class Action Settlement and Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Sue Sullivan, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G)(Wittels, Steven) (Entered: 03/15/2010)
03/24/2010	<u>74</u>	ORDER PRELIMINARILY APPROVING SETTLEMENT, the court preliminarily approves the Settlement Agreement as being fair, reasonable and adequateBased on the deadlines set forth in the Settlement Agreement, a Final Fairness Hearing shall take place on 8/3/10 at 4 pmAs of the date hereof, all discovery and other proceedings in this case are stayed until further order of this Court, except as may be necessary to implement the Settlement Agreement. (Signed by Judge John G. Koeltl on 3/23/10) (cd) (Entered: 03/29/2010)
03/24/2010		Set Deadlines/Hearings: Status Conference/fairness hearing set for 8/3/2010 at 04:00 PM before Judge John G. Koeltl. (cd) (Entered: 03/29/2010)
07/20/2010	<u>75</u>	MOTION for Settlement <i>Final Approval of Class Action Settlement and Related Relief.</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. Return Date set for 8/3/2010 at 04:00 PM.(Wittels, Steven) (Entered: 07/20/2010)
07/20/2010	<u>76</u>	DECLARATION of Steven L. Wittels, David W. Sanford and Janette Wipper in Support re: <u>75</u> MOTION for Settlement <i>Final Approval of Class Action Settlement and</i> <i>Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: <u>#1</u> Exhibit A, <u>#2</u> Exhibit B, <u>#3</u> Exhibit C, <u>#4</u> Exhibit D, <u>#5</u> Exhibit E, <u>#6</u> Exhibit F)(Wittels, Steven) (Entered: 07/20/2010)
07/20/2010	<u>77</u>	DECLARATION of Janice Fanning Madden, Ph.D. in Support re: <u>75</u> MOTION for Settlement <i>Final Approval of Class Action Settlement and Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 07/20/2010)
07/20/2010	<u>78</u>	DECLARATION of Edward J. Sincavage, CPA in Support re: <u>75</u> MOTION for Settlement <i>Final Approval of Class Action Settlement and Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Attachments: <u>#1</u> Exhibit A, <u>#2</u> Exhibit B, <u>#3</u> Exhibit C, <u>#4</u> Exhibit D Part 1, <u>#5</u> Exhibit D Part 2)(Wittels, Steven) (Entered: 07/20/2010)
07/20/2010	<u>79</u>	MEMORANDUM OF LAW in Support re: <u>75</u> MOTION for Settlement <i>Final</i> <i>Approval of Class Action Settlement and Related Relief.</i> . Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 07/20/2010)
07/20/2010	<u>80</u>	CERTIFICATE OF SERVICE. Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. (Wittels, Steven) (Entered: 07/20/2010)
07/21/2010	<u>81</u>	MOTION for Settlement <i>Final Approval of Class Action Settlement and Related Relief.</i> Document filed by Amy Zeoli, Michelle Popa, Karen Bellifemine, Nancy Beaney, Jennifer Storm. Return Date set for 8/3/2010 at 04:00 PM. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Wittels, Steven) (Entered: 07/21/2010)
08/06/2010	<u>82</u>	MEMORANDUM OPINION AND ORDER: #99336 THE COURT FURTHER FINDS AND ORDERS AS FOLLOWS: 1. Plaintiffs' Motion for Final Approval of Class Action Settlement and Entry of Final Judgment is GRANTED. 2. The Civil Action is dismissed with prejudice and without further costs, including but not limited to claims for interest, penalties, costs and attorneys' fees, that Named Plaintiffs and any members of the Class have alleged or may have alleged in connection with this Litigation. The Clerk is directed to enter judgment consistent with this Order and is further directed to close this case. The Clerk is also directed to close all pending motions. (Signed by Judge John G. Koeltl on 8/5/2010) (tro) Modified on 8/24/2010 (ajc). (Entered: 08/06/2010)
08/06/2010		Transmission to Judgments and Orders Clerk. Transmitted re: <u>82</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (tro) (Entered: 08/06/2010)

08/09/2010	<u>83</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Memorandum Opinion and Order dated August 5, 2010, the Court finds the settlement, as evidenced by the parties' agreement, to be fair, reasonable and adequate; the Court finds the \$4,590,000.00 in attorneys' fees and \$150,302.51 in expenses requested by Class Counsel reasonable, as are the service payment awards to Karen Bellifemine, Amy Zeoli, Michelle Popa, Nancy Beaney, Jennifer storm, Amy Johnson, Lucy Velez, Beth Green, and Patrice Sutherland; Plaintiffs' Motion for Final Approval of Class Action Settlement and Entry of Final Judgment is granted; and the Civil Action is dismissed with prejudice and without further costs, including but not limited to claims for interest, penalties, costs and attorneys' fees, that Named Plaintiffs and any members of the Class have alleged or may have alleged in connection with this Litigation; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 8/9/10) (Attachments: # <u>1</u> NOTICE OF RIGHT TO APPEAL)(ml) (Entered: 08/09/2010)
08/12/2010	84	TRANSCRIPT of proceedings held on 8/3/2010 before Judge John G. Koeltl. (ab) (Entered: 08/12/2010)
08/12/2010	85	TRANSCRIPT of proceedings held on 3/22/2010 before Judge John G. Koeltl. (ab) (Entered: 08/12/2010)
12/21/2011	<u>86</u>	ORDER: The Court has received the attached letter which it forwards to the parties. Counsel for the plaintiffs should respond and address the concerns raised in the letter. (Signed by Judge John G. Koeltl on 12/20/2011) (ab) (Entered: 12/21/2011)
12/27/2011	<u>87</u>	RESPONSE re: <u>86</u> Order <i>Filed December 21, 2011</i> . Document filed by Karen Bellifemine. (Wittels, Steven) (Entered: 12/27/2011)
10/28/2013	<u>88</u>	LETTER addressed to Judge John G. Koeltl from Michael S. Burkhardt dated October 28, 2013 re: Status Report Concerning Remaining Settlement Funds. Document filed by Sanofi–Aventis U.S. LLC.(Burkhardt, Michael) (Entered: 10/28/2013)
10/29/2013	<u>89</u>	NOTICE OF COURT CONFERENCE: You are directed to appear for a conference, to be held on Monday, November 4, 2013, in Courtroom 12B, at 10:30am in front of the Honorable John G. Koeltl. All requests for adjournments must be made in writing to the Court. For any further information, please contact the Court at (212) 805–0107. Status Conference set for 11/4/2013 at 10:30 AM in Courtroom 12B, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. (lmb) (Entered: 10/29/2013)
11/04/2013	<u>90</u>	MEMO ENDORSEMENT on re: <u>88</u> Letter filed by Sanofi–Aventis U.S. LLC. ENDORSEMENT: APPLICATION GRANTED. (Signed by Judge John G. Koeltl on 11/4/2013) (djc) (Entered: 11/04/2013)
11/04/2013		Minute Entry for proceedings held before Judge John G. Koeltl: Interim Pretrial Conference held on 11/4/2013. (Fletcher, Donnie) (Entered: 11/05/2013)