

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:06-cv-05511-DRH-WDW**

Ritter v. Klisivitch et al
Assigned to: Senior-Judge Denis R. Hurley
Referred to: Magistrate-Judge William D. Wall
Demand: \$1,000,000
other Case: 2:07-cv-01853-DRH-WDW

Date Filed: 10/11/2006
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Case in other court: Supreme Court, Suffolk County, 06-23873
Cause: 28:1446 Notice of Removal

Date Filed	#	Docket Text
12/12/2007	<u>43</u>	ORDER: A Rule 12(b)(6) motion is pending in CV 06-5511, the resolution of which may well resolve the issues posed by CV 07-1853. Accordingly, CV 07-1853 is stayed pending Judge Hurley's resolution of the pending motion. Ordered by Judge William D. Wall on 12/12/07. c/g (Disbrow, Sandra) (Entered: 12/12/2007)
12/12/2007		Minute Entry for proceedings held before Magistrate Judge William D. Wall: Status Conference held on 12/12/2007. (Disbrow, Sandra) (Entered: 12/12/2007)
12/04/2007	<u>42</u>	Notice of MOTION to Dismiss <i>Rule 12 (b)(6)</i> by Christa Ritter. Responses due by 12/4/2007 (Attachments: # <u>1</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 1-20, # <u>2</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 21-40, # <u>3</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 41-60, # <u>4</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 61-80, # <u>5</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 81-100, # <u>6</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 101-120, # <u>7</u> Defendant's Affidavit in Support of Motion to Dismiss dated 3/23/07 pages 121-124, # <u>8</u> Memorandum of Law for Defendant dated 3/23/07, # <u>9</u> Plaintiff's Notice of Cross Motion dated 5/17/07, # <u>10</u> Original Memorandum of Law (OMOL) for Plaintiff dated 5/17/07, # <u>11</u> Plaintiff's Updated Memorandum of Law dated 9/17/07, # <u>12</u> Exhibit 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC Table of Contents, # <u>13</u> Exhibit 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 1-20, # <u>14</u> Exhibit 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 21-40, # <u>15</u> 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 41-60, # <u>16</u> Exhibit 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 61-80, # <u>17</u> 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 81-100, # <u>18</u> Exhibit 1 to Plaintiff's Updated Memorandum of Law dated 9/17/07 UPSAC pages 101-118, # <u>19</u> Exhibit 2 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Stip dated 8/2/99, # <u>20</u> 3 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Transcript of Stip dated 8/2/99 pages 1-15, # <u>21</u> Exhibit 3 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Transcript of Stip dated 8/2/99 pages 16-34, # <u>22</u> Exhibit 4 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Canadian Declarations pages 1-20, # <u>23</u> Exhibit 4 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Canadian Declarations pages 21-40, # <u>24</u> Exhibit 4 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Canadian Declarations pages 41-60, # <u>25</u> Exhibit 4 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Canadian Declarations pages 61-68, # <u>26</u> Exhibit 5 to Plaintiff's Updated Memorandum of Law dated 9/17/07 Order dated 9/8/05, # <u>27</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 Table of Contents, # <u>28</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 pages 1-20, # <u>29</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 pages 21-40, # <u>30</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 pages 41-60, # <u>31</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 pages 61-80, # <u>32</u> Plaintiff's Updated Second Amended Complaint dated 9/17/07 pages 81-100, # <u>33</u> Plaintiff's Updated Second Amended Complaint dated

		<p>9/17/07 pages 101–118, # <u>34</u> Exhibit A to Plaintiff's UPSAC dated 9/17/07 EBT of Colette dated 6/7/06 pages 1–25, # <u>35</u> Exhibit A to Plaintiff's UPSAC dated 9/17/07 EBT of Colette dated 6/7/06 pages 26–59, # <u>36</u> Exhibit A to Plaintiff's UPSAC dated 9/17/07 EBT of Colette dated 6/7/06 pages 60–89, # <u>37</u> Exhibit A to Plaintiff's UPSAC dated 9/17/07 EBT of Colette dated 6/7/06 pages 90–120, # <u>38</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 1–21, # <u>39</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 22–42, # <u>40</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 43–63, # <u>41</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 64–89, # <u>42</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 90–100, # <u>43</u> Exhibit B to Plaintiff's UPSAC dated 9/17/07 EBT of William dated 5/30/07 pages 101–112, # <u>44</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 1–15, # <u>45</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 16–30, # <u>46</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 31–45, # <u>47</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 46–60, # <u>48</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 61–75, # <u>49</u> Exhibit C to Plaintiff's UPSAC dated 9/17/07 Supreme Court Transcript dated 5/1/07 pages 76–80, # <u>50</u> Defendant's Supplemental Memorandum dated 11/20/07, # <u>51</u> Reply Memorandum of Plaintiff dated 12/4/07, # <u>52</u> Exhibit A to Reply Memorandum of Plaintiff dated 12/4/07 AC pages 1–20, # <u>53</u> Exhibit A to Reply Memorandum of Plaintiff dated 12/4/07 AC pages 21–40, # <u>54</u> Exhibit A to Reply Memorandum of Plaintiff dated 12/4/07 AC pages 42–62, # <u>55</u> Exhibit A to Reply Memorandum of Plaintiff dated 12/4/07 AC pages 63–83, # <u>56</u> Exhibit A to Reply Memorandum of Plaintiff dated 12/4/07 AC pages 84–114) (Firestone, Arnold) (Entered: 12/04/2007)</p>
11/13/2007		<p>ORDER: Defendant shall serve opposition papers to Plaintiff's supplemental motion on or before November 20, 2007. Plaintiff shall serve reply papers, and file all papers with the Court, including a courtesy copy for Chambers, on or before December 4, 2007. Defendant's motion to dismiss the amended complaint <u>25</u> is administratively terminated and shall be reinstated as of December 4, 2007 when all briefing on this issue is complete. Signed by Senior-Judge Denis R. Hurley on 11–13–07. (Hurley, Denis) (Entered: 11/13/2007)</p>
11/08/2007		<p>ELECTRONIC ORDER: A conference before the undersigned has been scheduled for 12/12/07 at 11:30 a.m. in courtroom 820 of the Federal Courthouse in Central Islip. Ordered by Judge William D. Wall on 11/8/07. c/e (Disbrow, Sandra) (Entered: 11/08/2007)</p>
11/06/2007		<p>ORDER: The Court is in receipt of the parties' most recent correspondence. The parties' request for a conference is respectfully referred to Magistrate Judge Wall. Defendants are hereby granted a two-week extension of time to serve opposition papers to plaintiff's supplemental motion. Defendants' opposition papers need only address the implications of the dismissal of Mr. Klisivitch's bankruptcy to the instant case, as that is the only issue that will be addressed by the Court. By Order dated August 14, 2007, this Court explicitly limited plaintiff's supplemental motion to this issue, in response to plaintiff's pre-motion conference letter <u>24</u>. To the extent plaintiff's papers venture outside of this issue, they will be disregarded. Ordered by Judge Denis R. Hurley on 11–6–07. (Hurley, Denis) (Entered: 11/06/2007)</p>
11/05/2007	<u>41</u>	<p>Letter <i>in response to Fox Rothschilds letter dated November 2, 2007</i> by Christa Ritter (Firestone, Arnold) (Entered: 11/05/2007)</p>
11/02/2007	<u>40</u>	<p>Letter <i>Regarding Pending Decision</i> by Collette Panebianco (Wait, John) (Entered: 11/02/2007)</p>
10/25/2007	<u>39</u>	<p>Letter <i>in response to FR's letter (ECF Docket Document 38)</i> by Christa Ritter (Firestone, Arnold) (Entered: 10/25/2007)</p>
10/24/2007	<u>38</u>	<p>Letter <i>Requesting Conference</i> by Collette Panebianco (Wait, John) (Entered: 10/24/2007)</p>

10/19/2007		ORDER re <u>36</u> Letter filed by Collette Panebianco, <u>37</u> Letter,,,,,, filed by Christa Ritter : The Court hereby grants the Defendants a two week extension of time to file their papers. This extension of time is without prejudice to the Court's consideration of the other relief requested. Ordered by Judge Denis R. Hurley on 10/19/07. (Hurley, Denis) (Entered: 10/19/2007)
10/19/2007	<u>37</u>	Letter <i>in opposition to Fox Rothschild's letter for extension of time</i> by Christa Ritter (Attachments: # <u>1</u> Exhibit UPSAC pages 1–20# <u>2</u> Exhibit UPSAC pages 21–40# <u>3</u> Exhibit UPSAC pages 41–60# <u>4</u> Exhibit UPSAC pages 61–80# <u>5</u> Exhibit UPSAC pages 81–100# <u>6</u> Exhibit UPSAC pages 101–118# <u>7</u> Exhibit UPSAC Table of Contents# <u>8</u> Exhibit Exhibit A of UPSAC EBT of Colette Panebianco pages 1–25# <u>9</u> Exhibit Exhibit A of UPSAC EBT of Colette Panebianco pages 26–59# <u>10</u> Exhibit Exhibit A of UPSAC EBT of Colette Panebianco pages 60–89# <u>11</u> Exhibit Exhibit A of UPSAC EBT of Colette Panebianco pages 90–120# <u>12</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 1–21# <u>13</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 22–42# <u>14</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 43–63# <u>15</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 64–89# <u>16</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 90–100# <u>17</u> Exhibit UPSAC Exhibit B EBT of William Klisivitch pages 101–112# <u>18</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 1–15# <u>19</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 16–30# <u>20</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 31–45# <u>21</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 46–60# <u>22</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 61–75# <u>23</u> Exhibit UPSAC Exhibit Transcript from 5–1–07 pages 76–80# <u>24</u> Exhibit UMOL Exhibit handwritten and typed Stip from 8–22–99# <u>25</u> Exhibit UPMOL Exhibit Transcript of Oral Stip dated 8–2–99 pages 1–15# <u>26</u> Exhibit UPMOL Exhibit Transcript of Oral Stip dated 8–2–99 pages 16–34# <u>27</u> Exhibit UPMOL Exhibit Certified Canadian Declarations pages 1–20# <u>28</u> Exhibit UPMOL Exhibit Certified Canadian Declarations pages 21–40# <u>29</u> Exhibit UPMOL Exhibit Certified Canadian Declarations pages 41–60# <u>30</u> Exhibit UPMOL Exhibit Certified Canadian Declarations pages 61–68) (Firestone, Arnold) (Entered: 10/19/2007)
10/16/2007	<u>36</u>	Letter <i>Requesting Court To Strike Plaintiff's Motion Papers For Non-Compliance With Court's August 14, 2007 Order</i> by Collette Panebianco (Wait, John) (Entered: 10/16/2007)
08/14/2007		ELECTRONIC ORDER re <u>24</u> (Plaintiff's Letter Request to Supplement), <u>31</u> (Defendants' Response & Counterproposal): Upon consideration of Plaintiff's letter request and Defendants' response and counterproposal, the Court directs the following: (1) Plaintiff is granted permission to file a supplemental motion not to exceed 25 pages; said supplemental papers shall be restricted to the implications of the dismissal of Mr. Klisivitch's bankruptcy case to the instant case. In that regard, Plaintiff is also granted permission to file an updated proposed second amended complaint (PSAC). Plaintiff shall serve her supplemental papers and updated PSAC on or before September 18, 2007; (2) Defendants shall serve opposition papers on or before October 23, 2007. Defendants' opposition papers may not exceed 25 pages. (3) Plaintiff shall serve reply papers, if any, and file all papers with the Court (in compliance with the Bundle Rule), including courtesy copies for Chambers, on or before November 9, 2007. Ordered by Judge Denis R. Hurley on 08/14/07. (Hurley, Denis) (Entered: 08/14/2007)
07/31/2007	<u>35</u>	Letter <i>responding to Fox Rothschild's letter of July 26, 2007</i> by Christa Ritter (Attachments: # <u>1</u> Excerpted paragraphs from Pleadings) (Firestone, Arnold) (Entered: 07/31/2007)
07/26/2007	<u>34</u>	Letter <i>Opposing Plaintiff's Request For Additional Briefing etc.</i> by Collette Panebianco (Wait, John) (Entered: 07/26/2007)
07/19/2007	<u>33</u>	Letter <i>opposing request by Defendant's counsel as contained in their letter dated July 18, 2007</i> by Christa Ritter (Firestone, Arnold) (Entered: 07/19/2007)
07/18/2007	<u>32</u>	Letter <i>Requesting permission to enlarge Memorandum of Law</i> by Christa Ritter (Firestone, Arnold) (Entered: 07/18/2007)

07/18/2007	<u>31</u>	Letter in Response to Letters of Plaintiff's Counsel (docket nos. 24 and 30) by 14256 Canada, Inc., 127360 Canada, Inc., WVDAC Holdings Inc., International Textile Machines Canada Ltd., Collette Panebianco, Zvi Grinbaum, Francis Trotto, ITM World Group LLC (Wait, John) (Entered: 07/18/2007)
07/11/2007		ELECTRONIC ORDER re <u>24</u> (Plaintiff's Letter Request to file Supplemental Pleading): The Court is presently considering Plaintiff's request to file a supplemental pleading regarding the dismissal of Defendant Klisivitch's bankruptcy case. In that regard, Plaintiff also seeks permission to exceed the Court's 20-page limit for memoranda of law, but does not indicate how many additional pages she anticipates needing. Thus, Plaintiff is directed to advise the Court—by a letter filed no later than July 18, 2007—how many additional pages she believes is necessary. The Court also notes that the Defendants have not responded to Plaintiff's letter application. If they seek to do so, such response is to be filed no later than July 18, 2007. So Ordered by Judge Denis R. Hurley on 07/11/07. (Killigrew, Patricia) (Entered: 07/11/2007)
07/10/2007	<u>30</u>	Letter advising Klisivitch's bankruptcy case has been dismissed by Christa Ritter (Attachments: # <u>1</u> written order of Judge Bernstein) (Firestone, Arnold) (Entered: 07/10/2007)
07/03/2007		Motions terminated, docketed incorrectly: <u>26</u> MOTION to Dismiss Amended Complaint filed by Collette Panebianco. Doc. #26 is Affidavit in Support of doc. #25 – motion to dismiss. (Duong, Susan) (Entered: 07/03/2007)
07/02/2007	<u>29</u>	REPLY to Response to Motion re <u>26</u> Affidavit in Support Motion to Dismiss Amended Complaint, <u>25</u> Fully Briefed MOTION to Dismiss Amended Complaint filed by Christa Ritter. (Attachments: # <u>1</u> Exhibit A) (Wait, John) Modified on 7/3/2007 (Duong, Susan). (Entered: 07/02/2007)
07/02/2007	<u>28</u>	REPLY to Response to Motion re <u>26</u> Affidavit in Support Motion to Dismiss Amended Complaint, <u>25</u> Fully Briefed MOTION to Dismiss Amended Complaint filed by William Klisivitch. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C) (Wait, John) Modified on 7/3/2007 (Duong, Susan). (Entered: 07/02/2007)
07/02/2007	<u>27</u>	RESPONSE in Opposition re <u>26</u> Affidavit in Support Motion to Dismiss Amended Complaint, <u>25</u> Fully Briefed MOTION to Dismiss Amended Complaint and Cross Motion For Leave To Amend and Consolidate filed by Christa Ritter. (Attachments: # <u>1</u> Proposed Second Amended Complaint–Part 1# <u>2</u> Proposed Second Amended Complaint–Part 2# <u>3</u> Proposed Second Amended Complaint–Part 3# <u>4</u> Proposed Second Amended Complaint–Part 4# <u>5</u> Proposed Second Amended Complaint–Part 5# <u>6</u> Proposed Second Amended Complaint–Part 6# <u>7</u> Notice of Cross Motion# <u>8</u> Memorandum Of Law) (Wait, John) Modified on 7/3/2007 (Duong, Susan). (Entered: 07/02/2007)
07/02/2007	<u>26</u>	Affidavit in Support <u>25</u> MOTION to Dismiss Amended Complaint by Collette Panebianco. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Memorandum of Law) (Wait, John) Modified on 7/3/2007 (Duong, Susan). (Entered: 07/02/2007)
07/02/2007	<u>25</u>	Fully Briefed MOTION to Dismiss Amended Complaint by William Klisivitch. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D) (Wait, John) (Entered: 07/02/2007)
06/28/2007		Motions terminated, docketed incorrectly: <u>24</u> Letter MOTION for Leave to Appear Pro Hac Vice requesting a pre-motion conference filed by Christa Ritter. Docket modified to reflect request for pre-motion conference for summary judgment motion. (Brienza, Lauren) (Entered: 07/17/2007)
06/28/2007	<u>24</u>	Letter requesting a pre-motion conference by Christa Ritter. (Firestone, Arnold) Modified on 7/17/2007 (Brienza, Lauren). (Entered: 06/28/2007)
06/11/2007		ELECTRONIC ORDER SETTING TELEPHONE CONFERENCE re <u>22</u> , <u>23</u> A telephone conference shall be held on June 19, 2007 at 10:30 a.m. Defendants' counsel shall initiate the call and have all counsel on the line before connecting the Court (631-712-5650). The conference call should be made through the teleconference operator provided by counsel's long-distance service (e.g., ATMCI, Sprint). During the conference call, requests made in this case and related case No. 07-cv-1853 shall be addressed. Ordered by Judge Denis R.

		Hurley on 06/11/07. (Hurley, Denis) (Entered: 06/11/2007)
06/07/2007		Motions terminated, docketed incorrectly: <u>22</u> Letter MOTION for Leave to File <i>Notice of Cross Motion & Clarification of Court order dated May 30, 2007 (RE: Docket Entry number 21)</i> filed by Christa Ritter. (The document should have been filed as a Letter request, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 06/11/2007)
06/07/2007	<u>23</u>	Letter <i>Opposing Plaintiff's June 7, 2007 Letter and Requesting Stay</i> by Collette Panebianco (Wait, John) (Entered: 06/07/2007)
06/07/2007	<u>22</u>	Letter Re: Request for Leave to File <i>Notice of Cross Motion & Clarification of Court order dated May 30, 2007 (RE: Docket Entry number 21)</i> by Christa Ritter. (Firestone, Arnold) Modified on 6/11/2007 (Fagan, Linda). (Entered: 06/07/2007)
05/30/2007		ORDER re <u>21</u> (Defendants' Letter Requesting Modification of Briefing Schedule): Upon consideration of Defendants' Letter Request, the Court modifies its May 2, 2007 and May 18, 2007 Briefing Orders to permit Defendants to file a single brief that will contain a reply to the Plaintiff's Opposition and a Response to the cross-motions. Defendants are to serve this consolidated brief on or before June 13, 2007. Plaintiff will have until June 27, 2007 to file a reply to Defendants' Opposition. Defendants will file a complete set of these papers in accordance with the Court's Bundle Rule (i.e., filing all papers on ECF and delivering courtesy copies to Cahmbers). So Ordered by Judge Denis R. Hurley on 05/30/07. (Hurley, Denis) (Entered: 05/30/2007)
05/30/2007	<u>21</u>	Letter <i>Requesting Extension Of Time To Reply to Opposition and Respond To Cross-Motions</i> by Collette Panebianco (Wait, John) (Entered: 05/30/2007)
05/18/2007		ORDER terminating <u>19</u> and <u>20</u> : Plaintiff filed this motion in contravention of this Court's May 2, 2007 Order as well as Rule 2(G) of the Court's Individual Practice Rules. Accordingly, the above motions are hereby administratively terminated without prejudice and may be refiled in accordance with the Court's "Bundle Rule" as set forth in the Court's May 2, 2007 Order. In addition, the Court notes that to the extent Plaintiff's cross-motion seeks to consolidate this action with case number 07CV1853, Plaintiff has failed to follow this Court's Individual Practice Rules by first seeking permission to move for same. Nonetheless, to avoid any further delay in this case, the Court will entertain Plaintiff's cross-motion, at the appropriate time pursuant to the above. Should Defendants require additional time to respond to the cross-motion, they shall so ask the Court. Ordered by Judge Denis R. Hurley on 5-18-07. (Hurley, Denis) (Entered: 05/18/2007)
05/17/2007	<u>20</u>	Notice of MOTION to Consolidate Cases <i>and leave to amend the amended complaint</i> by Christa Ritter. (Attachments: # <u>1</u> Declaration in Opposition to Fox Rothchild Motion and in Support of Cross Motion# <u>2</u> Memorandum of Law# <u>3</u> Exhibit PSAC pages 0-20# <u>4</u> Exhibit PSAC pages 21-40# <u>5</u> Exhibit PSAC pages 41-60# <u>6</u> Exhibit PSAC pages 61-80# <u>7</u> Exhibit PSAC pages 81-100# <u>8</u> Exhibit PSAC pages 101-116) (Firestone, Arnold) (Entered: 05/17/2007)
05/17/2007	<u>19</u>	Notice of MOTION to Consolidate Cases <i>and leave to amend the amended complaint</i> by Christa Ritter. (Attachments: # <u>1</u> Declaration in Opposition to Paganuzzi# <u>2</u> Memorandum of Law# <u>3</u> Exhibit PSAC pages 0-20# <u>4</u> Exhibit PSAC pages 21-40# <u>5</u> Exhibit PSAC 41-60# <u>6</u> Exhibit PSAC pages 61-80# <u>7</u> Exhibit PSAC Pages 81-100# <u>8</u> Exhibit PSAC pages 101-116) (Firestone, Arnold) (Entered: 05/17/2007)
05/02/2007		ORDER re <u>17</u> - <u>18</u> : The Court is in receipt of the parties' letters. Defendants are correct that in stating that Plaintiff could amend her complaint as of right pursuant to Federal Rule of Civil Procedure 15(a), the Court overlooked the fact that Plaintiff had already amended her complaint one time. Accordingly, the Court dismisses the Second Amended Complaint without prejudice (docket entries 14-16) and grants Plaintiff a two week extension of time to serve opposition papers to the motion to dismiss as well as a cross-motion for leave to amend. Accordingly, Plaintiff shall serve opposition papers, including a cross-motion for leave to amend, on or before May 17, 2007; Defendants shall

		serve reply papers, and opposition papers regarding the cross-motion, and file all papers in accordance with the bundle rule, including a courtesy copy for Chambers, on or before June 1, 2007. Should Plaintiff wish to submit further papers regarding its cross-motion upon receipt of Defendants' papers, it shall so alert the Court. Ordered by Judge Denis R. Hurley on 5-2-07. (Hurley, Denis) (Entered: 05/02/2007)
04/26/2007	<u>18</u>	Letter in response to Fox Rothschild letter against all defendants, filed by Christa Ritter. (Firestone, Arnold) Modified on 4/30/2007 (Fagan, Linda). (Entered: 04/26/2007)
04/25/2007	<u>17</u>	Letter <i>Re: Second Amended Complaint</i> by Collette Panebianco (Wait, John) (Entered: 04/25/2007)
04/20/2007	<u>16</u>	EXHIBIT B re: Amended Complaint against all defendants, filed by Christa Ritter. (Attachments: # <u>1</u> Exhibit Second Amended Complaint Exhibit B Pages 1-21# <u>2</u> Exhibit Second Amended Complaint Exhibit B Pages 22-42# <u>3</u> Exhibit Second Amended Complaint Exhibit B Pages 43-63# <u>4</u> Exhibit Second Amended Complaint Exhibit B Pages 64-89# <u>5</u> Exhibit Second Amended Complaint Exhibit B Pages 90-112) (Firestone, Arnold) Modified on 5/3/2007 (Fagan, Linda). (Entered: 04/20/2007)
04/20/2007	<u>15</u>	EXHIBIT Are: Amended Complaint against all defendants, filed by Christa Ritter. (Attachments: # <u>1</u> Exhibit Second Amended Complaint Exhibit A Pages 1-25# <u>2</u> Exhibit Second Amended Complaint Exhibit A Pages 26-59# <u>3</u> Exhibit Second Amended Complaint Exhibit A Pages 60-89# <u>4</u> Exhibit Second Amended Complaint Exhibit A Pages 90-120) (Firestone, Arnold) Modified on 5/3/2007 (Fagan, Linda). (Entered: 04/20/2007)
04/20/2007	<u>14</u>	AMENDED COMPLAINT against all defendants, filed by Christa Ritter. (Attachments: # <u>1</u> Second Amended Complaint Pages 1-25# <u>2</u> Second Amended Complaint Pages 26-50# <u>3</u> Second Amended Complaint Pages 51-75# <u>4</u> Second Amended Complaint Pages 76-100# <u>5</u> Second Amended Complaint Pages 101-121) (Firestone, Arnold) (Entered: 04/20/2007)
04/13/2007		ORDER re <u>13</u> : Plaintiff's request for a two week extension of time to serve opposition papers, on consent, is GRANTED. In addition, Plaintiff's request to cross-move for leave to amend is also GRANTED. Accordingly, Plaintiff shall serve opposition papers, including a cross-motion for leave to amend, on or before May 4, 2007; Defendants shall serve reply papers, and opposition papers regarding the cross-motion, and file all papers in accordance with the bundle rule, including a courtesy copy for Chambers, on or before May 18, 2007. Should Plaintiff wish to submit further papers regarding its cross-motion upon receipt of Defendants' papers, it shall so alert the Court. Finally, the parties are advised that because Defendants have not yet filed a "responsive pleading" within the meaning of Federal Rule of Civil Procedure 15(a), Plaintiff is entitled to amend her complaint as a matter of right; no leave of court is required. See <i>Barbara v. NYSE, Inc.</i> , 99 F.3d 49, 56 (2d Cir. 1996) (motion to dismiss is not a responsive pleading). Ordered by Judge Denis R. Hurley on 4-13-07. (Hurley, Denis) (Entered: 04/13/2007)
04/12/2007		Motions terminated, docketed incorrectly: <u>13</u> Letter MOTION for Extension of Time to File Response/Reply <i>to moitions to dismiss Plaintiffs Amended Complaint</i> filed by Arnold Firestone. (The document should have been filed as a Letter request, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 04/13/2007)
04/12/2007	<u>13</u>	Letter re: Request for Extension of Time to File Response/Reply <i>to moitions to dismiss Plaintiffs Amended Complaint</i> by Arnold Firestone. (Firestone, Arnold) Modified on 4/13/2007 (Fagan, Linda). (Entered: 04/12/2007)
03/07/2007		ORDER terminating <u>12</u> Motion for Extension of Time to File. (See 3/7/07 Order.)(Ordered by JudgeDenis R. Hurley on 3/7/07.) (Fagan, Linda) (Entered: 03/07/2007)
03/07/2007		ORDER re <u>12</u> First MOTION for Extension of Time to File <i>Motion To Dismiss</i> : The application to modify the briefing schedule set forth in this Court's Order

		dated February 8, 2007 is hereby GRANTED. Defendants shall serve their moving papers on or before March 23, 2007; Plaintiff shall serve opposing papers on or before April 20, 2007; Defendants shall serve reply papers, if any, and file all papers in accordance with the bundle rule, including a courtesy copy for Chambers, on or before May 3, 2007. Ordered by Judge Denis R. Hurley on 3/7/07. (Gapinski, Michele) (Entered: 03/07/2007)
03/06/2007	<u>12</u>	First MOTION for Extension of Time to File <i>Motion To Dismiss</i> by Collette Panebianco. (Wait, John) (Entered: 03/06/2007)
02/08/2007	<u>11</u>	Letter to <i>acknowledge withdrawal</i> by Christa Ritter (Firestone, Arnold) (Entered: 02/08/2007)
02/08/2007	<u>10</u>	Letter by William Klisivitch (Paganuzzi, Oden) (Entered: 02/08/2007)
02/08/2007		ORDER re <u>9</u> : The moving defendants' pending motion to dismiss, which has not yet been filed with the Court pursuant to this Court's bundle rule, is hereby terminated as moot in light of the recently filed amended complaint. The Court waives its pre-motion conference requirement and sets the following briefing schedule on the moving defendants' motion to dismiss the amended complaint: Defendants shall serve moving papers on or before March 9, 2007; Plaintiff shall serve opposition papers on or before April 6, 2007; Defendants shall serve reply papers, if any, and file all papers with the Court, including a courtesy copy for Chambers, on or before April 20, 2007. Ordered by Judge Denis R. Hurley on 2-8-07. (Hurley, Denis) (Entered: 02/08/2007)
02/07/2007	<u>9</u>	Letter <i>Letter Re: Motion To Dismiss Plaintiff's Amended Complaint</i> by Collette Panebianco (Wait, John) (Entered: 02/07/2007)
02/01/2007		ORDER: The Clerk of the Court is directed to delete entry number 6, Plaintiff's opposition papers, from the docket. These papers were filed in contravention of this Court's November 28, 2006 Order as well as Rule 2(G) of the Court's Individual Practice Rules. Plaintiff's opposition papers may be refiled in accordance with the Court's "Bundle Rule" as set forth in the Court's November 28, 2006 Order. In addition, Defendants are directed to advise this Court via letter whether their motion to dismiss has become moot due to Plaintiff's filing of an Amended Complaint. Ordered by Judge Denis R. Hurley on 2-1-07. (Hurley, Denis) (Entered: 02/01/2007)
02/01/2007		Incorrect Case/Document/Entry Information. Document <u>6</u> Affidavit in Opposition, filed on 1/31/07 has been deleted. (See 2/1/07 Order.) (Fagan, Linda) (Entered: 02/01/2007)
01/31/2007		Incorrect Case/Document/Entry Information. Document <u>9</u> Amended Complaint has been edited to Exhibit, as it is part of the <u>7</u> Amended Complaint. (Fagan, Linda) (Entered: 02/01/2007)
01/31/2007		Incorrect Case/Document/Entry Information. Document <u>8</u> Amended Complaint, has been edited to Exhibit, as it is part of the <u>7</u> Amended Complaint. (Fagan, Linda) (Entered: 02/01/2007)
01/31/2007	<u>8</u>	EXHIBITS to the <u>7</u> Amended Complaint against all defendants, filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit B Pages 1-21# <u>2</u> Exhibit B Pages 22-42# <u>3</u> Exhibit B Pages 43-63# <u>4</u> Exhibit B Pages 64-89# <u>5</u> Exhibit B Pages 90-112) (Firestone, Arnold) Modified on 2/1/2007 (Fagan, Linda). (Entered: 01/31/2007)
01/31/2007	<u>7</u>	EXHIBITS to the <u>7</u> Amended Complaint against all defendants, filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A Pages 1-25# <u>2</u> Exhibit A Pages 26-59# <u>3</u> Exhibit A Pages 60-89# <u>4</u> Exhibit A Pages 90-120) (Firestone, Arnold) Modified on 2/1/2007 (Fagan, Linda). (Entered: 01/31/2007)
01/31/2007	<u>6</u>	AMENDED COMPLAINT against all defendants, filed by all plaintiffs. (Attachments: # <u>1</u> Amended Complaint Pages 1-20# <u>2</u> Amended Complaint Pages 42-62# <u>3</u> Amended Complaint Pages 42-62# <u>4</u> Amended Complaint Pages 63-83# <u>5</u> Amended Complaint Pages 84-114) (Firestone, Arnold) (Entered: 01/31/2007)

12/28/2006	<u>5</u>	STATUS REPORT <i>To Honorable Bernstein</i> by Arnold Firestone. (Firestone, Arnold) (Entered: 12/28/2006)
11/28/2006		ORDER re <u>2</u> , <u>3</u> : The Court is in receipt of the parties' letters regarding a pre-motion conference. The Court waives its pre-motion conference requirement and sets the following briefing schedule on all Defendants' motion to dismiss: Defendants shall serve moving papers on or before December 29, 2006; Plaintiff shall serve opposition papers on or before January 31, 2007; Defendants shall serve reply papers, if any, and file all papers with the Court, including courtesy copies for Chambers, on or before February 14, 2007. Attorney Paganuzzi is reminded that he is to file all correspondence with the Court via ECF. So Ordered by Judge Denis R. Hurley on 11/28/06. (Hurley, Denis) (Entered: 11/28/2006)
11/10/2006		Motions terminated, docketed incorrectly: <u>3</u> Letter MOTION to Dismiss <i>Opposition</i> filed by Christa Ritter. (The document should have been filed as a Letter.) (Fagan, Linda) (Entered: 02/08/2007)
11/10/2006		Motions terminated, docketed incorrectly <u>3</u> Letter MOTION to Dismiss <i>Opposition</i> filed by Christa Ritter. (The document should have been filed as a Letter and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 11/14/2006)
11/10/2006	<u>3</u>	Letter re: Motion to Dismiss <i>Opposition</i> by Christa Ritter. Responses due by 11/10/2006 (Firestone, Arnold) Modified on 11/14/2006 (Fagan, Linda). (Entered: 11/10/2006)
11/06/2006	<u>4</u>	Letter from O. Stephen Paganuzzi, Jr. to The Honorable Denis R. Hurley, dated 10/31/06 re: To inform the Court that counsel for William Klisivitch intends to join the motion to dismiss this action for the reason set forth in the letter of Fox Rothschild LLP dated 10/31/06; and to join in their request for a pre-motion conference. (Fagan, Linda) (Entered: 11/28/2006)
10/31/2006	<u>2</u>	Letter <i>Of Intent To File Motion To Dismiss</i> by Collette Panebianco. (Attachments: # <u>1</u> Exhibit A)(Wait, John) (Entered: 10/31/2006)
10/19/2006		Case Ineligible for Arbitration(Bollbach, Jean) (Entered: 10/19/2006)
10/11/2006	<u>1</u>	NOTICE OF REMOVAL by Christa Ritter from Supreme Court, Suffolk County, case number 06-23873. (Filing fee \$ 350, rec.no.330939) (Attachments: # <u>1</u> Summons & Complaint# <u>2</u> Civil Cover Sheet)(Romano, Daniel) (Entered: 10/18/2006)