

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:09-cv-03706-CM

Grosz et al v. the Museum of Modern Art et al
Assigned to: Judge Colleen McMahon
Cause: 28:1332 Diversity-Property Damage

Date Filed: 04/10/2009
Jury Demand: None
Nature of Suit: 380 Personal Property:
Other
Jurisdiction: Diversity

Date Filed	#	Docket Text
06/11/2009	<u>22</u>	CERTIFICATE OF SERVICE of Supplemental Declaration of Professor Dr. iur. Wolfgang Ernst and Supplemental Declaration of Professor E.J.H. Schrage by electronic mail served on David John Rowland, Esq. on 6/11/2009. Document filed by The Museum of Modern Art. (Jones, Jennifer) (Entered: 06/11/2009)
06/11/2009	<u>21</u>	DECLARATION of Supplemental Declaration of Professor E.J.H. Schrage in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Attachments: # <u>1</u> Exhibit C &D)(Solomon, Louis) (Entered: 06/11/2009)
06/11/2009	<u>20</u>	DECLARATION of Supplemental Declaration of Professor Dr. iur. Wolfgang Ernst in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Attachments: # <u>1</u> Exhibit D &E)(Solomon, Louis) (Entered: 06/11/2009)
06/10/2009	<u>19</u>	STIPULATION AND ORDER: Plaintiffs' opposition papers to Defendant's Motion to Dismiss shall be served by the close of business no later than June 25, 2009; and Defendant's reply papers shall be served by the close of business no later than July 3, 2009. (Signed by Judge Colleen McMahon on 6/10/09) (db) (Entered: 06/10/2009)
06/04/2009	<u>18</u>	CERTIFICATE OF SERVICE of, by electronic mail, Defendant MoMA's Notice of Motion to Dismiss with prejudice the Amended Complaint, Memorandum of Law in Support, Declaration of Louis M. Solomon, Esq., in Support, Declaration of Professor Dr. iur. Wolfgang Ernst in Support, and Declaration of Professor E.J.H. Schrage in Support served on David John Rowland, Esq., at Rowland & Petroff on 6/4/2009. Document filed by The Museum of Modern Art. (Jones, Jennifer) (Entered: 06/04/2009)
06/04/2009	<u>17</u>	DECLARATION of Professor E.J.H. Schrage in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Attachments: # <u>1</u> Exhibit A - B)(Solomon, Louis) (Entered: 06/04/2009)
06/04/2009	<u>16</u>	DECLARATION of Professor Dr. iur. Wolfgang Ernst in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Attachments: # <u>1</u> Exhibit A - C)(Solomon, Louis) (Entered: 06/04/2009)
06/04/2009	<u>15</u>	DECLARATION of Louis M. Solomon, Esq. in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Attachments: # <u>1</u> Exhibit A - E)(Solomon, Louis) (Entered: 06/04/2009)
06/04/2009	<u>14</u>	MEMORANDUM OF LAW in Support re: <u>13</u> MOTION to Dismiss <i>with prejudice the Amended Complaint</i> .. Document filed by The Museum of Modern Art. (Solomon, Louis) (Entered: 06/04/2009)
06/04/2009	<u>13</u>	MOTION to Dismiss <i>with prejudice the Amended Complaint</i> . Document filed by The Museum of Modern Art. Responses due by 6/18/2009(Solomon, Louis) (Entered: 06/04/2009)
06/02/2009	<u>12</u>	ENDORSED LETTER addressed to Judge Colleen McMahon from Louis M. Solomon dated 6/2/09 re: Counsel for Defendant The Museum of Modern Art write to jointly request that Your Honor approve the following briefing schedule on the motion:

		MoMA intends to file the motion by 6/4/09 (which is on an accelerated basis, since Plaintiff just filed an Amended Complaint on 5/29/09); Plaintiffs would serve and file any opposition by 6/26/09; and MoMA would serve and file any reply papers by 7/8/09. If Your Honor does not feel that this schedule will give the Court sufficient time to consider MoMA's motion in advance of the conference now scheduled for 7/17/09, then MoMA requests that the Court direct the parties to adhere to the 14-day; 1-week schedule set forth in the operative Scheduling Order, with opposition papers due on June 18 and reply papers due on June 25. ENDORSEMENT: I really can't commit myself. Especially in view of foreign law. I like your expedited schedule but I have a busy schedule. (Signed by Judge Colleen McMahon on 6/2/09) (tro) (Entered: 06/02/2009)
05/29/2009	<u>11</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint against Republican Automatons, the Museum of Modern Art, Portrait of The Poet Max Herrmann-Neisse, Self-Portrait with Model and Republican Automatons. Document filed by Martin Grosz, Lilian Grosz. Related document: <u>1</u> Complaint filed by Lilian Grosz, Martin Grosz. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(dle) (Entered: 05/29/2009)
05/27/2009	<u>10</u>	STIPULATION AND ORDER: THE PARTIES HERETO, through their respective counsel of record, hereby stipulate and agree as follows: The parties agree that expert-related discovery in these proceedings shall be governed by this stipulation. To the extent that this stipulation imposes limitations on discovery which otherwise would be available under the Federal Rules of Civil Procedure, the parties have agreed to such limitations. This stipulation does not imply that any of the information restricted from discovery in this stipulation would otherwise be discoverable. No subpoenas (for depositions or documents) need be served on any expert identified pursuant to Rule 26(a) of the Federal Rules of Civil Procedure as one likely to be called to testify and from whom a report is provided (a "Testifying Expert") Instead, the party or parties retaining such Testifying Expert will make him or her available for deposition in New York City, at a time mutually agreed to by the parties, consistent with the Court's scheduling orders, and will produce the expert's documents, as outlined below. Unless otherwise agreed between the parties, depositions of Testifying Experts will be held at the office of counsel for the party taking the deposition. (Signed by Judge Colleen McMahon on 5/27/2009) (jfe) (Entered: 05/27/2009)
05/21/2009	<u>9</u>	CIVIL CASE MANAGEMENT PLAN: Amended Pleadings due by 7/15/2009. Joinder of Parties due by 7/15/2009. that all discovery, including expert discovery, must be completed on or before October 20, 2009. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not including in limine motions), shall be submitted on or before 12/4/2009. (Signed by Judge Colleen McMahon on 5/21/09) (pl) (Entered: 05/21/2009)
05/07/2009	<u>8</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by the Museum of Modern Art.(Solomon, Louis) (Entered: 05/07/2009)
05/04/2009	<u>7</u>	NOTICE OF APPEARANCE by Jennifer Lindsay Jones on behalf of the Museum of Modern Art (Jones, Jennifer) (Entered: 05/04/2009)
05/04/2009	<u>6</u>	NOTICE OF APPEARANCE by Margaret Antinori Dale on behalf of the Museum of Modern Art (Dale, Margaret) (Entered: 05/04/2009)
05/04/2009	<u>5</u>	NOTICE OF APPEARANCE by Louis M. Solomon on behalf of the Museum of Modern Art (Solomon, Louis) (Entered: 05/04/2009)
04/20/2009	<u>4</u>	ORDER SCHEDULING AN INITIAL PRETRIAL CONFERENCE:... Initial Conference set for 7/17/2009 at 10:45 AM in Courtroom 21B, 500 Pearl Street, New York, NY 10007 before Judge Colleen McMahon. (Signed by Judge Colleen McMahon on 4/20/09) (cd) (Entered: 04/20/2009)
04/20/2009	<u>3</u>	STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT, that the time to respond to the complaint shall be extended from 5/4/09, to 6/4/09. The Museum of Modern Art answer due 6/4/2009. (Signed by Judge Colleen McMahon on 4/20/09) (cd) (Entered: 04/20/2009)

04/16/2009	<u>2</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. the Museum of Modern Art served on 4/13/2009, answer due 5/4/2009. Service was accepted by Elizabeth Mercante, Assistant to General Counsel. Document filed by Martin Grosz; Lilian Grosz. (Dowd, Raymond) (Entered: 04/16/2009)
04/10/2009		Case Designated ECF. (ama) (Entered: 04/15/2009)
04/10/2009		Magistrate Judge Theodore H. Katz is so designated. (ama) (Entered: 04/15/2009)
04/10/2009		SUMMONS ISSUED as to the Museum of Modern Art, Portrait of The Poet Max Herrmann-Neisse, Self-Portrait with Model and Republican Automatons. (ama) (Entered: 04/15/2009)
04/10/2009	<u>1</u>	COMPLAINT against the Museum of Modern Art, Portrait of The Poet Max Herrmann-Neisse, Self-Portrait with Model and Republican Automatons. (Filing Fee \$ 350.00, Receipt Number 683955)Document filed by Martin Grosz, Lilian Grosz.(ama) (Entered: 04/15/2009)