

CLOSED, LC2, SuppressAnsRpt

**U.S. District Court
Southern District of Ohio (Dayton)
CIVIL DOCKET FOR CASE #: 3:97-cv-00132-SJD**

Roberts v. Connecticut Valley A, et al
Assigned to: Chief Judge Susan J. Dlott
Demand: \$50,000
Case in other court: Montgomery Common Pl, 97-03015
Cause: 28:1441 Petition for Removal- Personal Injury

Date Filed: 03/21/1997
Date Terminated: 09/10/1999
Jury Demand: Defendant
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff**Eugene Roberts**

represented by **Dwight Dean Brannon**
130 West Second Street
Suite 900
Dayton , OH 45402
937-228-2306
Fax: (937) 228-8475
Email: dbrannon@branlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Connecticut Valley Arms**
TERMINATED: 03/25/1999

represented by **David Carr Greer**
Bieser, Greer & Landis - 3
400 National City Center
6 N Main Street
Dayton , OH 45402
513-223-3277
Email: dcg@bgllaw.com
TERMINATED: 03/25/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James H Greer

Bieser, Greer & Landis - 3
6 North Main Street
400 National City Center
Dayton , OH 45402
937-223-3277
Email: jhg@bgllaw.com
TERMINATED: 03/25/1999

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Remington Arms Co.

TERMINATED: 08/20/1997

represented by **Anne E Cohen**

Debevoise & Plimpton

875 Third Avenue

New York , NY 10022

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah Ruth Lydon

Dinsmore & Shohl - 1

1900 Chemed Center

255 E 5th Street

Cincinnati , OH 45202

513-977-8200

Fax: 513-977-8200

Email: deborah.lydon@dinslaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Sams Club

Sams Club a Division of Wal-Mart

Stores, Inc

TERMINATED: 03/25/1999

represented by **David Carr Greer**

(See above for address)

TERMINATED: 03/25/1999

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Douglas P McManamy

The Freeman Law Firm

3060 Peachtree Road NW

Suite 720

Atlanta , GA 30305-2240

TERMINATED: 03/25/1999

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

James H Greer

(See above for address)

TERMINATED: 03/25/1999

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Joe C Freeman , Jr

The Freeman Law Firm

3060 Peachtree Road NW

Suite 720

Atlanta , GA 30305-2240

TERMINATED: 03/25/1999

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Dikar, S. Coop, LTDA
TERMINATED: 11/01/1999

represented by **John K Bush**
Greenebaum Doll & McDonald
50 E RiverCenter Blvd, Suite 1800
P O Box 2673
Covington , KY 41012-2673
859-655-4234
*TERMINATED: 11/01/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark T Hayden
Greenebaum Doll & McDonald
Chemed Center
255 East Fifth Street
Suite 2800
Cincinnati , OH 45202
513/455-7600
Email: mth@gdm.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Thomas H Stewart
Blank Rome LLP
1700 PNC
201 East fifth Street
Cincinnati , OH 45202
513-362-8700
Email: stewart@blankrome.com
*TERMINATED: 11/01/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V Thomas Fryman , Jr
Greenebaum Doll & McDonald
50 E RiverCenter Blvd, Suite 1800
P O Box 2673
Covington , KY 41012-2673
859-655-4234
*TERMINATED: 11/01/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/20/1997	1	NOTICE OF REMOVAL from Montgomery County Common Pleas Case

		Number: 97-3015 (no pgs: 4 + attachments) (jt) Modified on 03/21/1997 (Entered: 03/21/1997)
03/20/1997	1	Copy of COMPLAINT filed in common pleas court (Summonses issued) (no pgs: 7 + attachments) (jt) Modified on 03/21/1997 (Entered: 03/21/1997)
03/20/1997	2	NOTICE of Removal to United States District Court by defendant Connecticut Valley A (no pgs: 4) (jt) Modified on 03/21/1997 (Entered: 03/21/1997)
03/20/1997	3	NOTICE by defendants to plaintiffs of removal to Federal Court (no pgs: 3) (jt) Modified on 03/21/1997 (Entered: 03/21/1997)
03/20/1997	4	ANSWER by defendant Connecticut Valley A, defendant Sams Club,, jury demand (no pgs: 14) (jt) Modified on 03/21/1997 (Entered: 03/21/1997)
03/21/1997	5	Supplement by defendant re removal complaint [1-1] (no pgs: 4) (jt) (Entered: 03/21/1997)
06/11/1997	6	NOTICE setting this action for Preliminary PTC 2:00 7/11/97 before J Dlott no pgs: 1 (cc: all counsel) (vp) (Entered: 06/11/1997)
06/19/1997	7	MOTION by plaintiff Eugene Roberts for leave to file pretrial memorandum (no pgs: 7)(pretrial memorandum received) (cc to SS) (jt) Modified on 06/23/1997 (Entered: 06/19/1997)
07/11/1997	8	ORDER by Judge Susan J. Dlott ; Discovery ddl set for 2/1/98 ; Lay witness lists 9/11/97, Expert witnesses plaintiff to defendant 10/15/97, defendant to Plaintiff12/1/97; Final pretrial conf set for 2:00 7/17/98 ; Joint final pretrial order due 7/9/98 Prelim pretrial conf held 2:00 7/11/97 ; Disml pprs ddl due 8/11/97 ; Mtn filing ddl due 3/2/98 ; Jury trial set for 5 days 10:00 8/18/97 ; ; JDPlan ddl due 8/11/97 (cc: all counsel) (no pgs: 4) (jt) (Entered: 07/11/1997)
07/23/1997	9	MOTION by plaintiff Eugene Roberts for order delaying filing of a joint discovery plan and request for scheduling conference on foreign service of spanish defendant Dikar (no pgs: 2 attachments)(cc to SS) (jt) Modified on 07/23/1997 (Entered: 07/23/1997)
07/30/1997	10	ORDER by Judge Susan J. Dlott granting motion for leave to file pretrial memorandum [7-1] (cc: all counsel) (no pgs: 1) (eo) (Entered: 07/30/1997)
08/06/1997	11	MOTION by defendant Remington Arms Co. to dismiss (no pgs: 4+) (vp) (Entered: 08/07/1997)
08/13/1997	12	ORDER by Judge Susan J. Dlott granting leave to file Amended Complaint and seek service on dfts. (cc: all counsel) (no pgs: 1) (ls) (Entered: 08/13/1997)
08/20/1997	13	MOTION by plaintiff Eugene Roberts for order overruling motion to dismiss of Remington Arms Co (no pgs: 2, cc to SS) (eo) (Entered: 08/20/1997)
08/20/1997	14	AMENDED COMPLAINT by plaintiff Eugene Roberts; jury demand, adding Dikar, S. Coop, LTDA (no pgs: 10, cc to SS) (eo) (Entered: 08/20/1997)
08/28/1997	15	ORDER by Judge Susan J. Dlott finding the motions for order overruling motion to dismiss of Remington Arms Co [13-1] and to dismiss [11-1] moot

		(cc: all counsel) (no pgs: 1) (vp) (Entered: 08/28/1997)
09/08/1997	16	ANSWER by defendant Connecticut Valley A, defendant Sams Club; jury demand (no pgs: 3)(cc to SS) (jt) Modified on 09/08/1997 (Entered: 09/08/1997)
09/11/1997	17	Witness list submitted by plaintiff Eugene Roberts (no pgs: 3 cc to SS) (jt) (Entered: 09/11/1997)
09/12/1997	18	Lay Witness list submitted by defendant Connecticut Valley A (no pgs: 2) (cc to SS) (jt) Modified on 09/15/1997 (Entered: 09/12/1997)
10/16/1997	19	Expert Witness list submitted by plaintiff Eugene Roberts (no pgs: 2 cc to SS) (jt) (Entered: 10/16/1997)
11/12/1997	20	MOTION by defendant Dikar, S. Coop, LTDA for leave to file memorandum in support of its motion to dismiss in excess of 20 pages (no pgs: 5 w/order and motion to dismiss received) (cc to SS) (dlb) Modified on 11/14/1997 (Entered: 11/14/1997)
11/20/1997	21	ORDER by Judge Susan J. Dlott denying motion for leave to file memorandum in support of its motion to dismiss in excess of 20 pages [20-1] (cc: all counsel) () (vp) (Entered: 11/20/1997)
11/20/1997	22	MOTION by plaintiff Eugene Roberts to extend time to respond to the motion of defendant Dikar S Coop LTDA to dismiss the first amended complaint until 12/15/97 (no pgs: 1) (cc to SS) (jt) Modified on 11/21/1997 (Entered: 11/20/1997)
11/24/1997	23	NOTATION ORDER by Judge Susan J. Dlott denying motion to extend time to respond to the motion of defendant Dikar S Coop LTDA to dismiss the first amended complaint until 12/15/97 [22-1] (cc: all counsel) (no pgs: 1) (vp) (Entered: 11/24/1997)
11/26/1997	24	MOTION by defendant Dikar, S. Coop, LTDA for admission of attorney V Thomas Fryman and John K Bush pro hac vice (no pgs: 2 + attachments) (jt) (Entered: 11/26/1997)
11/26/1997	25	MOTION by defendant Dikar, S. Coop, LTDA to dismiss first amended complaint (no pgs: 2 w/revised memo in support--20 pages + attachments) (jt) Modified on 04/08/1998 (Entered: 11/26/1997)
11/26/1997		NOTICE to file that copies of #24,25 mailed to SS for Judge Dlott () (jt) Modified on 11/26/1997 (Entered: 11/26/1997)
12/04/1997	26	AGREED ORDER by Judge Susan J. Dlott extending time to identify experts from 12/1/97 to 1/1/98 (cc: all counsel) (no pgs: 2) (vp) (Entered: 12/04/1997)
12/08/1997	27	NOTATION ORDER by Judge Susan J. Dlott granting motion for admission of attorney V Thomas Fryman and John K Bush pro hac vice [24-1] (cc: all counsel) () (vp) (Entered: 12/08/1997)
12/22/1997	28	NOTICE by plaintiff Eugene Roberts of filing deposition of Neil G Stevens on 7/14/97 (no pgs: 2 + attachment / copy of deposition)(cc to SS) (jt) Modified

		on 01/02/1998 (Entered: 12/22/1997)
12/22/1997	29	MEMORANDUM by plaintiff Eugene Roberts in opposition to motion to dismiss [25-1] (no pgs: 12 + attachments) (cc to SS) (jt) Modified on 01/02/1998 (Entered: 12/22/1997)
01/05/1998	30	REPLY by defendant Dikar, S. Coop, LTDA to response to motion to dismiss first amended complaint [25-1] (no pgs: 9) (cc to SS) (jt) Modified on 01/06/1998 (Entered: 01/05/1998)
03/19/1998	31	MOTION by plaintiff Eugene Roberts for leave to file motion for summary judgment (Attachment 6) , and for order setting pretrial/slcheduling conference (no pgs: 5 plus attachments, cc to SS) (eo) (Entered: 03/19/1998)
03/19/1998	32	NOTICE by plaintiff Eugene Roberts of filing exhibits in support of plaintiffs motions , Vol I, II, and III (no pgs: 2 plus attachments, cc to SS) (eo) Modified on 03/19/1998 (Entered: 03/19/1998)
03/23/1998	33	ORDER by Judge Susan J. Dlott denying the motion for order delaying filing of a joint discovery plan and request for scheduling conference on foreign service of spanish defendant Dikar [9-1] as moot (cc: all counsel) (no pgs: 1) (vp) (Entered: 03/23/1998)
04/13/1998	34	MEMORANDUM by defendant Dikar, S. Coop, LTDA in further support of its motion to dismiss first amended complaint [25-1] (no pgs: 19 w/attachments) (dlb) (Entered: 04/13/1998)
04/13/1998	34	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion for summary judgment (leave to file) [31-1] and deny Roberts' request for sanctions against Dikar relating to discovery (no pgs: 19 w/attachments) (cc to SS) (dlb) Modified on 04/13/1998 (Entered: 04/13/1998)
05/06/1998	35	RESPONSE by plaintiff Eugene Roberts to Memorandum of Dikar S Coop LTDA in further support of its motion to dismiss the first amended complaint and in opposition to plaintiffs motion for summary judgment and request for sanctions on discovery issues [25-1] (no pgs: 11 + attachments) (cc to SS) (jt) (Entered: 05/06/1998)
05/06/1998	36	Addendum/Supplemental authority in support by plaintiff Eugene Roberts re response [35-1] (no pgs: 2) (cc to SS) (jt) Modified on 05/07/1998 (Entered: 05/06/1998)
05/11/1998	37	RESPONSE by defendant Connecticut Valley A, defendant Sams Club to motion for leave to file motion for summary judgment motion for telephone or other pretrial scheduling conference (Attachment 6) [31-1] (no pgs: 4 + attachments) (cc to SS) (jt) Modified on 05/11/1998 (Entered: 05/11/1998)
05/21/1998	38	MOTION by plaintiff Eugene Roberts to strike motion defendant's response [37-1] , to compel , and/or for sanctions (no pgs: 13 w/attachments) (cc to SS) (dlb) (Entered: 05/21/1998)
05/21/1998	38	Supplemental memorandum in support by plaintiff Eugene Roberts to motion for leave to file motion for summary judgment (Attachment 6) [31-1] (no pgs:

		13 w/attachments) (dlb) (Entered: 05/21/1998)
06/11/1998	39	MOTION by plaintiff Eugene Roberts for leave to file supplemental informationm for plaintiffs motion for summary judgment (no pgs: 4 + attachments) (cc to SS) (jt) Modified on 06/11/1998 (Entered: 06/11/1998)
06/15/1998	40	MEMORANDUM by defendant Connecticut Valley A, defendant Sams Club in opposition to motion to compel [38-1] (no pgs: 3 plus attachments, cc to SS) (eo) (Entered: 06/15/1998)
06/15/1998	40	MOTION by defendant Connecticut Valley A, defendant Sams Club to compel , for sanctions (no pgs: 3 plus attachments, CC to SS) (eo) (Entered: 06/15/1998)
06/15/1998	40	MEMORANDUM by defendant Connecticut Valley A, defendant Sams Club in support of summary judgment (no pgs: 3 plus attachments, cc to SS) (eo) (Entered: 06/15/1998)
06/16/1998	41	MOTION by defendant Dikar, S. Coop, LTDA for leave to file supplemental memo in support of motion to dismiss first amended complaint (no pgs: 6 plus attachment, cc to SS) (eo) (Entered: 06/17/1998)
06/19/1998	42	Notice of Supplemental authority by plaintiff Eugene Roberts to motion for leave to file motion for summary judgment (Attachment 6) [31-1] (no pgs: 2) (cc to SS) (dlb) (Entered: 06/22/1998)
06/29/1998	43	ORDER by Judge Susan J. Dlott striking memorandum of additional authority [42-1]; document to be returned to pltf (cc: all counsel) (no pgs: 1) (vp) (Entered: 06/29/1998)
07/09/1998		NOTICE of receipt of Joint final pretrial order by plaintiff Eugene Roberts, defendant Connecticut Valley A, defendant Remington Arms Co., defendant Sams Club, defendant Dikar, S. Coop, LTDA (no pgs: 16 + attachments) (cc to SS) (jt) Modified on 07/13/1998 (Entered: 07/09/1998)
07/09/1998	44	2 Summons issued as to defendant Dikar, S. Coop, LTDA (jt) (Entered: 07/09/1998)
07/13/1998	45	MOTION by defendant Dikar, S. Coop, LTDA to amend its pending motion to dismiss the first amended complaint (no pgs: 3 + attachments) (jt) (Entered: 07/13/1998)
07/14/1998		NOTICE that pleadings nos. 29, 31, 32, and 41 were sent to Joe in Judge Dlott's chambers by UPS (eo) (Entered: 07/14/1998)
07/16/1998	46	MEMORANDUM by plaintiff Eugene Roberts in opposition to defendants motion to amend and dismiss the first amended complaint [45-1] (no pgs: 17 + attachments) (jt) (Entered: 07/16/1998)
07/16/1998	46	MEMORANDUM by plaintiff Eugene Roberts in opposition to Motion for Leave [41-1] (no pgs: 17 + attachments)(cc to SS) (jt) (Entered: 07/16/1998)
07/16/1998	46	MOTION by plaintiff Eugene Roberts for order to deem service of process complete ,for order finding personal jurisdiction over Dikar; for default judgment against Dikar, S. Coop, LTDA , for summary judgment , for

		sanctions and other appropriate relief (no pgs: 17 + ATTACHMENTS) (jt) Modified on 07/16/1998 (Entered: 07/16/1998)
07/20/1998		NOTATION ORDER by Judge Susan J. Dlott granting motion for leave to file supplemental memo in support of motion to dismiss first amended complaint [41-1] (cc: all counsel) (eo) (Entered: 07/20/1998)
07/20/1998		NOTATION ORDER by Judge Susan J. Dlott granting motion to amend its pending motion to dismiss the first amended complaint [45-1] (cc: all counsel) (eo) (Entered: 07/20/1998)
07/21/1998	48	Court Reporter's TRANSCRIPT of proceedings filed for the following date(s): July 17, 1998 (Re: Status Conference) (ss) (Entered: 07/21/1998)
07/24/1998	49	ORDER by Judge Susan J. Dlott denying motion for order to deem service of process complete [46-1], denying motion for default judgment against Dikar, S. Coop, LTDA [46-2], denying motion for summary judgment [46-3], denying motion for sanctions [46-4] by plaintiff Eugene Roberts, denying motion [46-5], granting motion for leave to file supplemental informationm for plaintiffs motion for summary judgment [39-1], denying motion to strike motion defendant's response [37-1] [38-1], denying motion to compel [38-2], granting motion for sanctions [38-3], granting motion for leave to file motion for summary judgment (Attachment 6) [31-1] ans such motion for summary judgment is hereby denied, finding the motion for order setting pretrial/slcheduling conference [31-2] moot., denying motion to dismiss first amended complaint [25-1] granting motion to amend its pending motion to dismiss the first amended complaint [45-1], granting motion for leave to file supplemental memo in support of motion to dismiss first amended complaint [41-1] (cc: all counsel) (no pgs: 2) (ss) (Entered: 07/24/1998)
07/24/1998	50	Supplemental memorandum by defendant Dikar, S. Coop, LTDA to motion to dismiss first amended complaint [25-1] and insufficiency of service of process (no pgs: 12 w/attachments - cc: SS) (dlb) Modified on 07/27/1998 (Entered: 07/24/1998)
07/29/1998	51	ORDER by Judge Susan J. Dlott following PPTC held 7/17/98 ; Discovery ddl 3/1/99; Mtn filing ddl 4/1/99; memopp ddl 4/26/99; rply memo ddl 5/10/99; Final pretrial conf set 8/20/99; Jury trial set 10:00 9/21/99 JDPlan ddl 9/30/98 ; dates to exchange lists of expert witnesses and furnish copies of expert reports for pltf set 9/30/98; for defts 11/30/98; JPFPTO/Case management ddl 8/12/99 (cc: all counsel) (no pgs: 4) (vp) (Entered: 07/29/1998)
08/05/1998	52	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion to deem service of process complete [46-1] (no pgs: 4)(cc to SS) (jt) (Entered: 08/05/1998)
08/07/1998	53	MEMORANDUM by plaintiff Eugene Roberts in opposition to motion to dismiss first amended complaint[25-1] (no pgs: 5 + attachments) (cc to SS) (jt) Modified on 08/07/1998 (Entered: 08/07/1998)
08/14/1998	54	ORDER OF USCA 6th: that it is therefore ordered that the petition for a writ of mandamus is denied (no pgs: 2) (cc to SS) (jt) Modified on 08/17/1998

		(Entered: 08/14/1998)
08/14/1998	55	MOTION by plaintiff Eugene Roberts to extend time to respond to multiple pleadings of defendant, Dikars Coop, LTD (no pgs: 2) (cc to SS) (jt) Modified on 08/17/1998 (Entered: 08/14/1998)
08/25/1998	56	MOTION by plaintiff Eugene Roberts to extend time to respond to multiple pleadings of Defendant Dikars Coop (no pgs: 2) (cc to SS) (jt) Modified on 08/26/1998 (Entered: 08/25/1998)
08/27/1998	57	NOTATION ORDER by Judge Susan J. Dlott granting motion to extend time to respond to multiple pleadings of Defendant Dikars Coop [56-1] (cc: all counsel) () (vp) (Entered: 08/27/1998)
08/31/1998	58	MOTION by defendant Dikar, S. Coop, LTDA to extend time to file responses until 9/8/98 (no pgs: 2)(cc to SS) (jt) Modified on 08/31/1998 (Entered: 08/31/1998)
09/01/1998	59	TRANSCRIPT of Proceedings filed by Lisa Conley Court Reporter (Spangler) on telephonic hearing held before J Dlott on 8/7/98; 19 pages (vp) (Entered: 09/02/1998)
09/09/1998	60	NOTATION ORDER by Judge Susan J. Dlott denying the motion to extend time to respond to multiple pleadings of defendant, Dikars Coop, LTD [55-1] as moot (cc: all counsel) () (vp) (Entered: 09/09/1998)
09/09/1998	61	NOTATION ORDER by Judge Susan J. Dlott granting motion to extend time to file responses until 9/8/98 [58-1] (cc: all counsel) () (vp) (Entered: 09/09/1998)
09/29/1998	62	Witness list submitted by defendant Dikar, S. Coop, LTDA (no pgs: 6) (cc to SS) (jt) Modified on 09/29/1998 (Entered: 09/29/1998)
09/30/1998	63	PROTECTIVE ORDER by Judge Susan J. Dlott parties to comply with terms and conditions as set forth in order (cc: all counsel) (no pgs: 8) (vp) (Entered: 09/30/1998)
09/30/1998	64	NOTICE of filing Joint Discovery Plan by plaintiff Eugene Roberts, defendant Connecticut Valley A, defendant Sams Club, defendant Dikar, S. Coop, LTDA (no pgs: 8)(cc to SS) (jt) (Entered: 09/30/1998)
09/30/1998	65	Lay Witness list submitted by plaintiff Eugene Roberts (no pgs: 4)(cc to SS) (jt) (Entered: 09/30/1998)
09/30/1998	66	Lay Witness list submitted by defendant Connecticut Valley A (no pgs: 2) (cc to SS) (jt) Modified on 10/01/1998 (Entered: 09/30/1998)
10/30/1998	67	NOTICE by defendant Connecticut Valley A of taking deposition of Eugene Roberts on 12-8-98 (no pgs: 2) cc: SS (re) (Entered: 10/30/1998)
11/30/1998	68	Expert Witness list submitted by defendant Connecticut Valley A (no pgs: 2) (jt) (Entered: 11/30/1998)
01/12/1999		Deposition of Aitor Diaz de Mendibil taken 10/13/98 at 2:00 (jt) (Entered: 01/12/1999)

01/12/1999		Deposition of Martxiel Genova taken 10/14/98 (jt) (Entered: 01/12/1999)
01/12/1999		Deposition of Reberto Teruel taken 10/15/98 (jt) (Entered: 01/12/1999)
01/12/1999		Deposition of Antonio Cabello Oliva 10/15/98 (jt) (Entered: 01/12/1999)
01/12/1999		Deposition of Julian Echeberria 10/14/98 (jt) (Entered: 01/12/1999)
01/12/1999		Deposition of Jon Muniategui and Exhibits (Exhibits Filed Under Seal) 10/15/98 (jt) Modified on 02/18/1999 (Entered: 01/12/1999)
01/25/1999	69	TRANSCRIPT of Proceedings filed by Betty Schwab Official Court Reporter on phone conference held before J Dlott on 10/14/98 (vp) (Entered: 01/25/1999)
01/27/1999	70	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Timothy LaFrance on 2/4/99 (no pgs: 2) (vp) (Entered: 01/28/1999)
01/27/1999	71	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Lucien Haag on 2/5/99 (no pgs: 2) (vp) (Entered: 01/28/1999)
01/27/1999	72	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of David Kindel on 2/16/99 (no pgs:) (vp) (Entered: 01/28/1999)
01/27/1999	73	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Kathleen Burch PsyD on 2/25/99 (no pgs: 2) (vp) (Entered: 01/28/1999)
02/22/1999		Deposition of Lucien C Haag 2/5/99 (jt) (Entered: 02/22/1999)
02/25/1999	74	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Teryr Norris on 2/25/99 at 5:30 (no pgs: 2) (jt) (Entered: 02/25/1999)
02/25/1999	75	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Jerry Baker on 2/25/99 at 5:00 (no pgs: 2) (jt) (Entered: 02/25/1999)
03/02/1999	76	NOTICE of filing depositions of William Heaton, Rollie Robert Hickey, Jr., David Michael Kindel, Larry M Dehus, and Eugene Roberts by plaintiff Eugene Roberts (no pgs: 2, cc to SS) (eo) Modified on 03/02/1999 (Entered: 03/02/1999)
03/02/1999		Deposition of Eugene Roberts, Vol I, taken 2/15/99; 72 pages, Ct Rep Charlene Nicholas & Assoc. (eo) (Entered: 03/02/1999)
03/02/1999		Deposition of Eugene Roberts, Vol II, taken 2/16/99; pages 93 thru 130, Ct Rep Carol A Metz of Charlene Nicholas & Assoc (eo) (Entered: 03/02/1999)
03/02/1999		Deposition of Larry M Dehus taken 2/16/99 , 25 pages plus attachments, Carol A Metz of Charlene E Nicholas & Assoc (eo) (Entered: 03/02/1999)
03/02/1999		Deposition of David Michael Kindel taken 2/16/99, 51 pages, Ct Rep Carol A Metz of Charlene E Nicholas & Assoc (eo) (Entered: 03/02/1999)
03/02/1999		Deposition of Rollie Robert Hickey, Jr taken 2/15/99, 113 pages, Ct Rep Lori Jay of Charlene E Nicholas & Assoc (eo) (Entered: 03/02/1999)
03/02/1999		Deposition of William Heaton taken 2/16/99, 17 pages, Ct Rep Carol A Metz

		of Charlene E Nicholas & Assoc (eo) (Entered: 03/02/1999)
03/04/1999		Deposition of Timothy La France aken 2/4/99 (jt) (Entered: 03/04/1999)
03/08/1999	77	ANSWER by defendant Dikar, S. Coop, LTDA (no pgs: 10, cc to SS) (eo) (Entered: 03/08/1999)
03/10/1999		Deposition of Louis A Brinkman Sr taken 2/25/99 at 3:14 (jt) (Entered: 03/10/1999)
03/10/1999		Deposition of Joni Duncan 2/25/99 (jt) (Entered: 03/10/1999)
03/10/1999		Deposition of Terry Norris 2/25/99 (jt) (Entered: 03/10/1999)
03/10/1999		Deposition of Jerry Baker aken 2/25/99 (jt) (Entered: 03/10/1999)
03/22/1999	78	NOTICE/STIPULATION OF DISMISSAL with prejudice as to Party Connecticut Valley Arms and Sams Club case settled (no pgs: 3) (jt) Modified on 03/25/1999 (Entered: 03/22/1999)
03/25/1999	79	ANSWER by defendant Dikar, S. Coop, LTDA (no pgs: 10) (cc to SS) (jt) Modified on 03/26/1999 (Entered: 03/25/1999)
03/31/1999	80	OBJECTIONS by defendant Dikar, S. Coop, LTDA to Stipulation and Order of dismissal as to defendants Connecticut Valley Arms Inc and Sam's Club a diviaion of Wal-Mart Stores [78-1] (no pgs: 5) (cc to SS) (jt) Modified on 04/01/1999 (Entered: 03/31/1999)
03/31/1999	81	MOTION by defendant Dikar, S. Coop, LTDA to dismiss the first amended complaint (no pgs: 5 + Attachments) (cc to SS) (jt) Modified on 04/01/1999 (Entered: 03/31/1999)
03/31/1999	82	MEMORANDUM by defendant Dikar, S. Coop, LTDA in support of motion to dismiss the first amended complaint [81-1] (no pgs: 20 + Attachments) (cc to SS) (jt) Modified on 04/01/1999 (Entered: 03/31/1999)
03/31/1999	83	MOTION by plaintiff Eugene Roberts for order withdrawing and or strike all averment made in the caption and body ofg the amended complaint against former defendants Connecticut Valley Arms, Inc. and Sam's Club, a division of Wal-Mart Stores Inc , for order to recaption Case entering Dikar S Coop, LTDA as the Sole Defendant in the Case (no pgs: 6 + attachments) (cc to SS) (jt) Modified on 04/01/1999 (Entered: 03/31/1999)
04/01/1999	84	MOTION by plaintiff Eugene Roberts for summary judgment upon the issue of liability (no pgs: 18 plus attachments PARTIALLY UNDER SEAL, cc to SS) (eo) (Entered: 04/01/1999)
04/01/1999	85	NOTICE of filing deposition of Timothy LaFrance by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Timothy LaFrance taken 2/4/99 (eo) (Entered: 04/01/1999)
04/01/1999	86	NOTICE of filing deposition of Matthew Haymaker by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Matthew Haymaker taken 11/24/97 (eo) (Entered: 04/01/1999)

04/01/1999	87	NOTICE of filing deposition of Lucien C Haag by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Lucien C Haag taken 2/5/99 (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Lucien C Haag taken 2/5/99 (eo) (Entered: 04/01/1999)
04/01/1999	88	NOTICE of filing videotape deposition of Eugene Roberts, 3 volumes, by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Eugene Roberts taken 2/15/99, 2/15/99, and 2/16/99 Vols I II & III (eo) (Entered: 04/01/1999)
04/01/1999	89	NOTICE of filing transcript and videotape deposition of James S May Jr by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of James S May, Jr taken 11/13/98, both transcript and videotape (eo) (Entered: 04/01/1999)
04/01/1999	90	NOTICE of filing transcript and videotape deposition of Tommy Ray Carroll by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Tommy Ray Carroll taken 11/17/97, both transcript and videotape (eo) (Entered: 04/01/1999)
04/01/1999	91	NOTICE of filing transcript and videotape deposition of Robert Siefker by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Robert Siefker taken 3/1/99, both transcript and videotape (eo) (Entered: 04/01/1999)
04/01/1999	92	NOTICE of filing transcript and videotape deposition of Sidney whitehead by plaintiff Eugene Roberts (no pgs: 2) (eo) (Entered: 04/01/1999)
04/01/1999		Deposition of Sidney Whitehead taken 2/1/99, both transcript and videotape (eo) (Entered: 04/01/1999)
04/01/1999	93	NOTICE of filing transcript and videotape deposition of Fyrelon Bowman by plaintiff Eugene Roberts (no pgs: 2) (eo) Modified on 08/13/1999 (Entered: 04/01/1999)
04/01/1999		Deposition of Fyrelon Bowman taken 2/1/99, both transcript and videotape (eo) (Entered: 04/01/1999)
04/07/1999	94	NOTICE of Clarification of the filing of depositions by plaintiff Eugene Roberts (no pgs: 3) (cc to SS) (jt) Modified on 04/07/1999 (Entered: 04/07/1999)
04/12/1999	95	MOTION by plaintiff Eugene Roberts for leave to file supplemental complaint , for order enforcing settlement (no pgs: 2 + attachments) (cc to SS) (jt) Modified on 04/14/1999 (Entered: 04/12/1999)
04/26/1999	96	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion to withdraw and/or strike all averments made in the caption and body of the amended complaint against former defendants, Connecticut Valley Arms, Inc and Sam's Club, a division of Walmart Stors; motion to recaption

		the case entering Dikar s Coop. LTDA as the sole defendant [83-1] (no pgs: 7, cc to SS) (eo) (Entered: 04/26/1999)
04/26/1999	97	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion for summary judgment upon the issue of liability [84-1] (no pgs: 19 plus attachments, not sent to SS due to size) (On 4/28/99 document given to KJM for hand delivery to SS) (eo) Modified on 04/28/1999 (Entered: 04/26/1999)
04/26/1999	98	MEMORANDUM by plaintiff Eugene Roberts in opposition to Dikar's motion to dismiss first amended complaint of plaintiff [81-1] (no pgs: 20 w/appendix + exhibits) (cc to SS) (dlb) Modified on 04/26/1999 (Entered: 04/26/1999)
04/27/1999	99	MOTION by plaintiff Eugene Roberts for order overruling the objection of Dikar to entry of stipulation and order of dismissal as to CVA/Walmart (no pgs: 3) (cc to SS) (jt) Modified on 04/27/1999 (Entered: 04/27/1999)
05/06/1999	100	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to Motion to file Supplemental Complaint and Motion to enforce settlement [95-1], to [95-2] (no pgs: 13 + attachments) (CC to SS) (jt) Modified on 05/07/1999 (Entered: 05/06/1999)
05/10/1999	101	REPLY by defendant Dikar, S. Coop, LTDA to response to motion to dismiss the first amended complaint [81-1] (no pgs: 18 w/attachments) (cc to SS) (dlb) Modified on 05/10/1999 (Entered: 05/10/1999)
05/11/1999	102	RESPONSE by defendant Connecticut Valley A, defendant Sams Club to objections to entry of stipulation and order of dismissal as to defendants Connecticut Valley Arms and Sams Club a division of Wal-Mart Stores Inc Only [78-1] (no pgs: 3) (jt) (Entered: 05/11/1999)
05/12/1999	103	REPLY by plaintiff Eugene Roberts to response to motion to strike and for order to recaption Case entering Dikar S Coop, LTDA as the Sole Defendant in the Case [83-2] (no pgs: 4) (jt) (Entered: 05/12/1999)
05/12/1999	104	REPLY by plaintiff Eugene Roberts to response to motion for summary judgment upon the issue of liability [84-1] (no pgs: 11 + attachments) (jt) (Entered: 05/12/1999)
05/14/1999	105	AFFIDAVIT of Jon Muniategui in support of motion to dismiss the first amended complaint [81-1] (no pgs: 4) (jt) (Entered: 05/14/1999)
05/21/1999	106	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiffs motion to overrule the objections of dikar to entry of stipulation and order of dismissal as to CVA/Walmart [99-1] (no pgs: 6) (cc to SS) (jt) Modified on 05/24/1999 (Entered: 05/21/1999)
05/24/1999	107	MOTION by plaintiff Eugene Roberts to extend time to file response to memorandum in opposition to motion to file supplemental complaint and motion to enforce settlement until 5/27/99 (no pgs: 2) (cc to SS) (jt) Modified on 05/26/1999 (Entered: 05/24/1999)
05/28/1999	108	MOTION by plaintiff Eugene Roberts to strike memorandum of defendant

		Dikar in opposition [100-1] to motion for leave to file supplemental complaint [95-1], and/or affidavit with exhibits (no pgs: 21 w/exhibits) (dlb) (Entered: 06/01/1999)
05/28/1999	108	MOTION by plaintiff Eugene Roberts to disqualify defense counsel (no pgs: 21 w/exhibits) (dlb) (Entered: 06/01/1999)
05/28/1999	108	REPLY by plaintiff Eugene Roberts to Dikar's motion/memo in opposition of May 6, 1999 regarding plaintiff's motion for leave to file supplemental complaint [95-1] (no pgs: 21 w/exhibits) (dlb) (Entered: 06/01/1999)
05/28/1999	108	MOTION by plaintiff Eugene Roberts for sanctions pursuant to 28 USC 1927, FED.R.CIV.P.12,16,26,35,56 (no pgs: 21 w/exhibits) (cc to SS) (dlb) (Entered: 06/01/1999)
06/03/1999	109	NOTICE by defendant Dikar, S. Coop, LTDA of withdrawal of motion to dismiss the first amended complaint [81-1] (no pgs: 3, cc to SS) (eo) (Entered: 06/03/1999)
06/16/1999	110	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion to strike [108-1], etc (no pgs: 8 plus attachments, cc to SS) (eo) Modified on 06/16/1999 (Entered: 06/16/1999)
06/30/1999	111	NOTICE by defendant Dikar, S. Coop, LTDA of taking videotape deposition of Antonio Cabello on 7/26/99 at 1:00 (no pgs: 3, cc to SS) (eo) Modified on 06/30/1999 (Entered: 06/30/1999)
06/30/1999	112	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Kathleen Burch, Psy D on 7/16/99 at 1:30 (no pgs: 3, cc to SS) (eo) Modified on 06/30/1999 (Entered: 06/30/1999)
06/30/1999	113	NOTICE by defendant Dikar, S. Coop, LTDA of taking videotape deposition of Aitor Diaz deMendibil on 7/27/99 at 1:00 (no pgs: 3, cc to SS) (eo) (Entered: 06/30/1999)
06/30/1999	114	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of John Burke, PhD on 8/24/99 at 10:30 (no pgs: 3, cc to SS) (eo) (Entered: 06/30/1999)
07/02/1999	115	MOTION by plaintiff Eugene Roberts to extend time until 7/9/99 to file reply memo (no pgs: 2, cc to SS) (eo) (Entered: 07/02/1999)
07/07/1999	116	NOTATION ORDER by Judge Susan J. Dlott granting motion to extend time until 7/9/99 to file reply memo [115-1] (cc: all counsel) () (vp) (Entered: 07/07/1999)
07/12/1999	117	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Andrew Robbins, Jr.,MD on 8-9-99 at 5:00 p.m. (no pgs: 2 cc:SS) (re) (Entered: 07/12/1999)
07/12/1999	118	MOTION by plaintiff Eugene Roberts to extend until 7-14-99 to file reply memo to oppositions (no pgs: 2 cc: SS) (re) Modified on 07/12/1999 (Entered: 07/12/1999)
07/16/1999	119	NOTATION ORDER by Judge Susan J. Dlott granting motion to extend until

		7-14-99 to file reply memo to oppositions [118-1] (cc: all counsel) () (vp) (Entered: 07/16/1999)
07/16/1999	120	MOTION by plaintiff Eugene Roberts to strike in whole or in part, defendant's memorandum, affidavit, exhibits [110-1] and plaintiff's reply to same; motion for sanctions pursuant to 28 USC 1927, Fed.R.Civ.P.12,16,26,35, and 56 (no pgs: 21 (cc to SS)) (dlb) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	121	MOTION by plaintiff Eugene Roberts for protective order ; objections to and Motion to vacate notices of perpetuation depositions filed by defendant, Dikar's Coop, LTDA ; motion to disqualify and strike witnesses; motion in limine; motion for sanctions; memorandum and exhibits in support (no pgs: 20 w/attachments):CC SS (re) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	122	MOTION by plaintiff Eugene Roberts to strike, in whole or in part, the memorandum of Kikar of March 31, 1999, and/or affidavits of Jon Munieategui and Attorney V. Thomas Fryman, Jr. and/ or all exhibits attached; Motion to strike, in whole or in part, the affidavits of Jon Munieategui and/or Exhibits attached thereto and memorandums which are alleged to be supported thereby; Motion to disqualify defense counsel; motion for sanctions pursuant to 28 USC 1927, Fed. R. Civ P. 12,16,26,35 and 56 (no pgs: 4 w/attachments: cc: SS) (re) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	123	MOTION by plaintiff Eugene Roberts for leave to to file supplemental authority on validity of Plaintiff's settlement with CVA/Walmart dba Sam's Club without right of set-off for defendants (no pgs: 3 w/attachments: cc: SS) (re) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	124	MOTION by plaintiff Eugene Roberts for default judgment against Dikar, S. Coop, LTDA for failure to properly serve an answer or amended answer upon plaintiff; Motion to deem service complete; Motion to strike answer, amended answer, and to grant relief to the plaintiff pursuant to 28 USC 1927, and Fed R. Civ. P. 4; for costs of service and failure to deem service admitted (no pgs: 10 w/attachments cc: SS)(re) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	125	SUBMISSION OF AFFIDAVIT of Debra G. Walters and correspondence of Dikar and Plaintiff in support of Plaintiff's motions (no pgs: 4 w/attachments) (re) (Entered: 07/16/1999)
07/19/1999	126	NOTICE by defendant Dikar, S. Coop, LTDA of taking deposition of Stephen Schumann on 8/2/99 at 4:30 (no pgs: 3) (jt) (Entered: 07/19/1999)
07/19/1999		Deposition of Kathleen Burch taken on 7/16/99 at 1:30 (Exhibit 2--FILED UNDER SEAL) (dlb) Modified on 07/22/1999 (Entered: 07/19/1999)
07/20/1999	127	NOTICE OF FILING ADDITIONAL AUTHORITY: by defendant Dikar, S. Coop, LTDA (CC to SS) (no pgs: 19) (mkb) Modified on 07/21/1999 (Entered: 07/20/1999)
07/21/1999	128	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion for protective order [121-1] (CC to SS) (no pgs: 10 plus attachments) (mkb) (Entered: 07/21/1999)

07/23/1999	129	ORDER by Judge Susan J. Dlott amending schedule ; Status conference set 1:30 8/19/99 ; ddl for agreement to contents of expert reports 7/30/99; ddl for compliance with FRCP 26 9/15/99; submission of outstanding issues ddl 8/16/99; vacating FPTC and trial dates (cc: all counsel) (no pgs: 1) (vp) (Entered: 07/23/1999)
07/26/1999	130	TRANSCRIPT of Proceedings filed by Betty Schwab Official Court Reporter on telephone conference held before J Dlott on 7/21/99; 24 pages (vp) (Entered: 07/26/1999)
07/26/1999	131	Plaintiff's notice of filing of the DISCOVERY DEPOSITION of Kathleen Burch, Psy.D. (taken by defendant Dikar) and MOTION by plaintiff Eugene Roberts for the Court to consider additional evidence therein in regards to pending motions (no pgs: 5 w/deposition attached) (cc to SS) (dlb) Modified on 07/27/1999 (Entered: 07/26/1999)
07/26/1999	132	MOTION by plaintiff Eugene Roberts for leave to file additional authority on the issues of personal jurisdiction, punitive damages, sanctions and related motions before this Court (no pgs: 4 w/attachments) (cc to SS) (dlb) Modified on 07/27/1999 (Entered: 07/26/1999)
08/05/1999	133	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to Plaintiff's motion to strike, etc [120-1] (no pgs: 4 cc:SS) (re) (Entered: 08/05/1999)
08/05/1999	134	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion for a protective order, et c. with respect to Andrew F. Robbins, Jr. M.D. [121-1] (no pgs: 6 w/attachment) cc: SS (re) Modified on 08/05/1999 (Entered: 08/05/1999)
08/05/1999	135	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion to strike, et c [122-1] (no pgs: 5) cc:SS (re) Modified on 08/05/1999 (Entered: 08/05/1999)
08/05/1999	136	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion to file supplemental authority, etc [123-1] (no pgs: 4) cc:SS (re) Modified on 08/05/1999 (Entered: 08/05/1999)
08/05/1999	137	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion for default judgment [124-1] (no pgs: 6) cc:SS (re) Modified on 08/05/1999 (Entered: 08/05/1999)
08/12/1999	138	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to plaintiff's motion for the Court to consider additional evidence in the deposition of Kathleen Burch in regard to pending motions [131-1] (no pgs: 7) (cc to SS) (dlb) Modified on 08/13/1999 (Entered: 08/12/1999)
08/12/1999	139	MEMORANDUM by defendant Dikar, S. Coop, LTDA in opposition to motion for leave to file additional authority on the issues of personal jurisdiction, etc. [132-1] (no pgs: 8 w/attachments) (cc to SS) (dlb) Modified on 08/13/1999 (Entered: 08/12/1999)
08/16/1999	140	AGENDA of motions that could not be resolved extrajudicially by defendant Dikar, S. Coop, LTDA (no pgs: 2 w/attachments) cc:SS (re) (Entered: 08/16/1999)

		08/16/1999)
08/25/1999	141	TRANSCRIPT of Proceedings filed by Betty Schwab Official Court Reporter on conference held in chambers on 8/19/99 before J Dlott; 17 pages (vp) (Entered: 08/25/1999)
09/10/1999	<u>142</u>	ORDER by Judge Susan J. Dlott having been advised by counsel that action has settled hereby dismissing case with prejudice provided any of the parties may reopen action no later thn 11/9/99 if settlement is not consummated (cc: all counsel) (no pgs: 2) (vp) (daytemp1,). (Entered: 09/10/1999)
09/16/1999		Mail Returned, [142-2] addressed to Thomas H Stewart for defendant Dikar, S. Coop, LTDA (vp) (Entered: 09/16/1999)
11/01/1999	143	ORDER by Judge Susan J. Dlott dismissing party Dikar, S. Coop, LTDA (cc: all counsel) (no pgs:) (vp) Modified on 11/05/1999 (Entered: 11/01/1999)
03/28/2000	144	NOTICE of disposal per SDO Local Rules (no pgs: 1) (sc) Modified on 04/13/2000 (Entered: 03/28/2000)

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Billable Pages:	11	Cost:	0.88