

General Docket
United States Court of Appeals for the Eleventh Circuit

Court of Appeals Docket #: 11-15907
Nature of Suit: 4190 Other Contract Actions
 Kirk Kennedy v. Bank of America, NA, et al
Appeal From: Southern District of Florida
Fee Status: Fee Paid

Docketed: 12/15/2011
Termed: 06/22/2012

Case Handler: Jackson, Elora, DD
 (404) 335-6173

Case Type Information:

- 1) Private Civil
- 2) Diversity
- 3) -

Originating Court Information:

District: 113C-1 : [1:09-md-02036-JLK](#)
Court Reporter: Robin Dispenzieri
Civil Proceeding: James Lawrence King, Senior U.S. District Court Judge
Date Filed: 06/10/2009
Date NOA Filed:
 12/09/2011

Lead: [1:08-cv-23323-JLK](#)

Prior Cases:

10-12373	Date Filed: 05/24/2010	Date Disposed: 04/28/2011	Disposition: Reversed and Remanded
10-12374	Date Filed: 05/24/2010	Date Disposed: 04/28/2011	Disposition: Reversed and Remanded
10-12375	Date Filed: 05/24/2010	Date Disposed: 04/29/2011	Disposition: Reversed and Remanded
10-12376	Date Filed: 05/24/2010	Date Disposed: 04/29/2011	Disposition: Reversed and Remanded
10-12377	Date Filed: 05/24/2010	Date Disposed: 04/28/2011	Disposition: Reversed and Remanded
10-12936	Date Filed: 06/28/2010	Date Disposed: 08/26/2011	Disposition: Reversed and Remanded
10-12937	Date Filed: 06/28/2010	Date Disposed: 08/26/2011	Disposition: Reversed and Remanded
10-14488	Date Filed: 09/27/2010	Date Disposed: 06/17/2011	Disposition: Remanded
10-15907	Date Filed: 12/28/2010	Date Disposed: 03/04/2011	Disposition: Other
11-10980	Date Filed: 03/07/2011	Date Disposed: 04/06/2011	Disposition: Other
11-13126	Date Filed: 07/13/2011	Date Disposed: 10/05/2011	Disposition: Dismissed
11-13931	Date Filed: 08/29/2011	Date Disposed: 09/30/2011	Disposition: Other
11-90012	Date Filed: 07/28/2011	Date Disposed: 10/07/2011	Disposition: Other

Current Cases:

	Lead	Member	Start	End
Associated				
	13-90019	12-90024	08/12/2013	
Consolidated				
	10-12936	10-12937	06/30/2010	
	11-15676	11-15941	02/01/2012	
	11-15676	11-16103	02/01/2012	
	11-15676	11-16104	02/01/2012	
	11-15676	11-16132	02/01/2012	
	11-15676	11-16133	02/01/2012	
	11-15676	11-16134	02/01/2012	
	11-15676	11-16140	02/01/2012	
	11-15676	11-16141	02/01/2012	
Related				
	10-12373	10-12374	05/24/2010	
	10-12373	10-12375	05/24/2010	
	10-12373	10-12376	05/24/2010	
	10-12373	10-12377	05/24/2010	
	10-12373	10-12936	06/28/2010	
	10-12373	10-12937	06/28/2010	
	10-12373	10-12957	06/28/2010	
	10-12373	10-14488	09/27/2010	
	10-12373	10-15040	11/01/2010	
	10-12373	10-15907	12/28/2010	
	10-12373	11-10980	03/07/2011	
	10-12373	11-12028	02/17/2012	
	10-12373	11-13126	02/17/2012	
	10-12373	11-13931	02/17/2012	

10-12373	11-14282	02/17/2012
10-12373	11-14316	02/17/2012
10-12373	11-14317	02/17/2012
10-12373	11-14318	02/17/2012
10-12373	11-14319	02/17/2012
10-12373	11-14320	02/17/2012
10-12373	11-15676	02/17/2012
10-12373	11-15907	02/17/2012
10-12373	11-15941	02/17/2012
10-12373	11-15942	02/17/2012
10-12373	11-16029	02/17/2012
10-12373	11-16030	02/17/2012
10-12373	11-16032	02/17/2012
10-12373	11-16034	02/17/2012
10-12373	11-16037	02/17/2012
10-12373	11-16103	02/17/2012
10-12373	11-16104	02/17/2012
10-12373	11-16105	02/17/2012
10-12373	11-16132	02/17/2012
10-12373	11-16133	02/17/2012
10-12373	11-16134	02/17/2012
10-12373	11-16140	02/17/2012
10-12373	11-16141	02/17/2012
10-12373	11-16142	02/17/2012
10-12373	11-90012	02/17/2012
10-12373	12-11168	03/16/2012
10-12373	12-12386	10/04/2012
10-12373	12-90021	04/24/2012
10-12373	12-90024	10/04/2012
10-12373	12-90032	09/24/2012
10-12373	12-90041	11/27/2012
10-12373	13-10257	09/19/2013
10-12373	13-12082	09/19/2013
10-12373	13-14011	09/19/2013
10-12373	13-14244	09/19/2013
10-15040	14-10403	01/30/2014
10-15040	14-13135	07/14/2014
13-14011	15-10779	02/24/2015
15-10779	15-13871	08/27/2015
15-10779	15-90024	09/14/2015
15-10779	15-90026	09/14/2015
15-90024	15-90026	09/02/2015

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KIRK A. KENNEDY,
MARVELUS SATTIEWHITE, III,

Objectors - Appellants,

versus



















RALPH TORNES,
ALVIN RICHARDSON,
ELONA WAGNER, et al.,

Plaintiffs-Appellees,







verses

BANK OF AMERICA, NA,

Defendant - Appellee.

01/04/2012	<input type="checkbox"/> 	CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellants Kirk A. Kennedy and Marvelus Sattiewhite, III on 12/09/2011. Fee Status: Fee Paid. Appellant brief due 40 days from 01/04/2012.
	2 pg, 42.47 KB	
01/12/2012	<input type="checkbox"/> 	APPEARANCE of Counsel Form filed by Tricia J. Duthiers for Bank of America, N.A. (ECF: Tricia Duthiers)
	2 pg, 125.6 KB	
01/13/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Bruce Stephen Rogow for Ralph Tornes and Steve Yourke, et al.
	1 pg, 306.72 KB	
01/13/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by David M. Buckner for Ralph Tornes and Steve Yourke, et al.
	1 pg, 295.87 KB	
01/13/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Robert C. Gilbert for Ralph Tornes and Steve Yourke, et al.
	1 pg, 304.11 KB	
01/13/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by David M. Buckner for Ralph Tornes, Alvin Richardson and Steve Yourke.
	1 pg, 323.47 KB	
01/17/2012	<input type="checkbox"/> 	Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Appellant Kirk A. Kennedy. (ECF: Elliot Kula)
	11 pg, 171.34 KB	
01/17/2012	<input type="checkbox"/> 	APPEARANCE of Counsel Form filed by Elliot Burt Kula for Kirk A. Kennedy. (ECF: Elliot Kula)
	2 pg, 52.74 KB	
01/17/2012	<input type="checkbox"/> 	Civil Appeal Statement filed by Attorney Elliot Burt Kula for Appellant Kirk A. Kennedy. (ECF: Elliot Kula)
	64 pg, 3.14 MB	
01/17/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Stephen F. Rosenthal for Ralph Tornes and Steve Yourke, et al.
	1 pg, 291.63 KB	
01/18/2012	<input type="checkbox"/> 	APPEARANCE of Counsel Form filed by James Randolph Liebler for Bank of America, N.A. James Randolph Liebler for Service. (ECF: James Liebler)
	2 pg, 128.79 KB	
01/19/2012	<input type="checkbox"/>	Added Attorney(s) Alicia Macklin, Laurence J. Hutt for party(s) Appellee Bank of America, NA, in case 11-15907.
01/19/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Laurence J. Hutt for Bank of America, NA and Alicia Macklin for Bank of America, NA.
	2 pg, 621.96 KB	
01/23/2012	<input type="checkbox"/>	Added Attorney(s) Daniel M. Samson for party(s) Appellant Marvelus Sattiewhite III Appellant Kirk A. Kennedy, in case 11-15907.
01/23/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Daniel M. Samson for Kirk A. Kennedy and Marvelus Sattiewhite, III.
	2 pg, 323.32 KB	
01/24/2012	<input type="checkbox"/>	Added Attorney(s) David S. Stellings for party(s) Appellee Ralph Tornes Appellee Steve Yourke, in case 11-15907.
01/24/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by David S. Stellings for Ralph Tornes and Steve Yourke.
	1 pg, 295.25 KB	
01/25/2012	<input type="checkbox"/>	Added Attorney(s) Sharon Douglass Mayo for party(s) Appellee Bank of America, NA, in case 11-15907.
01/25/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Sharon Douglass Mayo for Bank of America, NA.
	17 pg, 1.2 MB	
01/26/2012	<input type="checkbox"/> 	Appellee's Certificate of Interested Persons and Corporate Disclosure Statement filed by Appellee Bank of America, NA. (ECF: Tricia Duthiers)
	10 pg, 551.65 KB	
02/01/2012	<input type="checkbox"/>	Added Attorney Michael Walter Sobol for party(s) Appellee Ralph Tornes, et al., in cases 11-15676, 11-15907, 11-150411, 11-16103, 11-16104, 11-16105, 11-16132, 11-16133, 11-16134, 11-16140, 11-16141, 11-16142
02/01/2012	<input type="checkbox"/> 	APPEARANCE of Counsel filed by Michael Walter Sobol for Ralph Tornes, et al.
	1 pg, 302.59 KB	
02/03/2012	<input type="checkbox"/> 	ORDER: [6483169-2] [6479599-2] [6473604-2] [6473588-2] [11-15676, 11-15907, 11-15941, 11-16103, 11-16104, 11-16105, 11-16132, 11-16133, 11-16134, 11-16140, 11-16141, 11-16142] Because all these appeals stem from the same Order and Judgment, etc.... Appellees' joint motion to consolidate is GRANTED. The Clerk is directed to CONSOLIDATE these appeals for purposes of briefing and consideration by the Court. The Appellees' briefs shall be due no sooner than thirty (30) days from the date that the last Appellant's brief is filed. See 11th Cir.R. 31-1(a). To the extent that Appellant Fletcher's Objection to Appellees' Motion asks this Court to determine the merits of his appeal at this time, Appellant's
	9 pg, 197.18 KB	

request is DENIED. The merits of Appellant's appeal (and his brief) will be reviewed and determined by this Court at a later date. BBM

- 02/03/2012  Briefing Notice re-issued as to Appellant Fred R. Fletcher, et al in 1-15676, 11-15907, 11-16103, 11-16104, 11-16132, 11-16133, 11-16134, 11-16140, 11-16141, 11-16142. The appellants' brief and record excerpts are due on or before 03/14/2012. [11-15676, 11-15907, 11-15941, 11-16103, 11-16104, 11-16105, 11-16132, 11-16133, 11-16134, 11-16140, 11-16141, 11-16142]
1 pg, 34.65 KB
- 02/06/2012  APPEARANCE of Counsel filed by Robert C. Gilbert for Ralph Tornes, Alvin Richardson and Elona Wagner in 11-16132. [11-16132, 11-15676, 11-15907, 11-15941, 11-16103, 11-16104, 11-16105, 11-16133, 11-16134, 11-16140, 11-16141, 11-16142]
1 pg, 310.57 KB
- 02/06/2012 Removed from case: Attorney David B. Darden for Not Party Service in 11-15907.
- 02/06/2012 Removed from case: Attorney Constance Melissa Ewing for Not Party Service in 11-15907.
- 02/06/2012  Appearance of Counsel Form returned to Attorney Neil David Kodsi for Appellant Kirk A. Kennedy for failure to file application for admission.
2 pg, 34.98 KB
- 02/23/2012  APPEARANCE of Counsel Form filed by Jeremy McLaughlin for Bank of America, N.A. (ECF: Jeremy McLaughlin)
1 pg, 221.08 KB
- 02/23/2012 Added Attorney(s) Jeremy M. McLaughlin for party(s) Appellee Bank of America, NA, in case 11-15907.
- 02/24/2012 Email Delivery Failure. Message could not be delivered to Attorney Jeremy M. McLaughlin for Appellee Bank of America, NA in 11-16105. [11-16140, 10-12373, 10-12374, 10-12375, 10-12376, 10-12377, 10-12936, 10-12937, 10-12957, 10-14488, 10-15040, 10-15907, 11-10980, 11-12028, 11-13126, 11-13931, 11-14282, 11-14316, 11-14317, 11-14318, 11-14319, 11-14320, 11-15676, 11-15907, 11-15941, 11-16103, 11-16104, 11-16105, 11-16132, 11-16133, 11-16134, 11-16141, 11-16142, 11-15942, 11-16029, 11-16037, 11-16030, 11-16032, 11-16034, 11-90012]
Message hard bounced at 64.18.4.10 for jmclaughlin@mofo.com, Bounced by destination server with response: 5.1.0 - Unknown address error ('550', ['5.1.1 <jmclaughlin@mofo.com>: Recipient address rejected: User unknown in relay recipient table'])
- 05/25/2012  MOTION to dismiss appeal with prejudice filed by Appellants Kirk A. Kennedy and Marvelus Sattiewhite, III. Motion is Unopposed [6579828-1]
11 pg, 554.26 KB
- 06/22/2012  ORDER: Appellants' voluntary motion to dismiss this appeal with prejudice, and with the parties to bear their own costs and attorney's fees, is GRANTED. [6579828-2] GBT and SM
2 pg, 60.82 KB