

U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:12-cv-21678-JAL

Eggnatz et al v. The Kellogg Company et al
Assigned to: Judge Joan A. Lenard
Referred to: Magistrate Judge Jonathan Goodman
Case in other court: 16-10854-B
Cause: 31:3729 False Claims Act

Date Filed: 05/03/2012
Date Terminated: 04/07/2015
Jury Demand: Plaintiff
Nature of Suit: 370 Other Fraud
Jurisdiction: Diversity

Plaintiff

Laura Eggnatz
also known as
Laura Gabbamonte

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Date Filed	#	Docket Text
05/03/2012	<u>1</u> R	COMPLAINT <i>civil class action</i> against All Defendants. Filing fee \$ 350.00 receipt number

		113C-4699955, filed by Katrina Garcia. (Attachments: # 1 Civil Cover Sheet, # 2 Exhibit Exhibit 1, # 3 Exhibit Exhibit 2, # 4 Exhibit Exhibit 3, # 5 Exhibit Exhibit 4, # 6 Exhibit Exhibit 5, # 7 Exhibit Exhibit 6, # 8 Exhibit Exhibit 7)(Arango-Chaffin, Angela) (Entered: 05/03/2012)
05/03/2012	2	Judge Assignment to Judge Joan A. Lenard (jcy) (Entered: 05/03/2012)
05/03/2012	3	Waiver of Service Returned Unexecuted as to The Kellogg Company et all, filed by Katrina Garcia. (Arango-Chaffin, Angela) (Entered: 05/03/2012)
05/04/2012	4	WAIVER OF SERVICE Returned Executed by Katrina Garcia. All Defendants. (Arango-Chaffin, Angela) (Entered: 05/04/2012)
06/27/2012	5	Unopposed MOTION for Extension of Time to file response to Plaintiffs' Complaint re 1 R Complaint, by Kashi Company, The Kellogg Company. Responses due by 7/16/2012 (Attachments: # 1 Text of Proposed Order Proposed Order granting unopposed motion for extension of time to file a response to Plaintiffs' Complaint)(Waller, Edward) (Entered: 06/27/2012)
06/27/2012	6	ORDER granting Defendants' unopposed 5 Motion for Extension of Time. Defendants shall file their answers to the Complaint on or before July 13, 2012. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 6/27/2012. (cew) (Entered: 06/27/2012)
06/27/2012		Set/Reset Answer Due Deadline: All Defendants. (cew) (Entered: 06/27/2012)
07/13/2012	7	MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company. Responses due by 7/30/2012 (Waller, Edward) (Entered: 07/13/2012)
07/13/2012	8	MOTION Requesting Judicial Notice in Support of re 7 MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Waller, Edward) (Entered: 07/13/2012)
07/25/2012	9	RESPONSE in Opposition re 7 MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM filed by Laura Gabbamonte, Katrina Garcia. (Attachments: # 1 Exhibit A: GMO Article)(Arango-Chaffin, Angela) (Entered: 07/25/2012)
07/25/2012	10	Plaintiff's MOTION To Take Judicial Notice of Authoritative Publication re 9 Response in Opposition to Motion <i>to Dismiss</i> by Laura Gabbamonte, Katrina Garcia. (Attachments: # 1 Exhibit A: GMO Article)(Arango-Chaffin, Angela) (Entered: 07/25/2012)
07/27/2012	11	RESPONSE to Motion re 8 MOTION Requesting Judicial Notice in Support of re 7 MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM filed by Laura Gabbamonte, Katrina Garcia. Replies due by 8/6/2012. (Arango-Chaffin, Angela) (Entered: 07/27/2012)
08/06/2012	12	RESPONSE in Opposition re 10 Plaintiff's MOTION To Take Judicial Notice of Authoritative Publication re 9 Response in Opposition to Motion <i>to Dismiss</i> filed by Kashi Company, The Kellogg Company. (Waller, Edward) (Entered: 08/06/2012)
08/06/2012	13	REPLY MEMORANDUM in Support re 7 MOTION TO DISMISS 1 R Complaint,

		FOR FAILURE TO STATE A CLAIM filed by Kashi Company, The Kellogg Company. (Waller, Edward) Modified text on 8/8/2012 (jua). (Entered: 08/06/2012)
08/08/2012	14	Notice of Supplemental Authority re 7 MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM , 9 Response in Opposition to Motion by Laura Gabbamonte, Katrina Garcia (Rubinstein, Howard) (Entered: 08/08/2012)
08/08/2012	15	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Kenneth K. Lee. Filing Fee \$ 75.00. Receipt # 43408. (ksa) (Entered: 08/09/2012)
08/14/2012	16	ORDER granting 15 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 08/14/12. (dp) (Entered: 08/14/2012)
09/14/2012	17	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Benjamin M. Lopatin. Filing Fee \$ 75.00. Receipt # 45350. (ksa) (Entered: 09/17/2012)
09/19/2012	18	ORDER granting 17 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 09/19/12. (dp) (Entered: 09/19/2012)
11/27/2012	19	Notice of Supplemental Authority re 7 MOTION TO DISMISS 1 R Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company (Attachments: # 1 Exhibit A)(Waller, Edward) (Entered: 11/27/2012)
12/06/2012	20	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Dean N. Panos. Filing Fee \$ 75.00. Receipt # 49536. (ksa) (Entered: 12/07/2012)
12/06/2012	21	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Richard P. Steinken. Filing Fee \$ 75.00. Receipt # 49535. (ksa) (Entered: 12/07/2012)
12/10/2012	22	ORDER granting 20 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing ; granting 21 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 12/10/2012. (dp) (Entered: 12/10/2012)
12/20/2012	23	Joint Notice of Similar Action/Notice of Pendency of Other Action by Kashi Company, The Kellogg Company (Waller, Edward)Text Modified on 12/20/2012 (cqs). (Entered: 12/20/2012)
01/03/2013	24	ORDER TO SHOW CAUSE. This cause is before the Court on a sua sponte review of the record. This action appears to share common questions of law and fact with another action, Case No. 12-civ-24362, which is also pending before this Court. Accordingly, it is hereby ORDERED AND ADJUDGED that the Parties shall have until January 10, 2013, to show cause why this action should not be consolidated with Case No. 12-civ-24362 pursuant to Federal Rule of Civil Procedure 42(a)(2). This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/3/2013. (cew) (Entered: 01/03/2013)
01/07/2013	25	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically

		Receive Notices of Electronic Filing for Robert A. Chaffin. Filing Fee \$ 75.00. Receipt # 51500. (ksa) (Entered: 01/09/2013)
01/08/2013	26	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for L. DeWayne Layfield. Filing Fee \$ 75.00. Receipt # 51581. (ksa) (Entered: 01/09/2013)
01/10/2013	27	JOINT STATEMENT RESPONDING TO THE COURT'S ORDER TO SHOW CAUSE re 24 Order to Show Cause,, by Kashi Company, The Kellogg Company. (Waller, Edward)Text Modified on 1/10/2013 (cqs). (Entered: 01/10/2013)
01/10/2013	28	ORDER granting 25 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 01/10/13. (dp) (Entered: 01/10/2013)
01/10/2013	29	ORDER granting 26 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 01/10/13. (dp) (Entered: 01/10/2013)
01/11/2013	30	ORDER CONSOLIDATING CASE NUMBERS 12-CV-21678 AND 12-CV-24362 AND DIRECTING PLAINTIFFS TO FILE AN AMENDED CONSOLIDATED COMPLAINT BY FEBRUARY 1, 2013. Signed by Judge Joan A. Lenard on 1/11/2013. (cew) (Entered: 01/11/2013)
01/23/2013	31	Plaintiff's MOTION to Change Name to Laura Eggnatz by Laura Gabbamonte. (Attachments: # 1 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/23/2013)
01/24/2013	32	ORDER granting Plaintiff Laura Gabbamonte's 31 Motion to Change Name. Upon review of the Motion 31 and the record, it is ORDERED AND ADJUDGED that Plaintiff Laura Gabbamonte shall herein be referred to as Laura Eggnatz and the caption for all future pleadings, motions, and correspondence shall reflect same. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/24/2013. (cew) (Entered: 01/24/2013)
02/01/2013	33 R	First AMENDED COMPLAINT (<i>Consolidated</i>) against Kashi Company, The Kellogg Company, Kashi Company, The Kellogg Company, filed by Laura Eggnatz, Katrina Garcia, Julie Martin.Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 02/01/2013)
02/01/2013	34	ORDER denying as moot Defendants' 7 Motion to Dismiss the Complaint; denying as moot Defendants' 8 Motion Requesting Judicial Notice in Support of their Motion to Dismiss; denying as moot Plaintiffs' 10 Motion Requesting Judicial Notice in Support of Plaintiffs' Response to Defendants' Motion to Dismiss. On February 1, 2013, Plaintiffs filed their 33 R Amended Complaint. Therefore, all briefing associated with the original complaint is moot. Accordingly, it is ORDERED AND ADJUDGED that: (1) Defendants' 7 Motion to Dismiss the Complaint is DENIED AS MOOT; (2) Defendants' 8 Motion Requesting Judicial Notice in Support of their Motion to Dismiss is DENIED AS MOOT; (3) Plaintiffs' 10 Motion Requesting Judicial Notice in Support of Plaintiffs' Response to Defendants' Motion to Dismiss is DENIED AS MOOT; and (4) the Parties may re-file their motions based on the allegations raised in the Amended Complaint within the applicable time periods as set forth in the Federal Rules of Civil Procedure and the Local Rules of this Court. This

		entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/1/2013. (cew) (Entered: 02/01/2013)
02/07/2013	35	STIPULATION to Extend Time and Enlarge Page Limit for Defendants' Response to Amended Consolidated Complaint by Kashi Company, The Kellogg Company (Attachments: # 1 Text of Proposed Order Proposed Order)(Waller, Edward) (Entered: 02/07/2013)
02/07/2013	36	ORDER. On February 7, 2013, the Parties filed their 35 "Joint Stipulation to Extend Time and Enlarge Page Limit for Defendants' Response to Amended Consolidated Complaint," wherein the Parties agreed to extend the filing deadline for a response to Plaintiffs' amended complaint and expand the page limit for any motion to dismiss. Upon review of the Stipulation, it is ORDERED AND ADJUDGED that: (1) Defendants shall file their answer or otherwise respond to Plaintiffs' amended complaint on or before March 1, 2013; (2) Defendants' motion to dismiss shall not exceed twenty-five (25) pages in length; and (3) for all future filings, if the Parties seek an extension of time, they shall confer with one another and file an appropriate motion rather than a stipulation. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/7/2013. (cew) (Entered: 02/07/2013)
03/01/2013	37	MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company. Responses due by 3/18/2013 (Waller, Edward) (Entered: 03/01/2013)
03/01/2013	38	MOTION Requesting Judicial Notice in Support of Defendants' Motion to Dismiss Plaintiffs' Amended Complaint re 37 MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(Waller, Edward) (Entered: 03/01/2013)
03/05/2013	39	Agreed MOTION for Extension of Time to File Response/Reply as to (38 in 1:12-cv-21678-JAL) MOTION Requesting Judicial Notice in Support of Defendants' Motion to Dismiss Plaintiffs' Amended Complaint re (37) MOTION TO DISMISS (33) Amended Complaint, FOR FAILURE TO STATE A CLAIM , (37 in 1:12-cv-21678-JAL) MOTION TO DISMISS (33) Amended Complaint, FOR FAILURE TO STATE A CLAIM by Laura Eggatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Exhibit 1: Proposed Order Granting Agreed Motion)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 03/05/2013)
03/05/2013	40	ORDER granting Plaintiffs' unopposed 39 Motion for Extension of Time to File Response to Motion to Dismiss. Plaintiffs shall file their response on or before April 4, 2013. Plaintiffs' response shall not exceed twenty-five (25) pages in length. Defendants shall file their reply on or before April 19, 2013. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 3/5/2013. (cew) (Entered: 03/05/2013)
03/13/2013	41	Unopposed MOTION for Leave to File Excess Pages in Response to Defendant's Motion to Dismiss Consolidated Amended Complaint by Laura Eggatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Arango-Chaffin, Angela) (Entered: 03/13/2013)
03/14/2013	42	ORDER granting Plaintiffs' 41 Unopposed Motion to Enlarge Page Limit for Plaintiffs' Response to Defendants' Motion to Dismiss the Amended Consolidated Complaint.

		Plaintiffs' response shall not exceed thirty-five (35) pages in length. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 3/14/2013. (cew) (Entered: 03/14/2013)
04/04/2013	43	RESPONSE in Opposition re (37 in 1:12-cv-21678-JAL) MOTION TO DISMISS (33) Amended Complaint, FOR FAILURE TO STATE A CLAIM filed by Laura Eggnatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Exhibit 1: Appendix of Cases, # 2 Exhibit 2: Letter from Michael M. Landa, Acting Director Center for Food Safety and Applied Nutrition)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Arango-Chaffin, Angela) (Entered: 04/04/2013)
04/12/2013	44	RESPONSE in Opposition re (10 in 1:12-cv-24362-JAL) <i>to Request for Judicial Notice</i> filed by Laura Eggnatz, Katrina Garcia, Julie Martin. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Arango-Chaffin, Angela) (Entered: 04/12/2013)
04/19/2013	45	REPLY to Response to Motion re 37 MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM filed by Kashi Company, The Kellogg Company. (Waller, Edward) (Entered: 04/19/2013)
05/21/2013	46	Notice of Supplemental Authority re (39 in 1:12-cv-24362-JAL, 43 in 1:12-cv-21678-JAL) Response in Opposition to Motion, (44 in 1:12-cv-21678-JAL, 40 in 1:12-cv-24362-JAL) Response in Opposition to Motion by Laura Eggnatz, Katrina Garcia, Julie Martin (Attachments: # 1 Exhibit 1: Order Denying in part, Granting in part, Motion to Dismiss)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 05/21/2013)
05/28/2013	47	NOTICE Of Supplemental Authority by Laura Eggnatz, Katrina Garcia, Julie Martin re (39 in 1:12-cv-24362-JAL, 43 in 1:12-cv-21678-JAL) Response in Opposition to Motion, (44 in 1:12-cv-21678-JAL, 40 in 1:12-cv-24362-JAL) Response in Opposition to Motion of <i>Recent Decision</i> (Attachments: # 1 Exhibit 1: Order Denying Motion to Dismiss)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) Text Modified on 5/29/2013 (cqs). (Entered: 05/28/2013)
06/11/2013	48	Notice of Supplemental Authority re 37 MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company (Attachments: # 1 Exhibit A)(Waller, Edward) (Entered: 06/11/2013)
06/26/2013	49	Notice of Supplemental Authority re (39 in 1:12-cv-24362-JAL, 43 in 1:12-cv-21678-JAL) Response in Opposition to Motion, by Laura Eggnatz, Katrina Garcia, Julie Martin (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 06/26/2013)
07/12/2013	50	Notice of Supplemental Authority re 37 MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company (Attachments: # 1 Exhibit A)(Waller, Edward) (Entered: 07/12/2013)
07/31/2013	51	Notice of Supplemental Authority re 37 MOTION TO DISMISS 33 R Amended Complaint, FOR FAILURE TO STATE A CLAIM by Kashi Company, The Kellogg Company (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Waller, Edward) (Entered: 07/31/2013)
07/31/2013	52	Notice of Supplemental Authority re (39 in 1:12-cv-24362-JAL) Response in Opposition to Motion, by Laura Eggnatz, Katrina Garcia, Julie Martin (Attachments: # 1 Exhibit 1: Astiana

		v. Kashi Co., Order Granting in Part and Denying in Part Plaintiffs Motion for Class Certification (SDCA))Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 07/31/2013)
07/31/2013	53	Notice of Supplemental Authority re (39 in 1:12-cv-24362-JAL, 43 in 1:12-cv-21678-JAL) Response in Opposition to Motion, by Laura Eggnatz, Katrina Garcia, Julie Martin (Attachments: # 1 Exhibit 1: Thurston v. Bear Naked, Inc., Order Granting in Part and Denying in Part Plaintiffs Motion for Class Certification (SDCA))Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 07/31/2013)
08/12/2013	54	SIXTH Notice of Supplemental Authority In Support re (39 in 1:12-cv-24362-JAL, 43 in 1:12-cv-21678-JAL) Response in Opposition to Motion, by Laura Eggnatz, Katrina Garcia, Julie Martin (Attachments: # 1 Exhibit 1: Order Denying Motion to Stay (Krzykwa v Campbell Soup Co., SDFL Case No.: 12-62058))Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard)Text Modified on 8/13/2013 (cqs). (Entered: 08/12/2013)
10/18/2013	55	Motion For Leave To File Second Amended Complaint/STIPULATION <i>Granting Leave to File Second Amended Complaint</i> by Laura Eggnatz, Katrina Garcia, Julie Martin Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard)Event Modified on 10/18/2013 (cqs). (Entered: 10/18/2013)
10/18/2013	56	Clerks Notice to Filer re 55 Stipulation. Wrong Event Selected - Document is a Motion ; ERROR - The Filer selected the wrong event. A motion event must always be selected when filing a motion. The correction was made by the Clerk. It is not necessary to refile this document. (cqs) (Entered: 10/18/2013)
10/18/2013	57	ORDER GRANTING Plaintiffs' 55 Unopposed Motion for Leave to File a Second Amended Complaint, DENYING AS MOOT Defendants' 37 Motion to Dismiss Plaintiffs' Amended Complaint, and DENYING AS MOOT Defendants' 38 Motion Requesting Judicial Notice in Support of Defendants' Motion to Dismiss Plaintiffs' Amended Complaint. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 10/18/2013. (gie) (Entered: 10/18/2013)
10/18/2013	58 R	Second AMENDED COMPLAINT against Kashi Company, The Kellogg Company, Kashi Company, The Kellogg Company filed in response to Order Granting Motion for Leave, filed by Laura Eggnatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Exhibit 1: Rear and Side Label of Kashi Go Lean Crunch Cereal)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 10/18/2013)
10/22/2013	59	Unopposed MOTION for Extension of Time to File a Response to Plaintiffs' Second Amended Complaint re 58 R Amended Complaint, by Kashi Company, The Kellogg Company. Responses due by 11/8/2013 (Attachments: # 1 Text of Proposed Order Proposed Order)(Waller, Edward) (Entered: 10/22/2013)
10/23/2013	60	ORDER granting 59 Defendants' Unopposed Motion for Extension of Time to File a Response to Plaintiffs' Second Amended Complaint. Defendants shall have until and including December 2, 2013 to file a response. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 10/23/2013. (gie) (Entered: 10/23/2013)
10/24/2013	61	Order Referring Discovery Disputes and Certain Pretrial Motions to Magistrate Judge John J. O'Sullivan; Directing Parties to File Certificates of Interested Parties; Directing Parties to

		File a Notice of Refiling And/or of Related Cases; Requiring Completion of Form Consenting to Jurisdiction by Magistrate Judge; and Directing Parties to File a Joint Scheduling Report and Form. Signed by Judge Joan A. Lenard on 10/24/13. (Attachments: # 1 Appendix, # 2 Appendix) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (dp) (Entered: 10/24/2013)
10/30/2013	62	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Gillian L. Wade and Sara D. Avila. Filing Fee \$ 150. Receipt # 68119. (cw) (Entered: 10/31/2013)
11/08/2013	63	Corporate Disclosure Statement by Kashi Company (Waller, Edward) (Entered: 11/08/2013)
11/08/2013	64	NOTICE by Kashi Company, The Kellogg Company <i>of Related Cases</i> (Waller, Edward) (Entered: 11/08/2013)
11/08/2013	65	Corporate Disclosure Statement by The Kellogg Company (Waller, Edward) (Entered: 11/08/2013)
11/15/2013	66	ORDER granting 62 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 11/15/13. (dp) (Entered: 11/15/2013)
11/25/2013	67	Agreed MOTION for Extension of Time for Parties to Comply with Outstanding Obligations Under Court Order re 61 Order Referring Case to Judge,, by Kashi Company, The Kellogg Company. Responses due by 12/12/2013 (Attachments: # 1 Exhibit Proposed Order) (Waller, Edward) (Entered: 11/25/2013)
11/26/2013	68	ORDER DENYING 67 Defendants' Agreed Motion for Extension of Time for Parties to Comply with Outstanding Obligations Under Court Order 61 . Pursuant to the Court's Beginning Order 61 entered October 24, 2013, the Parties were to file, <i>inter alia</i> , a Joint Scheduling Report, Joint Scheduling Form, and Joint Consent to Jurisdiction by a United States Magistrate Judge. The deadline to file these documents was November 25, 2013. The parties failed to file the required documents by the deadline and instead filed a Motion for Extension of Time 67 , requesting the Court to essentially stay the requirement of filing the required documents until fourteen (14) days after the Court rules on the Defendants' yet-to-be-filed Motion(s) to Dismiss. It is ORDERED AND ADJUDGED that Defendants' Agreed Motion for Extension of Time 67 is DENIED. The Parties' shall file the documents required by the Court's Beginning Order 61 entered October 24, 2013, as soon as possible, but no later than Monday, December 2, 2013. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 11/26/2013. (gie) (Entered: 11/26/2013)
11/27/2013	69	JOINT SCHEDULING REPORT - Rule 16.1 by Kashi Company, The Kellogg Company (Attachments: # 1 Exhibit Joint Scheduling Form)(Waller, Edward)Text Modified on 11/27/2013 (cqs). (Entered: 11/27/2013)
12/02/2013	70	CONSENT to Jurisdiction by US Magistrate Judge by Kashi Company, The Kellogg Company (Waller, Edward) (Entered: 12/02/2013)
12/02/2013	71	MOTION TO DISMISS 58 R Amended Complaint, FOR FAILURE TO STATE A CLAIM <i>Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint and Incorporated Memorandum of Law</i> by Kashi Company, The Kellogg Company. Responses due by 12/19/2013 (Waller, Edward) (Entered: 12/02/2013)

12/02/2013	72	MOTION Requesting Judicial Notice in Support of Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint by Kashi Company, The Kellogg Company. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(Waller, Edward) (Entered: 12/02/2013)
12/04/2013	73	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Kashi Company, The Kellogg Company. (nc) (Additional attachment(s) added on 12/9/2013: # 1 Sealed Document) (nc). (Entered: 12/09/2013)
12/09/2013		SYSTEM ENTRY - Docket Entry 74 [motion] restricted/sealed until further notice. (nc) (Entered: 12/09/2013)
12/11/2013	75	Unopposed MOTION for Extension of Time to File Response/Reply as to (71 in 1:12-cv-21678-JAL) MOTION TO DISMISS (58) Amended Complaint, FOR FAILURE TO STATE A CLAIM <i>Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint and Incorporated Memorandum of Law</i> by Laura Eggatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Text of Proposed Order Plaintiffs' Unopposed Motion To Extend Briefing Schedule Regarding Defendants' Motion To Dismiss Plaintiffs' Second Amended Complaint)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 12/11/2013)
12/12/2013	76	ORDER GRANTING 75 Plaintiffs' Unopposed Motion Regarding Briefing Schedule for Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint. Plaintiffs shall have until and including December 23, 2013 to file a Response, and Defendants shall have until and including January 6, 2014 to file a Reply. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 12/12/2013. (gie) (Entered: 12/12/2013)
12/16/2013	77	ORDER of Reference of Certain Matters to Magistrate Judge. Signed by Judge Joan A. Lenard on 12/16/13. (dp) (Entered: 12/16/2013)
12/20/2013	78	Unopposed MOTION for Leave to File Excess Pages <i>for Plaintiffs' Response to Defendants' Motion to Dismiss Second Amended Complaint</i> by Laura Eggatz, Katrina Garcia. (Attachments: # 1 Text of Proposed Order Granting Plaintiffs' Unopposed Motion to Extend the Page Limit)(Rubinstein, Howard) (Entered: 12/20/2013)
12/20/2013	79	ORDER GRANTING 78 Plaintiffs' Unopposed Motion Regarding Extension of Page Limit for Plaintiffs' Response to Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint. Plaintiffs may file a Response to Defendants' Motion with a memorandum of law up to twenty-five (25) pages in length. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 12/20/2013. (gie) (Entered: 12/20/2013)
12/23/2013	80	RESPONSE in Opposition re (71 in 1:12-cv-21678-JAL) MOTION TO DISMISS (58) Amended Complaint, FOR FAILURE TO STATE A CLAIM <i>Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint and Incorporated Memorandum of Law</i> filed by Laura Eggatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Text of Proposed Order Denying Motion to Dismiss)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 12/23/2013)
12/23/2013	81	Plaintiff's MOTION Requesting Judicial Notice re (51 in 1:12-cv-24362-JAL, 80 in 1:12-cv-21678-JAL) Response in Opposition to Motion, by Laura Eggatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Text of

		Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 12/23/2013)
12/23/2013	82	RESPONSE in Opposition re (72 in 1:12-cv-21678-JAL) MOTION Requesting Judicial Notice in Support of Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint filed by Laura Eggnatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 12/23/2013)
01/02/2014	83	REPLY to Response to Motion re 81 Plaintiff's MOTION Requesting Judicial Notice re (51 in 1:12-cv-24362-JAL, 80 in 1:12-cv-21678-JAL) Response in Opposition to Motion, filed by Kashi Company, The Kellogg Company. (Waller, Edward) (Entered: 01/02/2014)
01/06/2014	84 R	RESPONSE in Support re 71 MOTION TO DISMISS 58 R Amended Complaint, FOR FAILURE TO STATE A CLAIM <i>Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint and Incorporated Memorandum of Law (REDACTED)</i> filed by Kashi Company, The Kellogg Company. (Waller, Edward) (Entered: 01/06/2014)
01/09/2014	85	Order Adopting Joint Scheduling Report, setting Pretrial Conference and Trial, Establishing Pretrial Deadlines, and Establishing Pretrial and Trial Procedures: Pretrial Conference set for 5/11/2015 03:00 PM in Miami Division before Judge Joan A. Lenard. Jury Trial set for 6/1/2015 09:00 AM in Miami Division before Judge Joan A. Lenard. Calendar Call set for 5/27/2015 04:00 PM in Miami Division before Judge Joan A. Lenard. Amended Pleadings due by 2/24/2014. Expert Discovery due by 12/2/2014. Fact Discovery due by 9/5/2014. Joinder of Parties due by 2/24/2014. Mediation Deadline 9/19/2014. In Limine Motions due by 3/30/2015. Dispositive Motions due by 1/16/2015. Pretrial Stipulation due by 4/13/2015. Signed by Judge Joan A. Lenard on 01/09/14. (dp) (Entered: 01/09/2014)
01/09/2014	86	ORDER REFERRING CASE to Mediation. Mediation Deadline 09/19/14. Signed by Judge Joan A. Lenard on 01/09/14. (Attachments: # 1 Appendix) (dp) (Entered: 01/09/2014)
01/09/2014	87	NOTICE by Laura Eggnatz, Katrina Garcia re 80 Response in Opposition to Motion, <i>Plaintiffs' Notice of January 6, 2014 FDA Letter Responding to Referral Orders in Gruma, Barnes and In re General Mills, Inc. Kix Cereal Litigation</i> (Attachments: # 1 Exhibit 1- FDA Letter Responding to Referral Orders)(Rubinstein, Howard) (Entered: 01/09/2014)
01/09/2014	88	AGREED MOTION to to File Documents Under Seal and Incorporated Memorandum of Law (ra) (Entered: 01/10/2014)
01/10/2014		SYSTEM ENTRY - Docket Entry 89 [misc] restricted/sealed until further notice. (ra) (Entered: 01/10/2014)
01/24/2014	90	ORDER TO SHOW CAUSE. On January 9, 2014, the Court issued an Order of Referral to Mediation 86 and therein provided Plaintiffs' counsel fourteen days to complete and file a proposed order scheduling mediation. To date, Plaintiffs' counsel has not submitted a proposed order scheduling mediation. Accordingly, it is ORDERED AND ADJUDGED that Plaintiffs' counsel is provided until January 31, 2014, to complete and file a proposed order scheduling mediation or show cause why this case should not be dismissed for non-compliance with the Court's Orders. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/24/2014. (gie) (Entered: 01/24/2014)

01/31/2014	91	RESPONSE TO ORDER TO SHOW CAUSE re 90 Order to Show Cause,, by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 [PROPOSED] JOINT ORDER SCHEDULING MEDIATION)(Rubinstein, Howard) (Entered: 01/31/2014)
02/04/2014	92	THIS CAUSE is before the Court on Plaintiffs' 91 Response to Order to Show Cause. It is hereby ORDERED AND ADJUDGED that the Parties shall have until and including February 20, 2014 to schedule mediation and file a proposed order scheduling mediation. (See D.E. 86-1.) Plaintiffs' counsel, or another attorney agreed upon by all counsel of record and any unrepresented parties, shall be responsible for scheduling the mediation conference and filing the proposed order. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/4/2014. (gie) (Entered: 02/04/2014)
02/19/2014	93	NOTICE by Laura Eggnatz, Katrina Garcia re 92 Order,, <i>Plaintiffs' Notice of Filing Order Scheduling Mediation</i> (Attachments: # 1 Order Scheduling Mediation)(Rubinstein, Howard) (Entered: 02/19/2014)
02/19/2014	94	ORDER Scheduling Mediation before J. Richard Haden. Mediation Deadline 9/9/2014. Mediation Hearing set for 6/3/2014 10:00 AM. Signed by Judge Joan A. Lenard on 02/19/14. (dp) (Entered: 02/19/2014)
04/01/2014	95	Case Reassignment of Paired Magistrate Judge pursuant to Administrative Order(s) 2013-63 to Magistrate Judge Jonathan Goodman. Magistrate Judge John J. O'Sullivan and Magistrate Judge William C. Turnoff no longer assigned to case. (vp) (Entered: 04/03/2014)
06/20/2014	96	ORDER TO SHOW CAUSE. On February 19, 2014, the Court issued an Order Scheduling Mediation for June 3, 2014 94 . Therein, the parties were to mediate the issues in this action on June 3, 2014. Further, the Court instructed the parties that this date "shall not be rescheduled without leave of Court" and that, within seven (7) days following the mediation conference, a mediation report was to be filed indicating whether all required parties were present and, <i>inter alia</i> , whether the case settled. To date, however, no such mediation report has been filed. Accordingly, it is ORDERED AND ADJUDGED that Plaintiff's counsel is provided until June 25, 2014 to have the mediator's report filed or to show cause why this case should not be dismissed for non-compliance with the Court's Orders. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 6/20/2014. (gie) (Entered: 06/20/2014)
06/20/2014	97 R	MEDIATION REPORT IN RESPONSE TO ORDER TO SHOW CAUSE re 96 Order to Show Cause,, by Laura Eggnatz, Katrina Garcia. (Rubinstein, Howard)Text Modified on 6/23/2014 (cqs). (Entered: 06/20/2014)
09/04/2014	98	Unopposed MOTION Setting a Case Management Conference, or in the alternative, for a Revised Trial Scheduling Order re (85 in 1:12-cv-21678-JAL) Scheduling Order,, by Laura Eggnatz, Katrina Garcia, Julie Martin. (Attachments: # 1 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 09/04/2014)
09/05/2014	99 R	OMNIBUS ORDER GRANTING IN PART AND DENYING IN PART 74 Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint; GRANTING IN PART AND DENYING IN PART 72 Defendants' Motion Requesting Judicial Notice in Support of Their Motion to Dismiss; GRANTING 73 Agreed Motion to File Documents Under Seal; GRANTING 81 Plaintiffs' Unopposed Motion to Request Judicial Notice in Support of Their Response in Opposition to Defendants' Motion to Dismiss; and GRANTING 88

	Agreed Motion to File Documents Under Seal. Signed by Judge Joan A. Lenard on 9/5/2014. (gie) (Entered: 09/05/2014)
09/05/2014	<p>100 ORDER DENYING 98 Plaintiffs' Unopposed Motion for Case Management Conference, or, in the Alternative, a Revised Trial Scheduling Order. On November 25, 2013, Defendants filed an Agreed Motion 67 which essentially requested the Court to stay the requirement of filing a Joint Scheduling Report and Form until fourteen (14) days after the Court ruled on Defendants' Motion to Dismiss which, at that point, had not yet been filed. On November 26, 2013, the Court issued an Order denying the Agreed Motion and requiring the Parties to file the Joint Scheduling Report and Form. (See D.E. 68.) On January 9, 2014, the Court issued an Order 85 Adopting the Parties Joint Scheduling Report which established dates and deadlines <u>chosen by the parties</u>, including a September 5, 2014 deadline for completion of fact discovery.</p> <p>On February 19, 2014, the Court issued an Order 94 Scheduling Mediation for June 3, 2014, and therein ordered that within seven (7) days following the mediation conference, a mediation report was to be filed indicating whether all required parties were present and, <u>inter alia</u>, whether the case settled. Due to the Parties failure to have a mediator's report filed as ordered, on June 20, 2014, the Court issued a renewed Order requiring the mediator's report to be filed (D.E. 96), and, later the same day, Plaintiff's Counsel-not the mediator-filed a report 97 R indicating that the Parties participated in the June 4, 2014 mediation but did not reach a settlement. It also indicated that the mediator "sent a letter [sic] to the Court regarding the mediation on June 4, 2014 via U.S. Mail[.]" However, neither the mediator nor the Parties filed the "letter" on the docket.</p> <p>On September 4, 2014, Plaintiffs filed the instant 98 Unopposed Motion requesting the Court to set a case management conference setting a briefing schedule for Plaintiffs' Motion for Class Certification, or, in the alternative, grant a 120 day extension of time with respect to the deadlines chosen by the Parties and established by the Court's Scheduling Order. Plaintiffs allege that an extension of all deadlines set forth in the Court's Scheduling Order is warranted "due to the slowing down of discovery for the parties' participation in mediation on June 4, 2014." Plaintiffs do not explain, and the Court cannot divine, how or why participating in mediation on June 4, 2014 slowed down discovery or otherwise prevented the Parties from completing discovery by the September 5, 2014 deadline. If anything, failing to reach a settlement at mediation should have stimulated discovery efforts. The instant motion also notes that "on or around November 18, 2013 counsel for the parties agreed to proceed with discovery informally, pending a ruling on Defendants Motion to Dismiss and for purposes of mediation. The parties engaged in informal discovery, and documents and information are still being produced and the parties are working to set mutually agreeable dates for the depositions of Defendants... most qualified under Rule 30(b)(6)[.]" The Parties do not offer an explanation as to why these depositions did not take place <u>before</u> the September 5, 2014, fact discovery deadline, much less show the "good cause" required by Federal Rule of Civil Procedure 16(b)(4), which states: "A schedule may be modified only for good cause and with the judge's consent." "This good cause standard precludes modification unless the schedule cannot be met despite the diligence of the party seeking the extension." <i>Sosa v. Airprint Sys., Inc.</i>, 133 F.3d 1417, 1418 (11th Cir. 1998). Pending motions are not "good cause" grounds for extending Scheduling Order deadlines. The Court finds that the Parties have not shown diligence in completing discovery by the September 5,</p>

		<p>2014 fact discovery deadline chosen by the Parties and established by the Scheduling Order. Therefore, their request for an extension is DENIED.</p> <p>Plaintiffs alternatively request a case management conference "setting a briefing schedule for Plaintiffs' Motion for Class Certification." The request for a case management conference is DENIED. The Court's 85 Scheduling Order establishes a January 16, 2015 deadline for all pretrial motions. The Parties may file a motion proposing a briefing schedule consistent with that deadline. This entry constitutes the ENDORSED ORDER in its entirety.</p> <p>Signed by Judge Joan A. Lenard on 9/5/2014. (gie) (Entered: 09/05/2014)</p>
09/30/2014	101	NOTICE of Change of Address by Angela Valentina Arango-Chaffin Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Arango-Chaffin, Angela) (Entered: 09/30/2014)
10/07/2014	102	Agreed MOTION to Set Briefing Schedule for Plaintiffs' Motion for Class Certification, and Incorporated Memorandum of Law re 100 Order on Motion for Miscellaneous Relief,,,,,,,,,,,,,,,,,,,,, by Kashi Company. (Waller, Edward) (Entered: 10/07/2014)
10/08/2014	103	ORDER GRANTING 102 Agreed Motion to Set Briefing Schedule for Plaintiffs' Motion for Class Certification. Plaintiffs' Motion for Class Certification shall be filed on or before January 16, 2015; Defendant's Response shall be filed within thirty (30) days of Plaintiff's Motion; and Plaintiffs' Reply shall be filed within fourteen (14) days of Defendant's Response. <u>All other dates and deadlines, including the deadline for dispositive motions, remain in full force and effect.</u> To preserve the trial date, extensions of this briefing schedule will not be granted. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 10/8/2014. (gie) (Entered: 10/08/2014)
11/20/2014	104	Unopposed MOTION for Protective Order by Kashi Company. (Attachments: # 1 Text of Proposed Order)(Waller, Edward) (Entered: 11/20/2014)
11/24/2014	105	STIPULATED PROTECTIVE ORDER. Signed by Magistrate Judge Jonathan Goodman on 11/24/2014. (tr00) (Entered: 11/24/2014)
11/24/2014	106	ENDORSED ORDER re Discovery Procedures. All parties are henceforth ORDERED to abide by the attached Discovery Procedures for all disputes concerning discovery, as well as the use and disclosure of confidential information as established in the 105 Stipulated Protective Order. Signed by Magistrate Judge Jonathan Goodman on 11/24/2014. (tr00) (Entered: 11/24/2014)
01/14/2015	107	NOTICE of Change of Address by Howard Weil Rubinstein Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Rubinstein, Howard) (Entered: 01/14/2015)
01/14/2015	108	NOTICE of Attorney Appearance by Michael Thomas Fraser on behalf of Laura Eggnatz, Katrina Garcia, Julie Martin. Attorney Michael Thomas Fraser added to party Laura Eggnatz(pty:pla), Attorney Michael Thomas Fraser added to party Katrina Garcia(pty:pla), Attorney Michael Thomas Fraser added to party Julie Martin(pty:pla). Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Fraser, Michael) (Entered: 01/14/2015)
01/15/2015	109	Agreed MOTION for Leave to File Excess Pages <i>as to Defendant's Motion for Summary Judgment AND INCORPORATED MEMORANDUM OF LAW</i> by Kashi Company. (Waller, Edward) (Entered: 01/15/2015)
01/15/2015	110	ORDER GRANTING IN PART 109 Agreed Motion for Leave to File Excess Pages as to

		<p>Defendant's Motion for Summary Judgment. Defendant's Motion for Summary Judgment shall not exceed twenty-five (25) pages. Additionally, Defendant's Motion and <u>all future pleadings of both parties</u> shall comply with the following:</p> <p>ORDER REGARDING FORMATTING OF PLEADINGS. The body of all pleadings shall be (1) double-spaced (with the exception of block quotations), and (2) printed in 12-point or larger type in an easily-readable font. Consistent with Local Rule 5.1, footnotes may be single-spaced but must be at least 12-point font. Furthermore, all pleadings are limited to forty-six (46) lines of footnoted material, which is equal to one full page of single-spaced, 12-point font text. All page limitations set forth by the Local Rules shall be observed unless prior leave is granted to exceed the page limits. Non-compliant filings may be stricken from the record. All pleadings shall certify that the pleading complies with the Local Rules and the Court's Orders. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/15/2015. (gie) (Entered: 01/15/2015)</p>
01/15/2015	111	MOTION for Leave to File Excess Pages by Laura Eggatz, Katrina Garcia. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Fraser, Michael) (Entered: 01/15/2015)
01/16/2015	112	ORDER GRANTING 111 Agreed Motion for Leave to File Excess Pages as to Plaintiffs' Motion for Class Certification. Plaintiffs' Motion for Class Certification shall not exceed 25 pages. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/16/2015. (gie) (Entered: 01/16/2015)
01/16/2015	113	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Mark A. Milstein. Filing Fee \$ 75.00. Receipt # 93263. (ksa) (Entered: 01/16/2015)
01/16/2015	114	AFFIDAVIT signed by : Kenneth K. Lee. <i>DECLARATION OF KENNETH K. LEE IN SUPPORT OF KASHI COMPANY'S MOTION FOR SUMMARY JUDGMENT</i> by Kashi Company (Attachments: # 1 Exhibit 1 - Excerpt from "Food Labeling," Jan. 6, 1993, # 2 Exhibit 2 - "Statement of Policy," May 29, 1992, # 3 Exhibit 3 - FDA's "Guidance for Industry", # 4 Exhibit 4 - USDA Food Standards and Labeling Policy Book, Aug. 2005, # 5 Exhibit 5 - Welsh Decl., June 17, 2013, # 6 Exhibit 6 - Excerpts from Garcia Dep., Jan. 8, 2015, # 7 Exhibit 7 - Excerpts from Eggatz Dep., Jan. 7, 2015, # 8 Exhibit 8 - Sharp Expert Report, Nov. 10, 2014)(Waller, Edward) (Entered: 01/16/2015)
01/16/2015	115	NOTICE by Kashi Company re 114 Affidavit,, <i>NOTICE OF FILING EXHIBITS 9 THROUGH 16 TO THE DECLARATION OF KENNETH K. LEE IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</i> (Attachments: # 1 Exhibit 9 - Sharp Supp. to Expert Report, # 2 Exhibit 10 - Benbrook Expert Report, # 3 Exhibit 11 - Maronick Report, # 4 Exhibit 12 - To be filed under seal, # 5 Exhibit 13 - To be filed under seal, # 6 Exhibit 14 - Excerpts from Benbrook Dep., # 7 Exhibit 15 - Excerpts from Maronick Dep., # 8 Exhibit 16 - To be filed under seal) (Waller, Edward) (Entered: 01/16/2015)
01/16/2015	116	NOTICE by Kashi Company re 115 Notice (Other),, 114 Affidavit,, <i>DEFENDANT'S NOTICE OF FILING EXHIBITS 17 THROUGH 23 TO THE DECLARATION OF KENNETH K. LEE IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</i> (Attachments: # 1 Exhibit 17 - To be filed under seal, # 2 Exhibit 18 - To be filed under seal, # 3 Exhibit 19 - Clemens Rebuttal Expert Report, # 4 Exhibit 20 - Simonson Rebuttal Expert Report, # 5 Exhibit 21 - Cereal Packaging Image, # 6 Exhibit 22

		- Mintel Study, "Consumer Attitudes", # 7 Exhibit 23 - To be filed under seal) (Waller, Edward) (Entered: 01/16/2015)
01/16/2015	117	Statement of: Material Facts as to Which There is No Genuine Issue to be Tried (<i>Local Rule 56.1(a)</i>) by Kashi Company (Waller, Edward) (Entered: 01/16/2015)
01/16/2015	118	MOTION to Certify Class by Laura Eggnatz, Katrina Garcia. Responses due by 2/2/2015 (Attachments: # 1 Memorandum, # 2 Declaration of Gillian L. Wade, # 3 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/16/2015)
01/16/2015	119	MOTION for Summary Judgment <i>and Incorporated Memorandum of Law (Redacted)</i> by Kashi Company. Responses due by 2/2/2015 (Waller, Edward) (Entered: 01/16/2015)
01/16/2015	120	AFFIDAVIT signed by : Kenneth K. Lee. <i>Declaration of Kenneth K. Lee in Support of Agreed Motion to File Documents Under Seal</i> by Kashi Company (Waller, Edward) (Entered: 01/16/2015)
01/16/2015	121	AFFIDAVIT signed by : Sara D. Avila. <i>Declaration of Sara D. Avila In Support of Agreed Motion to File Documents Under Seal and Incorporated Memorandum of Law</i> by Laura Eggnatz, Katrina Garcia Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/16/2015)
01/16/2015	122	MOTION For Request For Judicial Notice In Support of Plaintiffs' Motion for Class Certification re (59 in 1:12-cv-24362-JAL) MOTION to Certify Class by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 Exhibit 1)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/16/2015)
01/20/2015	123	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Kashi Company (nc) (Entered: 01/20/2015)
01/20/2015		SYSTEM ENTRY - Docket Entry 124 [motion] restricted/sealed until further notice. (nc) (Entered: 01/20/2015)
01/20/2015		SYSTEM ENTRY - Docket Entry 125 [misc] restricted/sealed until further notice. (nc) (Entered: 01/20/2015)
01/20/2015	126	Clerk's Notice of Filing Deficiency Re: 124 Sealed Document, 125 Sealed Document, by Kashi Company. Document(s) missing required signature(s) (Fed.R.Civ.P. 11(a)). (nc) (Entered: 01/20/2015)
01/20/2015	127	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Katrina Garcia, Laura Eggnatz (nc) (Entered: 01/20/2015)
01/20/2015	128	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Katrina Garcia, Laura Eggnatz (nc) (Entered: 01/20/2015)
01/20/2015		SYSTEM ENTRY - Docket Entry 129 [misc] restricted/sealed until further notice. (nc) (Entered: 01/20/2015)
01/20/2015	130	TWENTY-ONE DAY Notice of Consideration of Motion for Summary Judgment. Signed by Judge Joan A. Lenard on 01/20/15. (dp) (Entered: 01/20/2015)
01/20/2015		SYSTEM ENTRY - Docket Entry 131 [misc] restricted/sealed until further notice. (nc) (Entered: 01/20/2015)

01/20/2015	132	ORDER granting 113 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Joan A. Lenard on 01/16/15. (dp) (Entered: 01/20/2015)
01/22/2015	133	Agreed MOTION for Leave to File Excess Pages by Laura Eggnatz, Katrina Garcia. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/22/2015)
01/23/2015	134	ORDER GRANTING 133 Agreed Motion for Leave to File Excess Pages as to Plaintiffs' Opposition to Defendant's Motion for Summary Judgment. Plaintiffs' response shall not exceed twenty-five (25) pages. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/23/2015. (gie) (Entered: 01/23/2015)
01/28/2015	135	STIPULATION to Set Briefing Schedule for Defendant's Motion for Summary Judgment to Mirror to the Class Certification Briefing Schedule and Incorporated Memorandum of Law by Laura Eggnatz, Katrina Garcia, Julie Martin Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 01/28/2015)
01/29/2015	136	ENDORSED ORDER. The briefing schedule for Defendant's summary judgment motion shall conform with the briefing schedule on the motion for class certification as follows: Plaintiffs shall file their Response on or before February 16, 2015, and Defendant shall file its Reply on or before March 2, 2015. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 1/29/2015. (gie) (Entered: 01/29/2015)
01/29/2015		Set/Reset Deadlines as to 119 MOTION for Summary Judgment per D.E. 136. Responses due by 2/16/2015 Replies due by 3/2/2015. (gie) (Entered: 01/29/2015)
01/30/2015	137	NOTICE by Kashi Company re 130 Order Notice of Filing Copies of Deposition Transcripts (Attachments: # 1 Deposition Eggnatz Transcript, # 2 Deposition Garcia Transcript, # 3 Deposition Maronick Transcript - rough, # 4 Deposition Maronick Transcript - final) (Waller, Edward) (Entered: 01/30/2015)
01/30/2015	138	AFFIDAVIT signed by : Kenneth K. Lee. Declaration of Kenneth K. Lee in Support of Agreed Motion to File Document Under Seal by Kashi Company (Waller, Edward) (Entered: 01/30/2015)
02/02/2015	139	AGREED MOTION to File Document Under Seal and Incorporated Memorandum of Law by Kashi Company (nc) (Additional attachment(s) added on 2/2/2015: # 1 Exhibit, # 2 Exhibit cont'd) (nc). (Entered: 02/02/2015)
02/10/2015	140	Agreed MOTION for Leave to File Excess Pages as to Defendant's Response in Opposition to Plaintiffs' Motion for Class Certification (Doc. 118) and Incorporated Memorandum of Law by Kashi Company. (Waller, Edward) (Entered: 02/10/2015)
02/10/2015	141	ORDER GRANTING 140 Agreed Motion for Leave to File Excess Pages as to Defendant's Response in Opposition to Plaintiffs' Motion for Class Certification. Defendant's Response shall not exceed twenty-five (25) pages in length, and shall comply with the Court's Order Regarding Formatting of Pleadings (D.E. 110). This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/10/2015. (gie) (Entered: 02/10/2015)
02/13/2015	142	RESPONSE in Opposition re (119 in 1:12-cv-21678-JAL) MOTION for Summary Judgment and Incorporated Memorandum of Law (Redacted) filed by Laura Eggnatz,

		Katrina Garcia, Julie Martin. Replies due by 2/23/2015. (Attachments: # 1 Declaration of Gillian L. Wade, # 2 Declaration of Charles M. Benbrook, Ph.D., # 3 Plaintiffs' Local Rule 56.1 Statement of Disputed Facts in Support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Rubinstein, Howard) (Entered: 02/13/2015)
02/16/2015	143	AFFIDAVIT in Opposition re (59 in 1:12-cv-24362-JAL) MOTION to Certify Class filed by Kashi Company. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Waller, Edward) (Entered: 02/16/2015)
02/16/2015	144	NOTICE by Kashi Company re (143 in 1:12-cv-21678-JAL) Affidavit in Opposition to Motion (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Waller, Edward) (Entered: 02/16/2015)
02/16/2015	145	NOTICE by Kashi Company re (143 in 1:12-cv-21678-JAL) Affidavit in Opposition to Motion of <i>Filing Exhibits</i> (Attachments: # 1 Exhibit 7) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Waller, Edward) (Entered: 02/16/2015)
02/16/2015	146	NOTICE by The Kellogg Company re (143 in 1:12-cv-21678-JAL) Affidavit in Opposition to Motion of <i>Filing Exhibits to Declaration of Kenneth K. Lee</i> (Attachments: # 1 Exhibit 8, # 2 Exhibit 9, # 3 Exhibit 10, # 4 Exhibit 11) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Waller, Edward) (Entered: 02/16/2015)
02/16/2015	147	NOTICE by Kashi Company re (143 in 1:12-cv-21678-JAL) Affidavit in Opposition to Motion Of <i>Filing Exhibits to Declaration of Kenneth K. Lee</i> (Attachments: # 1 Exhibit 12, # 2 Exhibit 13, # 3 Exhibit 14, # 4 Exhibit 15, # 5 Exhibit 16) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Waller, Edward) (Entered: 02/16/2015)
02/16/2015	148	NOTICE by Kashi Company of <i>Filing Exhibits 17-28 to Declaration of Kenneth K. Lee in Support of Opposition to Plaintiffs' Motion for Class Certification</i> (Attachments: # 1 Exhibit 17, # 2 Exhibit 18, # 3 Exhibit 19, # 4 Exhibit 20, # 5 Exhibit 21, # 6 Exhibit 22, # 7 Exhibit 23, # 8 Exhibit 24, # 9 Exhibit 25, # 10 Exhibit 26, # 11 Exhibit 27, # 12 Exhibit 28) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Waller, Edward) (Entered: 02/16/2015)
02/16/2015	149	RESPONSE in Opposition re 118 MOTION to Certify Class [<i>Redacted Version</i>] filed by Kashi Company. Replies due by 2/26/2015. (Waller, Edward) (Entered: 02/16/2015)
02/17/2015	150	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Katrina Garcia, Laura Eggatz (nc) (Entered: 02/17/2015)
02/17/2015		SYSTEM ENTRY - Docket Entry 151 [misc] restricted/sealed until further notice. (nc) (Entered: 02/17/2015)
02/17/2015		SYSTEM ENTRY - Docket Entry 152 [misc] restricted/sealed until further notice. (nc) (Entered: 02/17/2015)
02/17/2015		SYSTEM ENTRY - Docket Entry 153 [misc] restricted/sealed until further notice. (nc) (Entered: 02/17/2015)
02/17/2015	154	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Kashi Company (nc) (Entered: 02/17/2015)

02/17/2015		SYSTEM ENTRY - Docket Entry 155 [misc] restricted/sealed until further notice. (nc) (Entered: 02/17/2015)
02/17/2015		SYSTEM ENTRY - Docket Entry 156 [misc] restricted/sealed until further notice. (nc) (Entered: 02/17/2015)
02/24/2015	157	NOTICE by Laura Eggatz, Katrina Garcia <i>Plaintiffs' Notice of Filing Copy of Deposition Transcript</i> (Rubinstein, Howard) (Entered: 02/24/2015)
02/24/2015	158	AFFIDAVIT signed by : Sara D. Avila. <i>Declaration of Sara D. Avila in Support of Agreed Motion to File Documents Under Seal and Incorporated Memorandum of Law</i> by Laura Eggatz, Katrina Garcia (Rubinstein, Howard) (Entered: 02/24/2015)
02/25/2015	159	Joint MOTION for (1) an order requiring the parties to mediate and to file a post-mediation status report and (2) a deferral of ruling on pending motions -- <i>and incorporated memorandum of law--</i> by Kashi Company. (Waller, Edward) (Entered: 02/25/2015)
02/25/2015	160	ORDER GRANTING 159 Joint Motion Regarding Mediation. It is ORDERED AND ADJUDGED that the Parties shall attend a mediation conference before the Honorable Richard Haden, on or before March 24, 2015. This date has been agreed to by the Mediator and the Parties and shall not be rescheduled without leave of the Court. It is FURTHER ORDERED AND ADJUDGED that the Parties shall file a joint, post-mediation status report on or before April 6, 2015. The Court shall defer ruling on pending motions until after April 6, 2015. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/25/2015. (gie) (Entered: 02/25/2015)
02/25/2015	161	AGREED MOTION to File Documents Under Seal and Incorporated Memorandum of Law by Katrina Garcia, Laura Eggatz (nc) (Additional attachment(s) added on 2/26/2015: # 1 Exhibit) (nc). (Entered: 02/26/2015)
03/02/2015	162	MOTION to Strike 142 Response in Opposition to Motion,, <i>and Incorporated Memorandum of Law</i> by Kashi Company. Responses due by 3/19/2015 (Waller, Edward) (Entered: 03/02/2015)
03/02/2015	163	REPLY in Support of 119 MOTION for Summary Judgment <i>and Incorporated Memorandum of Law (Redacted) [Redacted Reply]</i> filed by Kashi Company. (Waller, Edward) Modified text on 3/3/2015 (yar). (Entered: 03/02/2015)
03/02/2015	164	AFFIDAVIT signed by : Kenneth K. Lee. re 163 Reply to Response to Motion <i>Supplemental Declaration</i> by Kashi Company (Waller, Edward) (Entered: 03/02/2015)
03/02/2015	165	AFFIDAVIT signed by : Kenneth K. Lee. <i>Declaration of Kenneth K. Lee in Support of Agreed Motion to File Documents Under Seal</i> by Kashi Company (Waller, Edward) (Entered: 03/02/2015)
03/02/2015	166	REPLY Memorandum in Supprt of re 118 MOTION to Certify Class filed by Laura Eggatz, Katrina Garcia. (Attachments: # 1 Affidavit Declaration of Sara D. Avila In Support Of Reply to Motion for Class Certification)(Rubinstein, Howard) Modified text on 3/3/2015 (yar). (Entered: 03/02/2015)
03/03/2015	167	AGREED MOTION to File Documents Seal and Incorporated Memorandum of Law by Kashi Company (nc) (Entered: 03/04/2015)
03/04/2015		SYSTEM ENTRY - Docket Entry 168 [misc] restricted/sealed until further notice. (nc)

		(Entered: 03/04/2015)
03/19/2015	169	RESPONSE in Opposition re 162 MOTION to Strike 142 Response in Opposition to Motion,, and <i>Incorporated Memorandum of Law</i> filed by Laura Eggatz, Katrina Garcia. Replies due by 3/30/2015. (Attachments: # 1 Declaration of Sara D. Avila)(Rubinstein, Howard) (Entered: 03/19/2015)
04/06/2015	170 R	Joint MOTION to Vacate ---- <i>JOINT POST-MEDIATION STATUS REPORT AND JOINT MOTION TO VACATE ALL PENDING MOTIONS AND TRIAL DATES WITH INCORPORATED MEMORANDUM OF LAW</i> ---- by Kashi Company. Responses due by 4/23/2015 (Waller, Edward) (Entered: 04/06/2015)
04/07/2015	171	ORDER STAYING AND ADMINISTRATIVELY CLOSING CASE. THIS CAUSE is before the Court on the Parties' 170 R Joint Post-Mediation Status Report and Joint Motion to Vacate all Pending Motions and Trial Dates, filed April 6, 2015. Therein, the Parties indicate that they have reached a settlement and anticipate that it will take 45 days to finalize the settlement agreement and file their motion for preliminary approval. They therefore request the Court to vacate the pending motions and deadlines. The request is GRANTED and it is ORDERED AND ADJUDGED that this case is STAYED AND ADMINISTRATIVELY CLOSED. The parties shall have 45 days from the date of this Order to file their settlement agreement and motion for preliminary approval. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 4/7/2015. (gie) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 04/07/2015)
05/20/2015	172	Agreed MOTION for Extension of Time From May 22, 2015 to June 5, 2015 to File Motion for Preliminary Approval of Class Action Settlement re 171 Administrative Order, Case Stayed,,,,,, by Laura Eggatz, Katrina Garcia. Responses due by 6/8/2015 (Attachments: # 1 Text of Proposed Order)(Rubinstein, Howard) (Entered: 05/20/2015)
05/21/2015	173	ORDER GRANTING 172 Agreed Motion for Extension of Time to File Motion for Preliminary Approval of Class Action Settlement. The Parties shall have until and including June 5, 2015, to file their Motion for Preliminary Approval of Class Action Settlement. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 5/21/2015. (gie) (Entered: 05/21/2015)
06/02/2015	174	Agreed MOTION for Leave to File Excess Pages <i>as to Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement</i> by Laura Eggatz, Katrina Garcia. (Attachments: # 1 Text of Proposed Order)(Fraser, Michael) (Entered: 06/02/2015)
06/02/2015	175	ORDER GRANTING 174 Agreed Motion for Leave to File Excess Pages as to Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement. Plaintiffs' Motion shall not exceed twenty-five (25) double-spaced pages. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 6/2/2015. (gie) (Entered: 06/02/2015)
06/04/2015	176 R	Unopposed MOTION to Withdraw as Attorney <i>FOR PLAINTIFFS</i> by Howard Rubinstein. by Laura Eggatz, Katrina Garcia, Julie Martin. Responses due by 6/22/2015

		(Attachments: # 1 Text of Proposed Order)Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(Fraser, Michael) (Entered: 06/04/2015)
06/04/2015	177	NOTICE of Voluntary Dismissal <i>OF PLAINTIFF JULIE MARTIN ONLY</i> by Julie Martin Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Fraser, Michael) (Entered: 06/04/2015)
06/05/2015	178	ORDER GRANTING 176 R Attorney Howard W. Rubinstein's Motion to Withdraw as Counsel for Plaintiffs. Howard W. Rubinstein is hereby discharged from this cause, but his firm, The Law Offices of Howard W. Rubinstein, through Attorney Michael T. Fraser, will continue representing Plaintiffs, Laura Eggnatz, Katrina Garcia, and the Proposed Class. All future notices and communications to The Law Offices of Howard W. Rubinstein shall be sent to: Michael T. Fraser, Esq., The Law Offices of Howard W. Rubinstein, P.A., One Embarcadero Center, Suite 200, San Francisco, California 94111. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 6/5/2015. (gie) (Entered: 06/05/2015)
06/05/2015	179 R	Unopposed MOTION for Preliminary Approval of Class Action Settlement by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 R Exhibit 1- Stipulation of Settlement, # 2 Exhibit 2- Declaration of Gillian L. Wade, # 3 Exhibit 3- Declaration Of Mark Schey, # 4 Text of Proposed Order)(Fraser, Michael) (Entered: 06/05/2015)
08/25/2015	180	NOTICE by Laura Eggnatz, Julie Martin <i>of Attorney Benjamin M. Lopatin's Change of Address and Firm Name Change (Admitted Pro Hac Vice)</i> Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (Pascucci, Michael) (Entered: 08/25/2015)
08/27/2015	181	ENDORSED ORDER. THIS CAUSE is before the Court on 179 R Plaintiffs' Unopposed Motion for Preliminary Approval of Class Settlement ("Motion") filed June 5, 2015. The Court has reviewed the Motion and is prepared to enter an Order granting preliminary approval of the class action settlement. However, the dates and deadlines proposed in the Motion are no longer feasible. (See Motion at 30.) Accordingly, it is ORDERED AND ADJUDGED that the Parties shall have until and including September 3, 2015, to submit a new schedule of proposed dates and deadlines so that the Court may include a Settlement Hearing date in its Order. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 8/27/2015. (gie) (Entered: 08/27/2015)
09/03/2015	182 R	RESPONSE/REPLY to 181 Endorsed Order,, <i>Parties New Schedule of Proposed Dates and Deadlines, Pursuant to The Courts August 27, 2015 Order [ECF 181]</i> by Laura Eggnatz, Katrina Garcia. (Fraser, Michael) (Entered: 09/03/2015)
09/04/2015	183 R	ORDER granting (179) Motion for Preliminary Approval of Class Action Settlement in case 1:12-cv-21678-JAL. Signed by Judge Joan A. Lenard on 9/4/2015. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (pm) (Entered: 09/04/2015)
09/09/2015	184	ENDORSED ORDER. On September 4, 2015, the Court issued an 183 R Order Preliminarily Approving Class Action Settlement, Conditionally Certifying the Settlement Class, Providing for Notice and Scheduling Order, in which it scheduled a "Final Approval Hearing" before the undersigned for January 27, 2016 at 2:30 pm. (The Order contains a scrivener's error indicating that the final approval hearing is scheduled for "1/27, 2015." That Order is hereby AMENDED to reflect a January 27, 2016 hearing date.) It is ORDERED AND ADJUDGED that the Parties shall have until and including September 18, 2015 to file a Joint Notice indicating whether they consent to having a United States Magistrate Judge

		conduct the "Final Approval Hearing" and entering final judgment in this action. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 9/9/2015. (gie) (Entered: 09/09/2015)
09/09/2015		Set Deadlines/Hearings Per DE#184. See Order For Details Miscellaneous Deadline 9/18/2015. Miscellaneous Hearing set for 1/27/2016 02:30 PM before Judge Joan A. Lenard. (cqs) (Entered: 09/09/2015)
09/18/2015	185	NOTICE by Laura Eggnatz, Katrina Garcia re 184 Endorsed Order,,, <i>Parties' Joint Declination to United States Magistrate Judge in Response to the Courts September 9, 2015 Order (D.E. 184)</i> (Fraser, Michael) (Entered: 09/18/2015)
12/14/2015	186	MOTION for Final Approval of Class Action Settlement by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 Affidavit of Gillian Wade, # 2 R Affidavit of Mark Schey, # 3 Text of Proposed Order)(Fraser, Michael) (Entered: 12/14/2015)
12/14/2015	187	MOTION for Attorney Fees <i>and Costs</i> by Laura Eggnatz, Katrina Garcia. Responses due by 12/31/2015 (Attachments: # 1 Affidavit Joint Declaration of Class Counsel)(Fraser, Michael) (Entered: 12/14/2015)
12/14/2015	188	MOTION for Service Award for Representative Plaintiffs by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 Affidavit of Laura Eggnatz, # 2 Affidavit of Katrina Garcia) (Fraser, Michael) (Entered: 12/14/2015)
12/22/2015	189 R	Objection to 186 MOTION for Final Approval of Class Action Settlement by S. Perry Thomas, Jr.. (cqs) (Entered: 12/22/2015)
12/23/2015	190	NOTICE of Change of Address by Michael Thomas Fraser (Fraser, Michael) (Entered: 12/23/2015)
12/29/2015	191 R	RESPONSE/OBJECTION to 186 MOTION for Final Approval of Class Action Settlement by Patrick S. Sweeney. (jas) (Entered: 12/29/2015)
12/29/2015	192	NOTICE Of Intent To Appear by Patrick S. Sweeney (see DE 191 R for image) (jas) (Entered: 12/29/2015)
01/13/2016	193 R	RESPONSE/REPLY to 189 R Response/Reply (Other), 191 R Response/Reply (Other), 192 Notice (Other) <i>Plaintiffs' Response to Objections to Class Action Settlement</i> by Laura Eggnatz, Katrina Garcia. (Attachments: # 1 R Affidavit of Sara D. Avila, # 2 R Affidavit of Mark Schey)(Fraser, Michael) (Entered: 01/13/2016)
01/25/2016	194 R	AFFIDAVIT signed by : Mark Schey. re 186 MOTION for Final Approval of Class Action Settlement <i>Supplemental Declaration of Mark Schey Regarding Claims Statistics Following the Close of the Claims Period</i> by Laura Eggnatz, Katrina Garcia (Fraser, Michael) (Entered: 01/25/2016)
01/27/2016	195	Minute Entry for proceedings held before Judge Joan A. Lenard: Miscellaneous Hearing held on 1/27/2016, 3:10pm-3:30pm. Present: Gillian Wade, Sara Avila, Richard Steinken. After hearing from the parties, the Court overruled objections, parties request the Court to approve settlement and retain jurisdiction of same, the Court finding the settlement is fair and reasonable to enter order approving settlement. Court Reporter: Tamra Piderit, 305-523-5024 / tamra_piderit@flsd.uscourts.gov Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL(pm) (Entered: 01/27/2016)

02/01/2016	196 R	FINAL JUDGMENT AND ORDER OF DISMISSAL granting (186) Motion in case 1:12-cv-21678-JAL. Signed by Judge Joan A. Lenard on 1/29/2016. Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (pm) (Entered: 02/01/2016)
02/02/2016	197	ENDORSED ORDER. On February 1, 2016, the Court entered its Final Judgment and Order of Dismissal ("Order"). (D.E. 196 R .) The Order references: (1) the Parties' June 5, 2015, Stipulation of Settlement as "Exhibit A," (2) a list of class opt-outs as "Exhibit B," (3) the Notice of Class Settlement as "Exhibit C," and (4) the Publication Notice as "Exhibit D." However, the Court did not attach the referenced Exhibits to the Order. It is ORDERED AND ADJUDGED that Plaintiff's counsel (or other counsel agreed by the Parties) shall have until and including February 10, 2016 to file with the Court a Motion to Supplement the Final Judgment and Order of Dismissal with the above-referenced Exhibits attached thereto (as Exhibits A, B, C, and D respectively). Because there were no opt-outs, (see D.E. 194 R , Supplemental Decl. of Mark Schey Regarding Claims Statistics Following the Close of the Claims Period), Plaintiff's counsel shall file an Affidavit of No Opt-Outs as Exhibit B. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/2/2016. (gie) (Entered: 02/02/2016)
02/02/2016		Set Deadlines Per DE# 197. Motions due by 2/10/2016. (cqs) (Entered: 02/02/2016)
02/03/2016	198	Unopposed MOTION to Supplement the Final Judgment and Order of Dismissal re 197 Endorsed Order,,, by Laura Eggatz, Katrina Garcia. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Fraser, Michael) (Entered: 02/03/2016)
02/04/2016	199 R	ORDER SUPPLEMENTING FINAL JUDGMENT AND ORDER OF DISMISSAL. Signed by Judge Joan A. Lenard on 2/4/2016. (Attachments: # 1 R Exhibit Stipulation of Settlement, # 2 R Exhibit Affidavit of No Opt-Outs, # 3 R Exhibit Notice of Class Action Settlement, # 4 R Exhibit Publication Notice) Associated Cases: 1:12-cv-21678-JAL, 1:12-cv-24362-JAL (gie) (Entered: 02/04/2016)
02/04/2016	200	ORDER TERMINATING 187 Plaintiffs' Unopposed Motion for Attorneys' Fees and Costs and 188 Plaintiffs' Motion for Service Award for Representative Plaintiffs, as those issues were resolved by the Court's 196 R Final Judgment and Order of Dismissal. This entry constitutes the ENDORSED ORDER in its entirety. Signed by Judge Joan A. Lenard on 2/4/2016. (gie) (Entered: 02/04/2016)
02/26/2016	201	Notice of Appeal by Patrick S. Sweeney as to 196 R Order on Motion for Miscellaneous Relief. Filing fee \$ 505.00 Receipt#: FEE NOT PAID. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (hh) (Entered: 02/26/2016)
02/26/2016		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 201 Notice of Appeal, Notice has been electronically mailed. (hh) (Entered: 02/26/2016)
02/29/2016	202	USCA Appeal Fees received \$ 505.00 receipt number FLS100117963 re 201 Notice of Appeal, filed by Patrick S. Sweeney (hh) (Entered: 02/29/2016)
03/01/2016	203	Acknowledgment of Receipt of NOA from USCA re 201 Notice of Appeal, filed by Patrick S. Sweeney. Date received by USCA: 2/16/16. USCA Case Number: 16-10854-B. (hh) (Entered: 03/01/2016)

04/04/2016	204	ORDER of DISMISSAL from USCA. Appellant's "Stipulated Motion to Voluntarily Dismiss Appeal," which is construed as an unopposed motion to dismiss the appeal with prejudice, with the parties to bear their own costs and fees on appeal, is GRANTED re 201 Notice of Appeal, filed by Patrick S. Sweeney. USCA #16-10854-B (amb) (Entered: 04/04/2016)
11/08/2016	205	TRANSCRIPT of Miscellaneous Hearing held on January 27, 2016 before Judge Joan A. Lenard, Volume Number 1 of 1, 1-19 pages, Court Reporter: Tamra Piderit, 305-523-5158 / tamra_piderit@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/2/2016. Redacted Transcript Deadline set for 12/12/2016. Release of Transcript Restriction set for 2/9/2017. (tpt) (Entered: 11/08/2016)