

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:12-cv-06172-NIQA**

HARSHBARGER et al v. PENNSYLVANIA MUTUAL LIFE
INSURANCE COMPANY
Assigned to: HONORABLE NITZA I QUINONES ALEJANDRO
Case in other court: USCA, 18-01118
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 11/01/2012
Date Terminated: 12/20/2017
Jury Demand: Plaintiff
Nature of Suit: 110 Contract: Insurance
Jurisdiction: Diversity

Plaintiff

DANIEL J. HARSHBARGER

represented by **ANDREW S. FRIEDMAN**
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AND BALINT, P.C.
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TERMINATED: 07/05/2017

Plaintiff

EDITH M. HARSHBARGER
INDIVIDUALLY AND ON BEHALF OF
ALL PERSONS SIMILARLY SITUATED

represented by **ANDREW S. FRIEDMAN**
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STEPHEN M. PINCUS
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TERMINATED: 03/20/2015
LEAD ATTORNEY

MCKEAN EVANS
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TERMINATED: 07/05/2017

V.

Defendant

**THE PENN MUTUAL LIFE
INSURANCE COMPANY**

represented by **JAY H. CALVERT , JR.**
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Defendant

**PENNSYLVANIA MUTUAL LIFE
INSURANCE COMPANY**
TERMINATED: 04/25/2017

represented by **JAY H. CALVERT , JR.**
(See above for address)
TERMINATED: 04/25/2017

JOHN P. LAVELLE , JR.
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TERMINATED: 04/25/2017

JOSEPH B.G. FAY
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TERMINATED: 04/25/2017

MARISA J. TILGHMAN
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V.

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Respondent

CECILY D. CORNISH

represented by **CECILY D. CORNISH**
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Respondent

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Respondent

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PRO SE**Respondent****RISIE R. HOWARD**represented by **RISIE R. HOWARD**
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PRO SE**Respondent****JOHN W. MANSFIELD**represented by **JOHN W. MANSFIELD**
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PRO SE**Respondent****RISIE HOWARD**

Date Filed	#	Docket Text
11/01/2012	1	COMPLAINT against PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY (Filing fee \$ 350 receipt number 071709.), filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Civil Cover Sheet)(mima,) (Entered: 11/01/2012)
11/01/2012		DEMAND for Trial by Jury by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (mima,) (Entered: 11/01/2012)
11/01/2012		Summons Issued as to PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. One Forwarded To: Counsel on November 1, 2012 (mima,) (Entered: 11/01/2012)
11/08/2012	2	SUMMONS Returned Executed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER re: Scott Segal served Summons and Complaint upon PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY by Personal Service. PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY served on 11/7/2012, answer due 11/28/2012. (PINCUS, STEPHEN) (Entered: 11/08/2012)
11/16/2012	3	APPLICATION for PRO HAC VICE ADMISSION of (Mark A. Chavez) filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.SPONSORS

		STATEMENT, PROPOSED ORDER, CERTIFICATE OF SERVICE. (FEE PAID PPE072471) (kk,) (Entered: 11/16/2012)
11/20/2012	4	ORDER THAT THE PRO HAC VICE APPLICATION OF ATTORNEY MARK A. CHAVEZ FOR THE PLAINTIFFS IS GRANTED. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 11/20/2012. 11/21/2012 ENTERED AND COPIES MAILED TO COUNSEL AND UNREPS, E-MAILED.(kk,) (Entered: 11/21/2012)
11/26/2012	5	Joint MOTION for Extension of Time to File Answer , <i>Move or Otherwise Respond to Compl. and to Extend Deadline to File Motion for Class Certification</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER, PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY.Certificate of Service, Proposed Order.(AYALA, THOMAS) (Entered: 11/26/2012)
11/26/2012	6	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY.(AYALA, THOMAS) (Entered: 11/26/2012)
11/30/2012	7	ORDER THAT THE DEFENDANT PENN MUTUAL LIFE INSURANCE COMPANY SHALL ANSWER, MOVE OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT BY 12/28/2012, ETC. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 11/30/2012.11/30/2012 ENTERED AND COPIES E-MAILED.(kk,) (Entered: 11/30/2012)
12/28/2012	8	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>on Abstention Grounds or, in the Alternative, for Failure to State a Claim under Rule 12(b)(6)</i> filed by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY.Brief, Certificate of Service. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Text of Proposed Orders)(AYALA, THOMAS) (Entered: 12/28/2012)
01/02/2013	9	Consent MOTION for Extension of Time to File Response/Reply as to 8 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>on Abstention Grounds or, in the Alternative, for Failure to State a Claim under Rule 12(b)(6)</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.. Certificate of Service. (Attachments: # 1 Text of Proposed Order)(PINCUS, STEPHEN) Modified on 1/3/2013 (ahf,). (Entered: 01/02/2013)
01/08/2013	10	ORDER THAT THE MOTION FOR ENLARGEMENT OF TIME FOR PLAINTIFFS TO FILE THEIR BRIEF IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS (DOC. NO.9) IS GRANTED. PLAINTIFF SHALL FILE ANY OPPOSITION BRIEF ON OR BEFORE 1/18/2013. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 1/7/2013.1/8/2013 ENTERED AND COPIES E-MAILED.(kk,) (Entered: 01/08/2013)
01/09/2013	11	APPLICATION for PRO HAC VICE APPLICATION of (Andrew S. Friedman) by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.SPONSORS STATEMENT, PROPOSED ORDER, CERTIFICATE OF SERVICE.(PPE074972) (kk,) (Entered: 01/09/2013)
01/10/2013	12	ORDER THAT THE PRO HAC VICE APPLICATION OF ATTORNEY ANDREW S. FRIEDMAN FOR THE PLAINTIFFS' IS GRANTED. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 1/10/2013. 1/11/2013 ENTERED AND COPIES E-MAILED.(kk,) (Entered: 01/11/2013)
01/14/2013	13	APPLICATION for PRO HAC VICE ADMISSION of (Francis J Balint, Jr) by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.SPONSORS STATEMENT, PROPOSED ORDER, CERTIFICATE OF SERVICE. (FEE PAID PPE075290) (kk,) (Entered: 01/14/2013)

01/16/2013	14	Praecipe to Enter Appearance of Jay H. Calvert, Jr., on behalf of Defendant, The Penn Mutual Life Insurance Company, Lead Attorney to Be Noticed by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. (AYALA, THOMAS) (Entered: 01/16/2013)
01/16/2013	15	Praecipe to Enter Appearance of Marisa J. Tilghman, on behalf of Defendant, The Penn Mutual Life Insurance Company, Attorney to Be Noticed by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. (AYALA, THOMAS) (Entered: 01/16/2013)
01/17/2013	16	NOTICE of Appearance by JAY H. CALVERT, JR on behalf of PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY with certificate of sevice(CALVERT, JAY) (Entered: 01/17/2013)
01/17/2013	17	NOTICE of Appearance by MARISA J. TILGHMAN on behalf of PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY with Certificate of Service(TILGHMAN, MARISA) (Entered: 01/17/2013)
01/17/2013	18	ORDER THAT THE PRO HAC VICE APPLICATION OF ATTORNEY FRANCIS JOSEPH BALINT, JR FOR THE PLAINTIFFS IS GRANTED. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 1/16/2013. 1/18/2013 ENTERED AND COPIES MAILED, E-MAILED.(kk,) (Entered: 01/18/2013)
01/18/2013	19	APPLICATION for PRO HAC VICE ADMISSION of (Jason B. Adkins) filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.SPONSORS STATEMENT, PROPOSED ORDER, CERTIFICATE OF SERVICE.(FEE PAID PPE075592) (kk,) (Entered: 01/18/2013)
01/18/2013	20	RESPONSE in Opposition re 8 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>on Abstention Grounds or, in the Alternative, for Failure to State a Claim under Rule 12(b)(6)</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Exhibit A)(PINCUS, STEPHEN) (Entered: 01/18/2013)
01/23/2013	21	ORDER THAT THE APPLICATION OF JASON B. ADKINS, ESQUIRE, TO PARTICIPATE IN THE CONDUCT OF THIS CIVIL ACTION PRO HAC VICE UNDER LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b) IS GRANTED. ATTORNEY JASON B. ADKINS for DANIEL J. HARSHBARGER, JASON B. ADKINS for EDITH M. HARSHBARGER ADDED. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 1/23/2013. 1/24/2013 ENTERED AND COPIES MAILED AND E-MAILED. (aeg,) (Entered: 01/24/2013)
01/28/2013	22	REPLY to Response to Motion re 8 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>on Abstention Grounds or, in the Alternative, for Failure to State a Claim under Rule 12(b)(6)</i> filed by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. Certificate of Service.(AYALA, THOMAS) Modified on 1/29/2013 (ahf,). (Entered: 01/28/2013)
02/28/2013	23	APPLICATION FOR PRO HAC VICE ADMISSION OF (JOSEPH N. KRAVEC, JR.) FILED BY DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. SPONSORS STATEMENT, PROPOSED ORDER, CERTIFICATE OF SERVICE. (FEE PAID PPE077746) (kk,) (Entered: 03/01/2013)
03/05/2013	24	ORDER THAT THE PRO HAC VICE APPLICATION ATTORNEY JOSEPH N. KRAVEC, JR FOR THE PLAINTIFF'S IS GRANTED. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 3/5/2013. 3/5/2013 ENTERED AND COPIES E-MAILED.(kk,) Modified on 3/5/2013 (kk,). (Entered: 03/05/2013)

05/01/2013	25	MOTION to Strike 22 Reply to Response to Motion, <i>or for Alternative Relief for Leave to File a Surreply Brief</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. Brief. (Attachments: # 1 Exhibit 1, # 2 Text of Proposed Order, # 3 Text of Proposed Order)(KRAVEC, JOSEPH) (Entered: 05/01/2013)
05/10/2013	26	ORDER THAT THE PLAINTIFFS MOTION TO STRIKE REPLY BRIEF OR FOR ALTERNATIVE RELIEF (DOC. NO.25) IS GRANTED INSOFAR AS PLAINTIFFS ARE GRANTED LEAVE TO FILE A SUR-REPLY BRIEF, AND THE SUR-REPLY BRIEF ATTACHED AS EXHIBIT 1 TO PLAINTIFFS' MOTION IS DEEMED FILED AS OF THE DATE OF THIS ORDER. SIGNED BY HONORABLE EDMUND V. LUDWIG ON 5/9/2013.5/10/2013 ENTERED AND COPIES E-MAILED.(kk,) (Entered: 05/10/2013)
05/10/2013	27	PLAINTIFFS SURREPLY IN RESPONSE TO THE REPLY BRIEF OF PENN MUTUAL CONCERNING ITS MOTION TO DISMISS filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (kk,) (Entered: 05/10/2013)
07/10/2013	28	NOTICE by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER <i>of Firm Name Change</i> (KRAVEC, JOSEPH) (Entered: 07/10/2013)
07/19/2013	29	ORDER THAT THIS CASE IS REASSIGNED FROM HONORABLE EDMUND V. LUDWIG TO HONORABLE NITZA I QUINONES ALEJANDRO FOR ALL FURTHER PROCEEDINGS. SIGNED BY MICHAEL E. KUNZ ON 7/19/2013. 7/22/2013 ENTERED AND COPIES E-MAILED.(stwe,) (Entered: 07/22/2013)
09/27/2013	30	NOTICE by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER <i>of Recent Supplemental Authority</i> (Attachments: # 1 Exhibit A)(KRAVEC, JOSEPH) (Entered: 09/27/2013)
10/04/2013	31	Response re 30 Notice (Other) <i>of Recent Supplemental Authority</i> by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. (AYALA, THOMAS) (Entered: 10/04/2013)
10/10/2013	32	Response by Plaintiffs to Penn Mutual's Response to Plaintiffs' Notice of Recent Supplemental Authority re 30 Notice (Other) by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (KRAVEC, JOSEPH) (Entered: 10/10/2013)
04/11/2014	33 R	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 4/11/2014. 4/11/2014 ENTERED AND COPIES E-MAILED.(kk,) (Main Document 33 replaced on 4/11/2014) (kk,). (Entered: 04/11/2014)
04/11/2014	34 R	MEMORANDUM AND ORDER THAT THE MOTION TO DISMISS IS GRANTED, AND THIS COURT WILL ABSTAIN FROM EXERCISING ITS JURISDICTION IN THIS MATTER IN DEFERENCE TO THE PENNSYLVANIA DEPARTMENT OF INSURANCE. THIS MATTER IS STAYED PENDING RESOLUTION OF PLAINTIFFS' CLAIMS BEFORE THE PENNSYLVANIA DEPARTMENT OF INSURANCE. THIS MATTER SHALL BE PLACED IN CIVIL SUSPENSE UNTIL FURTHER ORDER OF THE COURT. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 4/11/2014. 4/11/2014 ENTERED AND COPIES E-MAILED (kk,) (Entered: 04/11/2014)
04/25/2014	35	MOTION for Reconsideration re 34 R Order (Memorandum and/or Opinion), Suspense Order,, filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.. (Attachments: # 1 Text of Proposed Order, # 2 Text of Proposed Order)(KRAVEC, JOSEPH) (Entered: 04/25/2014)
04/25/2014	36	Memorandum in Support re 35 MOTION for Reconsideration re 34 R Order

		(Memorandum and/or Opinion), Suspense Order,, filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (KRAVEC, JOSEPH) (Entered: 04/25/2014)
05/12/2014	37	RESPONSE in Opposition re 35 MOTION for Reconsideration re 34 R Order (Memorandum and/or Opinion), Suspense Order,, <i>For Section 1292(b) Certification of April 11, 2014 Order</i> filed by PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY. (FAY, JOSEPH) (Entered: 05/12/2014)
05/16/2014	38	ORDER THAT PLAINTIFFS' MOTION FOR RECONSIDERATION FOR 1292(b) CERTIFICATION OF 4/11/2014, ORDER (DOC. NO.35) IS DENIED. THE COURT CONTINUES TO ABSTAIN FROM EXERCISING ITS JURISDICTION IN THIS MATTER IN DEFERENCE TO THE PENNSYLVANIA DEPARTMENT OF INSURANCE. THE CLERK OF COURT IS DIRECTED TO OPEN THIS MATTER, ENTER THE INSTANT ORDER, AND PLACE THE MATTER BACK INTO CIVIL SUSPENSE. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 5/16/2014.5/16/2014 ENTERED AND COPIES E-MAILED.(kk,) (Entered: 05/16/2014)
01/28/2015	39	NOTICE of Withdrawal of Appearance by THOMAS V. AYALA on behalf of PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY(AYALA, THOMAS) (Entered: 01/28/2015)
01/28/2015	40	NOTICE of Appearance by JOHN P. LAVELLE, JR on behalf of PENNSYLVANIA MUTUAL LIFE INSURANCE COMPANY with Certificate of Service(LAVELLE, JOHN) (Entered: 01/28/2015)
02/06/2015	41 R	ORDER THAT A RULE IS HEREBY ISSUED TO THE PARTIES TO SHOW CAUSE WHY THIS MATTER SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE. COMPLIANCE WITH THIS RULE IS DUE NO LATER THAN 3/9/2015; ETC.. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 2/6/2015. 2/9/2015 ENTERED AND COPIES E-MAILED. (ems) (Entered: 02/09/2015)
03/09/2015	42 R	RESPONSE TO ORDER TO SHOW CAUSE by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (KRAVEC, JOSEPH) (Entered: 03/09/2015)
03/17/2015	43	ORDER THAT CONSISTENT WITH THE PARTIES' REQUEST, THAT THIS CIVIL ACTION REMAINS IN CIVIL SUSPENSE PENDING THE RESOLUTION OF PLAINTIFFS' CLAIMS BEFORE SAID DEPARTMENT. THE PARTIES ARE TO ADVISE THE COURT WHEN THE PROCESS BEFORE THE DEPARTMENT IS CONCLUDED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 3/17/15. 3/17/15 ENTERED AND COPIES EMAILED TO COUNSEL.(jaa,) (Entered: 03/17/2015)
03/18/2015	44	NOTICE of Appearance by MCKEAN EVANS on behalf of DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER with Certificate of Service(EVANS, MCKEAN) (Entered: 03/18/2015)
03/20/2015	45	MOTION to Withdraw as Attorney (<i>Stephen M. Pincus</i>) filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.Certificate of Service. (Attachments: # 1 Text of Proposed Order)(KRAVEC, JOSEPH) (Entered: 03/20/2015)
03/20/2015	46	ORDER THAT THE 45 MOTION TO WITHDRAW APPEARANCE OF STEPHEN M. PINCUS IS GRANTED, ETC. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 3/20/15. 3/20/15 ENTERED AND COPIES E-MAILED. (va,) (Entered: 03/20/2015)

04/25/2017	47 R	STIPULATION of SETTLEMENT AGREEMENT by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (KRAVEC, JOSEPH) (FILED IN ERROR BY ATTY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 4/26/2017 (md). (Entered: 04/25/2017)
04/25/2017	48	MOTION for Approval (<i>Preliminary</i>) of <i>Class Action Settlement (Unopposed)</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.. (Attachments: # 1 Text of Proposed Order)(KRAVEC, JOSEPH) (Entered: 04/25/2017)
04/25/2017	49 R	Memorandum in Support re 48 MOTION for Approval (<i>Preliminary</i>) of <i>Class Action Settlement (Unopposed)</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Exhibit 1 - Consent Order)(KRAVEC, JOSEPH) (Entered: 04/25/2017)
04/25/2017	50 R	Declaration re 48 MOTION for Approval (<i>Preliminary</i>) of <i>Class Action Settlement (Unopposed)</i> of <i>Jason B. Adkins</i> by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(KRAVEC, JOSEPH) (Entered: 04/25/2017)
04/25/2017	51	STIPULATION AND ORDER TO AMEND CASE CAPTION. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 4/25/17. 7/26/17 ENTERED AND COPIES E-MAILED. (va,) (Entered: 04/26/2017)
05/12/2017	52 R	ORDER GRANTING 48 MOTION FOR PRELIMINARY APPROVAL. ALL MOTIONS, BRIEFS, MEMORANDA, PETITIONS, AND AFFIDAVITS IN SUPPORT OF FINAL APPROVAL OF THE SETTLEMENT AGREEMENT, FOR AN INDIVIDUAL AWARD TO THE CLASS REPRESENTATIVES AND FOR AN AWARD OF ATTORNEYS ' FEES AND/OR EXPENSES SHALL BE FILED ON OR BEFORE OCTOBER 13, 2017, AND MUST COMPLY WITH THE REQUIREMENTS OF RULE 23(H). ANY RESPONSE TO SAID MOTION(S) SHALL BE FILED ON OR BEFORE OCTOBER 27, 2017. CLASS COUNSEL SHALL FILE ANY RESPONSE TO SETTLEMENT CLASS MEMBER OBJECTIONS, TOGETHER WITH ANY SUPPORTING PAPERS, ON OR BEFORE NOVEMBER 3, 2017. THIS COURT WILL HOLD A FINAL APPROVAL HEARING PURSUANT TO FED. R. CIV. P. 23(E) ON NOVEMBER 14, 2017, AT 10 A.M., IN COURTROOM 8-B, ETC. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 5/12/17. 5/12/17 ENTERED AND COPIES E-MAILED. (va,) (Entered: 05/12/2017)
05/30/2017	53	Consent MOTION Amendment of Deadlines Set in Preliminary Approval Order re 52 R Order on Motion for Approval,, <i>Plaintiffs' Unopposed Motion for Amendment of Deadlines Set in Preliminary Approval Order</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.Certificate of Service. (Attachments: # 1 Exhibit A - Proposed Schedule, # 2 Text of Proposed Order [Proposed] Amended Preliminary Approval Order)(KRAVEC, JOSEPH) (Entered: 05/30/2017)
06/02/2017	54 R	ORDER THAT PLAINTIFFS' UNOPPOSED MOTION FOR AMENDMENT OF DEADLINES SET IN THE PRELIMINARY APPROVAL ORDER IS DENIED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 6/1/17. 6/2/17 ENTERED AND COPIES E-MAILED.(mbh,) (Entered: 06/02/2017)
06/27/2017	59 R	Objections by RICHARD KISTLER. (va,) Modified on 7/7/2017 (va,). (Entered: 07/07/2017)
06/28/2017	60 R	Objections by CECILY D. CORNISH. (va,) (Entered: 07/07/2017)
06/29/2017	55	MOTION to Withdraw as Attorney (<i>McKean J. Evans</i>) filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.. (Attachments: # 1 Text of Proposed

		Order)(EVANS, MCKEAN) (Entered: 06/29/2017)
06/30/2017	56 R	MOTION for Approval of <i>Supplemental Class Notice and Extension of Objection Deadline for Certain Class Members</i> filed by THE PENN MUTUAL LIFE INSURANCE COMPANY.Certificate of Service. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)(LAVELLE, JOHN) (Entered: 06/30/2017)
07/05/2017	57	ORDER GRANTING 56 R MOTION FOR APPROVAL OF SUPPLEMENTAL CLASS NOTICE. DEFENDANT IS AUTHORIZED TO REISSUE THE CLASS SETTLEMENT NOTICE PACKAGE TO THE AFFECTED SETTLEMENT CLASS MEMBERS, INCLUDING THE PROPOSED SUPPLEMENTAL INSERT FOR CLASS SETTLEMENT NOTICE PACKAGES, AND COMPLETE THE MAILING PROCESS WITHIN FIVE (5) BUSINESS DAYS OF THE DATE OF THIS ORDER. IT IS FURTHER ORDERED THAT THE DEADLINE BY WHICH THE AFFECTED SETTLEMENT CLASS MEMBERS SHALL FILE OBJECTIONS TO THE PROPOSED SETTLEMENT AGREEMENT IS HEREBY AMENDED FROM JULY 28, 2017 TO AUGUST 11, 2017. ALL REMAINING DEADLINES SET FORTH IN THE PRELIMINARY APPROVAL ORDER, (ECF 52 R), REMAIN UNCHANGED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 7/5/17. 7/5/17 ENTERED AND COPIES E-MAILED. (va,) (Entered: 07/05/2017)
07/05/2017	58	ORDER GRANTING 55 MOTION TO WITHDRAW MCKEAN EVANS AS ATTORNEY. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 7/5/17. 7/6/17 ENTERED AND COPIES E-MAILED. (va,) (Entered: 07/06/2017)
07/19/2017	61	Letter dated 7/12/17 from Michael Grecco to USDC, EDPA re: Settlement Inclusion. (va,) (Entered: 07/20/2017)
07/27/2017	62	AFFIDAVIT by DONALD A. SOBERDASH and PATRICIA R. SOBERDASH. (va,) (Entered: 07/28/2017)
07/31/2017	63 R	Objections by THOMAS S. BOMMARITO. (va,) (Entered: 08/01/2017)
07/31/2017	64 R	Objections by RISIE R. HOWARD. (va,) (Entered: 08/01/2017)
08/07/2017	65	Objections by Richard Kistler. (va,) (Entered: 08/08/2017)
08/08/2017	66 R	Objections by JOHN W. MANSFIELD. (va,) (Entered: 08/09/2017)
08/14/2017	67 R	Objections by JEFF BROWN. Certificate of Service. (va,) (Entered: 08/16/2017)
08/25/2017	68	Notice of Proof of Compliance by THE PENN MUTUAL LIFE INSURANCE COMPANY. (Attachments: # 1 Tab 1 - Declaration of John P. Lavelle, Jr., # 2 Tab 2 - Affidavit of Jose C. Fraga, # 3 Tab 3 - Objections, # 4 Tab 4 - Responses to Objections) (LAVELLE, JOHN) Modified on 8/28/2017 (md). (Entered: 08/25/2017)
08/30/2017	69	Request to Attend Hearing, by RISIE HOWARD. (va,) (Entered: 09/01/2017)
10/13/2017	70	MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i>] filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER.Certificate of Service.(FRIEDMAN, ANDREW) (Entered: 10/13/2017)
10/13/2017	71 R	Memorandum re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i>] filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Appendix A) (FRIEDMAN, ANDREW) (Entered: 10/13/2017)
10/13/2017	72	MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards</i> filed by DANIEL J.

		HARSHBARGER, EDITH M. HARSHBARGER.Certificate of Service.(ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	73	Memorandum re 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards</i> filed by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	74	Declaration re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i> , 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards</i> by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M)(ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	75	Declaration re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i> , 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards of Andrew Friedman</i> by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	76	Declaration re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i> , 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards of Mark Chavez</i> by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	77	Declaration re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i> , 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards of Joseph N. Kravec, Jr.</i> by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER. (ADKINS, JASON) (Entered: 10/13/2017)
10/13/2017	78	Memorandum of Law in Support re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i> filed by THE PENN MUTUAL LIFE INSURANCE COMPANY. (Attachments: # 1 Exhibit Fraga Decl.)(LAVELLE, JOHN) (Entered: 10/13/2017)
10/13/2017	79	Objections by DANIEL J. HARSHBARGER, EDITH M. HARSHBARGER re 67 R Objections [<i>Plaintiffs' Memorandum of Points and Authorities in Response to Objection Filed by Jeff M. Brown</i>]. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(ADKINS, JASON) (Entered: 10/13/2017)
10/19/2017	80 R	ORDER THAT THE CLERK OF COURT IS DIRECTED TO REMOVE THIS MATTER FROM CIVIL SUSPENSE AND PLACE IT ON THE COURT'S ACTIVE DOCKET. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 10/19/17. 10/20/17 ENTERED AND COPIES MAILED TO RESPONDENTS, E-MAILED. (va,) Modified on 10/23/2017 (lisad,). (Entered: 10/20/2017)
10/26/2017	81	AFFIDAVIT/RESPONSE Stating Objection, by RISIE R. HOWARD. Certificate of Service. (va,) (Entered: 10/27/2017)

11/13/2017	83 R	Letter dated 11/13/17 from Risie Howard to Judge Alejandro, re: Argument, etc. (va,) (Entered: 11/14/2017)
11/14/2017	82	Minute Entry for proceedings held before HONORABLE NITZA I QUINONES ALEJANDRO Motion Hearing held on 11/14/17 re 70 MOTION for Approval [<i>Final Approval of Proposed Class Settlement Agreement & Final Certification of the Settlement Class</i>] filed by EDITH M. HARSHBARGER, DANIEL J. HARSHBARGER, 56 R MOTION for Approval of <i>Supplemental Class Notice and Extension of Objection Deadline for Certain Class Members</i> filed by THE PENN MUTUAL LIFE INSURANCE COMPANY, 72 MOTION for Approval of <i>Defendant's Payment of Attorney's Fees, Reimbursed Litigation Expenses, and Class Representatives' Incentive Awards</i> filed by EDITH M. HARSHBARGER, DANIEL J. HARSHBARGER Court Reporter: SUZANNE WHITE. (jl,) (Entered: 11/14/2017)
11/16/2017	84	TRANSCRIPT of Proceedings held on 11/14/17 before Judge NIQA. Court Reporter: ESR.. (va,) (Entered: 11/17/2017)
12/20/2017	85 R	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 12/20/17. 12/21/17 ENTERED AND COPIES MAILED TO PRO SE'S AND EMAILED TO COUNSEL.(jaa,) (Entered: 12/21/2017)
12/20/2017	86 R	ORDER THAT THE MOTION FOR FINAL APPROVAL IS GRANTED, AS OUTLINED IN THIS ORDER AND THE ACCOMPANYING MEMORANDUM OPINION; THE SETTLEMENT AGREEMENT AND THIS FINAL ORDER AND JUDGMENT; AND THIS ACTION IS DISMISSED ON THE MERITS, WITH PREJUDICE, AND WITHOUT AN AWARD OF ATTORNEYS' FEES AND COSTS OTHER THAN AS APPROVED BY THIS COURT. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 12/20/17. 12/21/17 ENTERED AND COPIES MAILED TO PRO SE'S AND EMAILED TO COUNSEL.(jaa,) (Entered: 12/21/2017)
12/20/2017	87 R	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 12/19/17. 12/21/17 ENTERED AND COPIES MAILED TO PRO SE'S AND EMAILED TO COUNSEL.(jaa,) Modified on 12/21/2017 (jaa,). (Entered: 12/21/2017)
12/20/2017	88 R	ORDER THAT FOR THE REASONS SET FORTH IN THE ACCOMPANYING MEMORANDUM OPINION, THE MOTION IS GRANTED, AND AN AWARD OF \$10,000,000.00 IN ATTORNEYS' FEES TO CLASS COUNSEL AS OUTLINED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 12/19/17. 12/21/17 ENTERED AND COPIES MAILED TO PRO SE'S AND EMAILED TO COUNSEL.(jaa,) (Entered: 12/21/2017)
01/16/2018	89	NOTICE OF APPEAL as to 86 R Order (Memorandum and/or Opinion), 87 R Memorandum and/or Opinion, 88 R Order (Memorandum and/or Opinion), 85 R Memorandum and/or Opinion by JEFF BROWN. Filing fee NOT PAID. Copies to Judge, Clerk USCA, Appeals Clerk. Appeal Fee Letter Sent on 1/17/18. (va,) (Entered: 01/17/2018)
01/22/2018	90	NOTICE of Docketing Record on Appeal from USCA re 89 Notice of Appeal, filed by JEFF BROWN. USCA Case Number 18-1118 (dmc,) (Entered: 01/23/2018)
01/30/2018	91	ORDER of USCA as to 89 Notice of Appeal, filed by JEFF BROWN THAT THE MATTER IS HEREBY DISMISSED PURSUANT TO FED.R.APP.42 (b), WITHOUT COSTS TO EITHER PARTY. A CERTIFIED COPY OF THIS ORDER IS ISSUED IN LIEU OF A FORMAL MANDATE; ETC. (jl,) (Entered: 01/30/2018)