

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 12-17296 Nature of Suit: 4365 Personal Injury-Product Liability Judy Ko, et al v. Alfredo Walsh, et al Appeal From: U.S. District Court for Northern California, Oakland Fee Status: Paid	Docketed: 10/16/2012 Termed: 04/24/2013
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Case Type Information:

- 1) civil
- 2) private
- 3) null

Originating Court Information:

District: 0971-4 : [4:09-cv-02619-SBA](#)
Court Reporter: Summer A. Fisher, Court Reporter
Court Reporter: Diane E. Skillman, Official Court Reporter
Trial Judge: Sandra B. Armstrong, District Judge
Date Filed: 06/17/2009

Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
09/10/2012	09/10/2012	10/11/2012	10/11/2012

Prior Cases:

None

Current Cases:

None

JUDY KO, individually and on behalf of all other persons similarly situated and on behalf of the general public
 Plaintiff - Appellee,

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ALFREDO WALSH
Objector - Appellant,

v.

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Defendant - Appellee,

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NATURA MANUFACTURING, INCORPORATED
Defendant - Appellee,

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PETER ATKINS
Defendant - Appellee,

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JUDY KO, individually and on behalf of all other persons similarly situated and on behalf of the general public,

Plaintiff - Appellee,

v.

ALFREDO WALSH,

Objector - Appellant,

v.

NATURA PET PRODUCTS, INC.; NATURA PET FOOD, INC.; NATURA MANUFACTURING, INCORPORATED; PETER ATKINS,

Defendants - Appellees.

- 10/16/2012 [2](#)
27 pg, 425.02 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL AND PROSE APPELLANT. The schedule is set as follows: Fee due from Appellant Alfredo Walsh on 10/11/2012. Transcript ordered by 11/13/2012. Transcript due 12/10/2012. Appellant Alfredo Walsh opening brief due 01/22/2013. Appellees Peter Atkins, Judy Ko, Natura Manufacturing, Incorporated, Natura Pet Food, Inc. and Natura Pet Products, Inc. answering brief due 02/21/2013. Appellant's optional reply brief is due 14 days after service of the answering brief. [8361739] (GR) [Entered: 10/16/2012 08:17 AM]
- 10/18/2012 [3](#)
2 pg, 99.13 KB Filed clerk order (Deputy Clerk: CKP): A review of the district court docket reflects that appellant has not paid the docketing and filing fees for this appeal. Within 21 days from the date of entry of this order, appellant shall: (1) file a motion with this court to proceed in forma pauperis; (2) pay \$455.00 to the district court as the docketing and filing fees for this appeal and provide proof of payment to this court; or (3) otherwise show cause why the appeal should not be dismissed for failure to prosecute. If appellant fails to comply with this order, the appeal will be dismissed automatically by the Clerk under Ninth Circuit Rule 42-1. [8366415] (CKP) [Entered: 10/18/2012 10:47 AM]
- 10/23/2012 4
Received notification from District Court re: payment of docket fee. Amount Paid: USD 455.00. Date paid: 10/23/2012. [8373409] (RT) [Entered: 10/23/2012 02:04 PM]
- 11/27/2012 [5](#)
1 pg, 11.93 KB Filed (ECF) notice of appearance of Christopher A. Bandas for Appellant Alfredo Walsh. Date of service: 11/27/2012. [8416576] (CAB) [Entered: 11/27/2012 02:46 PM]
- 11/27/2012 6
Added attorney Christopher Andres Bandas for Alfredo Walsh, in case 12-17296. [8416638] (MT) [Entered: 11/27/2012 02:59 PM]
- 12/20/2012 [7](#)
2 pg, 31.18 KB Filed (ECF) Appellant Alfredo Walsh Mediation Questionnaire. Date of service: 12/20/2012. [8448105] (CAB) [Entered: 12/20/2012 01:00 PM]
- 12/21/2012 [8](#)
78 pg, 2.59 MB Filed (ECF) Appellee Judy Ko Motion to dismiss the case. Date of service: 12/21/2012. [8451063] (CJM) [Entered: 12/21/2012 04:53 PM]
- 12/28/2012 [9](#)
1 pg, 11.99 KB Filed (ECF) notice of appearance of Patrick E. Brookhouser, Jr. for Appellees Peter Atkins and Natura Pet Products, Inc.. Date of service: 12/28/2012. [8454701] (PEB) [Entered: 12/28/2012 09:05 AM]
- 12/28/2012 10
Added attorney Patrick Edgar Brookhouser Jr. for Natura Pet Food, Inc. Peter Atkins, in case 12-17296. [8454740] (MT) [Entered: 12/28/2012 09:17 AM]
- 12/31/2012 [11](#)
1 pg, 82.97 KB Filed (ECF) notice of appearance of James J. Frost for Appellees Peter Atkins and Natura Pet Products, Inc.. Date of service: 12/31/2012. [8456254] (JJF) [Entered: 12/31/2012 10:02 AM]
- 12/31/2012 12
Added attorney James J. Frost for Peter Atkins Natura Pet Products, Inc., in case 12-17296. [8456280] (JFF) [Entered: 12/31/2012 10:14 AM]
- 02/11/2013 13
Case rejected from Circuit Mediation Program. [8508315] [12-16919, 12-17149, 12-17296, 12-17360, 12-17471] (LW) [Entered: 02/11/2013 11:03 AM]
- 03/05/2013 [14](#)
2 pg, 33.98 KB Filed order (Appellate Commissioner): Appellee Judy Ko's motion to dismiss this appeal is denied without prejudice to renewing the arguments in the answering brief. See Fed. R. App. P. 4(a)(7)(A)(ii); Stratton v. Buck, 697 F.3d 1004, 1007 (9th Cir. 2012) (where the district court did not enter a separate judgment, the

notice of appeal was timely even though it was filed prematurely); Nat'l Indus. v. Republic Nat'l Life Ins. Co., 677 F.2d 1258, 1262 (9th Cir. 1982) (stating that merits panel may consider appellate jurisdiction despite earlier denial of motion to dismiss). The opening brief and excerpts of record are due April 5, 2013; the answering brief is due May 6, 2013; and the optional reply brief is due within 14 days after service of the answering brief.. (MOATT) [8536607] (KKW) [Entered: 03/05/2013 08:30 AM]

04/08/2013 [15](#)
3 pg, 45.93 KB

Filed (ECF) Appellees Peter Atkins and Natura Pet Products, Inc. Motion to dismiss the case. Date of service: 04/08/2013. [8581416] (JJF) [Entered: 04/08/2013 01:47 PM]

04/09/2013 [16](#)
4 pg, 32.31 KB

Filed (ECF) Appellee Judy Ko response joining motion (,motion to dismiss the case). Date of service: 04/09/2013. [8583159] (CJM) [Entered: 04/09/2013 01:47 PM]

04/24/2013 [17](#)
2 pg, 25.23 KB

Filed order (Deputy Clerk: LBS) The opening brief was due April 5, 2013. Court records do not indicate that appellant has filed the opening brief or a motion for an extension of time to do so. This case is dismissed under Ninth Cir. R. 42-1. A copy of this order sent to the district court shall act as and for the mandate of this court. Appellees Natura's motion to dismiss and appellee Judy Ko's joinder thereto are denied as unnecessary. [8602194] (KKW) [Entered: 04/24/2013 09:16 AM]