

**General Docket
Third Circuit Court of Appeals**

Court of Appeals Docket #: 09-4031
Nature of Suit: 4190 Other Contract Actions
 Debbie Milliron v. T-Mobile USA Inc
Appeal From: United States District Court for the District of New Jersey
Fee Status: Paid

Docketed: 10/27/2009
Termed: 03/23/2011

Case Type Information:

- 1) civil
- 2) private
- 3) Diversity

Originating Court Information:

District: 0312-2 : [2-08-cv-04149](#)
Court Reporter: Phyllis Lewis
Trial Judge: Jose L Linares, U.S. District Judge
Date Filed: 08/18/2008
Date Order/Judgment: 09/11/2009

Date Order/Judgment EOD:
 09/11/2009

Date NOA Filed:
 10/09/2009

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Related	09-3765	09-4033	10/27/2009	
	09-3765	09-4034	10/27/2009	
	09-3765	09-4035	10/28/2009	
	09-3765	10-1149	09/09/2010	
joined	09-3765	09-3934	10/22/2009	
	09-3765	09-4031	10/27/2009	
	09-3765	09-4032	10/27/2009	
	09-4033	09-4034	04/06/2011	
	09-4033	09-4035	04/06/2011	
	09-4033	10-1149	04/06/2011	

DEBBIE MILLIRON, individually and on behalf of all others similarly situated

Plaintiff - Appellee

James E. Cecchi, Esq.
 Direct: 973-994-1700
 Email: jcecchi@carellabyrne.com
 Fax: 973-994-1744
 [COR NTC Retained]
 Carella Byrne Cecchi Olstein Brody & Agnello
 5 Becker Farm Road
 Roseland, NJ 07068

Lindsey H. Taylor, Esq.
 Direct: 973-994-1700
 Email: ltaylor@carellabyrne.com
 Fax: 973-994-1744
 [COR NTC Retained]
 Carella Byrne Cecchi Olstein Brody & Agnello
 5 Becker Farm Road
 Roseland, NJ 07068

v.

T MOBILE USA INC
 Defendant - Appellee

Jonathan Guldin
 Direct: 973-442-6710
 Email: jguldin@lowenstein.com
 [Retained]
 Lowenstein Sandler

65 Livingston Avenue
Roseland, NJ 07068

Christopher B. Hockett, Esq.
Direct: 650-752-2009
Email: chris.hockett@davispolk.com
Fax: 650-752-3649
[COR NTC Retained]
Davis, Polk & Wardwell
1600 El Camino Real
Menlo Park, CA 94025

Gavin J. Rooney, Esq.
Direct: 973-597-2500
Email: grooney@lowenstein.com
Fax: 973-597-2400
[COR NTC Retained]
Lowenstein Sandler
65 Livingston Avenue
Roseland, NJ 07068

AARON PETRUS
Not Party - Appellant

Christopher A. Bandas, Esq.
Direct: 361-698-5200
Email: cbandas@bandaslawfirm.com
Fax: 361-698-5222
[COR NTC Retained]
Bandas Law Firm
500 North Shoreline
Suite 1020
Corpus Christi, TX 78401




















DEBBIE MILLIRON, individually and on behalf of all others
similarly situated















v.

T-MOBILE USA INC.

AARON PETRUS,
Appellant

(Pursuant to Rule 12(a), Fed. R. App. Proc.)

10/27/2009		CIVIL CASE DOCKETED. Notice filed by Appellant Aaron Petrus. (MB) 48 pg, 1.48 MB
10/27/2009		RECORD available on District Court CM/ECF. (MB)
10/28/2009		CLERK ORDER consolidating for purposes of scheduling, joint appendix, appellee's brief and disposition, filed. [09-3765, 09-3934, 09-3935, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (MB) 2 pg, 25.94 KB
11/05/2009		NONCOMPLIANCE Order sent to Appellee Debbie Milliron requesting correct case number to be typed on appearance form. Attorney must be a register user also. Compliance due 11/10/2009.--[Edited 11/05/2009 by MB]--[Edited 11/05/2009 by MB] (MB) 2 pg, 70.04 KB
11/05/2009		NONCOMPLIANCE Order sent to Appellee Debbie Milliron requesting Correct Case number to be typed on appearance form.. Compliance due 11/10/2009. (MB) 2 pg, 70.7 KB
11/05/2009		ECF FILER: ENTRY OF APPEARANCE from Lindsey H. Taylor on behalf of Appellee(s) Debbie Milliron and Plaintiff Class. [09-3765, 09-3934, 09-3935, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (LHT) 1 pg, 16.35 KB
11/05/2009		ECF FILER: ENTRY OF APPEARANCE from James E. Cecchi on behalf of Appellee(s) Debbie Milliron and Plaintiff Class. [09-3765, 09-3934, 09-3935, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (LHT) 1 pg, 16.34 KB
11/06/2009		COMPLIANCE RECEIVED. Appearance Forms from Lindsey H. Taylor and James E. Cecchi. (MB)
11/09/2009		ECF FILER: ENTRY OF APPEARANCE from Gavin Rooney, Esq. on behalf of Appellee(s) T-Mobile USA, Inc.. (GJR) 1 pg, 60.98 KB
11/09/2009		ECF FILER: DISCLOSURE STATEMENT on behalf of Appellee T-Mobile USA Inc, filed. (GJR) 2 pg, 41.73 KB
11/20/2009		CLERK EVENT transcript by Court Reporter Miss Phyllis Lewis filed in District Court on 11/20/2009. Actual pages: 223. (MB)
01/12/2010		ECF FILER: ENTRY OF APPEARANCE from Christopher A. Bandas on behalf of Appellant(s) Aaron Petrus.--[Edited 01/12/2010 by MB] (CAB) 1 pg, 45.49 KB
01/26/2010		CLERK ORDER consolidating the Appeal 10-1149 with 09-3765, 09-3934, 09-4031, 09-4032, 09-4033 and 09-4035 for Disposition only, filed. [10-1149, 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (MB) 2 pg, 25.5 KB
02/05/2010		ECF FILER: Concise Summary of the Case filed by Appellant Aaron Petrus in 09-4031, received.--[Edited 02/08/2010 by MB] (CAB) 45 pg, 2.37 MB
09/09/2010		CLERK ORDER granting motion by Appellants in No. 10-1149 to consolidate with 09-4035 for all purposes. The briefing schedule entered in No. 10-1149 is hereby vacated. It is noted that Nos. 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034 and 09-4035 were previously consolidated for purposes of scheduling, joint appendix, appellee's brief and disposition by Clerk's Order entered October 28, 2009. That consolidation remains in effect. A consolidated briefing schedule will be issued by the Clerk at the appropriate time, filed. [10-1149, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (Open document for full text of order). (MB) 2 pg, 25.38 KB
10/07/2010		BRIEFING NOTICE ISSUED. Brief on behalf of Appellant Daniel Phee, Appellant Thomas A. Carder, Appellant Kimberley Lyons, Appellant Aaron Miller, Appellant Aaron Petrus, Appellant Stacie Hayes, Appellant Faruqi & Faruqi, Appellant Gilman & Pastor, Appellant Law Office of Scott A Bursor, Appellant Mager & Goldstein, Appellant Margaret Gripaldi, Appellant Gary Hellman, Appellant Tamara Ruiz, Appellant Margaret Schwarz, Appellant Bramson, Plutzik, Mahler & Birkhaeuser, Appellant Cuneo, Gilbert & LaDuca, Appellant Franklin & Franklin, Appellant Law Offices of Anthony A. Ferrigno, Appellant Law Offices of Carl Hilliard, Appellant Law Offices of Joshua Davis and Appellant Reich, Radcliffe & Kuttler due on or before 11/16/2010. Appendix due on or before 11/16/2010. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (MB) 2 pg, 8.55 KB
11/16/2010		ECF FILER: ELECTRONIC BRIEF with Volume I of Appendix attached on behalf of Appellant Aaron Petrus in 09-4031, filed. Certificate of Service dated 11/16/2010 by ECF. [Entry was mistakenly spread and has been removed from case nos. 09-3765, 09-3934, 09-4032, 09-4033, 09-4034, 09-4035 and 10-1149]--[Edited 11/18/2010 by EMA] (CAB) 15 pg, 384.17 KB
11/17/2010		HARD COPY RECEIVED from Appellant Aaron Petrus - Brief with Volume I of Appendix attached. Copies: 10. (KEL)
12/23/2010		ECF FILER: ELECTRONIC BRIEF on behalf of Appellee Debbie Milliron in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149, filed. Certificate of Service dated 12/23/2010 by ECF. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (JEC) 64 pg, 247.97 KB

12/23/2010	 44 pg, 124.73 KB	ECF FILER: ELECTRONIC BRIEF on behalf of Appellee T-Mobile USA Inc in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149, filed. Certificate of Service dated 12/23/2010. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149][Changed event ecf/resp/br and docket text].--[Edited 12/29/2010 by MCW] (GJR)
12/23/2010	 5 pg, 16.49 KB	ECF FILER: Motion filed by Appellees T-Mobile USA Inc and Debbie Milliron to supplement the appendix. Certificate of Service dated 12/23/2010. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149]--[Edited 12/29/2010 by MCW] (GJR)
12/23/2010	 52 pg, 2.63 MB	ECF FILER: SUPPLEMENTAL ELECTRONIC APPENDIX on behalf of Appellees T-Mobile USA Inc. and Debbie Milliron, filed. Certificate of Service dated 12/23/2010. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149]--[Edited 12/29/2010 by MCW] (GJR)
12/27/2010		HARD COPY RECEIVED from Appellee T-Mobile USA Inc in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149 - Brief. Copies: 10. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (KEL)
12/27/2010		HARD COPY RECEIVED from Appellee Debbie Milliron in 09-3765, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149 - Supplemental Appendix. Copies: 4. Volumes: 1 [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (MS)
12/28/2010		HARD COPY RECEIVED from Appellee Debbie Milliron in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149 - Brief. Copies: 10. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (KEL)
01/06/2011	 1 pg, 8.16 KB	ORDER (Clerk) granting motion by Appellee for Leave to File Supplemental Appendix with filing as of December 23, 2010. It is noted that in the event Appellee is entitled to costs at the conclusion of the appeal will not be able to recover costs for any documents included in the supplemental appendix which are duplicative of documents contained in Appellants's appendix, filed. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (MCW)
01/14/2011	 2 pg, 34.43 KB	Calendared for Wednesday, 04/13/11. (Rescheduled from Tuesday, 04/12/2011) [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (CMH)
01/20/2011	 1 pg, 40.01 KB	ECF FILER: ENTRY OF APPEARANCE from Christopher B. Hockett on behalf of Appellee(s) T-Mobile USA, Inc.. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (CBH)
01/21/2011	 1 pg, 25.13 KB	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Christopher B. Hockett, Esq. for Appellee T-Mobile USA Inc in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149. Certificate of Service dated 01/21/2011. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (CBH)
01/25/2011	 1 pg, 9.94 KB	ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney James E. Cecchi, Esq. for Appellee Debbie Milliron in 09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149. Certificate of Service dated 01/25/2011. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035, 10-1149] (JEC)
03/16/2011	 1 pg, 31.69 KB	Oral Argument Notification for Wednesday, 04/13/2011. [09-3765, 09-3934, 09-4031, 09-4032, 09-4033, 09-4034, 09-4035] (CMH)
03/23/2011	 1 pg, 30.03 KB	ECF FILER: Motion to Withdraw Case pursuant to Fed. R. App. P. 42(b) filed by Appellant Aaron Petrus and Appellees Debbie Milliron and T-Mobile USA Inc without costs and with prejudice. Certificate of Service dated 03/23/2011. (JEC)
03/23/2011	 1 pg, 89.8 KB	ORDER (Clerk) dismissing case pursuant to Fed. R. App. P. 42(b), filed. (MB)