

Case Summary

Please make a note of the Case Number.

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If this link fails, you may go to the Case Document Images site and search using the case number displayed on this page.

Case Number: BC269313

TOBY HARRIS ET AL VS. INVESTOR'S BUSINESS DAILY INC ET AL

Filing Date: 03/01/2002

Case Type: Other Employment Complaint (General Jurisdiction)

Status: Pending

Cases Related: BC274964 on 08/14/2002

Future Hearings

08/14/2006 at 08:30 am in department 30 at 111 North Hill Street, Los Angeles, CA 90012

Status Conference (RE STATUS OF STAYED PENDING THERESOLUTION OF THE APPEALS;RELATED BC274964; (CF 6-14-06))

[Documents Filed](#) | [Proceeding Information](#)

Parties

APPELL BARRY M. ESQ. - Attorney for Defendant/Respondent

BEY MICHAEL - Plaintiff/Petitioner

DATA ANALYSIS - Defendant/Respondent

DIRECT MARKETING SPECIALIST INC. - Defendant/Respondent

EPSTEIN ERIC M. ESQ. - Attorney for Plaintiff/Petitioner

HARRIS TOBY - Plaintiff/Petitioner

HOFFMAN H. TIM ESQ. - Attorney for Plaintiff/Petitioner

INVESTOR'S BUSINESS DAILY INC. - Defendant/Respondent

LANE ALEX - Plaintiff/Petitioner

O'CONNOR KEVIN - Plaintiff/Petitioner

SANDERCOCK MICHAEL - Plaintiff/Petitioner

THIERMAN MARK R. ESQ. - Attorney for Plaintiff/Petitioner

WILLIAM O'NEIL & CO. INCORPORATED - Defendant/Respondent

[Case Information](#) | [Party Information](#) | [Proceeding Information](#)

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Documents Filed (Filing dates listed in descending order)

Click on any of the below link(s) to see documents filed on or before the date indicated:

[06/16/2005](#) [01/10/2005](#) [06/18/2004](#) [01/09/2004](#) [09/19/2002](#)

07/10/2006 Remittitur (ORDER MODIFYING OPINION REMITTITUR ISSUED ON 7-6-06 S/T D-30 7-11-06)

Filed by Clerk

02/10/2006 Proof of Service

Filed by Attorney for Plaintiff/Petitioner

01/10/2006 Notice of Reassignment and Order

Filed by Attorney for Plaintiff/Petitioner

01/10/2006 Proof of Service

Filed by Attorney for Plaintiff/Petitioner

01/06/2006 Notice of Reassignment and Order

Filed by Clerk

12/16/2005 Affidavit of Prejudice--Peremptory (statement of disqualification; 170.1(7);)

Filed by Attorney for Pltf/Petr

10/28/2005 Stipulation and Order (TO STAY TRIAL OF TOBY HARRIS)

Filed by Attorney for Defendant/Respondent

10/18/2005 Stipulation and Order (STIP AND ORDER TO STAY THE TRIAL OF TOBY HARRIS)

Filed by Attorney for Deft/Respnt

09/08/2005 Objection Document (to notice to appear at trial & produce documents thereat (William O'Neil);)

Filed by Attorney for Deft/Respnt

09/08/2005 Notice (of objection to appear at trial & produce documents thereat (Eugene Kumamoto);)

Filed by Attorney for Deft/Respnt

08/26/2005 Ntc to Atty re Notice of Appeal

Filed by Clerk

08/25/2005 Designation of Record on Appeal

Filed by Plaintiff

08/22/2005 Notice of Ruling (re defendants' ex-parte motion to continue the trial

date;)

Filed by Attorney for Pltf/Petnr

08/19/2005 Receipt

Filed by Attorney for Pltf/Petnr

08/18/2005 Ex-Parte Application (TO CONTINUE THE TRIAL FOR 45 DAYS, OR IN THE ALTERNATIVE, FOR AN ORDE SHORTENING TIME TO HEAR MOTION TO CONTINUE TRIAL; MEMORANDUM OF POIN AND AUTHORITIES; DECLARATION OF BELLE S. MASON IN SUPPORT)

Filed by Attorney for Defendant/Respondent

08/18/2005 Opposition Document (TO DEFENDANT'S APPLICATION TO CONTINUE TRIAL DATE AND SEVER HARR TRIAL FROM LANE TRIAL; DECLARATION OF ERIC M. EPSTEIN.)

Filed by Attorney for Plaintiff/Petitioner

08/18/2005 Attorney Order (ORDER CONTINUING TRIAL SIGNED AND FILED.)

Filed by Attorney for Defendant/Respondent

08/17/2005 Notice of Appeal

Filed by Plaintiff

08/04/2005 Notice of Ruling (re defendants' motion for summary judgment on plaintiff, Toby Harris' cause of action for wrong- ful termination;)

Filed by Attorney for Pltf/Petnr

07/28/2005 Notice (of judgment;)

Filed by Attorney for Deft/Respnt

07/28/2005 Proof of Service (re defendants' reply to plain- tiff's separate statement of dis- puted & undisputed facts in oppo- sition to defendants' motion for summary judgment of plaintiff's sixth cuase of action etc;)

Filed by Attorney for Deft/Respnt

07/28/2005 Reply/Response (to plaintiff's separate statement of disputed & undisputed facts in opposition to defendants' motion for summary judgment of plain- tiff's sixth cause of action for wrongful termination;)

Filed by Attorney for Deft/Respnt

07/28/2005 Reply/Response (to plaintiff's opposition to mo- tion for summary judgment of plaintiff's sixth cause of action for wrongful termination & decla- ration of Belle C. Mason in support thereof;)

Filed by Attorney for Deft/Respnt

07/28/2005 Declaration (of Belle C. Mason in support of defendants' reply brief;)

Filed by Attorney for Deft/Respnt

07/28/2005 Objection Document (to plaintiff's evidence/declara- tions in support of plaintiff's opposition to defendants' motion for summary adjudication;)

Filed by Attorney for Deft/Respnt

07/26/2005 Order (AFTER HEARING OF 07/26/2005)

Filed by Attorney for Defendant/Respondent

07/14/2005 Points and Authorities

Filed by Attorney for Plaintiff/Petitioner

07/14/2005 Declaration (OF TOBY HARRIS)
Filed by Attorney for Plaintiff/Petitioner

07/14/2005 Miscellaneous-Other
Filed by Attorney for Plaintiff/Petitioner

07/14/2005 Statement of Facts
Filed by Attorney for Plaintiff/Petitioner

07/14/2005 Declaration
Filed by Attorney for Plaintiff/Petitioner

06/23/2005 Reply/Response (to defendant's unauthorized brief in support of its motion for attorney's fees;)
Filed by Attorney for Plt/Petr

06/17/2005 Notice of Lodging (of documents pursuant to court order;)
Filed by Attorney for Plt/Petr

06/17/2005 Brief (in support of the [proposed] judgment;)
Filed by Attorney for Deft/Respnt

Click on any of the below link(s) to see documents filed on or before the date indicated:

[TOP](#) [06/16/2005](#) [01/10/2005](#) [06/18/2004](#) [01/09/2004](#) [09/19/2002](#)

06/16/2005 Affidavit of Prejudice--Peremptory (withdrawal of peremptory challenge of the Honorable Joseph R. Kalin;)
Filed by Attorney for Deft/Respnt

06/10/2005 Affidavit of Prejudice--Peremptory
Filed by Attorney for Deft/Respnt

06/06/2005 Notice of Continuance (of hearing re defendant's proposed order granting defendant's motion for attorney's fees & costs;)
Filed by Attorney for Deft/Respnt

05/25/2005 Reply/Response (memorandum of points & authorities to plaintiffs' objections to [proposed] judgment re attorneys' fees;)
Filed by Attorney for Deft/Respnt

05/20/2005 Objection Document (to [proposed] judgment re attorney's fees & costs; Request for hearing;)
Filed by Attorney for Plt/Petr

05/12/2005 Notice of Ruling (re defendant's ex-parte application;)
Filed by Attorney for Deft/Respnt

05/11/2005 Ex-Parte Application (JOINT APPLICATION OF DEFENDANTS AND PLAINTIFFS TO REQUEST THAT THE COURT RESCHEDULE THE TRIAL DATE IN THIS MATTER; DECLARATION OF BELLE C. MASON)
Filed by Attorney for Defendant/Respondent

05/11/2005 Receipt (CIVIL DEPOSIT RE CONTINUANCE OF TRIAL FEE)

Filed by Attorney for Defendant/Respondent

05/09/2005 Notice of Ruling (re defendants' motion for attorneys' fees & costs;)
Filed by Attorney for Deft/Respnt

04/29/2005 Notice of Continuance (of motion for summary adjudica- tion;)
Filed by Court Attendant

04/01/2005 Memorandum of Costs
Filed by Attorney for Deft/Respnt

04/01/2005 Notice (NOTICE OF RULING REGARDIN DEF. MOTION FOR RELIEF FOR FAILURE TO TIMELY FILE MOTION FOR ATTYS FEES, ETC.)
Filed by Attorney for Deft/Respnt

03/23/2005 Reply/Response (memorandum of points and authori- ties)
Filed by Attorney for Defendant/Respondent

03/17/2005 Opposition Document (plffs' oppo to defts' motion for relief under ccp sec. 473)
Filed by Attorney for Plaintiff/Petitioner

03/03/2005 Notice of Continuance (of hearing on defendants' motion for summary adjudication of plain- tiff Toby Harris' sixth cause of action for wrongful termination;)
Filed by Attorney for Deft/Respnt

03/01/2005 Notice of Motion (for relief for failure to timely file motion for attorney's fees;)
Filed by Attorney for Deft/Respnt

02/25/2005 Stipulation and Order (JOINT STIPULATION TO CONTINUE HEARING DATE ON DEFT. MOTION FOR ATTORNEY FEES AND COSTS; AND MOTION FOR RELIEF AND LEAVE TO FILE LATE MEMORANDUM OF COSTS)
Filed by Attorney for Defendant/Respondent

02/24/2005 Notice of Continuance (of motion for summary adjudication)
Filed by Court Attendant

02/23/2005 Notice of Lodging (deposition transcripts in support of its motionf or summary adjudi- cation of plaintiff Toby Harris' sixth cause of action for wrongful termination;)
Filed by Attorney for Deft/Respnt

02/23/2005 Notice of Lodging (Federal Authorities in support of their motion for summary adjudica- tion of plaintiff Toby Harris' sixth cause of action for wrongful termination;)
Filed by Attorney for Deft/Respnt

02/23/2005 Points and Authorities (in support of their motion for summary adjudication of plaintiff Toby Harris' sixth cause of action for wrongful termination;)
Filed by Attorney for Deft/Respnt

02/23/2005 Declaration (of Jamie Katzman in support of defendants' motion for summary adjudication of plaintiff Toby Harris' sixth cause of action for wrongful termination;)

Filed by Attorney for Deft/Respnt

02/23/2005 Statement of Facts (in support of defendants' motion for summary adjudication of plain- tiff Toby Harris' sixth cause of action of wrongful termination;)

Filed by Attorney for Deft/Respnt

02/23/2005 Mtn for Summary Adjud of Issues

Filed by Attorney for Deft/Respnt

02/22/2005 Reply/Response (memorandum of points & authorities in support of defendants' motion for relief & leave to file late memorandum of costs;)

Filed by Attorney for Deft/Respnt

02/22/2005 Reply/Response (memorandum of points & authorities in support of defendants' motion for attorney's fees & costs; Reply declaration of Belle C. Mason, Esq)

Filed by Attorney for Deft/Respnt

02/22/2005 Miscellaneous-Other (compendium of Federal Authority in support of defendants' reply memorandum of points & authorities in support of defendants' motion for attorney's fees & costs;)

Filed by Attorney for Deft/Respnt

02/16/2005 Opposition Document (to defendants' motion for attorney's fees & costs;)

Filed by Attorney for Pltf/Petnr

02/16/2005 Opposition Document (to defendants' memorandum of costs;)

Filed by Attorney for Pltf/Petnr

02/01/2005 Ntc to Prty re fee Clk's Transcpt (FOR APPEALS FILED 9/24/04 AND 10/21/04)

Filed by Clerk

02/01/2005 Motion for Leave

Filed by Attorney for Deft/Respnt

02/01/2005 Notice of Motion (for attorney's fees & costs;)

Filed by Attorney for Deft/Respnt

Click on any of the below link(s) to see documents filed on or before the date indicated:

[TOP](#) [06/16/2005](#) [01/10/2005](#) [06/18/2004](#) [01/09/2004](#) [09/19/2002](#)

01/10/2005 Ntc to Reptr/Mon to Prep Transcpt

Filed by Clerk

12/06/2004 Notice of Entry of Judgment

Filed by Attorney for Deft/Respnt

10/22/2004 Ntc to Atty re Notice of Appeal

Filed by Clerk

10/21/2004 Notice of Appeal

Filed by Defendant/Respondent

10/21/2004 Judgment (JUDGMENT FOR DEFENDANTS ON THE FIRST THROUGH FIFTH, SEVENTH, AND EIGHTH CAUSES OF ACTION)
Filed by Attorney for Defendant/Respondent

10/06/2004 Notice of Ruling (re defendants & plaintiffs jointly presented the court with a stipulation, requesting that the court enter four orders;)
Filed by Attorney for Deft/Respnt

09/30/2004 Ntc to Atty re Notice of Appeal
Filed by Clerk

09/28/2004 Designation of Record on Appeal
Filed by Appellant

09/24/2004 Notice of Appeal
Filed by Appellant

09/15/2004 Order (as to the 1-5 causes of action on msa)
Filed by Clerk

09/15/2004 Order (re: 7th cause of action on msa)
Filed by Clerk

09/15/2004 Order (re: 8th cause of action on msa)
Filed by Clerk

09/15/2004 Order (re: 6th cause of action on msa)
Filed by Clerk

09/10/2004 Response (to plaintiffs' motion for clarification of the court's June 17, 2004 rulings re defendants' motion for summary adjudication;)
Filed by Attorney for Deft/Respnt

09/03/2004 Notice of Ruling (re defendants' motion for clarification re court's rulings re demurrer to the eighth cause of action in plaintiffs' second amended complaint & motion to strike;)
Filed by Attorney for Deft/Respnt

08/31/2004 Opposition Document (to [proposed] order granting defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)
Filed by Attorney for Pltf/Petr

08/31/2004 Declaration (of Micheline N. Fairbank in support of plaintiff's opposition to [proposed] order granting defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)
Filed by Attorney for Pltf/Petr

08/27/2004 Miscellaneous-Other (statement in compliance with rule of court section 391(b); Declaration of Belle C., Mason, Esq.;)
Filed by Attorney for Deft/Respnt

08/26/2004 Ex-Parte Application (for order shortening time on motion for clarification)
Filed by Attorney for Pltf/Petr

08/26/2004 Declaration (by micheline fairbank re: ex parte)

Filed by Attorney for Pltf/Petr

08/26/2004 Reply/Response (to plaintiffs' opposition to defendants' motion for clarification re court's rulings re demurrer to the eighth cause of action in plaintiffs' second amended complaint & motion to strike;)

Filed by Attorney for Deft/Respnt

08/26/2004 Notice of Motion (for clarification of the court's June 17, 2004 rulings re defendants' motion for summary adjudication;)

Filed by Attorney for Pltf/Petr

08/19/2004 Opposition Document (to defendants' motion for clarification re court's rulings re demurrer to the eighth cause of action in plaintiffs' second amended complaint & motion to strike;)

Filed by Attorney for Pltf/Petr

08/18/2004 Order (granting deft's motion for summary adjudication as to 1-5 c/a only **vacated per court order of 08/26/04**)

Filed by Clerk

08/16/2004 Opposition Document (to ex parte)

Filed by Attorney for Deft/Respnt

07/29/2004 Stipulation and Order (re continuance of motion for clarification re court's rulings re demurrer to the 8th cause of action in plaintiffs' second amended complaint & motion to strike;)

Filed by Attorney for Deft/Respnt

07/16/2004 Notice of Motion (for clarification re court's rulings re demurrer to the eighth cause of action in plaintiffs' second amended complaint & motion to strike;)

Filed by Attorney for Deft/Respnt

06/25/2004 Reply/Response (to plaintiffs' opposition to defendants' demurrer to the eighth cause of action in plaintiffs' second amended complaint;)

Filed by Attorney for Deft/Respnt

06/25/2004 Miscellaneous-Other (federal cases cited in defendants' reply to plaintiffs' opposition to defendants' demurrer to the eighth cause of action in plaintiffs' second amended complaint;)

Filed by Attorney for Deft/Respnt

Click on any of the below link(s) to see documents filed on or before the date indicated:

[TOP](#) [06/16/2005](#) [01/10/2005](#) [06/18/2004](#) [01/09/2004](#) [09/19/2002](#)

06/18/2004 Opposition Document (to defendant's demurrer to the eighth cause of action in plaintiffs' second amended complaint;)

Filed by Attorney for Pltf/Petr

06/18/2004 Miscellaneous-Other (index of Non-California cases in support of plaintiff's opposition to defendant's demurrer to the eighth cause of action in the plaintiffs' second amended complaint;)

Filed by Attorney for Pltf/Petr

06/02/2004 Notice (of entry of alternative writ of mandate & order;)
Filed by Attorney for Pltf/Petnr

05/25/2004 Supplement (objection to Dean Barron's declaration;)
Filed by Attorney for Deft/Respnt

05/24/2004 Ex-Parte Application ([joint] for an order 1. that the parties simultaneously re-file all summary adjudication of papers & 2. that defendants' motion for summary adjudication be heard by this court on June 18, 2004;)
Filed by Attorney for Deft/Respnt

05/24/2004 Objection Document (to declarations of Toby Harris & Eric Epstein;)
Filed by Attorney for Deft/Respnt

05/24/2004 Supplemental Declaration (of Belle C. Mason in support of defendants' motion for summary adjudication;)
Filed by Attorney for Deft/Respnt

05/24/2004 Notice of Lodging (of copy of declaration of Eric M. Epstein in support of plaintiffs' opposition to defendants' motion for summary judgment - (original filed on February 20, 2004);)
Filed by Attorney for Pltf/Petnr

05/24/2004 Notice of Lodging (of copy of declaration of Micheline N. Fairbank in support of plaintiffs' opposition to defendants' motion for summary judgment - (original filed on February 20, 2004);)
Filed by Attorney for Pltf/Petnr

05/24/2004 Notice of Lodging (of copy of declaration of Toby Harris in support of plaintiffs' opposition to defendants' motion for summary judgment - (original filed on February 20, 2004);)
Filed by Attorney for Pltf/Petnr

05/24/2004 Notice of Lodging (of copy of declaration of Dean S. Barron in support of plaintiffs' opposition to defendants' motion for summary judgment - (original filed on February 20, 2004);)
Filed by Attorney for Pltf/Petnr

05/24/2004 Points and Authorities (in opposition to defendants motion for summary adjudication of plaintiffs' first through fifth causes of action; Copies of declarations of Eric M. Epstein, Toby Harris, Dean S. Barron, & Micheline etc;)
Filed by Attorney for Pltf/Petnr

05/24/2004 Statement of Facts (in support of plaintiffs' opposition to defendants' motion for summary adjudication;)
Filed by Attorney for Pltf/Petnr

05/24/2004 Notice of Lodging (of copies of declarations of Joseph Swantek, Candace Mayeron, Eugene Kumamoto, Harlan Ratzky, & Bele Mason previously filed in support of defendants' motion for summary adjudication etc;)
Filed by Attorney for Deft/Respnt

05/24/2004 Objection Document (to Dean Barron's declaration;)
Filed by Attorney for Deft/Respnt

05/24/2004 Points and Authorities (in support their motion for summary

adjudication of plaintiffs' first through fifth causes of action in their second amended complaint;)

Filed by Attorney for Deft/Respnt

05/24/2004 Mtn for Summary Adjud of Issues

Filed by Attorney for Deft/Respnt

05/24/2004 Miscellaneous-Other (separate statement in support of their motion for summary adjudication of plaintiffs' first through fifth causes of action in the second amended complaint;)

Filed by Attorney for Deft/Respnt

05/24/2004 Reply/Response (to plaintiffs' opposition to defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action in the second amended complaint;)

Filed by Attorney for Deft/Respnt

05/24/2004 Reply/Response (to plaintiffs' response to separate statement in support of their motion for summary adjudication of plaintiffs' first through fifth causes of action in the second amended complaint;)

Filed by Attorney for Deft/Respnt

05/19/2004 Defendant's Demurrer

Filed by Attorney for Deft/Respnt

05/19/2004 Points and Authorities (in support of motion to strike a portion of the prayer in plaintiffs' second amended complaint;)

Filed by Attorney for Deft/Respnt

05/19/2004 Miscellaneous-Other (Federal Authorities cited in memorandum of points & authorities in support of demurrer to the eighth cause of action in plaintiffs' second amended complaint;)

Filed by Attorney for Deft/Respnt

05/19/2004 Points and Authorities (in support of demurrer to the eighth cause of action in plaintiffs' second amended complaint;)

Filed by Attorney for Deft/Respnt

05/19/2004 1N11's Ntc of Hrng on Demurrer

Filed by Attorney for Deft/Respnt

05/19/2004 Motion to Strike

Filed by Attorney for Deft/Respnt

04/30/2004 Notice of Ruling (on submitted matter;)

Filed by Attorney for Pltf/Petnr

04/21/2004 Notice of Ruling (re motion for leave to file a second amended complaint;)

Filed by Attorney for Pltf/Petnr

04/09/2004 Response (to plaintiffs' motion for leave to file second amended complaint;)

Filed by Attorney for Deft/Respnt

03/25/2004 Motion for Leave

Filed by Attorney for Plaintiff/Petitioner

03/11/2004 Stipulation and Order (re continuance of motion for summary adjudication, status conference, & taking ex-parte motion for leave to file second amended complaint off calendar & rescheduling it as a regularly noticed motion;)
Filed by Attorney for Pltf/Petnr

03/09/2004 Notice (of change of hearing date;)
Filed by Attorney for Deft/Respnt

03/03/2004 Miscellaneous-Other (election to be excluded service list attached)
Filed by Attorney for Defendant/Respondent

03/02/2004 Notice (of errata re proposed second amended complaint;)
Filed by Attorney for Pltf/Petnr

03/02/2004 Opposition Document (to plaintiffs' ex-parte application for an order shortening time; Memorandum of points & authorities; Declaration of Belle C. Mason;)
Filed by Attorney for Deft/Respnt

03/02/2004 Points and Authorities (in support of plaintiffs' motion to file second amended complaint;)
Filed by Attorney for Pltf/Petnr

03/02/2004 Ex-Parte Application (for order shortening time to hear plaintiffs' motion to file second amended complaint;)
Filed by Attorney for Pltf/Petnr

03/01/2004 Miscellaneous-Other (Election to be excluded Christina Bishop)
Filed by Real Party in Interest

02/27/2004 Notice (of lodging of depo transcripts)
Filed by Attorney for Deft/Respnt

02/27/2004 Supplemental Declaration (OF BELLE C. MASON IN SUPPORT OF DEFENDANTS MOTION FOR SUMMARY ADJUDICATION)
Filed by Attorney for Deft/Respnt

02/27/2004 Objection Document (TO DEAN BARRON'S DECLARATION)
Filed by Attorney for Deft/Respnt

02/27/2004 Objection Document (to declarations of TOBY HARIS AND ERIC EPSTEIN)
Filed by Attorney for Deft/Respnt

02/27/2004 Reply/Response (to plaintiff's response to separate statement in support of their motion for summary adj.)
Filed by Attorney for Deft/Respnt

02/27/2004 Reply/Response (to plaintiffs opposition to defendants motion for summary adjudication)
Filed by Attorney for Deft/Respnt

02/20/2004 Declaration (of Eric M. Epstein)
Filed by Attorney for Plaintiff/Petitioner

- 02/20/2004** Statement of Facts (in support of plaintiffs' opposition to defendants' motion for summary adjudication;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Miscellaneous-Other (index of Non-California cases in support of plaintiffs' opposition to defendants' motion for summary judgment;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Declaration (of Eric M. Epstein in support of plaintiffs' opposition to defendants' motion for summary judgment;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Declaration (of Toby Harris in support of plaintiffs' opposition to defendants' motion for summary judgment;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Declaration (of Dean S. Barron in support of plaintiffs' opposition to defendants' motion for summary adjudication;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Declaration (of Micheline N. Fairbank in support of plaintiffs' opposition to defendants' motion for summary judgment;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Points and Authorities (in opposition to defendants motion for summary adjudication of plaintiffs' first through fifth causes of action;)
Filed by Attorney for Pltf/Petr
- 02/20/2004** Declaration (of Dean S. Barron)
Filed by Attorney for Plaintiff/Petitioner
- 02/20/2004** Points and Authorities (in opposition to defendants motion for summary adjudication)
Filed by Attorney for Plaintiff/Petitioner
- 02/20/2004** Miscellaneous-Other (Index of non California cases)
Filed by Attorney for Plaintiff/Petitioner
- 02/20/2004** Declaration (of Micheline N. Fairbank)
Filed by Attorney for Plaintiff/Petitioner
- 02/20/2004** Declaration (of Toby Harris)
Filed by Attorney for Plaintiff/Petitioner
- 02/20/2004** Statement of Facts (in support of plaintiffs' opposition to defendants' motion)
Filed by Attorney for Plaintiff/Petitioner
- 02/13/2004** Ex-Parte Application (for clarification of the court's January 16, 2004 order granting defendants' motion to exclude third party witness Miller from testifying;)
Filed by Attorney for Deft/Respnt
- 02/13/2004** Opposition Document (to defendants' ex-parte motion to clarify order;)

Filed by Attorney for Pltf/Petnr

02/09/2004 Notice (of pendency of class action;)
Filed by Attorney for Pltf/Petnr

01/29/2004 Notice of Ruling (counter)
Filed by Attorney for Plaintiff/Petitioner

01/27/2004 Notice of Ruling (re motion to compel witness Dennis Miller to answer questions at de- position, or in the alternative, excluding him from testifying;)
Filed by Attorney for Deft/Respnt

Click on any of the below link(s) to see documents filed on or before the date indicated:

[TOP](#) [06/16/2005](#) [01/10/2005](#) [06/18/2004](#) [01/09/2004](#) [09/19/2002](#)

01/09/2004 First Amended Complaint
Filed by Attorney for Pltf/Petnr

01/09/2004 Reply/Response (brief of defendants to response from witness to motion to compel witness to answer questions at de- position;)
Filed by Attorney for Deft/Respnt

01/09/2004 Reply/Response (brief of defendants to opposition from plaintiffs to motion to com- pel witness to answer questions at deposition or alternatively to exclude him from testifying;)
Filed by Attorney for Deft/Respnt

01/06/2004 Opposition Document (to defendants' motion to compel Dennis Miller to comply with sub- poena & answer questions at depo- sition, or in the alternative, to exclude him from testifying;)
Filed by Attorney for Pltf/Petnr

01/06/2004 Response (from witness to defense motion to compel to answer certain questions at deposition;)
Filed by Attorney for Deft/Respnt

01/02/2004 Reply/Response (motion & memorandum in support of an order directing defendant to supply plaintiffs a list of class member's last known addresses so plaintiff may mail a copy of the attached notice of pendency etc;)
Filed by Attorney for Pltf/Petnr

12/26/2003 Response (to plaintiffs' motion for an order directing defendant to supply plaintiffs a list of class members last known addresses; Declaration of Barry M. Appell;)
Filed by Attorney for Deft/Respnt

12/19/2003 Mtn for Summary Adjud of Issues
Filed by Attorney for Deft/Respnt

12/19/2003 Declaration (of Harlan Ratzky in support of defendants' motion for summary ad- judication of plaintiffs' first through fifth causes of action;)
Filed by Attorney for Deft/Respnt

12/19/2003 Declaration (of Eugene Kumamoto in support of defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/19/2003 Points and Authorities (in support of their motion for summary adjudication of plain- tiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/19/2003 Statement of Facts (in support of their motion for summary adjudication of plain- tiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/19/2003 Declaration (of Joseph Swantek in support of defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/19/2003 Declaration (of Belle C. Mason in support of defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/19/2003 Declaration (of Candace Mayeron in support of defendants' motion for summary adjudication of plaintiffs' first through fifth causes of action;)

Filed by Attorney for Deft/Respnt

12/11/2003 Ex-Parte Application (for permission to file a longer memorandum in support of motion for summary adjudication; Declara- tion of Belle C. Mason in support thereof;)

Filed by Attorney for Deft/Respnt

12/11/2003 Order (granting the parties permission to file longer memoranda;)

Filed by Attorney for Deft/Respnt

12/02/2003 Notice of Filing (original proof of service re mo- tion to compel Dennis Miller to comply with subpoena;)

Filed by Attorney for Deft/Respnt

11/21/2003 Motion to Compel

Filed by Attorney for Deft/Respnt

11/21/2003 Miscellaneous-Other (separate statement in support of defendants' motion to compel Dennis Miller to comply with sub- poena & answer questions at depo- sition, or in the alternative, to exclude him from testifying;)

Filed by Attorney for Deft/Respnt

11/14/2003 Motion for an Order (directing defendant to supply plaintiffs a list of class mem- ber's last known addresses so plaintiff may mail a copy of the attached notice of pendency of class action signed by the court;)

Filed by Attorney for Pltf/Petnr

11/14/2003 Declaration (of Micheline N. Fairbank in support of plaintiff's motion & memorandum in support of an order directing defendant to supply plaintiffs a list of class mem- ber's last known addresses etc;)

Filed by Attorney for Pltf/Petnr

11/14/2003 Notice (of pendency of class action;)

Filed by Attorney for Pltf/Petnr

09/19/2003 Order (for class certification;)

Filed by Attorney for Pltf/Petnr

09/15/2003 Objection Document (to proposed order for class certification;)
Filed by Attorney for Deft/Respnt

06/24/2003 Reply/Response (memorandum of points & authorities in support of motion for class certification;)
Filed by Attorney for Pltf/Petnr

06/24/2003 Declaration (of Dean S. Barron in support of plaintiffs' motion for class certification;)
Filed by Attorney for Pltf/Petnr

06/24/2003 Declaration (of Kelly Ann White in support of reply memorandum of points & authorities in support of motion for class certification;)
Filed by Attorney for Pltf/Petnr

06/16/2003 Notice of Lodging (federal authorities)
Filed by Attorney for Deft/Respnt

06/16/2003 Opposition Document (FOR MTN FOR CLASS CERTIFICATION .2 DOC. EVIDENTIARY OBJEC TO DECL OF KEVIN O'CONNOR 3.DOC EVIDE OBJ TO DECL OF MICHAEL BEY. 4. DOC EVID OBJEC TO DECL OF TOBY HARRIS 5.DOC.EVID OBJEC TO DEC OF SANDERC)
Filed by Attorney for Deft/Respnt

05/13/2003 Notice of Motion (for class certification;)
Filed by Attorney for Pltf/Petnr

05/13/2003 Declaration (of Michael Sandercock in support of plaintiffs motion for class certification;)
Filed by Attorney for Pltf/Petnr

05/13/2003 Miscellaneous-Other (index of non-CA Cases cited in support of notice of motion for judgment notwithstanding the verdict;)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Notice of Motion (for class certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (of Kevin O'connor in support of motion for class certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (Mark R. Thierman in support of motion for class certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Points and Authorities
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (of Michael Sandercock in support of plaintiffs motion for class certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (of Toby Harries in support of plaintiffs Motion for class

certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (of Michael Bey in support of plaintiffs motion for class certification)
Filed by Attorney for Plaintiff/Petitioner

05/13/2003 Declaration (of Toby Harris in support of plaintiffs motion for class cer- tification;)
Filed by Attorney for Pltf/Petrn

05/13/2003 Points and Authorities (in support of motion for class certification;)
Filed by Attorney for Pltf/Petrn

05/13/2003 Declaration (of Kevin O'Connor in support of motion for class certification;)
Filed by Attorney for Pltf/Petrn

05/13/2003 Declaration (of Mark R. Thierman in support of motion for class certification;)
Filed by Attorney for Pltf/Petrn

05/13/2003 Declaration (of Michael Bey in support of plaintiffs motion for class cer- tification;)
Filed by Attorney for Pltf/Petrn

05/13/2003 Miscellaneous-Other (index of Non-California cases cited in support of notice of mo- tion & motion for judgment not- withstanding the verdict; Notice of intent to file for a new trial & memorandum of points & auth;)
Filed by Attorney for Pltf/Petrn

04/02/2003 Stipulation and Order (& protective order;)
Filed by Attorney for Deft/Respnt

11/18/2002 Answer to First Amended Complaint
Filed by Attorney for Defendant/Respondent

10/22/2002 First Amended Complaint (for violation of California Labor code secs 203, 221, etc...)
Filed by Attorney for Plaintiff/Petitioner

10/02/2002 Reply/Response (to plaintiffs' opposition to demurrer;)
Filed by Attorney for Deft/Respnt

10/02/2002 Reply/Response (to plaintiffs' opposition to mo- tion to sever;)
Filed by Attorney for Deft/Respnt

10/02/2002 Reply/Response (to plaintiffs' opposition to mo- tion to strike;)
Filed by Attorney for Deft/Respnt

10/02/2002 Notice of Lodging (federal authorities;)
Filed by Attorney for Deft/Respnt

10/02/2002 Declaration (of Barry M. Appell in support of demurrer;)
Filed by Attorney for Deft/Respnt

09/27/2002 Declaration (of Toby Harris in support of plaintiffs opposition to defendants' motion to strike portions of the complaint;)
Filed by Attorney for Pltf/Petnr

09/23/2002 Opposition Document (to defendants' motion to strike portions of the complaint;)
Filed by Attorney for Plaintiff/Petitioner

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09/19/2002 Opposition Document (to defendants' motion to sever; Declaration of Mark Thierman;)
Filed by Attorney for Plaintiff/Petitioner

09/17/2002 Points and Authorities ([amended] in support of motion for order limiting scope of discovery &/or protective order;)
Filed by Attorney for Pltf/Petnr

09/17/2002 Declaration ([amended] of Mark R. Thierman in support of motion for order limiting scope of discovery &/or protective order;)
Filed by Attorney for Pltf/Petnr

09/16/2002 Stipulation and Order (to continue the hearing on defendant William O'Neil & Co's request for joinder in defendants' demurrer, the motion to strike & the motion to sever;)
Filed by Attorney for Pltf/Petnr

08/29/2002 Motion for an Order (limiting scope of discovery &/or for a protective order;)
Filed by Attorney for Pltf/Petnr

08/29/2002 Declaration (of Mark R. Thierman in support of motion for order limiting scope of discovery &/or protective order;)
Filed by Attorney for Plaintiff/Petitioner

08/29/2002 Points and Authorities (in support of motion for order limiting scope of discovery &/or protective order;)
Filed by Attorney for Plaintiff/Petitioner

08/28/2002 Statement-Early Med. Status Conf.
Filed by Attorney for Deft/Respnt

08/22/2002 Ntc and Acknowledgement of Receipt (To: William O'Neil & Co., Inc.)
Filed by Attorney for Plaintiff/Petitioner

08/21/2002 Notice-Status Conference-EMPP
Filed by Attorney for Pltf/Petnr

08/19/2002 Notice of Ruling
Filed by Attorney for Plaintiff/Petitioner

08/16/2002 Notice of Continuance (of hearing on demurrer;)
Filed by Attorney for Pltf/Petnr

08/16/2002 Notice (of court order re related cases;)
Filed by Attorney for Pltf/Petr

08/15/2002 Notice-Status Conference-EMPP
Filed by Court Attendant

08/13/2002 Notice of Continuance (of demurrer, motion to strike, motion for order to sever claims & joinder in demurrer;)
Filed by Court Attendant

08/09/2002 Joinder (in defendants' demurrer, motion to strike & motion to sever;)
Filed by Attorney for Deft/Respnt

08/09/2002 Request (WILLIAM O'NEIL & CO.'S REQUEST FOR JOINDER IN DEFENDANTS DEMURRER TO PLAINTIFF'S COMPLAINT MOTION TO STRIKE AND MOTION TO SEVER)
Filed by Attorney for Deft/Respnt

07/22/2002 Stipulation (to move hearing date on defendant motion to strike)
Filed by Attorney for Plaintiff/Petitioner

07/15/2002 Declaration (of Mark R. Thierman in support of plaintiffs opposition to defendant demurrer)
Filed by Attorney for Plaintiff/Petitioner

07/15/2002 Opposition Document (to defendants' demurrer)
Filed by Attorney for Plaintiff/Petitioner

06/05/2002 Amendment to Complaint (Doe 1 to be William O'Neil & Co. Inc.)
Filed by Attorney for Plaintiff/Petitioner

05/07/2002 Motion to Strike
Filed by Attorney for Defendant/Respondent

05/07/2002 Request for Judicial Notice
Filed by Attorney for Defendant/Respondent

05/07/2002 Notice of Lodging
Filed by Attorney for Defendant/Respondent

05/07/2002 Defendant's Demurrer
Filed by Attorney for Defendant/Respondent

05/07/2002 Motion (-TO SEVER CLAIMS)
Filed by Attorney for Defendant/Respondent

04/29/2002 Ntc and Acknowledgement of Receipt
Filed by Attorney for Plaintiff/Petitioner

04/12/2002 Amendment to Complaint (Doe 1 to be William O'Neil & Co., Incorporated)
Filed by Attorney for Plaintiff/Petitioner

03/01/2002 Complaint

Click on any of the below link(s) to see documents filed on or before the date indicated:

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Proceedings Held (Proceeding dates listed in descending order)

Click on any of the below link(s) to see proceedings held on or before the date indicated:

[6/17/2004](#)

06/14/2006 at 08:30 am in Department 30, Elizabeth A. Grimes, Presiding Status Conference (RE STATUS OF STAYED PENDING THERESOLUTION OF THE APPEALS;RELATED BC274964;) - **Held-Continued**

01/12/2006 at 08:30 am in Department 30, Elizabeth A. Grimes, Presiding Court Order - **Completed**

08/18/2005 at 08:30 am in Department 46, Jerry K. Fields, Presiding Exparte proceeding - **Granted**

08/02/2005 at 08:30 am in Department 46, Jerry K. Fields, Presiding Motion for Summary Adjudication - **Motion Denied**

07/26/2005 at 08:30 am in Department 46, Jerry K. Fields, Presiding Further Proceedings - **Completed**

06/27/2005 at 08:30 am in Department 46, Joseph R. Kalin, Presiding Further Proceedings (FOR FURTHER ARGUMENT RE THE PRO-POSED ORDER;) - **Held-Continued**

06/20/2005 in Department 46, Joseph R. Kalin, Presiding Court Order - **Court makes order**

05/27/2005 at 11:00 am in Department 46, Joseph R. Kalin, Presiding Court Order - **Completed**

05/26/2005 at 03:13 pm in Department 1, Charles W. McCoy, Presiding Court Order - **Completed**

05/11/2005 at 08:30 am in Department 46, Rodney E. Nelson, Presiding Exparte proceeding - **Granted**

05/05/2005 in Department 46, Rodney E. Nelson, Presiding Ruling on Submitted Matter - **Completed**

04/12/2005 at 08:30 am in Department 46, Rodney E. Nelson, Presiding MOTION - ATTORNEY FEES - **Submitted**

03/30/2005 at 08:30 am in Department 46, Rodney E. Nelson, Presiding Motion for Attorney Fees - **Completed**

03/01/2005 at 08:30 am in Department 46, Rodney E. Nelson, Presiding Motion for Attorney Fees - **Continued by Stipulation**

11/30/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Status Conference - **Completed**

09/15/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion Hearing - **Granted**

09/01/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion Hearing - **Completed**

08/26/2004 at 08:45 am in Department 46, Rodney E. Nelson, Presiding
Exparte proceeding - **Granted in Part**

08/06/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion Hearing (CONT TO 09-01-04 PER STIPULATION& ORDER;) - **Matter
continued**

06/30/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Hearing on Demurrer - **Completed**

Click on any of the below link(s) to see proceedings held on or before the date
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06/17/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion for Summary Adjudication - **Completed**

06/09/2004 at 03:30 pm in Department 46, Rodney E. Nelson, Presiding
Nunc Pro Tunc Order - **Court makes order**

06/04/2004 at 03:30 pm in Department 46, Rodney E. Nelson, Presiding
Court Order - **Court makes order**

05/24/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Exparte proceeding - **Completed**

04/28/2004 at 03:30 pm in Department 46, Rodney E. Nelson, Presiding
Ruling on Submitted Matter - **Court makes order**

04/19/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion for Summary Adjudication - **Submitted**

04/08/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion for Summary Adjudication (EX-PARTE OFF CALENDAR;MOTION FOR SAI &
TSC CONT TO 4-19) - **Matter continued**

03/05/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion for Summary Adjudication - **Matter continued**

03/02/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Exparte proceeding - **Continued by Court**

02/13/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Exparte proceeding - **Completed**

01/16/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion to Compel - **Submitted**

01/07/2004 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion Hearing - **Granted**

12/04/2003 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Trial Setting Conference - **Continued by Court**

06/30/2003 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Motion Hearing - **Completed**

06/16/2003 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Trial Setting Conference - **Matter continued**

01/23/2003 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Status Conference - **Completed**

10/07/2002 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Status Conference - **Completed**

09/05/2002 at 08:30 am in Department 46, Rodney E. Nelson, Presiding
Conference-Status-Early Mediation - **Completed**

08/14/2002 in Department 1, Gary Klausner, Presiding
Order Re: Related Cases - **Granted**

07/22/2002 in Department 309, Anthony J. Mohr, Presiding
Telephonic Conference - **Completed**

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