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**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:11-cv-02574-JOF**

C-E Minerals, Inc. v. CARBO Ceramics, Inc.
Assigned to: Judge J. Owen Forrester
Cause: 15:1 Antitrust Litigation

Date Filed: 08/04/2011
Jury Demand: None
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

C-E Minerals, Inc.

represented by **Frank M. Lowrey , IV**
Bondurant Mixson & Elmore
1201 West Peachtree Street, N.W.
3900 One Atlantic Center
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404-881-4100
Email: lowrey@bmelaw.com
ATTORNEY TO BE NOTICED

Mary Webb Pyrdum
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404-881-4147
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ATTORNEY TO BE NOTICED

V.

Defendant

CARBO Ceramics, Inc.

represented by **James R. Eiszner**
Shook Hardy & Bacon-MO
2555 Grand Boulevard
Kansas City, MO 64108
816-474-6550
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LEAD ATTORNEY
PRO HAC VICE
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Samuel S. Woodhouse , III
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ATTORNEY TO BE NOTICED

Counter Claimant

CARBO Ceramics, Inc.

represented by **James R. Eiszner**
 (See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel S. Woodhouse , III
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

C-E Minerals, Inc.

represented by **Frank M. Lowrey , IV**
 (See above for address)
ATTORNEY TO BE NOTICED

Mary Webb Pyrdum
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/04/2011	<u>1</u>	COMPLAINT filed by C-E Minerals, Inc and summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. Filing fee \$350, receipt number 37772. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Summons as to CARBO Ceramics, Inc., # <u>4</u> Civil Cover Sheet) (jtj) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 08/05/2011)
08/04/2011	<u>2</u>	Certificate of Interested Persons and Corporate Disclosure Statement by C-E Minerals, Inc. identifying Other Affiliate Imery's U.S.A., Inc., Other Affiliate Imerys S.A., Other Affiliate Imerys Oilfield Minerals, Inc., Other Affiliate Mullite Company of America for C-E Minerals, Inc. (jtj) (Entered: 08/05/2011)
08/11/2011	<u>3</u>	REVISED CASE INSTRUCTIONS. (bse) (Entered: 08/11/2011)

08/12/2011		Clerks Notation re 2 Certificate of Interested Persons. Certificate of Interested Persons reviewed and noted by Judge J. Owen Forrester. (pkl) (Entered: 08/12/2011)
08/17/2011	4	Return of Service Executed by C-E Minerals, Inc.. CARBO Ceramics, Inc. served on 8/4/2011, answer due 8/25/2011. (Attachments: # 1 Exhibit A)(Pyrdum, Mary) (Entered: 08/17/2011)
08/22/2011	5	Request for Leave of Absence for the following date(s): October 7, 2011 through October 11, 2011, by Frank M. Lowrey, IV. (Lowrey, Frank) (Entered: 08/22/2011)
08/23/2011	6	APPLICATION for Admission of James R. Eiszner Pro Hac Vice (Application fee \$ 150, receipt number 113E-3475786)by CARBO Ceramics, Inc.. (Woodhouse, Samuel) (Entered: 08/23/2011)
08/23/2011	7	NOTICE of Appearance by Samuel S. Woodhouse, III on behalf of CARBO Ceramics, Inc. (Woodhouse, Samuel) (Entered: 08/23/2011)
08/25/2011		APPROVAL by Clerks Office re: 6 APPLICATION for Admission of James R. Eiszner Pro Hac Vice (Application fee \$ 150, receipt number 113E-3475786). Attorney James R. Eiszner added appearing on behalf of CARBO Ceramics, Inc. (pb) (Entered: 08/25/2011)
08/25/2011		MINUTE ORDER by CRD granting 6 Application for Admission Pro Hac Vice. (pkl) Modified on 9/1/2011 to terminate motion. (beg). (Entered: 08/25/2011)
08/25/2011	8	ANSWER to 1 COMPLAINT (Discovery ends on 5/21/2012.), COUNTERCLAIM against C-E Minerals, Inc. by CARBO Ceramics, Inc..(Woodhouse, Samuel) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 08/25/2011)
08/25/2011	9	Certificate of Interested Persons and Corporate Disclosure Statement by CARBO Ceramics, Inc.. (Woodhouse, Samuel) (Entered: 08/25/2011)
08/26/2011		Clerks Notation re 9 Certificate of Interested Persons and 2 Certificate of Interested Persons, reviewed and noted by Judge J. Owen Forrester and 5 request for Leave of Absence granted. (pkl) (Entered: 08/26/2011)
09/14/2011	10	MOTION for Preliminary Injunction with Brief In Support by C-E Minerals, Inc.. (Attachments: # 1 Affidavit Declaration of Steven Fortier, Ph.D., # 2 Affidavit Declaration of Thomas Parias, # 3 Affidavit Declaration of Paul Hall, # 4 Affidavit Declaration of Ron Hockensmith Part 1, # 5 Affidavit Declaration of Ron Hockensmith Part 2)(Lowrey, Frank) (Entered: 09/14/2011)
09/15/2011	11	ANSWER to 8 Counterclaim by C-E Minerals, Inc..(Lowrey, Frank) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/15/2011)
09/15/2011	12	First AMENDED COMPLAINT <i>for Injunctive and Declaratory Relief</i> against CARBO Ceramics, Inc., filed by C-E Minerals, Inc.. (Attachments: # 1 Exhibit A (Agreement), # 2 Exhibit B (Correspondence))(Lowrey, Frank) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/15/2011)

09/15/2011	13	ORDER directing Defendant to file a written response to Plaintiff's 10 MOTION for Preliminary Injunction no later than 10/14/11. Signed by Judge J. Owen Forrester on 9/15/11. (beg) (Entered: 09/16/2011)
09/16/2011		Clerks Certificate of Mailing as to CARBO Ceramics, Inc. re 13 Order. Mailed to Attorney James R. Eiszner. (beg) (Entered: 09/16/2011)
09/26/2011	14	Joint PRELIMINARY REPORT AND DISCOVERY PLAN filed by C-E Minerals, Inc., C-E Minerals, Inc., CARBO Ceramics, Inc., CARBO Ceramics, Inc.. (Lowrey, Frank) (Entered: 09/26/2011)
09/26/2011	15	Initial Disclosures by C-E Minerals, Inc..(Lowrey, Frank) (Entered: 09/26/2011)
09/26/2011	16	CERTIFICATE OF SERVICE of <i>Discovery</i> by C-E Minerals, Inc..(Lowrey, Frank) (Entered: 09/26/2011)
09/26/2011	17	CERTIFICATE OF SERVICE of <i>Defendant's Initial Disclosures</i> by CARBO Ceramics, Inc..(Woodhouse, Samuel) (Entered: 09/26/2011)
09/29/2011	18	ANSWER to 12 Amended Complaint by CARBO Ceramics, Inc..(Woodhouse, Samuel) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/29/2011)
09/30/2011		MINUTE ORDER approving Joint Preliminary Report and Discovery Plan 14 by Judge J. Owen Forrester.(pkl) (Entered: 09/30/2011)
10/05/2011	19	CERTIFICATE OF SERVICE of <i>First Request for Production of Documents</i> by CARBO Ceramics, Inc..(Woodhouse, Samuel) (Entered: 10/05/2011)
10/14/2011	20	RESPONSE in Opposition re 10 MOTION for Preliminary Injunction filed by CARBO Ceramics, Inc.. (Attachments: # 1 Edmunds Declaration and Attachments, # 2 Eiszner Declaration and Attachments, # 3 Gallagher Declaration and Attachments, # 4 Kessler Declaration and Attachments)(Woodhouse, Samuel) (Entered: 10/14/2011)
10/24/2011	21	Unopposed MOTION for Leave to File Excess Pages <i>To Extend Page Limit</i> by C-E Minerals, Inc.. (Lowrey, Frank) (Entered: 10/24/2011)
10/25/2011		MINUTE ORDER by Judge J. Owen Forrester granting 21 Unopposed Motion for Leave to File Excess Pages. (pkl) (Entered: 10/25/2011)
10/31/2011	22	REPLY BRIEF re 10 MOTION for Preliminary Injunction filed by C-E Minerals, Inc., C-E Minerals, Inc.. (Attachments: # 1 Affidavit Frank Lowrey Declaration, # 2 Affidavit Paul Hall Second Declaration)(Lowrey, Frank) (Entered: 10/31/2011)
10/31/2011	23	CERTIFICATE OF SERVICE of <i>Responses to Plaintiff's Interrogatories and Requests for Production</i> by CARBO Ceramics, Inc..(Woodhouse, Samuel) (Entered: 10/31/2011)
11/04/2011		Submission of 10 MOTION for Preliminary Injunction, submitted to District Judge J. Owen Forrester. (beg) (Entered: 11/04/2011)
11/04/2011	24	NOTICE by C-E Minerals, Inc. <i>Service of Discovery- Response to Defendant's First Request for Production of Documents to Plaintiff</i> (Pyrdum, Mary) (Entered: 11/04/2011)

11/07/2011	25	Notice for Leave of Absence for the following date(s): January 2 through January 9, 2012, by Frank M. Lowrey, IV. (Lowrey, Frank) (Entered: 11/07/2011)
11/10/2011	26	Joint MOTION to Stay <i>For Temporary Discovery Stay Pending Ruling on Preliminary Injunction</i> by C-E Minerals, Inc., C-E Minerals, Inc.. (Attachments: # 1 Text of Proposed Order)(Lowrey, Frank) (Entered: 11/10/2011)
11/10/2011		Submission of 26 Joint MOTION to Stay <i>For Temporary Discovery Stay Pending Ruling on Preliminary Injunction</i> , submitted to District Judge J. Owen Forrester. (beg) (Entered: 11/10/2011)
11/10/2011	27	ORDER granting 26 Joint Motion to Stay. The Court STAYS discovery and suspends the other case deadlines pending a ruling on plaintiff's 10 Motion for Preliminary Injunction. The case will resume with the same status that it occupies as of the date of this order on the 30th day after this Court issues a ruling on plaintiff's motion, by which time the parties shall submit a revised scheduling order for the Court's approval incorporating the adjusted case deadlines. Signed by Judge J. Owen Forrester on 11/10/11. (beg) (Entered: 11/10/2011)
01/30/2012	28	NOTICE of Oral Argument/Hearing on Motion re: 10 MOTION for Preliminary Injunction. Oral Argument/Motion Hearing set for 2/15/2012 at 10:30 AM in ATLA Courtroom 1905 before Judge J. Owen Forrester. (dcs) (Entered: 01/30/2012)
02/14/2012	29	Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by C-E Minerals, Inc., C-E Minerals, Inc.. (Pyrdum, Mary) (Entered: 02/14/2012)
02/14/2012	30	ORDER granting 29 Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom on Wednesday, 2/15/12 at 10:30 AM. Signed by Judge J. Owen Forrester on 2/14/12. (cc: hand-delivered to USMS) (beg) (Entered: 02/14/2012)
02/15/2012	31	Minute Entry for proceedings held before Judge J. Owen Forrester: Motion Hearing held on 2/15/2012 re 10 MOTION for Preliminary Injunction filed by C-E Minerals, Inc. (Court Reporter Monty Vann) (beg) (Entered: 02/15/2012)
03/01/2012	32	TRANSCRIPT of Proceedings held on 2/15/2012, before Judge J. Owen Forrester. Court Reporter/Transcriber Montrell Vann, Telephone number 404-215-1549. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/22/2012. Redacted Transcript Deadline set for 4/2/2012. Release of Transcript Restriction set for 5/30/2012. (Attachments: # 1 Appendix Notice of Transcript Filing) (mv) (Entered: 03/01/2012)
03/14/2012	33	ORDER granting Plaintiff's 10 Motion for Preliminary Injunction. Defendant is ENJOINED from seeking to enforce the provisions of Paragraph 5. Signed by Judge J. Owen Forrester on 3/13/12. (beg) (Entered: 03/14/2012)