

APPEAL,ROBERTS,STAYED

**U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:12-mj-02048-C**

MDL 2048 Cox Enterprises Inc Set-Top Cable Television Box
Antitrust Litigation
Assigned to: Honorable Robin J. Cauthron
Case in other court: Tenth Circuit, 15-06077
Cause: 28:1331 Fed. Question: Anti-trust

Date Filed: 11/27/2012
Jury Demand: Both
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

In Re

**MDL 2048 Cox Enterprises Inc
Set-Top Cable Television Box
Antitrust Litigation**

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Defendant**Does**

1 – 10

Date Filed	#	Page	Docket Text
11/29/2012	<u>1</u>		CONDITIONAL TRANSFER ORDER transferring case to District of Oklahoma Western District Court # CIV-12-1155-C for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407 and assigned to the Honorable Judge Cauthron. Signed by Clerk of the Panel. (cpp) (Entered: 11/29/2012)
11/29/2012	<u>2</u>		CONDITIONAL TRANSFER ORDER transferring case to District of Oklahoma Western, Western OK District Case # CIV-12-1168-C, for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407 and assigned the Honorable Robin J. Cauthron on 12/29/2012. Signed by Clerk of the Panel. (cpp) (Entered: 11/29/2012)
11/29/2012	<u>3</u>		CONDITIONAL TRANSFER ORDER transferring case to District of Oklahoma Western, Western Dist Case # CIV-12-1187-c, for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407 and assigned to the Honorable Robin J. Cauthron on 12/29/2012. Signed by Clerk of the Panel. (cpp) (Entered: 11/29/2012)
11/29/2012	<u>4</u>		CONDITIONAL TRANSFER ORDER transferring case to District of Oklahoma Western, Western OK Dist Case # CIV-12-1274-C, for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407 and assigned to the Honorable Robin J. Cauthron on 12/29/2012. Signed by Clerk of the Panel. (cpp) (Entered: 11/29/2012)
01/09/2013	<u>5</u>		MEMORANDUM OPINION AND ORDER, denying Defendant's Motion to Dismiss Plaintiff Healy's Complaint (dkt.no. 24, CIV-12-481-C). Signed by Honorable Robin J. Cauthron on 1/9/13. (lg) (Entered: 01/09/2013)
01/21/2013	<u>6</u>		JOINT MOTION for Order <i>for Entry of Case Management</i> by Cox Communications Inc. (Meyers, D) (Entered: 01/21/2013)
01/22/2013	<u>7</u>		JOINT MOTION for Order <i>Scheduling</i> by Cox Communications Inc. (Meyers, D) (Entered: 01/22/2013)
01/23/2013	<u>8</u>		ANSWER to Complaint (<i>Healy</i>) by Cox Communications Inc.(Meyers, D) (Entered: 01/23/2013)
01/30/2013	<u>9</u>		SCHEDULING ORDER: Bench Trial set for 1/14/2014 09:00 AM before Honorable Robin J. Cauthron. Discovery due by 9/11/2013. Motions due by 10/16/2013.. Signed by Honorable Robin J. Cauthron on 1/30/13. (lg) (Entered: 01/30/2013)
01/30/2013	<u>10</u>		STIPULATED ORDER, granting <u>6</u> Joint Motion for Entry of Case Management Order. Signed by Honorable Robin J. Cauthron on 1/30/13. (lg) (Entered: 01/30/2013)
02/05/2013	<u>11</u>		JOINT MOTION to Amend/Correct <u>9</u> Scheduling Order by Richard Healy. (Attachments: # <u>1</u> Attachment Proposed Amended Scheduling Order)(Mor,

		Rachel) (Entered: 02/05/2013)
02/06/2013	<u>12</u>	AMENDED SCHEDULING ORDER, granting <u>11</u> Joint Motion for Entry of Proposed Amended Scheduling Order. Signed by Honorable Robin J. Cauthron on 2/6/13. (lg) (Entered: 02/06/2013)
03/25/2013	<u>13</u>	MOTION for Protective Order by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Proposed Order)(Kidwell, Robert) (Entered: 03/25/2013)
03/26/2013	<u>14</u>	NOTICE (other) by Cox Communications Inc re <u>13</u> MOTION for Protective Order <i>Local Rule 37.1 Certification</i> (Meyers, D) (Entered: 03/26/2013)
03/26/2013	<u>15</u>	MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Memorandum In Support of Plaintiff's Motion to Compel Production of Documents and Answers to Interrogatories, # <u>2</u> Exhibit 1 – Declaration of Cynthia St. Amant, # <u>3</u> Exhibit 2 – Plaintiff's First Set of Requests for Production of Documents, # <u>4</u> Exhibit 3 – Plaintiff's First Set of Interrogatories, # <u>5</u> Exhibit 4 – Email from St. Amant to Kidwell and Guyton dated December 21, 2013, # <u>6</u> Exhibit 5 –Defendant's Responses and Objections to Plaintiff's Requests for Production, # <u>7</u> Exhibit 6 – Defendant's Responses and Objections to Plaintiff's Interrogatories, # <u>8</u> Exhibit 7 – Letter from St. Amant to Kidwell and Guyton dated January 18, 2013, # <u>9</u> Exhibit 8 – Letter from St. Amant to Kidwell and Guyton dated February 7, 2013, # <u>10</u> Exhibit 9 – Email from St. Amant to Kidwell and Guyton dated February 14, 2013, # <u>11</u> Exhibit 10 – Email from St. Amant to Kidwell and Guyton dated February 20, 2013, # <u>12</u> Exhibit 11 – Email from St. Amant to Kidwell and Guyton dated March 19, 2013, # <u>13</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 03/26/2013)
03/26/2013	<u>16</u>	MOTION to Expedite <i>the Briefing Schedule for Plaintiff's Motion to Compel Production of Documents and Answers to Interrogatories</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 03/26/2013)
03/27/2013	<u>17</u>	ORDER granting in part <u>16</u> Plaintiff's Motion to Expedite the Briefing Schedule for Plaintiff's Motion to Compel Production of Documents and Answers to Interrogatories. Signed by Honorable Robin J. Cauthron on 3/27/13. (lg) (Entered: 03/27/2013)
03/27/2013	<u>18</u>	MOTION to Expedite <i>the Briefing Schedule (Reciprocal)</i> by Cox Communications Inc. (Meyers, D) (Entered: 03/27/2013)
03/28/2013	<u>19</u>	ORDER granting <u>18</u> Motion to Expedite; any resp by plf filed by 4/8/13; Cox reply by 4/10/13. Signed by Honorable Robin J. Cauthron on 3/28/13. (ap) (Entered: 03/28/2013)
04/01/2013	<u>20</u>	RESPONSE to Motion re <u>13</u> MOTION for Protective Order filed by All Plaintiffs. (Blaschke, Michael) (Entered: 04/01/2013)
04/08/2013	<u>21</u>	RESPONSE in Opposition re <u>15</u> MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Kidwell Declaration, # <u>2</u> Exhibit 12–3–12 email between St. Amant and Kidwell, # <u>3</u> Exhibit 12–10–12 email from Kidwell to

		St. Amant, # <u>4</u> Exhibit 12-18-12 and 1-7-13 emails from St. Amant and Kidwell, # <u>5</u> Exhibit 1-18-13 email from St. Amant to Guyton, # <u>6</u> Exhibit 2-22-13 Cox's production letter, # <u>7</u> Exhibit 2-26-13 Cox's production letter, # <u>8</u> Exhibit 3-1-13 Cox's production letter, # <u>9</u> Exhibit 3-20-13 Cox's production letter, # <u>10</u> Exhibit 3-25-13 Cox's production letter, # <u>11</u> Exhibit 3-29-13 Cox's production letter, # <u>12</u> Exhibit 12-13-12 email from St. Amant to Kidwell)(Meyers, D) (Entered: 04/08/2013)
04/09/2013	<u>22</u>	NOTICE (other) by Cox Communications Inc re <u>21</u> Response in Opposition to Motion,,, <i>Amendment to Defendant Cox Communications, Inc.'s Opposition to Plaintiff's Motion to Compel Production of Documents and Answers to Interrogatories</i> (Attachments: # <u>1</u> Exhibit 13 – MDL Interrogatories)(Meyers, D) (Entered: 04/09/2013)
04/10/2013	<u>23</u>	REPLY to Response to Motion re <u>13</u> MOTION for Protective Order filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Declaration of Kidwell, # <u>2</u> Exhibit Declaration of Meyers)(Meyers, D) (Entered: 04/10/2013)
04/10/2013	<u>24</u>	REPLY to Response to Motion re <u>15</u> MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – E-Mail dated May 26, 2010)(Blaschke, Michael) (Entered: 04/10/2013)
05/03/2013	<u>25</u>	NOTICE of Subpoena by All Plaintiffs <i>AT&T, Inc.</i> (Attachments: # <u>1</u> Exhibit)(St Amant, Cynthia) (Entered: 05/03/2013)
05/03/2013	<u>26</u>	NOTICE of Subpoena by All Plaintiffs <i>Verizon Communications, Inc.</i> (Attachments: # <u>1</u> Exhibit)(St Amant, Cynthia) (Entered: 05/03/2013)
05/03/2013	<u>27</u>	NOTICE of Subpoena by All Plaintiffs <i>DirectTV Corporation</i> (Attachments: # <u>1</u> Exhibit)(St Amant, Cynthia) (Entered: 05/03/2013)
05/03/2013	<u>28</u>	NOTICE of Subpoena by All Plaintiffs <i>Dish Network Corporation</i> (Attachments: # <u>1</u> Exhibit)(St Amant, Cynthia) (Entered: 05/03/2013)
05/06/2013	<u>29</u>	ORDER directing parties to confer to resolve any outstanding discovery issues; hearing set Wed., May 29, 2013 at 1:30 p.m.. Signed by Honorable Robin J. Cauthron on 5/6/13. (lg) (Entered: 05/06/2013)
05/21/2013	<u>30</u>	JOINT MOTION for Extension of Time to <i>File Expert Reports</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Mor, Rachel) (Entered: 05/21/2013)
05/22/2013	<u>31</u>	ORDER granting <u>30</u> Joint Motion to Suspend Expert Report Deadlines. Signed by Honorable Robin J. Cauthron on 5/22/13. (lg) (Entered: 05/22/2013)
05/28/2013	<u>32</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Joshua G. Konecky</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice of Joshua G. Konecky, # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 05/28/2013)
05/29/2013	<u>33</u>	Receipt for Money Received from Joshua G Konecky on behalf of Richard Healy in the amount of \$50.00, receipt number OKW500032822 regarding <u>32</u> MOTION for Leave to Appear Pro Hac Vice for <i>Joshua G. Konecky</i> . (cpp) (Entered: 05/29/2013)

05/29/2013	<u>35</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Discovery Hearing held on 5/29/2013. (lg) (Entered: 05/31/2013)
05/30/2013	<u>34</u>	ORDER granting <u>32</u> Motion to Appear Pro Hac Vice – Joshua G. Konecky. Signed by Honorable Robin J. Cauthron on 5/30/12. (lg) (Entered: 05/30/2013)
06/03/2013	<u>36</u>	ENTRY of Appearance by Joshua G Konecky on behalf of All Plaintiffs (Konecky, Joshua) (Entered: 06/03/2013)
06/04/2013	<u>37</u>	ORDER vacating current scheduling order, new ddls imposed; granting <u>13</u> Defendant's Motion for Protective Order to Limit Discovery; granting in part and denying in part <u>15</u> Plaintiff's Motion to Compel Production of Documents and Answers to Interrogatories. Signed by Honorable Robin J. Cauthron on 6/4/13. (lg) (Entered: 06/04/2013)
06/07/2013	<u>38</u>	JOINT STATUS REPORT <i>Regarding Discovery Issues</i> by Defendant Cox Communications Inc. (Kidwell, Robert) (Entered: 06/07/2013)
06/07/2013	<u>39</u>	NOTICE of Subpoena by Richard Healy <i>Southwestern Bell Telephone Co.</i> (Attachments: # <u>1</u> Exhibit A)(St Amant, Cynthia) (Entered: 06/07/2013)
06/26/2013	<u>40</u>	SUPPLEMENT re <u>38</u> Joint Status Report by Richard Healy. (Blaschke, Michael) (Entered: 06/26/2013)
07/16/2013	<u>41</u>	SUPPLEMENT re <u>38</u> Joint Status Report, <u>40</u> Supplement by Richard Healy. (Blaschke, Michael) (Entered: 07/16/2013)
07/16/2013	<u>42</u>	MOTION for Protective Order <i>and for Continuance of Expert Report Deadlines</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit EEx. 1 Transcript of May 29, 2013 hearing, # <u>2</u> Exhibit Ex. 2 Guyton Declaration, # <u>3</u> Exhibit Ex. 2A Cox Prod. Ltr 6–20–11, # <u>4</u> Exhibit Ex. 2B Cox Prod. Ltr 5–8–12, # <u>5</u> Exhibit Ex. 2C Cox Prod. Ltr 2–26–13, # <u>6</u> Exhibit Ex. 2D St. Amant email to Kidwell 4–3–13, # <u>7</u> Exhibit Ex. 2E Guyton email to St. Amant 5–15–13, # <u>8</u> Exhibit Ex. 2F St. Amant to Guyton 5–24–13, # <u>9</u> Exhibit Ex. 2G Guyton email to St. Amant 5–28–13, # <u>10</u> Exhibit Ex. 2H St. Amant email to Guyton 6–6–13, # <u>11</u> Exhibit Ex. 2I Guyton email to St. Amant 6–14–13, # <u>12</u> Exhibit Ex. 2J Guyton follow–up email to St. Amant 6–14–13, # <u>13</u> Exhibit Ex. 2K Kidwell email to St. Amant 6–19–13, # <u>14</u> Exhibit Ex. 2L St. Amant ltr to Guyton 7–9–13, # <u>15</u> Exhibit Ex, 2M Guyton Ltr to St. Amant 7–12–13, # <u>16</u> Exhibit Ex. 3 Hunt Declaration, # <u>17</u> Exhibit Ex. 4 Irish–Consier Transcript)(Meyers, D) (Entered: 07/16/2013)
07/16/2013	<u>43</u>	MOTION to Expedite <i>the Briefing Schedule</i> by Cox Communications Inc. (Meyers, D) (Entered: 07/16/2013)
07/19/2013	<u>44</u>	Expert Witness List by Plaintiff Richard Healy. (Blaschke, Michael) (Entered: 07/19/2013)
07/22/2013	<u>45</u>	ORDER granting <u>43</u> Defendant Cox Communications, Inc.'s Motion to Expedite the Briefing Schedule. Signed by Honorable Robin J. Cauthron on 7/22/13. (lg) (Entered: 07/22/2013)
07/25/2013	<u>46</u>	JOINT MOTION for Leave <i>to File Documents Under Seal</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Mor, Rachel) (Entered: 07/25/2013)

07/25/2013	<u>47</u>	ORDER granting <u>46</u> Joint Motion for Leave to File Documents Under Seal. Signed by Honorable Robin J. Cauthron on 7/25/13. (lg) (Entered: 07/25/2013)
07/26/2013	<u>48</u>	RESPONSE in Opposition re <u>42</u> MOTION for Protective Order <i>and for Continuance of Expert Report Deadlines</i> filed by Richard Healy. (Attachments: # <u>1</u> Attachment 1 – St. Amant Declaration, # <u>2</u> Exhibit 1 to Attachment – Email Correspondence, # <u>3</u> Exhibit 2 to Attachment – Email Correspondence, # <u>4</u> Exhibit 3 to Attachment – Email Correspondence, # <u>5</u> Exhibit 4 to Attachment – Email Correspondence, # <u>6</u> Exhibit 5 to Attachment – Email Correspondence, # <u>7</u> Exhibit 6 to Attachment – Email Correspondence, # <u>8</u> Exhibit 7 to Attachment – Email Correspondence, # <u>9</u> Exhibit 8 to Attachment – Email Correspondence, # <u>10</u> Exhibit 9 to Attachment – Email Correspondence, # <u>11</u> Exhibit 10 to Attachment – Email Correspondence, # <u>12</u> Exhibit 11 to Attachment – Email Correspondence, # <u>13</u> Exhibit 12 to Attachment – Email Correspondence, # <u>14</u> Exhibit 13 to Attachment – Letter, # <u>15</u> Exhibit 14 to Attachment – Letter, # <u>16</u> Exhibit 15 to Attachment – Letter, # <u>17</u> Exhibit 16 to Attachment – Deposition of Irish–Consier, # <u>18</u> Exhibit 17 to Attachment – First RFP, # <u>19</u> Exhibit 18 to Attachment – Second RFP, # <u>20</u> Exhibit 19 to Attachment – Third RFP, # <u>21</u> Exhibit 20 to Attachment – Email Correspondence, # <u>22</u> Exhibit 21 to Attachment – Expert Report of Hastings Placeholder (filed under seal))(Blaschke, Michael) (Entered: 07/26/2013)
07/26/2013	<u>49</u>	SEALED EXHIBIT 21 Expert Report of Professor Justine S. Hastings, Ph.D. to <u>48</u> Plaintiff's Response in Opposition to Defendant's Motion for Protective Order and for Continuance of Expert Report Deadlines; <u>47</u> order granting leave to file under seal (lg,) (Entered: 07/26/2013)
07/28/2013	<u>50</u>	REPLY to Response to Motion re <u>42</u> MOTION for Protective Order <i>and for Continuance of Expert Report Deadlines</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Kidwell, Robert) (Entered: 07/28/2013)
08/05/2013	<u>51</u>	ORDER granting in part and denying in part <u>42</u> Defendant Cox Communication, Inc.'s Motion for Protective Order and for Continuance of Expert Report Deadlines. Signed by Honorable Robin J. Cauthron on 8/5/13. (lg) (Entered: 08/05/2013)
08/19/2013	<u>52</u>	Expert Witness List by Defendant Cox Communications Inc. (Meacham, Scott) (Entered: 08/19/2013)
08/21/2013	<u>53</u>	ENTRY of Appearance by Mary H Tolbert on behalf of Cox Communications Inc (Tolbert, Mary) (Entered: 08/21/2013)
08/27/2013	<u>54</u>	MOTION to Withdraw as Attorney by Cox Communications Inc. (LaBauve, Elizabeth) (Entered: 08/27/2013)
08/28/2013	<u>55</u>	MOTION to Strike <u>52</u> Witness List – Expert <i>and Exclude Expert Testimony from Cox's Non–Retained Expert</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Memorandum In Support of Plaintiff's Motion to Strike Cox's Expert Disclosure of and Exclude Expert Testimony from Cox's Non–Retained Expert, # <u>2</u> Exhibit Defendant's Expert Witness List, # <u>3</u> Exhibit E–Mail Thread Between Counsel, # <u>4</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/28/2013)

09/05/2013	<u>56</u>	MOTION to Compel <i>Depositions of Declarants Beyond the Discovery Deadline or In the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Memorandum In Support of Plaintiffs' Motion to Compel, # <u>2</u> Exhibit 1 – Mencher Declaration, # <u>3</u> Exhibit 2 – E-Mail, # <u>4</u> Exhibit 3 – Davies Declaration, # <u>5</u> Attachment [Proposed] Order)(Blaschke, Michael) (Main Document 56 replaced on 9/5/2013) (cpp,). (Entered: 09/05/2013)
09/06/2013	<u>57</u>	ORDER granting <u>54</u> Motion to Withdraw as Attorney. Attorney Elizabeth Barnett LaBauve terminated. Signed by Honorable Robin J. Cauthron on 9/6/13. (lg) (Entered: 09/06/2013)
09/09/2013	<u>58</u>	MOTION to Strike <i>Cox's References to Undisclosed Retail Sale of Set-Top Boxes</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Memorandum In Support of Plaintiff's Motion to Strike Cox's References to Undisclosed Retail Sale of Set-Top Boxes, # <u>2</u> Exhibit 1 – Excerpt of Burtis Expert Report Placeholder (Filed Under Seal), # <u>3</u> Exhibit 2 – Plaintiff's First Set of Requests for Production to Defendant, # <u>4</u> Exhibit 3 – Response of Defendants to Plaintiff's First Set of Requests for Production, # <u>5</u> Exhibit 4 – Plaintiff's First Set of Interrogatories, # <u>6</u> Exhibit 5 – First Amended Response Cox to Plaintiff's First Set of Interrogatories, # <u>7</u> Exhibit 6 – Excerpts from Deposition of Dallas Steven Clement on 03-30-11, # <u>8</u> Exhibit 7 – Excerpts from 30(B)(6) Deposition of Cox Enterprises, Inc. by Stephen Necessary on 05-20-11, # <u>9</u> Exhibit 8 – Excerpts from Deposition of David Pugliese on 05-18-11, # <u>10</u> Exhibit 9 – Excerpts from 30(B)(6) Deposition of Cox Enterprises, Inc. by Steven M. Watkins on 05-23-11, # <u>11</u> Exhibit 10 – Plaintiff's Sixth Request for Production of Documents to Defendant, # <u>12</u> Exhibit 11 – E-mail Thread Between Counsel, # <u>13</u> Exhibit 12 – Defendant's Response to Requested Interrogatories from Plaintiff's Second and Third Sets of Interrogatories, # <u>14</u> Exhibit 13 – Declaration of David B. Davies, # <u>15</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 09/09/2013)
09/09/2013	<u>59</u>	MOTION in Limine to <i>Exclude Testimony of Mr. Lawrence Harte and Memorandum of Law in Support Thereof</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Filed Under Seal, # <u>2</u> Exhibit 2 – Filed Under Seal, # <u>3</u> Exhibit 3 – 8-8-13 E-Mail from Amant to Guyton and Kim, # <u>4</u> Exhibit 4 – Filed Under Seal, # <u>5</u> Exhibit 5 – Filed Under Seal, # <u>6</u> Exhibit 6 – Filed Under Seal, # <u>7</u> Exhibit 7 – Filed Under Seal, # <u>8</u> Exhibit 8 – Filed Under Seal, # <u>9</u> Exhibit 9 – Filed Under Seal, # <u>10</u> Exhibit 10 – Sony letter 11-21-08, # <u>11</u> Exhibit 11 – Panasonic letter 9-29-07, # <u>12</u> Exhibit 12 – Program Networks Reply Comments, # <u>13</u> Exhibit 13 – NCTA letter 10-30-07, # <u>14</u> Exhibit 14 – NCTA letter 11-1-07, # <u>15</u> Exhibit 15 – Filed Under Seal, # <u>16</u> Exhibit 16 – Filed Under Seal)(Meyers, D) (Entered: 09/09/2013)
09/09/2013	<u>60</u>	MOTION to Certify Class by Richard Healy. (Attachments: # <u>1</u> Attachment Memorandum In Support of Motion for Class Certification (Redacted), # <u>2</u> Attachment Declaration of Cynthia St. Amant, # <u>3</u> Exhibit 1 – CCISTBOKC00056173– CCISTBOKC00056191 (Filed Under Seal), # <u>4</u> Exhibit 2 – CCISTBOKC00358014 CCISTBOKC00358015 (Filed Under Seal), # <u>5</u> Exhibit 3 – Deposition of (David Pugliese), 15:19; 16:6-10; 16:11-16; 16:23, # <u>6</u> Exhibit 4 – Deposition of (Stephen Necessary),10:4-14; 11:2-9;11:13-17; 32; 74:2-22, 85:17-21, # <u>7</u> Exhibit 5 – Deposition of (Mark

		<p>Ader), 23:14–18; 25:15–22; 115– 121 (Filed Under Seal), # <u>8</u> Exhibit 6 – Deposition of (Dallas Clement), 21:21–23; 22; 27:12–18, # <u>9</u> Exhibit 7 – CCISTBOKC029436 CCISTBOKC029444, # <u>10</u> Exhibit 8 – CCISTBOKC00344152 CCISTBOKC00344161 (Filed Under Seal), # <u>11</u> Exhibit 9 – OKC website, # <u>12</u> Exhibit 10 – CCISTBE02205489 CCISTBE02205493 (Filed Under Seal), # <u>13</u> Exhibit 11 – CCISTBE01275899 CCISTBE01275900 (Filed Under Seal), # <u>14</u> Exhibit 12 – Harte Expert Report (Filed Under Seal), # <u>15</u> Exhibit 13 – CCISTBOKC00157899 CCISTBOKC00157902 (Filed Under Seal), # <u>16</u> Exhibit 14 – CCISTBOKC00065638 CCISTBOKC00065646 (Filed Under Seal), # <u>17</u> Exhibit 15 – Hastings Supplemental Report (Filed Under Seal), # <u>18</u> Exhibit 16 – Defendants 1st Amended Responses to Plaintiffs 1st Set of Interrogatories 6–7, # <u>19</u> Exhibit 17 – CCISTBE01071443 CCISTBE01071443.xls (Filed Under Seal), # <u>20</u> Exhibit 18 – CCISTBE03611761 CCISTBE03611761.xls (Filed Under Seal), # <u>21</u> Exhibit 19 – Deposition of Michelle Burtis (July 18, 2011), 53 (Filed Under Seal), # <u>22</u> Exhibit 20 – Hastings Expert Report (Filed Under Seal), # <u>23</u> Exhibit 21 – CCISTBOKC00479691 CCISTBOKC00479691.xlsx (Filed Under Seal), # <u>24</u> Exhibit 22 – HEALY000001– HEALY000004, # <u>25</u> Exhibit 23 – CCISTB193733 CCISTB193738 (Filed Under Seal), # <u>26</u> Exhibit 24 – CCISTBE00611129– CCISTBE00611147 (Filed Under Seal), # <u>27</u> Exhibit 25 – CCISTBE01182475 CCISTBE01182476 (Filed Under Seal), # <u>28</u> Exhibit 26 – Deposition of Marcia Sauzek, 12–13 (Filed Under Seal), # <u>29</u> Exhibit 27 – CCISTBE01071844 – CCISTBE01071844.xls (Filed Under Seal), # <u>30</u> Exhibit 28 – CCISTBOKC003181.xls (Filed Under Seal), # <u>31</u> Exhibit 29 – CCISTBOKC019362 (Filed Under Seal), # <u>32</u> Exhibit 30 – CCISTBOKC020292 – CCISTBOKC020292.xls (Filed Under Seal), # <u>33</u> Exhibit 31 – CCISTBOKC028987.xlsx (Filed Under Seal), # <u>34</u> Exhibit 32 – CCISTBOKC029038 – CCISTBOKC029038.xls ((Filed Under Seal), # <u>35</u> Exhibit 33 – CCISTB130769, # <u>36</u> Exhibit 34 – CCISTB297086 – CCISTB297086.xls (Filed Under Seal), # <u>37</u> Exhibit 35 – CCISTBOKC00347463 (Filed Under Seal), # <u>38</u> Exhibit 36 – CCISTBOKC00067140 – CCISTBOKC00067141 (Filed Under Seal), # <u>39</u> Exhibit 37 – CCISTBOKC00038573 (Filed Under Seal), # <u>40</u> Exhibit 38 – CCISTBOKC00074356 – CCISTBOKC00074356.xls (Filed Under Seal), # <u>41</u> Exhibit 39 – CCISTBOKC028994 – CCISTBOKC028994.xlsx (Filed Under Seal), # <u>42</u> Exhibit 40 – CCISTBOKC00368835 (Filed Under Seal), # <u>43</u> Exhibit 41 – Deposition of Michelle Burtis (August 30, 2013), 144–150; 236–239 (Filed Under Seal), # <u>44</u> Exhibit 42 – Deposition of Molly Andrews, 85–86; 145–149; 158 (Filed Under Seal), # <u>45</u> Exhibit 43 – CCISTBOKC00033488 – CCISTBOKC00033491 (Filed Under Seal), # <u>46</u> Exhibit 44 – CCISTBOKC00032087 – CCISTBOKC00032089 (Filed Under Seal), # <u>47</u> Exhibit 45 – CCISTBOKC00100077 – CCISTBOKC00100098 (Filed Under Seal), # <u>48</u> Exhibit 46 – CCISTBOKC00346273 – CCISTBOKC00346282 (Filed Under Seal), # <u>49</u> Exhibit 47 – CCISTBE01194077 – CCISTBE01194081 (Filed Under Seal), # <u>50</u> Exhibit 48 – CCISTBE00451103 – CCISTBE00451116 (Filed Under Seal), # <u>51</u> Exhibit 49 – Burtis Expert Report (Filed Under Seal))(Blaschke, Michael) (Entered: 09/09/2013)</p>
09/09/2013	<u>61</u>	MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support Thereof by Cox Communications Inc.

		(Attachments: # <u>1</u> Exhibit 1 – Filed Under Seal, # <u>2</u> Exhibit 2 – Filed Under Seal, # <u>3</u> Exhibit 3 – Filed Under Seal, # <u>4</u> Exhibit 4 – Filed Under Seal, # <u>5</u> Exhibit 5 – Filed Under Seal, # <u>6</u> Exhibit 6 – Filed Under Seal, # <u>7</u> Exhibit 7 – Filed Under Seal, # <u>8</u> Exhibit 8 – Filed Under Seal, # <u>9</u> Exhibit 9 – Filed Under Seal, # <u>10</u> Exhibit 10 – Filed Under Seal, # <u>11</u> Exhibit 11 – Filed Under Seal, # <u>12</u> Exhibit 12 – 11–17–11 Class Cert. Hrg. Tr. Excerpts, # <u>13</u> Exhibit 13 – 11–16–11 Class Cert. Hrg. Tr. Excerpts, # <u>14</u> Exhibit 14 – Filed Under Seal, # <u>15</u> Exhibit 15 – Declaration of H. Guyton, # <u>16</u> Exhibit 15A – Filed Under Seal, # <u>17</u> Exhibit 15B – Advertisements)(Meyers, D) (Entered: 09/09/2013)
09/10/2013	<u>62</u>	UNOPPOSED MOTION for Leave to <i>Substitute Exhibit</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Exhibit 15 – Hastings Supplemental Expert Report (Filed Under Seal), # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 09/10/2013)
09/10/2013	<u>63</u>	SEALED Unredacted Version of <u>59</u> Defendant Cox Communications, Inc.'s Motion in Limine to Exclude Testimony of Mr. Lawrence Harte and Memorandum of Law in Support Thereof; exh 1–16 attached; filed under seal by order of the court(lg,) (Entered: 09/10/2013)
09/11/2013	<u>64</u>	NOTICE (other) by Cox Communications Inc of <i>Withdrawal of Non–Retained Expert From Witness List</i> (Meyers, D) (Entered: 09/11/2013)
09/12/2013	<u>65</u>	SEALED Unredacted Version of <u>61</u> MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support Thereof; w/attachments.(lg,) (Entered: 09/12/2013)
09/12/2013	<u>66</u>	ORDER granting <u>62</u> Plaintiff's Unopposed Motion for Leave to Substitute Exhibit 15. Signed by Honorable Robin J. Cauthron on 9/12/13. (lg) (Entered: 09/12/2013)
09/12/2013	<u>67</u>	SEALED Unredacted Version of <u>60</u> Plaintiff's Motion for Class Certification; exh 1–49 attached(lg,) (Entered: 09/16/2013)
09/12/2013	<u>68</u>	SEALED Unredacted Version of DOCUMENT with attachments to (Re: <u>58</u> MOTION to Strike References <i>Cox's References to Undisclosed Retail Sale of Set–Top Boxes</i>)(cpp) (Entered: 09/17/2013)
09/18/2013	<u>69</u>	RESPONSE to Motion re <u>55</u> MOTION to Strike <u>52</u> Witness List – Expert and Exclude Expert Testimony from Cox's Non–Retained Expert from Witness List filed by Cox Communications Inc. (Meyers, D) (Entered: 09/18/2013)
09/23/2013	<u>70</u>	JOINT MOTION to Continue <i>Dates for Dispositive Motions/Motions for Summary Judgment, Pretrial Procedures and Trial</i> by Cox Communications Inc. (Meyers, D) (Entered: 09/23/2013)
09/24/2013	<u>71</u>	ORDER granting <u>70</u> Joint Motion of Parties to Reschedule Dates for Dispositive Motions/Motions for Summary Judgment, Pretrial Procedures and Trial. Signed by Honorable Robin J. Cauthron on 9/24/13. (lg) (Entered: 09/24/2013)
09/26/2013	<u>72</u>	RESPONSE in Opposition re <u>56</u> MOTION to Compel <i>Depositions of Declarants Beyond the Discovery Deadline or In the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Mencher Declaration, # <u>2</u> Exhibit Davies Declaration, # <u>3</u> Exhibit Mencher Email, # <u>4</u> Exhibit

		Hastings Depo Tr, # <u>5</u> Exhibit Mencher Depo Tr, # <u>6</u> Exhibit Ader Depo Tr, # <u>7</u> Exhibit Subpoena to Cisco, # <u>8</u> Exhibit CCISTBE04402635, # <u>9</u> Exhibit Interr Supp Response 14, # <u>10</u> Exhibit Kidwell letter to St. Amant)(Meyers, D) (Entered: 09/26/2013)
09/26/2013	<u>73</u>	SEALED Unredacted Version of <u>72</u> Defendant Cox Communications, Inc's Response in Opposition <u>56</u> MOTION to Compel Depositions of Declarants Beyond the Discovery Deadline or In the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies; lv granted to file under seal (lg,) (Entered: 09/27/2013)
09/30/2013	<u>74</u>	RESPONSE in Opposition re <u>58</u> MOTION to Strike <i>Cox's References to Undisclosed Retail Sale of Set-Top Boxes</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Depo Notice to Cox, # <u>2</u> Exhibit Pltf's 1st Req for Prod No. 33, # <u>3</u> Exhibit Cox's Resp to Pltf's 1st Req for Prod No. 33, # <u>4</u> Exhibit Under Seal – 2-26-13 Prod Ltr from Kidwell to St. Amant, # <u>5</u> Exhibit Under Seal – Cox Suppl. Int. Resp #14, # <u>6</u> Exhibit Under Seal – Harte Dep Tr Exc, # <u>7</u> Exhibit Under Seal – Hastings Dep Tr Exc, # <u>8</u> Exhibit Under Seal – Burtis Dep Tr Exc, # <u>9</u> Exhibit Under Seal – Ader Dep Tr Exc)(Meyers, D) (Entered: 09/30/2013)
10/01/2013	<u>75</u>	SEALED Unredacted Version of <u>74</u> Defendant Cox Communications, Inc.'s Opposition to Plaintiff's Motion to Strike References to Undisclosed Retail Sale of Set-Top Boxes(lg,) (Entered: 10/01/2013)
10/01/2013	<u>76</u>	ORDER stricken as moot <u>55</u> Plaintiffs' Motion to Strike Cox's Expert Disclosure of and Exclude Expert Testimony from Cox's Non-Retained Expert. Signed by Honorable Robin J. Cauthron on 10/1/13. (lg) (Entered: 10/01/2013)
10/03/2013	<u>77</u>	REPLY to Response to Motion re <u>56</u> MOTION to Compel <i>Depositions of Declarants Beyond the Discovery Deadline or In the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Mencher Deposition Excerpts, # <u>2</u> Exhibit 2 – CCISTBE00842445–CCISTBE00842446 (Filed Under Seal), # <u>3</u> Exhibit 3 – CCISTBE03214128–CCISTBE03214130 at 03214129 (Filed Under Seal), # <u>4</u> Exhibit 4 – CCISTBE01684424–CCISTBE01684427 (Filed Under Seal), # <u>5</u> Exhibit 5 – Ader Deposition Excerpts, # <u>6</u> Exhibit 6 – Kelso Deposition Excerpts, # <u>7</u> Exhibit 7 – Mencher Declaration, # <u>8</u> Exhibit 8 – Hastings Deposition Excerpts (Filed Under Seal), # <u>9</u> Exhibit 9 – Berniard Declaration)(Blaschke, Michael) (Entered: 10/03/2013)
10/03/2013	<u>78</u>	SEALED Unredacted and Sealed Version of document <u>77</u> Plaintiff's Reply in Support of Plaintiff's Motion to Compel Depositions of Declarants Beyond the Discovery Deadline or In the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies (lg,) (Entered: 10/04/2013)
10/07/2013	<u>79</u>	REPLY to Response to Motion re <u>58</u> MOTION to Strike <i>Cox's References to Undisclosed Retail Sale of Set-Top Boxes</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – E-mail dated 06-13-13, # <u>2</u> Exhibit 2 – Sample of Transaction Data IH 2005 (Filed Under Seal), # <u>3</u> Exhibit 3 – Sample of Equipment on Account Data (Filed Under Seal), # <u>4</u> Exhibit 4 – Excerpts from

		Deposition of Mark Ader, # <u>5</u> Exhibit 5 – Excerpts from Deposition of Justine Hastings, Ph.D. (Filed Under Seal))(Blaschke, Michael) (Entered: 10/07/2013)
10/07/2013	<u>80</u>	SEALED Unredacted version of <u>79</u> Plaintiff's Reply in Support of Motion to Strike Cox's References to Undisclosed Retail Sale of Set-Top Boxes (lg,) (Entered: 10/08/2013)
10/09/2013	<u>81</u>	RESPONSE in Opposition re <u>60</u> MOTION to Certify Class filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit (under seal) Expert report of Dr Burtis, # <u>2</u> Exhibit (under seal) Supp Expert report of Dr Burtis, # <u>3</u> Exhibit (under seal) Healy depo transc, # <u>4</u> Exhibit (under seal) AT&T Screenshot for Healy Address, # <u>5</u> Exhibit (under seal) DISH Screenshot for Healy Address, # <u>6</u> Exhibit (under seal) Healy Resp to Cox 1st Interrog, # <u>7</u> Exhibit (under seal) Healy Supp Resp to Cox 1st Interrog, # <u>8</u> Exhibit (under seal) Healy Cox Bill, # <u>9</u> Exhibit (under seal) Healy DirectTV Bill, # <u>10</u> Exhibit (under seal) Cox OKC Franchise Area Map, # <u>11</u> Exhibit (under seal) Expert Report of Dr. Holmes, # <u>12</u> Exhibit OKC Franchise Agreement, # <u>13</u> Exhibit Bethany Franchise Agreement, # <u>14</u> Exhibit The Village Franchise Agreement, # <u>15</u> Exhibit (under seal) Sauzek Depo Transc, # <u>16</u> Exhibit FCC Eff Comp Order – 2008, # <u>17</u> Exhibit FCC Eff Comp Order – 2010, # <u>18</u> Exhibit FCC Eff Comp Order – 2011, # <u>19</u> Exhibit OKC Schedule of Fees & Charges 2009, # <u>20</u> Exhibit (under seal) Declaration of D. Davies, # <u>21</u> Exhibit Cox's Suppl Resp to Healy Int, # <u>22</u> Exhibit Cox Press Release Retail Sale STB, # <u>23</u> Exhibit Cox Website Retail Sale STB, # <u>24</u> Exhibit (under seal) Andrews Depo Trans, # <u>25</u> Exhibit (under seal) Cox Custom Segmentation Deep Dive Doc, # <u>26</u> Exhibit Dish Network/AT&T WSJ Article, # <u>27</u> Exhibit FCC 15th Ann Rep on MVPD Competition, # <u>28</u> Exhibit (under seal) Rich Depo Trans, # <u>29</u> Exhibit Singer Declaration, # <u>30</u> Exhibit (under seal) Watkins Depo Transc, # <u>31</u> Exhibit OKC 2006 Rate Docket, # <u>32</u> Exhibit FCC Eff Comp Order Gainesville, # <u>33</u> Exhibit FCC Eff Comp Order Tulsa, # <u>34</u> Exhibit (under seal) Hastings Depo Trans, # <u>35</u> Exhibit (under seal) Expert Report of Dr Hastings, # <u>36</u> Exhibit Cox Advertisement, # <u>37</u> Exhibit (under seal) Expert Report of Dr. Wall, # <u>38</u> Exhibit Guyton Declaration)(Meyers, D) (Entered: 10/09/2013)
10/09/2013	<u>82</u>	RESPONSE in Opposition re <u>61</u> MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support Thereof filed by Richard Healy. (Attachments: # <u>1</u> Attachment Declaration of Cindy St. Amant, # <u>2</u> Attachment Declaration of Professor Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>3</u> Exhibit 1 – Excerpts from Deposition of Mark Ader, # <u>4</u> Exhibit 2 – Excerpts from Deposition of James Kelso, # <u>5</u> Exhibit 3 – Excerpts from Deposition of Craig Smithpeters (Filed Under Seal), # <u>6</u> Exhibit 4 – –mail dated September 29, 2010 (Filed Under Seal), # <u>7</u> Exhibit 5 – CCISTBE01684424–CCISTBE01684427 (Filed Under Seal), # <u>8</u> Exhibit 6 – Excerpts from Deposition of Cox Enterprises, Inc. through Sanford Alan Mencher, # <u>9</u> Exhibit 7 – CCISTBE03214128–CCISTBE03214131 (Filed Under Seal), # <u>10</u> Exhibit 8 – Excerpts from Deposition of Gerry Wall, Ph.D. (Filed Under Seal), # <u>11</u> Exhibit 9 – Cox Website Excerpt, # <u>12</u> Exhibit 10 – Excerpts from Deposition of Mollie Andrews (Filed Under Seal), # <u>13</u> Exhibit 11 – Excerpts from Deposition of Marcia Sauzek (Filed Under Seal), # <u>14</u> Exhibit 12 – Excerpts from Deposition of Michelle Burtis, Ph.D. (Filed Under Seal), # <u>15</u> Exhibit 13 – Excerpts from Deposition of Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>16</u> Exhibit 14 – Excerpts from Deposition of Alexander Holmes (Filed Under Seal))(Blaschke, Michael) (Entered: 10/09/2013)

10/09/2013	<u>83</u>	RESPONSE in Opposition re <u>59</u> MOTION in Limine to Exclude Testimony of Mr. Lawrence Harte and Memorandum of Law in Support Thereof filed by Richard Healy. (Attachments: # <u>1</u> Exhibit Excerpts from Deposition of Lawrence Harte (Filed Under Seal), # <u>2</u> Exhibit Expert Report of Lawrence J. Harte (Filed Under Seal), # <u>3</u> Exhibit Excerpts from Deposition of Gerry Wall, Ph.D. (Filed Under Seal), # <u>4</u> Exhibit Excerpts from the Deposition of Alexander Holmes (Filed Under Seal), # <u>5</u> Exhibit Expert Report of Gerry Wall, Ph.D. (Filed Under Seal))(Blaschke, Michael) (Entered: 10/09/2013)
10/15/2013	<u>84</u>	ORDER denying <u>56</u> Plaintiff's Motion to Compel Depositions of Declarants Beyond the Discovery Deadline or in the Alternative Plaintiff's Motion to Strike the Declarations of Sanford Mencher and David Davies. Signed by Honorable Robin J. Cauthron on 10/15/13. (lg) (Entered: 10/15/2013)
10/15/2013	<u>85</u>	ORDER granting <u>58</u> Plaintiff's Motion to Strike Cox's References to Undisclosed Retail Sale of Set-Top Boxes. Signed by Honorable Robin J. Cauthron on 10/15/13. (lg) (Entered: 10/15/2013)
10/16/2013	<u>86</u>	REPLY to Response to Motion re <u>59</u> MOTION in Limine to Exclude Testimony of Mr. Lawrence Harte and Memorandum of Law in Support Thereof filed by Cox Communications Inc. (Meyers, D) (Entered: 10/16/2013)
10/16/2013	<u>87</u>	REPLY to Response to Motion re <u>61</u> MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support Thereof filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit MDL-09-2048 Initial Scheduling Order, # <u>2</u> Exhibit FTC Comment List, # <u>3</u> Exhibit FTC Conference Agenda, # <u>4</u> Exhibit UNDER SEAL - Holmes Depo Excerpts)(Meyers, D) (Entered: 10/16/2013)
10/21/2013	<u>88</u>	MOTION for Reconsideration re <u>85</u> Order on Motion to Strike Cox's References to Retail Sale of Set-Top Boxes by Cox Communications Inc. (Attachments: # <u>1</u> Attachment Declaration of Helen Guyton, # <u>2</u> Exhibit Ex. 1 - 10-8-10 Letter with Cox Bates Labeled Docs, # <u>3</u> Exhibit Ex. 2 - 4-22-13 Letter with Cox Bates Labeled Docs)(Meyers, D) (Entered: 10/21/2013)
10/21/2013	<u>89</u>	MOTION to Expedite the Briefing Schedule by Cox Communications Inc. (Meyers, D) (Entered: 10/21/2013)
10/22/2013	<u>90</u>	SEALED Unredacted Version of <u>81</u> Response in Opposition to Motion for Class Certification w/ exhs 1-38; filed under seal by order of the court(lg,) (Entered: 10/22/2013)
10/22/2013	<u>91</u>	SEALED Unredacted Version of <u>82</u> Plaintiff's Response in Opposition to Defendant Cox Communication, Inc.'s Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings w/exhs 1-14; filed under seal by order of the court (lg,) (Entered: 10/22/2013)
10/22/2013	<u>92</u>	SEALED Unredacted Version of <u>83</u> Plaintiff's Response in Opposition to Defendant Cox Communication, Inc.'s Motion in Limine to Exclude Testimony of Mr. Lawrence Harte w/ exhs 1-5; filed under seal by order of the court(lg,) (Entered: 10/22/2013)
10/22/2013	<u>93</u>	SEALED Unredacted Version of <u>86</u> Reply of Cox Communications, Inc. in Support of its Motion in Limine to Exclude the Testimony of Mr. Lawrence Harte; filed under seal by order of the court (lg,) (Entered: 10/22/2013)

10/22/2013	<u>94</u>	SEALED Unredacted Version of <u>87</u> Defendant Cox Communications, Inc.'s Reply in Support of Motion in Limine to Exclude Testimony of Dr. Justine Hastings; filed under seal by order of the court (lg,) (Entered: 10/22/2013)
10/22/2013	<u>95</u>	SEALED Unredacted Version of <u>88</u> Cox Communications, Inc.'s Motion to Reconsider this court's Order Granting Plaintiff's Motion to Strike Cox's References to Retail Sale of Set-top Boxes; filed under seal by order of the court (lg,) (Entered: 10/22/2013)
10/23/2013	<u>96</u>	ORDER granting <u>89</u> Motion to Expedite regarding Def Motion to Reconsider re <u>88</u> . Signed by Honorable Robin J. Cauthron on 10/23/2013. (cpp,) (Entered: 10/23/2013)
10/23/2013	<u>97</u>	REPLY to Response to Motion re <u>60</u> MOTION to Certify Class filed by Richard Healy. (Attachments: # <u>1</u> Attachment Declaration of Cynthia St. Amant, # <u>2</u> Exhibit 50 – Excerpts from Deposition of Dallas Clement, # <u>3</u> Exhibit 51 – Excerpts from Deposition of David Pugliese, # <u>4</u> Exhibit 52 – CCISTBOKC-FA000543 CCISTBOKC-FA000547, # <u>5</u> Exhibit 53 – Excerpts from Deposition of Cox (Breanna Irish-Consier) (Filed Under Seal), # <u>6</u> Exhibit 54 – CCISTBE00027306 CCISTBE00027314 at 00027311 (Filed Under Seal), # <u>7</u> Exhibit 55 – CCISTBOKC_00065638 CCISTBOKC_00065646 at 00065641 (Filed Under Seal), # <u>8</u> Exhibit 56 – CCISTBE01707505 CCISTBE01707506 (Filed Under Seal), # <u>9</u> Exhibit 57 – Color Chart of COX DVR STB List Prices (Filed Under Seal), # <u>10</u> Exhibit 58 – CCISTBOKC-FA 000392 CCISTBOKC-FA 000406 at 3, # <u>11</u> Exhibit 59 – CCISTBOKC-FA 000563 CCISTBOKC-FA 000593 at 11-12, # <u>12</u> Exhibit 60 – Excerpts from Deposition of Cox (Mollie Andrews) (Filed Under Seal), # <u>13</u> Exhibit 61 – Cox Website Excerpt)(Blaschke, Michael) (Entered: 10/23/2013)
10/28/2013	<u>98</u>	RESPONSE in Opposition re <u>88</u> MOTION for Reconsideration re <u>85</u> Order on Motion to Strike <i>Cox's References to Retail Sale of Set-Top Boxes</i> filed by Richard Healy. (Attachments: # <u>1</u> Attachment Declaration of Cynthia St. Amant)(Blaschke, Michael) (Entered: 10/28/2013)
10/29/2013	<u>99</u>	SEALED Unredacted Version of <u>97</u> Reply Memorandum in Support of Plaintiff's Motion for Class Certification w/exhs 50-61; filed under seal by order of the court(lg,) (Entered: 10/29/2013)
10/29/2013	<u>100</u>	UNOPPOSED MOTION for Leave to File <i>Surreply in Opposition to Motion for Class Certification</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Redacted Surreply)(Meyers, D) (Entered: 10/29/2013)
10/30/2013	<u>101</u>	SEALED Unredacted Version of <u>100</u> UNOPPOSED MOTION for Leave to File Surreply in Opposition to Motion for Class Certification; filed under sealed by order of the court. (lg,) (Entered: 10/30/2013)
10/30/2013	<u>102</u>	NOTICE (other) by Cox Communications Inc re <u>100</u> UNOPPOSED MOTION for Leave to File <i>Surreply in Opposition to Motion for Class Certification (Amendment to)</i> (Meyers, D) (Entered: 10/30/2013)
10/30/2013	<u>103</u>	REPLY to Response to Motion re <u>88</u> MOTION for Reconsideration re <u>85</u> Order on Motion to Strike <i>Cox's References to Retail Sale of Set-Top Boxes</i> filed by Cox Communications Inc. (Kidwell, Robert) (Entered: 10/30/2013)

10/31/2013	<u>104</u>		MOTION for Leave to Appear Pro Hac Vice <i>for W. Tucker Brown</i> by Richard Healy. (Attachments: # <u>1</u> Attachment Request for Admission Pro Hac Vice of W. Tucker Brown, # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 10/31/2013)
10/31/2013	<u>105</u>		ORDER granting <u>100</u> <u>102</u> Unopposed Motion for Leave to File Surreply in Opposition to Motion for Class Certification. Signed by Honorable Robin J. Cauthron on 10/31/13. (lg) (Entered: 10/31/2013)
11/01/2013	<u>106</u>		MOTION for Leave to Appear Pro Hac Vice by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Request for Admission Pro Hac Vice of Cohen)(Meyers, D) (Entered: 11/01/2013)
11/01/2013	<u>107</u>		UNOPPOSED MOTION for Leave <i>To Substitute Exhibit</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Expert Report of Gerry Wall, PhD (Filed Under Seal), # <u>2</u> Attachment Proposed Order)(Kidwell, Robert) (Entered: 11/01/2013)
11/01/2013	<u>108</u>		SURREPLY re <u>97</u> Reply to Response to Motion,,,, filed by Cox Communications Inc. (Kidwell, Robert) (Entered: 11/01/2013)
11/01/2013	<u>109</u>		Receipt for Money Received from Crowe and Dunlevy on behalf of Cox Communications Inc in the amount of \$50.00, receipt number OKW500036130 regarding <u>106</u> MOTION for Leave to Appear Pro Hac Vice for Matthew Cohen. (cpp) (Entered: 11/04/2013)
11/01/2013	<u>110</u>		Receipt for Money Received from Whatley Kallas LLP on behalf of Richard Healy in the amount of \$50.00, receipt number OKW500036107 regarding <u>104</u> MOTION for Leave to Appear Pro Hac Vice <i>for W. Tucker Brown</i> . (cpp) (Entered: 11/04/2013)
11/04/2013	<u>111</u>		ORDER granting <u>104</u> Motion to Appear Pro Hac Vice – W. Tucker Brown. Signed by Honorable Robin J. Cauthron on 11/4/13. (lg) (Entered: 11/04/2013)
11/04/2013	<u>112</u>		ORDER granting <u>106</u> Motion to Appear Pro Hac Vice – Matthew Cohen. Signed by Honorable Robin J. Cauthron on 11/4/13. (lg) (Entered: 11/04/2013)
11/05/2013	<u>113</u>		SEALED Unredacted Version of <u>103</u> Cox Communcations, Inc.'s Reply Brief in Support of its Motion to Reconsider this Courts Order Granting Plaintiff's Motion to Strike(lg,) (Entered: 11/05/2013)
11/05/2013	<u>114</u>		ORDER granting <u>107</u> Cox Communications, Inc., Unopposed Motion for Leave to Substitute Exhibit. Signed by Honorable Robin J. Cauthron on 11/5/13. (lg) (Entered: 11/05/2013)
11/05/2013	<u>115</u>		ORDER denying <u>88</u> Cox Communications, Inc.'s Motion to Reconsider this Court's Order Granting Plaintiff's Motion to Strike Cox's References to Retail Sale of Set–Top Boxes. Signed by Honorable Robin J. Cauthron on 11/5/13. (lg) (Entered: 11/05/2013)
11/05/2013	<u>116</u>		SEALED EXHIBIT 37, Expert Report of Gerry Wall, PhD,to its <u>81</u> Opposition to Plaintiffs Motion for Class Certification.(lg,) (Entered: 11/05/2013)
11/05/2013	<u>117</u>		ENTRY of Appearance by William T Brown on behalf of Richard Healy (Brown, William) (Entered: 11/05/2013)
11/06/2013	<u>118</u>		

		Minute Entry for proceedings held before Honorable Robin J. Cauthron: Class Certification Hearing held on 11/6/2013. (lg) (Entered: 11/07/2013)
11/07/2013	<u>119</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Class Certification Hearing held on 11/7/2013. (lg) (Entered: 11/07/2013)
11/13/2013	<u>120</u>	MOTION for Leave to File Supplemental Letter Brief RE: Misstatements In Cox's Closing Argument by Richard Healy. (Attachments: # <u>1</u> Exhibit Letter to Judge Cauthron dated November 13, 2013 RE: Closing Argument, # <u>2</u> Attachment Proposed Order)(Blaschke, Michael) (Entered: 11/13/2013)
11/13/2013	<u>121</u>	ENTRY of Appearance by Matthew A Cohen on behalf of Cox Communications Inc (Cohen, Matthew) (Entered: 11/13/2013)
11/14/2013	<u>122</u>	ORDER denying <u>120</u> Plaintiff's Motion for Leave to File Supplemental Letter Brief re: Misstatements in Cox's Closing Argument. Signed by Honorable Robin J. Cauthron on 11/14/13. (lg) (Entered: 11/14/2013)
01/09/2014	<u>123</u>	MEMORANDUM OPINION AND ORDER, granting <u>60</u> Motion to Certify Class. Signed by Honorable Robin J. Cauthron on 1/9/14. (lg) (Entered: 01/09/2014)
01/09/2014	<u>124</u>	ORDER denying <u>59</u> Defendant Cox Communications, Inc.s Motion inLimine to Exclude Testimony of Mr. Lawrence Harte. Signed by Honorable Robin J. Cauthron on 1/9/14. (lg) (Entered: 01/09/2014)
01/09/2014	<u>125</u>	ORDER denying <u>61</u> Defendant Cox Communications, Inc.s Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings. Signed by Honorable Robin J. Cauthron on 1/9/14. (lg) (Entered: 01/09/2014)
01/21/2014	<u>126</u>	MOTION for Reconsideration re <u>123</u> Order on Motion to Certify Class by Cox Communications Inc. (Meyers, D) (Entered: 01/21/2014)
01/23/2014	<u>127</u>	ORDER denying <u>126</u> Defendant Cox Communications, Inc.'s Motion to Reconsider Class Certification Order. Signed by Honorable Robin J. Cauthron on 1/23/14. (lg) (Entered: 01/23/2014)
01/29/2014	<u>128</u>	STATUS REPORT by Plaintiff Richard Healy. (Blaschke, Michael) (Entered: 01/29/2014)
01/30/2014	<u>129</u>	RESPONSE re <u>128</u> Status Report <i>Defendant Cox Communications, Inc.'s Response to Plaintiff Healy's Status Report</i> filed by Cox Communications Inc. (Meyers, D) (Entered: 01/30/2014)
01/30/2014	<u>130</u>	NOTICE: Status Conference set for 2/3/2014 10:30 AM before Honorable Robin J. Cauthron. (lg) . (Entered: 01/30/2014)
02/03/2014	<u>131</u>	ORDER status conference. Signed by Honorable Robin J. Cauthron on 2/3/14. (lg) (Entered: 02/03/2014)
02/11/2014	<u>132</u>	USCA LETTER Advising the Petition for Permission to Appeal has been filed with the Tenth Circuit. The Tenth Circuit case number is 14-601. (cpp) (Entered: 02/11/2014)
03/05/2014	<u>133</u>	ORDER SETTING SETTLEMENT CONFERENCE Settlement Conference set for 4/10/2014 09:30 AM in Chambers before Honorable Lee R. West.. Signed by Honorable Robin J. Cauthron on 3/5/14. (lg) (Entered: 03/05/2014)

03/05/2014	<u>134</u>	STIPULATION re <u>123</u> Order on Motion to Certify Class <i>Regarding Appointment of Class Counsel Pursuant to Federal Rules of Civil Procedure Rule 23(g)</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 03/05/2014)
03/06/2014	<u>135</u>	ORDER Regarding Appoinment of Class Counsel for Kanner &Whitely, LLC, Schneider Wallace Cottrell & Konecky, LLP, and Whatley Kallas, LLP shall be appointed class counsel and Michael J Blaschke, PC. and Rachel Lawrence Mor, PC. Signed by Honorable Robin J. Cauthron on 3/6/2014. (cpp) (Entered: 03/06/2014)
03/11/2014	<u>136</u>	ORDER of USCA Denying Cox's petition for permission to appeal. Cox's motion to stay the district court proceedings pending a decision on its petition is denied as moot. See order for further details. (cpp) (Entered: 03/11/2014)
03/27/2014	<u>137</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Henry C. Quillen</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice, # <u>2</u> Attachment [Proposed Order])(Blaschke, Michael) (Entered: 03/27/2014)
03/28/2014	<u>138</u>	Receipt for Money Received from Whatley Kallas LLP on behalf of Richard Healy in the amount of \$50.00, receipt number OKW500038843 regarding <u>137</u> MOTION for Leave to Appear Pro Hac Vice of <i>Henry C. Quillen</i> . (cpp) (Entered: 03/28/2014)
03/31/2014	<u>139</u>	ORDER granting <u>137</u> Motion to Appear Pro Hac Vice – Henry C. Quillen. Signed by Honorable Robin J. Cauthron on 3/31/14. (lg) (Entered: 03/31/2014)
04/01/2014	<u>140</u>	ENTRY of Appearance by Henry Quillen on behalf of Richard Healy (Quillen, Henry) (Entered: 04/01/2014)
04/03/2014	<u>141</u>	SUPPLEMENTAL MOTION in Limine to <i>Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Hasting Deposition Excerpts (filed under seal), # <u>2</u> Exhibit 2 – Class Certification Hearing Transcript Excerpts, # <u>3</u> Exhibit 3 – CPE Sale Initiative (filed under seal), # <u>4</u> Exhibit 4 – Cox Power Point Presentation (filed under seal), # <u>5</u> Exhibit 5 – Burtis Report Excerpts (filed under seal), # <u>6</u> Exhibit 6 – Andrews Deposition Excerpts (filed under seal), # <u>7</u> Exhibit 7 – Hastings Report Excerpts (filed under seal), # <u>8</u> Exhibit 8 – Healy DirectTV Bill Excerpt (filed under seal), # <u>9</u> Exhibit 9 – Klugman Deposition Excerpts (filed under seal), # <u>10</u> Exhibit 10 – TIVO Document (filed under seal), # <u>11</u> Exhibit 11 – Kirk Deposition Excerpts (filed under seal), # <u>12</u> Exhibit 12 – Pugliese Deposition Excerpts (filed under seal), # <u>13</u> Exhibit 13 – Watkins Deposition Excerpts (filed under seal))(Meyers, D) (Entered: 04/03/2014)
04/03/2014	<u>142</u>	SEALED Unredacted Version of <u>141</u> Defendant Cox Communications, Inc.'s Supplemental Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support; exhs attached. (lg,) (Entered: 04/03/2014)
04/03/2014	<u>143</u>	MOTION for Summary Judgment by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Deposition of Steve Watkins (filed under seal), # <u>2</u> Exhibit 2 – Deposition of Dallas Clement (filed under seal), # <u>3</u> Exhibit 3 – Deposition of James Kelso (filed under seal), # <u>4</u> Exhibit 4 – Deposition of Craig Smithpeters (filed under seal), # <u>5</u> Exhibit 5 – Class Certification Hearing Transcript, # <u>6</u>

		<p>Exhibit 6 – 2011 Annual Subscriber Notice, # <u>7</u> Exhibit 7 – Dr. Singer Depo. Transcript Exs. 18 & 19, # <u>8</u> Exhibit 8 – CPE Sale Initiative Doc. (filed under seal), # <u>9</u> Exhibit 9 – Overview of Strategy and Product Management Doc. (filed under seal), # <u>10</u> Exhibit 10 – Navigating Separable Security Doc. (filed under seal), # <u>11</u> Exhibit 11 – Cox FAQs Tru2Way Doc. (filed under seal), # <u>12</u> Exhibit 12 – Deposition of Stephen Necessary (filed under seal), # <u>13</u> Exhibit 13 – Tru2Way Program Update (filed under seal), # <u>14</u> Exhibit 14 – 8-13-10 E-Mail (filed under seal), # <u>15</u> Exhibit 15 – TiVO Doc. (filed under seal), # <u>16</u> Exhibit 16 – Deposition of Mark Ader (filed under seal), # <u>17</u> Exhibit 17 – Dr. Burtis Expert Report (filed under seal), # <u>18</u> Exhibit 18 – Deposition of David Pugliese (filed under seal), # <u>19</u> Exhibit 19 – Deposition of Mollie Andrews (filed under seal), # <u>20</u> Exhibit 20 – Deposition of Percy Kirk (filed under seal), # <u>21</u> Exhibit 21 – Deposition of Marcia Sauzek (filed under seal), # <u>22</u> Exhibit 22 – Cox Franchise Map (filed under seal), # <u>23</u> Exhibit 23 – FCC Effective Comp 2008, # <u>24</u> Exhibit 24 – FCC Effective Comp 2010, # <u>25</u> Exhibit 25 – FCC Effective Comp 2011, # <u>26</u> Exhibit 26 – 2011 OKC Accomplishments Doc. (filed under seal), # <u>27</u> Exhibit 27 – Deposition of Jennifer Rich (filed under seal), # <u>28</u> Exhibit 28 – Deposition of John Civileto (filed under seal), # <u>29</u> Exhibit 29 – Dr. Hastings Expert Report (filed under seal), # <u>30</u> Exhibit 30 – Deposition of Richard Healy (filed under seal), # <u>31</u> Exhibit 31 – Healy Interrogatory Responses (filed under seal), # <u>32</u> Exhibit 32 – Screenshots of U-Verse and Disk Network Availability at Healy Residence, # <u>33</u> Exhibit 33 – Healy Cox Bill (filed under seal), # <u>34</u> Exhibit 34 – Healy DTV Bill (filed under seal), # <u>35</u> Exhibit 35 – Customer Segmentation Doc. (filed under seal), # <u>36</u> Exhibit 36 – OKC 2006 Rate Docket, # <u>37</u> Exhibit 37 – D. Davies Declaration (filed under seal))(Meyers, D) (Entered: 04/03/2014)</p>
04/03/2014	<u>144</u>	<p>MOTION to Compel <i>Arbitration of Absent Class Member Claims</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 12 Mnth PLG Contract, # <u>2</u> Exhibit 24 Mnth PLG Contract, # <u>3</u> Exhibit Subscriber Agreement, # <u>4</u> Exhibit January 2012 Cox Bill)(Kidwell, Robert) (Entered: 04/03/2014)</p>
04/07/2014	<u>146</u>	<p>SEALED Unredacted Version of <u>143</u> Defendant Cox Communications Inc.'s Motion for Summary Judgment; exhs 1-37 attached; filed under seal per court order (lg,) (Entered: 04/14/2014)</p>
04/10/2014	<u>145</u>	<p>Minute Entry for proceedings held before Honorable Lee R. West: Settlement Conference held on 4/10/2014. (lg) (Entered: 04/14/2014)</p>
04/16/2014	<u>147</u>	<p>MOTION for Order on <i>Plaintiffs' Motion for Approval of Notice Program and Form and Content of Notice of Class Action</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Notice of Pendency of Class Action, # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 04/16/2014)</p>
04/21/2014	<u>148</u>	<p>JOINT MOTION for Extension of Time of <i>Response and Reply Deadlines</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 04/21/2014)</p>
04/21/2014	<u>149</u>	<p>ORDER granting <u>148</u> Joint Motion for Extension of Response and Reply Deadlines. Signed by Honorable Robin J. Cauthron on 4/21/14. (lg) (Entered: 04/21/2014)</p>
04/30/2014	<u>150</u>	

		RESPONSE in Opposition re <u>141</u> SUPPLEMENTAL MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support filed by Richard Healy. (Attachments: # <u>1</u> Attachment Declaration of Jason H. Kim, # <u>2</u> Exhibit 1 – Expert Report of Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>3</u> Exhibit 2 – Declaration of Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>4</u> Exhibit 3 – Excerpts from Class Certification Transcript, # <u>5</u> Exhibit 4 – Excerpts from Deposition of Mollie Andrews (Filed Under Seal))(Blaschke, Michael) (Entered: 04/30/2014)
04/30/2014	<u>151</u>	RESPONSE in Opposition re <u>144</u> MOTION to Compel Arbitration of Absent Class Member Claims filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Cox's Rule 26 Disclosures 09–08–09, # <u>2</u> Exhibit 2 – Declaration of David Park)(Blaschke, Michael) (Entered: 04/30/2014)
04/30/2014	<u>152</u>	RESPONSE in Opposition re <u>143</u> MOTION for Summary Judgment filed by Richard Healy. (Attachments: # <u>1</u> Attachment Declaration of Jason H. Kim, # <u>2</u> Attachment Declaration of Lawrence J. Harte, # <u>3</u> Attachment Declaration of Professor Justine S. Hastings, Ph.D., # <u>4</u> Exhibit 1 – Expert Report of Lawrence J. Harte (Filed Under Seal), # <u>5</u> Exhibit 2 – Excerpts from Deposition of Mollie Andrews (Filed Under Seal), # <u>6</u> Exhibit 3 – Excerpts from Deposition of Scott Wise on 05–24–11 (Filed Under Seal), # <u>7</u> Exhibit 4 – OKC Website, # <u>8</u> Exhibit 5 – Product Definition Guide (Filed Under Seal), # <u>9</u> Exhibit 6 – Defendants 1st Amended Responses to Plaintiffs 1st Set of Interrogatories 6–7 (Filed Under Seal), # <u>10</u> Exhibit 7 – Expert Report of Professor Justine S. Hastings, Ph.D., # <u>11</u> Exhibit 8 – Declaration of Professor Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>12</u> Exhibit 9 – Excerpts from Deposition of Jennifer Rich on 08–08–11 (Filed Under Seal), # <u>13</u> Exhibit 10 – Excerpts from Deposition of Michelle Burtis, Ph.D. 08–30–13 Deposition (Filed Under Seal), # <u>14</u> Exhibit 11 – Cox Website Excerpt, # <u>15</u> Exhibit 12 – CCISTBE01707306 CCISTBE01707314 (Filed Under Seal), # <u>16</u> Exhibit 13 – CCISTBE01707505 CCISTBE01707506 (Filed Under Seal), # <u>17</u> Exhibit 14 – Comparison of Cox's DVR STB List Prices (Color Chart) (Filed Under Seal), # <u>18</u> Exhibit 15 – Cox Spreadsheet (Filed Under Seal))(Blaschke, Michael) (Attachment 7 replaced on 5/5/2014) (lg). (Attachment 14 replaced on 5/5/2014) (lg). (Entered: 04/30/2014)
05/01/2014	<u>153</u>	SEALED Unredacted Version of <u>152</u> Plaintiff's Opposition to Defendant Cox Communication, Inc.'s Motion for Summary Judgment; declarations attached; exh 1–15 attached(lg,) (Additional attachment(s) added on 5/5/2014: # <u>18</u> Attachment Professor Justine Hastings) (lg). (Entered: 05/05/2014)
05/05/2014	<u>154</u>	SEALED EXHIBITS 1, 2 & 4 to <u>150</u> Plaintiff's Opposition to Cox's Supplemental Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings; filed under seal.(lg,) (Entered: 05/06/2014)
05/07/2014	<u>155</u>	RESPONSE in Opposition re <u>147</u> MOTION for Order on Plaintiffs' Motion for Approval of Notice Program and Form and Content of Notice of Class Action filed by Cox Communications Inc. (Meyers, D) (Entered: 05/07/2014)
05/13/2014	<u>156</u>	REPLY by Defendant Cox Communications Inc re <u>144</u> MOTION to Compel Arbitration of Absent Class Member Claims Reply Brief in Support of its Motion to Compel Arbitration of Absent Class Member Claims filed by Cox Communications Inc. (Meyers, D) (Entered: 05/13/2014)

05/13/2014	<u>157</u>	REPLY by Defendant Cox Communications Inc re <u>141</u> SUPPLEMENTAL MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support Reply in Support of its Supplemental Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – FCC Form 1205, # <u>2</u> Exhibit 2 – Healy Direct TV Bill (Filed Under Seal), # <u>3</u> Exhibit 3 – TIVO Service Plans (Website), # <u>4</u> Exhibit 4 – Pugliese Depo. Tr. Excerpts (Filed Under Seal), # <u>5</u> Exhibit 5 – Nationwide MDL Class Cert. Hearing Tr. Excerpts (Filed Under Seal), # <u>6</u> Exhibit 6 – Declaration of Hal J. Singer (Filed Under Seal), # <u>7</u> Exhibit 7 – Singer Dep. Tr. (Filed Under Seal), # <u>8</u> Exhibit 8 – Singer Report Excerpts (Filed Under Seal), # <u>9</u> Exhibit 9 – Burtis July 11, 2011 Report Excerpts (Filed Under Seal), # <u>10</u> Exhibit 10 – Burtis Aug. 19, 2013 Report Excerpts (Filed Under Seal), # <u>11</u> Exhibit 11 – Wall Report Excerpts (Filed Under Seal), # <u>12</u> Exhibit 12 – Hastings Report Excerpts (Filed Under Seal))(Meyers, D) (Entered: 05/13/2014)
05/13/2014	<u>158</u>	REPLY by Defendant Cox Communications Inc re <u>143</u> MOTION for Summary Judgment Reply in Support of its Motion for Summary Judgment filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Burtis 8–19–13 Expert Report Excerpts (Filed Under Seal))(Meyers, D) (Entered: 05/13/2014)
05/14/2014	<u>159</u>	SEALED Unredacted Version of <u>158</u> Defendant Cox Communications, Inc.'s Reply in support of its Motion for Summary Judgment; exh 1 attached. (lg,) (Entered: 05/15/2014)
05/14/2014	<u>160</u>	SEALED Unredacted Version of <u>157</u> Defendant Cox Communications, Inc.s Reply in Support of its Supplemental Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings; exhs 1–12 attached. (lg,) (Entered: 05/15/2014)
05/19/2014	<u>161</u>	REPLY to Response to Motion re <u>147</u> MOTION for Order on Plaintiffs' Motion for Approval of Notice Program and Form and Content of Notice of Class Action filed by Richard Healy. (Blaschke, Michael) (Entered: 05/19/2014)
05/20/2014	<u>162</u>	ORDER granting in part <u>147</u> Plaintiffs Motion for Approval of Notice Program and Form and Content of Notice of Class Action. Signed by Honorable Robin J. Cauthron on 5/20/14. (lg) (Entered: 05/20/2014)
06/05/2014	<u>163</u>	NOTICE of Change of Address by Henry Quillen (Quillen, Henry) (Entered: 06/05/2014)
06/12/2014	<u>164</u>	MOTION for Leave to Appear Pro Hac Vice of Andrew J. Robinson by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Meyers, D) (Main Document 164 replaced on 6/12/2014) (lg). (Entered: 06/12/2014)
06/12/2014	<u>165</u>	MOTION for Leave to Appear Pro Hac Vice of Allyson M. Maltas by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 06/12/2014)
06/12/2014	<u>166</u>	MOTION for Leave to Appear Pro Hac Vice of Jennifer L. Giordano by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 06/12/2014)

06/12/2014	<u>167</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Margaret M. Zwisler</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 06/12/2014)
06/13/2014	<u>168</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500040267 regarding <u>164</u> MOTION for Leave to Appear Pro Hac Vice of <i>Andrew J. Robinson</i> (cpp) (Entered: 06/13/2014)
06/13/2014	<u>169</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500040268 regarding <u>165</u> MOTION for Leave to Appear Pro Hac Vice of <i>Allyson M. Maltas</i> (cpp) (Entered: 06/13/2014)
06/13/2014	<u>170</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500040269 regarding <u>166</u> MOTION for Leave to Appear Pro Hac Vice of <i>Jennifer L. Giordano</i> (cpp) (Entered: 06/13/2014)
06/13/2014	<u>171</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500040271 regarding <u>167</u> MOTION for Leave to Appear Pro Hac Vice of <i>Margaret M. Zwisler</i> (cpp) (Entered: 06/13/2014)
06/13/2014	<u>172</u>	RESPONSE to Motion re <u>164</u> MOTION for Leave to Appear Pro Hac Vice of <i>Andrew J. Robinson</i> , <u>167</u> MOTION for Leave to Appear Pro Hac Vice of <i>Margaret M. Zwisler</i> , <u>165</u> MOTION for Leave to Appear Pro Hac Vice of <i>Allyson M. Maltas</i> , <u>166</u> MOTION for Leave to Appear Pro Hac Vice of <i>Jennifer L. Giordano</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 06/13/2014)
06/16/2014	<u>173</u>	ORDER granting <u>166</u> Motion to Appear Pro Hac Vice – Jennifer L. Giordano. Signed by Honorable Robin J. Cauthron on 6/16/14. (lg) (Entered: 06/16/2014)
06/16/2014	<u>174</u>	ORDER granting <u>165</u> Motion to Appear Pro Hac Vice – Allyson M. Maltas. Signed by Honorable Robin J. Cauthron on 6/16/14. (lg) (Entered: 06/16/2014)
06/16/2014	<u>175</u>	ORDER granting <u>167</u> Motion to Appear Pro Hac Vice – Margaret M. Zwisler. Signed by Honorable Robin J. Cauthron on 6/16/14. (lg) (Entered: 06/16/2014)
06/16/2014	<u>176</u>	ORDER granting <u>164</u> Motion to Appear Pro Hac Vice – Andrew J. Robinson. Signed by Honorable Robin J. Cauthron on 6/16/14. (lg) (Entered: 06/16/2014)
06/16/2014	<u>177</u>	MOTION to Intervene by Damone Coleman, Christopher Donnelly, William Parker, Jonathan L Riche, Aasim Stibbins, Frank Taylor, Jimmy James Thule, Christopher Wirth. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>178</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>179</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>180</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>181</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>182</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>183</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>184</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>185</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)

06/18/2014	<u>186</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>187</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>188</u>	Summons Issued Electronically as to Does. (cpp) (Entered: 06/18/2014)
06/18/2014		Docket Annotation: Issued Summons, re docs [178–188] were filed in error. Please disregard. (cpp) (Entered: 06/18/2014)
06/18/2014	<u>189</u>	ENTRY of Appearance by Andrew J Robinson on behalf of Cox Communications Inc (Robinson, Andrew) (Entered: 06/18/2014)
06/18/2014	<u>190</u>	ENTRY of Appearance by Jennifer L Giordano on behalf of Cox Communications Inc (Giordano, Jennifer) (Entered: 06/18/2014)
06/19/2014	<u>191</u>	ENTRY of Appearance by Margaret M Zwisler on behalf of Cox Communications Inc (Zwisler, Margaret) (Entered: 06/19/2014)
06/19/2014	<u>192</u>	ENTRY of Appearance by Allyson M Maltas on behalf of Cox Communications Inc (Maltas, Allyson) (Entered: 06/19/2014)
06/20/2014	<u>193</u>	ORDER denying <u>177</u> Motion to Intervene as Plaintiffs with Newly Discovered Evidence filed by Christopher Donnelly, Christopher Wirth, Frank Taylor, Jonathan Rich, Jimmy James Thule, Aasim Stibbins, Damone Coleman, and William Parker. Signed by Honorable Robin J. Cauthron on 6/20/14. (lg) (Entered: 06/20/2014)
06/23/2014	<u>194</u>	NOTICE (other) by Richard Healy <i>of Request for Emergency Status Conference</i> (Blaschke, Michael) (Entered: 06/23/2014)
06/24/2014	<u>195</u>	RESPONSE re <u>194</u> Notice (other) <i>Defendant's Response to Plaintiff's Request for An Emergency Status Conferen</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – 6–19–14 E–Mail from Kim to Kidwell, # <u>2</u> Exhibit 2 – 3–26–14 E–Mail from Kidwell to Whatley, # <u>3</u> Exhibit 3 – 6–2–14 Letter from Whatley to Kidwell, # <u>4</u> Exhibit 4 – 6–11–14 E–Mail from Kidwell to Quillen)(Meyers, D) (Entered: 06/24/2014)
06/25/2014	<u>196</u>	ENTER ORDER setting for status conference, re <u>194</u> Plaintiff's Request for an Emergency Status Conference. Signed by deputy clerk on 6/25/14. (lg) (Entered: 06/25/2014)
07/01/2014	<u>197</u>	ORDER setting deadlines for class notice process. Signed by Honorable Robin J. Cauthron on 7/1/14. (lg) (Entered: 07/01/2014)
07/03/2014	<u>198</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>143</u> Defendant's Motion for Summary Judgment. Signed by Honorable Robin J. Cauthron on 7/3/14. (lg) (Entered: 07/03/2014)
07/11/2014	<u>199</u>	MOTION for Leave to Appear Pro Hac Vice <i>of Alfred C. Pfeiffer, Jr.</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 07/11/2014)
07/14/2014	<u>200</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500040850 regarding <u>199</u> MOTION for Leave to Appear Pro Hac Vice <i>of Alfred C. Pfeiffer, Jr.</i> (cpp) (Entered: 07/14/2014)
07/15/2014	<u>201</u>	

		ORDER granting <u>199</u> Motion to Appear Pro Hac Vice – Alfred C. Pfeiffer, Jr.. Signed by Honorable Robin J. Cauthron on 7/15/14. (lg) (Entered: 07/15/2014)
07/16/2014	<u>202</u>	Exhibit List / Witness List by Plaintiff Richard Healy. (Blaschke, Michael) (Entered: 07/16/2014)
07/17/2014	<u>203</u>	NOTICE (other) by Cox Communications Inc re <u>141</u> SUPPLEMENTAL MOTION in Limine to Exclude Testimony of Dr. Justine S. Hastings and Memorandum of Law in Support (Withdrawal of Motion) (Zwisler, Margaret) (Entered: 07/17/2014)
07/18/2014	<u>204</u>	TRIAL DOCKET (lg) (Entered: 07/18/2014)
07/18/2014	<u>205</u>	ORDER denying <u>144</u> Defendant Cox Communications, Inc.'s Motion to Compel Arbitration of Absent Class Member Claims. Signed by Honorable Robin J. Cauthron on 7/18/14. (lg) (Entered: 07/18/2014)
07/18/2014	<u>206</u>	ENTRY of Appearance by Alfred C Pfeiffer on behalf of Cox Communications Inc (Pfeiffer, Alfred) (Entered: 07/18/2014)
07/21/2014	<u>207</u>	NOTICE of Change of Address by A Daniel Woska (Woska, A) (Entered: 07/21/2014)
07/21/2014	<u>208</u>	Exhibit List / Witness List Amended by Plaintiff Richard Healy. (Blaschke, Michael) (Entered: 07/21/2014)
07/23/2014	<u>209</u>	ORDER granting <u>203</u> Notice of Withdrawal of Motion; striking <u>141</u> Defendant Cox Communications Inc.'s Supplemental Motion in Limine to Exclude Testimony of Dr. Justine S. Hastings. Signed by Honorable Robin J. Cauthron on 7/23/14. (lg) (Entered: 07/23/2014)
07/23/2014	<u>210</u>	Exhibit List / Witness List by Defendant Cox Communications Inc. (Attachments: # <u>1</u> Attachment A – Cox's Final Witness List, # <u>2</u> Attachment B – Cox's Final Exhibit List)(Zwisler, Margaret) (Entered: 07/23/2014)
07/24/2014	<u>211</u>	NOTICE OF APPEAL as to <u>205</u> Order on Motion to Compel by Cox Communications Inc. Filing fee \$ 505, receipt number 1087-1899615. (Zwisler, Margaret) (Entered: 07/24/2014)
07/25/2014	<u>212</u>	NOTICE (other) by Richard Healy <i>Plaintiff's Request for Emergency Status Conference</i> (Attachments: # <u>1</u> Exhibit A – Email from Jennifer Giordano to Plaintiffs Counsel)(Blaschke, Michael) (Entered: 07/25/2014)
07/25/2014	<u>213</u>	MOTION to Certify <i>Cox's Appeal as Frivolous</i> by Richard Healy. (Blaschke, Michael) (Entered: 07/25/2014)
07/25/2014	<u>214</u>	PRELIMINARY RECORD LETTER – Electronic Transmission of Notice of Appeal with Preliminary Record sent to Tenth Circuit Court of Appeals re <u>211</u> Notice of Appeal (cpp) (Entered: 07/25/2014)
07/28/2014	<u>215</u>	Tenth Circuit USCA Case Number 14-6158 for <u>211</u> Notice of Appeal filed by Cox Communications Inc. (cpp) (Entered: 07/28/2014)
07/28/2014	<u>216</u>	OBJECTIONS re <u>208</u> Exhibit List / Witness List filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit A)(Zwisler, Margaret) (Entered: 07/28/2014)

07/29/2014	<u>217</u>	ORDER granting <u>212</u> Plaintiff's Request for an Emergency Status Conference; denying <u>213</u> Plaintiff's Motion to Certify Cox's Appeal as Frivolous. Signed by Honorable Robin J. Cauthron on 7/29/14. (lg) (Entered: 07/29/2014)
08/04/2014	<u>218</u>	OBJECTIONS re <u>210</u> Exhibit List / Witness List filed by Richard Healy. (Attachments: # <u>1</u> Attachment A – Objections to Cox's Witness List, # <u>2</u> Attachment B – Objections to Cox's Final Exhibit List)(Blaschke, Michael) (Entered: 08/04/2014)
08/07/2014	<u>219</u>	TRANSCRIPT Order Form by Cox Communications Inc re <u>211</u> Notice of Appeal that transcripts are not necessary. See order form for dates and proceedings. (Zwisler, Margaret) (Entered: 08/07/2014)
08/07/2014	<u>220</u>	TRANSCRIPT LETTER advising No transcripts are necessary re <u>211</u> Notice of Appeal filed by Cox Communications Inc. The record is ready for appeal purposes. (cpp) (Entered: 08/07/2014)
08/07/2014	<u>221</u>	RESPONSE re <u>217</u> Order on Motion to Certify (<i>Joint</i>) filed by Cox Communications Inc. (Attachments: # <u>1</u> Proposed Order)(Zwisler, Margaret) (Entered: 08/07/2014)
08/11/2014	<u>222</u>	ORDER stating In accord with the parties stipulated Response (Dkt No. 221), to the Courts July 29, 2014 Order (Dkt. No. 217), 9 of the Courts January 20, 2013, Order (Dkt. No. 10) is amended to lift the stay imposed in the Feldman v. Cox Communications, Inc., and Alwert v. Cox Communications, Inc. Defendant shall file an Answer or other responsive pleading to the Complaints in those cases within 45 days of the date of this Order. Additionally, the parties are directed to develop a proposed scheduling order for those cases, and submit their agreed or proposed schedule within 30 days of the date Defendants Answer is filed. All proceedings in Healy v. Cox Communications, Inc., will remain stayed pending resolution of the appeal of this Courts Order denying arbitration. Signed by Honorable Robin J. Cauthron on 8/11/2014. (cpp) (Entered: 08/11/2014)
08/27/2014	<u>223</u>	NOTICE of Change of Address by D Kent Meyers (Meyers, D) (Entered: 08/27/2014)
08/27/2014	<u>224</u>	NOTICE of Change of Address by Mary H Tolbert (Tolbert, Mary) (Entered: 08/27/2014)
09/25/2014	<u>225</u>	ANSWER to Complaint (<i>Alwert</i>) by Cox Communications Inc.(Zwisler, Margaret) (Entered: 09/25/2014)
09/25/2014	<u>226</u>	ANSWER to Complaint (<i>Feldman</i>) by Cox Communications Inc.(Zwisler, Margaret) (Entered: 09/25/2014)
10/15/2014	<u>227</u>	NOTICE (other) by Andrew Alwert of <i>Filing of Affidavit of Service of Subpoena on Samsung Electronics America</i> (Attachments: # <u>1</u> Exhibit Ex. A–Affidavit of Service)(Kim, Jason) (Entered: 10/15/2014)
10/15/2014	<u>228</u>	NOTICE (other) by Andrew Alwert of <i>Filing of Affidavit of Service of Subpoena on LG Electronics USA, Inc.</i> (Attachments: # <u>1</u> Exhibit Ex. A–Affidavit of Service)(Kim, Jason) (Entered: 10/15/2014)
10/15/2014	<u>229</u>	NOTICE (other) by Stanley Feldman of <i>Filing of Affidavit of Service of Subpoena on LG Electronics USA, Inc.</i> (Attachments: # <u>1</u> Exhibit Ex.

		A–Affidavit of Service)(Kim, Jason) (Entered: 10/15/2014)
10/15/2014	<u>230</u>	NOTICE (other) by Stanley Feldman <i>of Filing of Affidavit of Service of Subpoena on Samsung Electronics America</i> (Attachments: # <u>1</u> Exhibit Ex. A–Affidavit of Service)(Kim, Jason) (Entered: 10/15/2014)
10/16/2014	<u>231</u>	MOTION to Compel <i>Arbitration</i> , MOTION to Stay Case (<i>Alwert</i>) by Cox Communications Inc. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Colleen Levy, # <u>3</u> Exhibit A to Levy Declaration, # <u>4</u> Exhibit B to Levy Declaration, # <u>5</u> Exhibit C to Levy Declaration, # <u>6</u> Exhibit D to Levy Declaration, # <u>7</u> Declaration of Andrew J. Robinson, # <u>8</u> Exhibit A to Robinson Declaration, # <u>9</u> Exhibit B to Robinson Declaration, # <u>10</u> Exhibit C to Robinson Declaration, # <u>11</u> Proposed Order)(Zwisler, Margaret) (Entered: 10/16/2014)
10/16/2014	<u>232</u>	MOTION to Compel <i>Arbitration</i> , MOTION to Stay Case (<i>Feldman</i>) by Cox Communications Inc. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Janet West, # <u>3</u> Exhibit A to West Declaration, # <u>4</u> Exhibit B to West Declaration, # <u>5</u> Exhibit C to West Declaration, # <u>6</u> Exhibit D to West Declaration, # <u>7</u> Declaration of Andrew J. Robinson, # <u>8</u> Exhibit A to Robinson Declaration, # <u>9</u> Exhibit B to Robinson Declaration, # <u>10</u> Exhibit C to Robinson Declaration, # <u>11</u> Proposed Order)(Zwisler, Margaret) (Entered: 10/16/2014)
10/27/2014	<u>233</u>	MOTION for Order of <i>Proposed Scheduling Order</i> by Andrew Alwert. (Blaschke, Michael) (Entered: 10/27/2014)
10/27/2014	<u>234</u>	MOTION for Order of <i>Proposed Scheduling Order</i> by Stanley Feldman. (Blaschke, Michael) (Entered: 10/27/2014)
10/27/2014	<u>235</u>	MOTION for Order of <i>Proposed Scheduling Order (Alwert)</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 10/27/2014)
10/27/2014	<u>236</u>	MOTION for Order of <i>Proposed Scheduling Order (Feldman)</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 10/27/2014)
11/06/2014	<u>237</u>	RESPONSE in Opposition re <u>231</u> MOTION to Compel <i>Arbitration</i> MOTION to Stay Case (<i>Alwert</i>) filed by Andrew Alwert. (Blaschke, Michael) (Entered: 11/06/2014)
11/06/2014	<u>238</u>	RESPONSE in Opposition re <u>232</u> MOTION to Compel <i>Arbitration</i> MOTION to Stay Case (<i>Feldman</i>) filed by Stanley Feldman. (Blaschke, Michael) (Entered: 11/06/2014)
11/13/2014	<u>239</u>	MOTION for Order for <i>Approval of Changes to Plan for Class Notice</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Postcard Sample)(Blaschke, Michael) (Entered: 11/13/2014)
11/13/2014	<u>240</u>	REPLY to Response to Motion re <u>231</u> MOTION to Compel <i>Arbitration</i> MOTION to Stay Case (<i>Alwert</i>) filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment C)(Zwisler, Margaret) (Entered: 11/13/2014)
11/13/2014	<u>241</u>	REPLY to Response to Motion re <u>232</u> MOTION to Compel <i>Arbitration</i> MOTION to Stay Case (<i>Feldman</i>) filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment

		C)(Zwisler, Margaret) (Entered: 11/13/2014)
12/03/2014	242	RESPONSE in Opposition re 239 MOTION for Order <i>for Approval of Changes to Plan for Class Notice</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 12/03/2014)
12/08/2014	243	REPLY by Plaintiff Richard Healy re 242 Response in Opposition to Motion, 239 MOTION for Order <i>for Approval of Changes to Plan for Class Notice</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 12/08/2014)
12/10/2014	244	ORDER granting 239 Plaintiff's Motion for Approval of Changes to Plan for Class Notice. Signed by Honorable Robin J. Cauthron on 12/10/14. (lg) (Entered: 12/10/2014)
12/18/2014	245	NOTICE of Subpoena by Stanley Feldman <i>to LG ELECTRONICS</i> (Attachments: # 1 Attachment Subpoena to Produce Documents, Information, or Objects or To Permit Inspection of Premises in a Civil Action to LG Electronics, # 2 Attachment Subpoena to Produce Documents, Information, or Objects or To Permit Inspection of Premises in a Civil Action to LG Electronics)(Kim, Jason) (Entered: 12/18/2014)
12/18/2014	246	NOTICE of Subpoena by All Plaintiffs <i>to SAMSUNG ELECTRONICS</i> (Attachments: # 1 Attachment Subpoena to Produce Documents, Information, or Objects or To Permit Inspection of Premises in a Civil Action to SAMSUNG Electronics, # 2 Attachment Subpoena to Produce Documents, Information, or Objects or To Permit Inspection of Premises in a Civil Action to SAMSUNG Electronics)(Kim, Jason) (Entered: 12/18/2014)
12/22/2014	247	STIPULATION <i>Regarding Class Definition and Claims</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 12/22/2014)
12/22/2014	248	ORDER granting 232 Defendant Cox Communications, Inc.s Motion to Compel Arbitration and Stay Proceedings. Signed by Honorable Robin J. Cauthron on 12/22/14. (lg) (Entered: 12/22/2014)
12/22/2014	249	ORDER granting 231 Defendant Cox Communications, Inc.s Motion to Compel Arbitration and Stay Proceedings (Alwert). Signed by Honorable Robin J. Cauthron on 12/22/14. (lg) (Entered: 12/22/2014)
01/07/2015	250	MOTION to Amend/Correct 249 Order on Motion to Compel, Order on Motion to Stay Case by Andrew Alwert. (Attachments: # 1 Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 01/07/2015)
01/07/2015	251	MOTION to Amend/Correct 248 Order on Motion to Compel, Order on Motion to Stay Case by Stanley Feldman. (Attachments: # 1 Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 01/07/2015)
01/28/2015	252	RESPONSE in Opposition re 250 MOTION to Amend/Correct 249 Order on Motion to Compel, Order on Motion to Stay Case (<i>Alwert</i>) filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 01/28/2015)
01/28/2015	253	RESPONSE in Opposition re 251 MOTION to Amend/Correct 248 Order on Motion to Compel, Order on Motion to Stay Case (<i>Feldman</i>) filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 01/28/2015)
02/04/2015	254	

		REPLY to Response to Motion re <u>250</u> MOTION to Amend/Correct <u>249</u> Order on Motion to Compel, Order on Motion to Stay Case filed by Andrew Alwert. (Blaschke, Michael) (Entered: 02/04/2015)
02/04/2015	<u>255</u>	REPLY to Response to Motion re <u>251</u> MOTION to Amend/Correct <u>248</u> Order on Motion to Compel, Order on Motion to Stay Case filed by Stanley Feldman. (Blaschke, Michael) (Entered: 02/04/2015)
02/13/2015	<u>256</u>	ORDER granting <u>250</u> Plaintiff's Motion to Amend Order Compelling Arbitration (Alwert). Signed by Honorable Robin J. Cauthron on 2/13/15. (lg) (Entered: 02/13/2015)
02/13/2015	<u>257</u>	ORDER granting <u>251</u> Plaintiff's Motion to Amend Order Compelling Arbitration (Feldman). Signed by Honorable Robin J. Cauthron on 2/13/15. (lg) (Entered: 02/13/2015)
02/27/2015	<u>258</u>	USCA LETTER Advising that Petition for Permission to Appeal has been filed, case number 15-600. (cps) (Entered: 02/27/2015)
04/09/2015	<u>259</u>	ORDER of USCA granting Permission to appeal. (cps) (Entered: 04/09/2015)
04/20/2015	<u>260</u>	USCA Appeal Fees received in the amount of \$ 505 receipt number OKW500046079 remaining balance is \$ 0.0; re <u>211</u> Notice of Appeal by Stanley Feldman. (cps) (Entered: 04/21/2015)
04/20/2015	<u>261</u>	USCA Appeal Fees received in the amount of \$ 505 receipt number OKW500046080 remaining balance is \$ 0.00; re <u>211</u> Notice of Appeal filed by Andrew Alwert. (cps) (Entered: 04/21/2015)
04/22/2015	<u>262</u>	PRELIMINARY RECORD LETTER – Electronic Transmission of Notice of Appeal with Preliminary Record sent to Tenth Circuit Court of Appeals re <u>259</u> USCA Order (cps) (Entered: 04/22/2015)
04/22/2015	<u>263</u>	PRELIMINARY RECORD LETTER – Electronic Transmission of Notice of Appeal with Preliminary Record sent to Tenth Circuit Court of Appeals re <u>259</u> USCA Order (cps) (Entered: 04/22/2015)
04/22/2015	<u>264</u>	Tenth Circuit USCA Case Number 15-6076 for <u>259</u> Notice of Appeal filed by Alwert. (cps) (Entered: 04/22/2015)
04/22/2015	<u>265</u>	Tenth Circuit USCA Case Number 15-6077 for <u>259</u> Notice of Appeal filed by Feldman. (cps) (Entered: 04/22/2015)
05/07/2015	<u>266</u>	TRANSCRIPT LETTER advising no transcripts are necessary re <u>211</u> Notice of Appeal filed by Cox Communications Inc. The record is ready for appeal purposes. (cps) (Entered: 05/07/2015)
05/07/2015	<u>267</u>	TRANSCRIPT LETTER advising no transcripts are necessary to appeal 15-6076. The record is ready for appeal purposes. (cps) (Entered: 05/07/2015)
06/01/2015	<u>268</u>	DECLARATION by Richard Healy (<i>Declaration of Michael E. Hamer on Behalf of Plaintiff, Richard M. Healy, Regarding Class Notice</i> . (Attachments: # <u>1</u> Exhibit A – Publications, # <u>2</u> Exhibit B – Email Notice, # <u>3</u> Exhibit C – Postcard Notice, # <u>4</u> Exhibit D – Requests for Exclusion (FILED UNDER SEAL))(Blaschke, Michael) (Entered: 06/01/2015)
06/01/2015	<u>269</u>	

		SEALED Exhibit D to <u>268</u> Declaration o Michael E. Hamer on Behalf of Plaintiff, Richard M. Healy, Regarding Class Notice(lg) (Entered: 06/04/2015)
06/24/2015	<u>270</u>	USCA OPINION Affirmed as to <u>211</u> Notice of Appeal filed by Cox Communications Inc. Healy's Motion to Expedite the Decision is Denied as Moot. Mandate to Issue. (cps) (Entered: 06/24/2015)
06/24/2015	<u>271</u>	USCA JUDGMENT Affrming District Court's decision as to <u>211</u> Notice of Appeal filed by Cox Communications Inc (cps) (Entered: 06/24/2015)
07/27/2015	<u>272</u>	ORDER of USCA Denying Petition for Rehearing En Banc as to <u>211</u> Notice of Appeal filed by Cox Communications Inc (cps) (Entered: 07/27/2015)
08/04/2015	<u>273</u>	USCA MANDATE Issued re <u>211</u> Notice of Appeal filed by Cox Communications Inc (cps) (Entered: 08/04/2015)
08/12/2015	<u>274</u>	JOINT SCHEDULING ORDER. Signed by Honorable Robin J. Cauthron on 8/12/15. (lg) (Entered: 08/12/2015)
08/18/2015	<u>275</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Katherine M. Cheng</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 08/18/2015)
08/18/2015	<u>276</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Jason L. Daniels</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit Request for Admission Pro Hac Vice)(Meyers, D) (Entered: 08/18/2015)
08/18/2015	<u>277</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500048507 regarding <u>276</u> MOTION for Leave to Appear Pro Hac Vice of <i>Jason L. Daniels</i> (cps) (Entered: 08/18/2015)
08/18/2015	<u>278</u>	Receipt for Money Received from Cox Communications Inc in the amount of \$50.00, receipt number OKW500048506 regarding <u>275</u> MOTION for Leave to Appear Pro Hac Vice of <i>Katherine M. Cheng</i> (cps) (Entered: 08/18/2015)
08/19/2015	<u>279</u>	TRIAL DOCKET: Jury Trial set for 10/13/2015 09:00 AM before Honorable Robin J. Cauthron. (lg) (Entered: 08/19/2015)
08/19/2015	<u>280</u>	ORDER granting <u>275</u> Motion to Appear Pro Hac Vice – <i>Katherine M. Cheng</i> . Signed by Honorable Robin J. Cauthron on 8/19/15. (lg) (Entered: 08/19/2015)
08/19/2015	<u>281</u>	ORDER granting <u>276</u> Motion to Appear Pro Hac Vice – <i>Jason L. Daniels</i> . Signed by Honorable Robin J. Cauthron on 8/19/15. (lg) (Entered: 08/19/2015)
08/24/2015	<u>282</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Evidence and Argument That Cox Coerces Its Subscribers to Lease a Set–Top Box From Cox by Any Mechanism Other Than the Denial of Access to Its Two–Way Services</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Email from J. Kim, # <u>2</u> Attachment 2 – Class Certification Hearing Excerpts)(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>283</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Second Supplemental Expert Report of Professor Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>2</u> Attachment 2 – Hastings Aug. 2013 Deposition Excerpts (Filed Under Seal), # <u>3</u> Attachment 3 – Kirk Deposition Excerpts, # <u>4</u> Attachment 4 – Andrews Deposition Excerpts,

		# <u>5</u> Attachment 5 – Declaration of Michelle Burtis, # <u>6</u> Attachment 6 – Expert Report of Professor Justine S. Hastings, Ph.D.(Filed Under Seal), # <u>7</u> Attachment 7 – Supplemental Expert Report of Professor Justine S. Hastings, Ph.D.(Filed Under Seal), # <u>8</u> Attachment 8 – Class Certification Hearing Excerpts, # <u>9</u> Attachment 9 – Watkins Deposition Excerpts, # <u>10</u> Attachment 10 – Klugman Deposition Excerpts (Filed Under Seal))(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>284</u>	ENTRY of Appearance by Jason L Daniels on behalf of Cox Communications Inc (Daniels, Jason) (Entered: 08/24/2015)
08/24/2015	<u>285</u>	SEALED MOTION by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>286</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Main Document 286 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>287</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Main Document 287 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>288</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Main Document 288 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>289</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Main Document 289 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>290</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>283</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Its DVR Service Product</i> (Zwisler, Margaret) (Main Document 290 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>291</u>	MOTION in <i>Limine and Supporting Brief to exclude Evidence and Argument Regarding Alleged Procompetitive Justifications for or Effects of the Alleged Tie</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>292</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Plaintiffs' Tying and Tied Product Markets</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Expert Report of Professor Justine S. Hastings, Ph.D (Filed Under Seal))(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>293</u>	SEALED MOTION by Cox Communications Inc Re: <u>292</u> MOTION in <i>Limine and Memorandum in Support to Exclude Certain Evidence Regarding Plaintiffs' Tying and Tied Product Markets</i> (Zwisler, Margaret) (Entered: 08/24/2015)

08/24/2015	<u>294</u>	MOTION in <i>Limine and Supporting Brief to Exclude Evidence and Argument That Premium Cable and the Set-Top Box Are Not Separate Products</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Burtis Deposition Excerpts (FILED UNDER SEAL), # <u>2</u> Exhibit 2 – Burtis Deposition Excerpts (FILED UNDER SEAL), # <u>3</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>295</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>294</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence and Argument That Premium Cable and the Set-Top Box Are Not Separate Products</i> (Blaschke, Michael) (Main Document 295 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>296</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>294</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence and Argument That Premium Cable and the Set-Top Box Are Not Separate Products</i> (Blaschke, Michael) (Main Document 296 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>297</u>	MOTION in <i>Limine and Supporting Biref to Exclude Cox from Offering Affirmative Opinions Regarding the Relevant Tying Product Market</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Burtis Deposition Excerpts (FILED UNDER SEAL), # <u>2</u> Exhibit 2 – Expert Report of Michelle Burtis (FILED UNDER SEAL), # <u>3</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>298</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Argument and Evidence Related to Plaintiffs' Claim that Cox Failed to Help Manufacturers Develop a Retail Market for Two-Way Video Services</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Expert Report of Lawrence J. Harte (Filed Under Seal), # <u>2</u> Attachment 2 – FCC Documents (Filed Under Seal), # <u>3</u> Attachment 3 – Cove Deposition Excerpts (Filed Under Seal), # <u>4</u> Attachment 4 – Klugman Deposition Excerpts (Filed Under Seal), # <u>5</u> Attachment 5 – TiVo FCC Letter, # <u>6</u> Attachment 6 – Markwalter Deposition Excerpts)(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>299</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>297</u> MOTION in <i>Limine and Supporting Biref to Exclude Cox from Offering Affirmative Opinions Regarding the Relevant Tying Product Market</i> (Blaschke, Michael) (Main Document 299 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>300</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>297</u> MOTION in <i>Limine and Supporting Biref to Exclude Cox from Offering Affirmative Opinions Regarding the Relevant Tying Product Market</i> (Blaschke, Michael) (Main Document 300 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>301</u>	MOTION in <i>Limine and Supporting Brief Regarding Similar Litigation</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>302</u>	MOTION in <i>Limine and Supporting Brief Regarding Similar Litigation</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>303</u>	SEALED MOTION by Cox Communications Inc Re: <u>298</u> MOTION in <i>Limine and Memorandum in Support to Exclude Argument and Evidence Related to Plaintiffs' Claim that Cox Failed to Help Manufacturers Develop a Retail</i>

		<i>Market for Two-Way Video Services</i> (Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>304</u>	MOTION in <i>Limine and Supporting Brief to Exclude Evidence or Argument That Set-Top Boxes Capable of Providing Class Members with All Premium Cable Programming and Services were Available for Purchase at Retail</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Andrews Deposition Excerpts (FILED UNDER SEAL), # <u>2</u> Exhibit 2 – Necessary Deposition Excerpts, # <u>3</u> Exhibit 3 – Civiletto Deposition Excerpts (FILED UNDER SEAL), # <u>4</u> Exhibit 4 – Kelso Deposition Excerpts (FILED UNDER SEAL), # <u>5</u> Attachment Declaration of Cynthia St. Amant, # <u>6</u> Attachment [Proposed Order])(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>305</u>	(Document Restricted)SEALED DOCUMENT by Richard Healy Re: <u>304</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence or Argument That Set-Top Boxes Capable of Providing Class Members with All Premium Cable Programming and Services were Available for Purchase at Retail</i> (Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>306</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Testimony of Professor Justine Hastings Concerning Any Impact of Cox's Alleged Practices</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Expert Report of Professor Justine S. Hastings, Ph.D. (Filed Under Seal), # <u>2</u> Attachment 2 – Hastings Aug. 2013 Deposition Excerpts (Filed Under Seal), # <u>3</u> Attachment 3 – Hastings Mar. 2015 Deposition Excerpts (Filed Under Seal), # <u>4</u> Attachment 4– Class Certification Hearing Excerpts)(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>307</u>	MOTION in <i>Limine and Supporting Brief to Exclude Evidence of Or Argument Concerning Lawrence Harte's Bankruptcy or Any Obligations Arising Therefrom</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Harte Deposition Excerpts (FILED UNDER SEAL), # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 08/24/2015)
08/24/2015	<u>308</u>	SEALED MOTION by Cox Communications Inc Re: <u>306</u> MOTION in <i>Limine and Memorandum in Support to Exclude Testimony of Professor Justine Hastings Concerning Any Impact of Cox's Alleged Practices</i> (Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>309</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>307</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence of Or Argument Concerning Lawrence Harte's Bankruptcy or Any Obligations Arising Therefrom</i> (Blaschke, Michael) (Main Document 309 replaced on 8/24/2015) (cps). (Entered: 08/24/2015)
08/24/2015	<u>310</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Argument and Evidence That Cox Should Have Sold Set-Top Boxes to Subscribers</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Expert Report of Lawrence J. Harte (Filed Under Seal), # <u>2</u> Attachment 2 – Harte Aug. 2013 Deposition Excerpts, # <u>3</u> Attachment 3 – Healy July 2013 Deposition Excerpts)(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>311</u>	SEALED MOTION by Cox Communications Inc Re: <u>310</u> MOTION in <i>Limine and Memorandum in Support to Exclude Argument and Evidence That Cox Should Have Sold Set-Top Boxes to Subscribers</i> (Zwisler, Margaret) (Entered: 08/24/2015)

		08/24/2015)
08/24/2015	<u>312</u>	MOTION in <i>Limine and Memorandum in Support to Exclude the Testimony of David Park</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>313</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Designated Deposition Testimony of Brian Markwalter</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Markwalter Feb. 2011 Deposition Excerpts)(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>314</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Current and Former Cox Subscribers From the Jury Venire</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Email from C. St. Amant, # <u>2</u> Attachment 2 – Declaration of Michelle Burtis, # <u>3</u> Attachment 3 – Expert Report of Professor Justine S. Hastings, Ph.D (Filed Under Seal))(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>315</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>314</u> MOTION in <i>Limine and Memorandum in Support to Exclude Current and Former Cox Subscribers From the Jury Venire</i> (Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>316</u>	MOTION in <i>Limine and Memorandum in Support to Exclude Designated Deposition Testimony of Jeffrey Cove</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Cove Deposition Excerpts (Filed Under Seal))(Zwisler, Margaret) (Entered: 08/24/2015)
08/24/2015	<u>317</u>	SEALED MOTION by Cox Communications Inc Re: <u>316</u> MOTION in <i>Limine and Memorandum in Support to Exclude Designated Deposition Testimony of Jeffrey Cove</i> (Zwisler, Margaret) (Entered: 08/24/2015)
08/25/2015	<u>318</u>	ENTRY of Appearance by Katherine M Cheng on behalf of Cox Communications Inc (Cheng, Katherine) (Entered: 08/25/2015)
09/02/2015	<u>319</u>	FIRST MOTION for Extension of Time to File Response/Reply to <i>Defendant's Motions in Limine</i> by Richard Healy. (Mor, Rachel) (Entered: 09/02/2015)
09/02/2015	<u>320</u>	BRIEF IN SUPPORT of <i>Plaintiffs' Proposed Juror Questionnaire</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1– Plaintiffs' Proposed Juror Questionnaire, # <u>2</u> Exhibit 2– E–mail Correspondence, # <u>3</u> Exhibit 3– E–mail Correspondence)(Schneider, Todd) (Entered: 09/02/2015)
09/02/2015	<u>321</u>	BRIEF IN SUPPORT re <u>320</u> Brief, <i>Corrected Brief In Support of Plaintiffs' Proposed Juror Questionnaire</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1– Plaintiffs' Proposed Juror Questionnaire, # <u>2</u> Exhibit 2– E–mail Correspondence, # <u>3</u> Exhibit 3– E–mail Correspondence)(Schneider, Todd) (Entered: 09/02/2015)
09/02/2015	<u>322</u>	RESPONSE in Opposition re <u>319</u> FIRST MOTION for Extension of Time to File Response/Reply to <i>Defendant's Motions in Limine</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/02/2015)
09/02/2015	<u>323</u>	RESPONSE re <u>321</u> Brief, <i>to Plaintiffs' Corrected Proposed Juror Questionnaire</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit A – Email Correspondence, # <u>2</u> Exhibit B – Defendant Cox Communication's

		Proposed Juror Questionnaire)(Pfeiffer, Alfred) (Entered: 09/02/2015)
09/02/2015	<u>324</u>	ORDER granting <u>319</u> Plaintiff Richard Healy's Motion for Extension of Time to Respond to Motions in Limine of Defendant Cox Communications. Signed by Honorable Robin J. Cauthron on 9/2/15. (lg) (Entered: 09/02/2015)
09/03/2015	<u>325</u>	ORDER re Juror Questionnaire. Signed by Honorable Robin J. Cauthron on 9/3/15. (Attachments: # <u>1</u> Attachment Juror Questionnaire)(lg) (Entered: 09/03/2015)
09/03/2015	<u>326</u>	AMENDED ORDER granting <u>319</u> Plaintiff Richard Healy's Motion for Extension of Time to Respond to Motions in Limine of Defendant Cox Communications. Signed by Honorable Robin J. Cauthron on 9/3/15. (lg) (Entered: 09/03/2015)
09/04/2015	<u>327</u>	RESPONSE in Opposition re <u>312</u> MOTION in Limine <i>and Memorandum in Support to Exclude the Testimony of David Park</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 09/04/2015)
09/04/2015	<u>328</u>	RESPONSE in Opposition re <u>314</u> MOTION in Limine <i>and Memorandum in Support to Exclude Current and Former Cox Subscribers From the Jury Venire</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit Williams Declaration, # <u>2</u> Exhibit Burtis Supp Report (Filed Under Seal))(Blaschke, Michael) (Entered: 09/04/2015)
09/04/2015	<u>329</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>328</u> Response in Opposition to Motion, (Blaschke, Michael) (Main Document 329 replaced on 9/11/2015) (lg). (Entered: 09/04/2015)
09/04/2015	<u>330</u>	DESIGNATION OF DEPOSITION TESTIMONY by Cox Communications Inc <i>and Richard Healy</i> . (Zwisler, Margaret) (Entered: 09/04/2015)
09/04/2015	<u>331</u>	JOINT Proposed Jury Instructions by Defendant Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/04/2015)
09/04/2015	<u>332</u>	Proposed Jury Instructions by Defendant Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/04/2015)
09/04/2015	<u>333</u>	Proposed Jury Instructions by Plaintiff Richard Healy. (Blaschke, Michael) (Entered: 09/04/2015)
09/04/2015	<u>334</u>	RESPONSE in Opposition re <u>316</u> MOTION in Limine <i>and Memorandum in Support to Exclude Designated Deposition Testimony of Jeffrey Cove</i> , <u>317</u> SEALED MOTION by Cox Communications Inc filed by Richard Healy. (Blaschke, Michael) (Entered: 09/04/2015)
09/04/2015	<u>335</u>	SEALED RESPONSE by Richard Healy Re: <u>316</u> MOTION in Limine <i>and Memorandum in Support to Exclude Designated Deposition Testimony of Jeffrey Cove</i> , <u>317</u> SEALED MOTION by Cox Communications Inc (Blaschke, Michael) (Entered: 09/04/2015)
09/04/2015	<u>336</u>	Proposed Voir Dire by Defendant Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/04/2015)
09/08/2015	<u>337</u>	RESPONSE to Motion re <u>301</u> MOTION in Limine <i>and Supporting Brief Regarding Similar Litigation</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/08/2015)

09/08/2015	<u>338</u>	RESPONSE in Opposition re <u>307</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence of Or Argument Concerning Lawrence Harte's Bankruptcy or Any Obligations Arising Therefrom</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Harte Deposition Excerpts, # <u>2</u> Attachment 2 – Harte Report [Filed Under Seal])(Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>339</u>	SEALED RESPONSE by Cox Communications Inc Re: <u>307</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence of Or Argument Concerning Lawrence Harte's Bankruptcy or Any Obligations Arising Therefrom</i> (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>340</u>	RESPONSE in Opposition re <u>291</u> MOTION in <i>Limine and Supporting Brief to exclude Evidence and Argument Regarding Alleged Procompetitive Justifications for or Effects of the Alleged Tie</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>341</u>	RESPONSE to Motion re <u>297</u> MOTION in <i>Limine and Supporting Biref to Exclude Cox from Offering Affirmative Opinions Regarding the Relevant Tying Product Market</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1: Expert Report of Michelle Burtis [Filed Under Seal], # <u>2</u> Attachment 2: Expert Report of Alexander Holmes [Filed Under Seal])(Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>342</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>341</u> Response to Motion, (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>343</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>341</u> Response to Motion, (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>344</u>	RESPONSE in Opposition re <u>304</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence or Argument That Set–Top Boxes Capable of Providing Class Members with All Premium Cable Programming and Services were Available for Purchase at Retail</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1: PX–036, # <u>2</u> Attachment 2: Expert Report of Michelle Burtis [Filed Under Seal])(Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>345</u>	(Document Restricted)SEALED DOCUMENT by Cox Communications Inc Re: <u>344</u> Response in Opposition to Motion, (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>346</u>	RESPONSE to Motion re <u>302</u> MOTION in <i>Limine and Supporting Brief Regarding Similar Litigation (Motion in Limine Regarding Counsel Fees and Costs)</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>347</u>	RESPONSE to Motion re <u>294</u> MOTION in <i>Limine and Supporting Brief to Exclude Evidence and Argument That Premium Cable and the Set–Top Box Are Not Separate Products</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/08/2015)
09/08/2015	<u>348</u>	RESPONSE in Opposition re <u>313</u> MOTION in <i>Limine and Memorandum in Support to Exclude Designated Deposition Testimony of Brian Markwalter</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Subpoena to Consumer Electronics Association, # <u>2</u> Exhibit 2 – Markwalter Deposition)(Blaschke, Michael) (Entered: 09/08/2015)

09/08/2015	<u>349</u>	RESPONSE in Opposition re <u>303</u> SEALED MOTION by Cox Communications Inc filed by Richard Healy. (Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>350</u>	RESPONSE in Opposition re <u>293</u> SEALED MOTION by Cox Communications Inc <i>to Exclude Evidence Regarding Plaintiffs' Tying and Tied Product Markets</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>351</u>	RESPONSE in Opposition re <u>285</u> SEALED MOTION by Cox Communications Inc <i>To Exclude Certain Testimony Regarding Its DVR Service Product</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>352</u>	SEALED RESPONSE by Richard Healy Re: <u>351</u> Response in Opposition to Motion (Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>353</u>	RESPONSE in Opposition re <u>306</u> MOTION in <i>Limine and Memorandum in Support to Exclude Testimony of Professor Justine Hastings Concerning Any Impact of Cox's Alleged Practices</i> filed by Richard Healy. (Blaschke, Michael) (Additional attachment(s) added on 9/10/2015: # <u>1</u> Exhibit 1 Excerpts from Class Cert Transcript) (lg). (Entered: 09/08/2015)
09/08/2015	<u>354</u>	RESPONSE in Opposition re <u>282</u> MOTION in <i>Limine and Memorandum in Support to Exclude Evidence and Argument That Cox Coerces Its Subscribers to Lease a Set-Top Box From Cox by Any Mechanism Other Than the Denial of Access to Its Two-Way Services</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>355</u>	RESPONSE in Opposition re <u>311</u> SEALED MOTION by Cox Communications Inc <i>to Exclude argument that Cox Should Have Sole Set-Top Boxes to Subscribers</i> filed by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – PX-065, # <u>2</u> Exhibit 2 – PX-066, # <u>3</u> Exhibit 3 – PX-071, # <u>4</u> Exhibit 4 – PX-069, # <u>5</u> Exhibit 5 – PX-068)(Blaschke, Michael) (Entered: 09/08/2015)
09/08/2015	<u>356</u>	SEALED RESPONSE by Richard Healy Re: <u>355</u> Response in Opposition to Motion, (Blaschke, Michael) (Entered: 09/08/2015)
09/09/2015	<u>357</u>	FINAL PRETRIAL REPORT. (Blaschke, Michael) (Entered: 09/09/2015)
09/11/2015	<u>358</u>	OBJECTIONS re <u>333</u> Proposed Jury Instructions filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Excerpts of Healy Deposition Transcript, # <u>2</u> Attachment 2 – 08/31/15 Email from Jason Kim)(Zwisler, Margaret) (Entered: 09/11/2015)
09/11/2015	<u>359</u>	OBJECTIONS re <u>332</u> Proposed Jury Instructions filed by Richard Healy. (Blaschke, Michael) (Entered: 09/11/2015)
09/14/2015	<u>360</u>	ORDER approving <u>357</u> Final Pretrial Report. Signed by Honorable Robin J. Cauthron on 9/14/15. (lg) (Entered: 09/14/2015)
09/16/2015	<u>361</u>	MOTION for Order on <i>Cox Communication's Request for Oral Argument on Motions in Limine</i> by Cox Communications Inc. (Attachments: # <u>1</u> Proposed Order)(Zwisler, Margaret) (Entered: 09/16/2015)
09/16/2015	<u>362</u>	ORDER striking as moot <u>233</u> Plaintiff's Motion for Entry of Proposed Scheduling Order; striking as moot <u>235</u> Defendants Motion for Entry of

		Proposed Scheduling Order. Signed by Honorable Robin J. Cauthron on 9/16/15. (lg) (Entered: 09/16/2015)
09/16/2015	<u>363</u>	ORDER striking as moot <u>234</u> Plaintiff's Motion for Entry of Proposed Scheduling Order; striking as moot <u>236</u> Defendant's Motion for Entry of Proposed Scheduling Order. Signed by Honorable Robin J. Cauthron on 9/16/15. (lg) (Entered: 09/16/2015)
09/17/2015	<u>364</u>	ORDER taking under advisement <u>361</u> Cox Communications, Inc.'s Motion and Memorandum in Support for Oral Argument on Motions in Limine. Signed by Honorable Robin J. Cauthron on 9/17/15. (lg) (Entered: 09/17/2015)
09/18/2015	<u>365</u>	MOTION for Leave <i>to File Motion in Limine to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Plaintiff's Motion In Limine To Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee (Filed Under Seal), # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 09/18/2015)
09/18/2015	<u>366</u>	SEALED EXHIBIT by Plaintiff Richard Healy Re: <u>365</u> MOTION for Leave <i>to File Motion in Limine to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee</i> (Blaschke, Michael) (Entered: 09/18/2015)
09/21/2015	<u>367</u>	ORDER granting <u>365</u> Plaintiff's Motion for Leave to File Motion in Limine to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee. Signed by Honorable Robin J. Cauthron on 9/21/15. (lg) (Entered: 09/21/2015)
09/22/2015	<u>368</u>	MOTION in Limine <i>and Supporting Brief to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 09/22/2015)
09/24/2015	<u>369</u>	RESPONSE in Opposition re <u>368</u> MOTION in Limine <i>and Supporting Brief to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/24/2015)
09/24/2015	<u>370</u>	ORDER denying <u>282</u> Defendant's Motion to Exclude Evidence and Argument That Cox Coerces Its Subscribers to Lease a Set–Top Box from Cox by Any Mechanism Other than the Denial of Access to Its Two–Way Services; denying <u>283</u> <u>285</u> Defendant's Motion to Exclude Certain Evidence Regarding Its DVR Service Product; denying <u>291</u> Plaintiff Motion in Limine to Exclude Evidence andArgument Regarding Alleged Procompetitive Justifications for or Effects of the Alleged Tie; denying <u>292</u> <u>293</u> Defendant's Motion to Exclude Evidence Regarding Plaintiffs' Tying and Tied Markets; granting <u>294</u> Plaintiff's Motion in Limine to Exclude Evidence and Argument That Premium Cable and the Set–Top Box Are Not Separate Products ; granting <u>297</u> Plaintiff's Motion in Limine to Exclude Cox from Offering Affirmative Opinions Regarding the Relevant Tying Product Market; denying <u>298</u> <u>303</u> Defendant's Motion to Exclude Evidence Related to Plaintiffs' Claim that Cox Failed to HelpManufacturers Develop a Retail Market for Two–Way Video Devices; granting <u>301</u> Plaintiff's Motion in Limine Regarding Similar Litigation; granting <u>302</u> Plaintiff's Motion in Limine Regarding Counsel Fees and Costs; granting <u>304</u> <u>305</u> Plaintiff's Motion in Limine to Exclude Evidence or Argument That Set–Top Boxes Capable of Providing Class Members with All

		Premium Cable Programming and Services Were Available for Purchase at Retail; denying <u>306 308</u> Defendant's Motion to Exclude Testimony of Professor Justine Hastings Concerning Any Impact of Cox's Alleged Practices; denying <u>307</u> Motion in Limine; denying <u>310 311</u> Defendant's Motion to Exclude Argument and Evidence That Cox Should Have Sold Set-Top Boxes to Subscribers ; taking under advisement <u>312</u> Defendant's Motion to Exclude the Testimony of David Park; denying <u>314 315</u> Defendant's Motion to Exclude Current and Former Cox Subscribers from the Jury Venire. Signed by Honorable Robin J. Cauthron on 9/24/15. (lg) (Entered: 09/24/2015)
09/24/2015	<u>371</u>	ORDER ruling on the parties' deposition designations. Signed by Honorable Robin J. Cauthron on 9/24/15. (lg) (Entered: 09/24/2015)
09/24/2015	<u>372</u>	AMENDED DOCUMENT by Cox Communications Inc. Amendment to <u>357</u> Final Pretrial Report . (Zwisler, Margaret) (Entered: 09/24/2015)
09/25/2015	<u>373</u>	MOTION to Clarify <i>Order Compelling Disclosure of Particularized Statement Regarding Class Membership</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 09/25/2015)
09/28/2015	<u>374</u>	ORDER granting in part and denying in part <u>316 317</u> Defendant's Motion to Exclude Designated Deposition Testimony of Jeffrey Cove. Signed by Honorable Robin J. Cauthron on 9/28/15. (lg) (Entered: 09/28/2015)
09/28/2015	<u>375</u>	ORDER granting in part and denying in part <u>313</u> Defendant's Motion to Exclude Designated Deposition Testimony of Brian Markwalter. Signed by Honorable Robin J. Cauthron on 9/28/15. (lg) (Entered: 09/28/2015)
09/28/2015	<u>376</u>	ORDER granting <u>368</u> Plaintiff's Motion in Limine to Exclude Untimely Opinions of Michelle Burtis Regarding the DVR Service Fee. Signed by Honorable Robin J. Cauthron on 9/28/15. (lg) (Entered: 09/28/2015)
09/29/2015	<u>377</u>	MOTION for Leave to Appear Pro Hac Vice <i>for Kyle G. Bates</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Request for Admission Pro Hac Vice of Kyle G. Bates, # <u>2</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 09/29/2015)
10/01/2015	<u>378</u>	ORDER approving <u>372</u> Amended Final Pretrial Report filed by Cox Communications Inc. Signed by Honorable Robin J. Cauthron on 10/1/15. (lg) (Entered: 10/01/2015)
10/02/2015	<u>379</u>	Receipt for Money Received from Richard Healy in the amount of \$50.00, receipt number OKW500049362 regarding <u>377</u> MOTION for Leave to Appear Pro Hac Vice <i>for Kyle G. Bates</i> (cps) (Entered: 10/02/2015)
10/05/2015	<u>380</u>	ORDER granting <u>377</u> Motion to Appear Pro Hac Vice – Kyle G. Bates. Signed by Honorable Robin J. Cauthron on 10/5/15. (lg) (Entered: 10/05/2015)
10/05/2015	<u>381</u>	MOTION to Supplement <i>Jury Instructions</i> by Cox Communications Inc. (Attachments: # <u>1</u> Exhibit 1 – Proposed Jury Instruction)(Zwisler, Margaret) (Entered: 10/05/2015)
10/05/2015	<u>382</u>	ENTRY of Appearance by Kyle G Bates on behalf of Richard Healy (Bates, Kyle) (Entered: 10/05/2015)
10/06/2015	<u>383</u>	

		MOTION to Strike <i>and Supporting Brief Concerning Defendant's Letter Brief Regarding the National Cooperative Research and Production Act</i> by Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – October 5, 2015 Letter, # <u>2</u> Exhibit 2 – Page from 53 Fed Reg 34593, # <u>3</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 10/06/2015)
10/06/2015	<u>384</u>	MOTION to Strike <u>381</u> MOTION to Supplement <i>Jury Instructions and Supporting Brief</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 10/06/2015)
10/06/2015	<u>385</u>	ORDER granting <u>381</u> Motion to Supplement Jury Instructions; denying <u>383</u> Motion to Strike Letter; denying <u>384</u> Motion to Strike Jury Instruction. Signed by Honorable Robin J. Cauthron on 10/6/15. (lg) (Entered: 10/06/2015)
10/08/2015	<u>386</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on October 7, 2015, before Judge Robin J. Cauthron. Court Reporter: Sherri S. Grubbs, Telephone number 405.609.5203. Transcript of: Hearing 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 10/29/2015. Redacted Transcript Deadline set for 11/9/2015. Release of Transcript Restriction set for 1/6/2016. (gs) (Entered: 10/08/2015)
10/09/2015	<u>387</u>	ORDER moot <u>373</u> Cox Communications, Inc.'s Request for Clarification of Order Compelling Disclosure of Particularized Statement Regarding Class Membership. Signed by Honorable Robin J. Cauthron on 10/9/15. (lg) (Entered: 10/09/2015)
10/09/2015	<u>388</u>	MEMORANDUM in Opposition re <u>381</u> MOTION to Supplement <i>Jury Instructions</i> filed by Richard Healy. (Kim, Jason) (Entered: 10/09/2015)
10/13/2015	<u>389</u>	NOTICE (other) by Richard Healy of <i>Plaintiff's Proposed Limiting Instruction Regarding Evidence of Lawrence Harte's Bankruptcy and Obligations Arising Therefrom</i> (Blaschke, Michael) (Entered: 10/13/2015)
10/13/2015	<u>390</u>	OBJECTIONS to <i>Exhibits Plaintiff Plan to Introduce During the Deposition Designations of Jeffrey Cove and Brian Markwalter</i> filed by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Cox's Objections to Cove and Markwalter Exhibits, # <u>2</u> Proposed Order)(Zwisler, Margaret) (Entered: 10/13/2015)
10/13/2015	<u>392</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial begun on 10/13/2015. (lg) (Entered: 10/15/2015)
10/14/2015	<u>391</u>	MOTION for Leave for <i>Leave to Amend Plaintiff's Proposed Jury Instructions [Dkt. No. 333] and Supporting Brief</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 10/14/2015)
10/14/2015	<u>393</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/14/2015. (lg) (Entered: 10/15/2015)
10/15/2015	<u>394</u>	ORDER granting <u>391</u> Plaintiff's Motion for Leave to Amend Plaintiff's Proposed Jury Instructions. Signed by Honorable Robin J. Cauthron on 10/15/15. (lg) (Entered: 10/15/2015)
10/15/2015	<u>395</u>	

		PETITION FOR WRIT OF CERTIORARI re Supreme Court Number:15-466 (cps) (Entered: 10/15/2015)
10/15/2015	<u>396</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/15/2015; granting <u>389</u> Plaintiff's Proposed Limiting Instruction Regarding Evidence of Lawrence Harte's Bankruptcy and Obligations Arising Therefrom. (lg) (Entered: 10/16/2015)
10/16/2015	<u>400</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/16/2015. (lg) (Entered: 10/19/2015)
10/19/2015	<u>397</u>	MOTION in Limine <i>re: Exhibits 105-108</i> by Richard Healy. (Kim, Jason) (Entered: 10/19/2015)
10/19/2015	<u>398</u>	AMENDED MOTION in Limine <i>Corrected re PX 104-108</i> by Richard Healy. (Attachments: # <u>1</u> Affidavit Michael Williams)(Kim, Jason) (Entered: 10/19/2015)
10/19/2015	<u>399</u>	MOTION to Amend/Correct <i>Jury Instruction Regarding Foreclosure</i> by Richard Healy. (Blaschke, Michael) (Entered: 10/19/2015)
10/19/2015	<u>401</u>	MOTION to Strike <i>Plaintiff's Exhibit 32 and Related Testimony</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 - PX-032)(Zwisler, Margaret) (Entered: 10/19/2015)
10/19/2015	<u>402</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/19/2015. (lg) (Entered: 10/20/2015)
10/20/2015	<u>405</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/20/2015; denied <u>401</u> Cox Communications Inc.'s Motion to Strike Plaintiff's Exhibit 32 and Related Testimony filed by Cox Communications Inc. (lg) (Entered: 10/21/2015)
10/21/2015	<u>403</u>	MOTION in Limine <i>to Reject Cox's Proposed Jury Instruction Regarding Geographic Definition of Tied Product Market</i> by Richard Healy. (Attachments: # <u>1</u> Attachment [Proposed] Order)(Blaschke, Michael) (Entered: 10/21/2015)
10/21/2015	<u>404</u>	RESPONSE in Opposition re <u>399</u> MOTION to Amend/Correct <i>Jury Instruction Regarding Foreclosure</i> filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 10/21/2015)
10/21/2015	<u>406</u>	MOTION for Judgment as a Matter of Law <i>and Memorandum in Support</i> by Cox Communications Inc. (Zwisler, Margaret) (Entered: 10/21/2015)
10/21/2015	<u>410</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/21/2015. (lg) (Entered: 10/22/2015)
10/22/2015	<u>407</u>	REPLY by Plaintiff Richard Healy re <u>404</u> Response in Opposition to Motion <i>to Amend Jury Instruction Regarding Foreclosure</i> filed by Richard Healy. (Blaschke, Michael) (Entered: 10/22/2015)
10/22/2015	<u>408</u>	Proposed Verdict Form by Defendant Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 - Proposed Rule of Reason Verdict Form, # <u>2</u> Attachment 2 - Per Se Verdict Form)(Zwisler, Margaret) (Entered: 10/22/2015)
10/22/2015	<u>409</u>	

		Proposed Verdict Form by Plaintiff Richard Healy. (Attachments: # <u>1</u> Exhibit 1 – Special Verdict Form (Short), # <u>2</u> Exhibit 2 – Special Verdict Form (Long))(Blaschke, Michael) (Attachment 1 replaced on 10/22/2015) (lg). (Attachment 2 replaced on 10/22/2015) (lg). (Entered: 10/22/2015)
10/22/2015	<u>411</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/22/2015. (lg) (Entered: 10/22/2015)
10/22/2015	<u>412</u>	MOTION for Leave <i>To File Sur–Reply In Further Opposition To Plaintiffs' Motion To Amend Jury Instruction Regarding Rebuttal</i> by Cox Communications Inc. (Attachments: # <u>1</u> Attachment 1 – Proposed Sur–Reply)(Zwisler, Margaret) (Entered: 10/22/2015)
10/23/2015	<u>413</u>	MEMORANDUM in Opposition re <u>406</u> MOTION for Judgment as a Matter of Law <i>and Memorandum in Support</i> filed by Richard Healy. (Kim, Jason) (Entered: 10/23/2015)
10/23/2015	<u>414</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/23/2015. Dft rests, parties rests. Court adjourns to Monday, October 26, 2015, at 9:30 a.m. (Court Reporter Sherri Grubbs.) (jw) (Entered: 10/23/2015)
10/26/2015	<u>415</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/26/2015. (lg) (Entered: 10/28/2015)
10/26/2015	<u>418</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/26/2015. (lg) (Entered: 10/30/2015)
10/27/2015	<u>419</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/27/2015. (lg) (Entered: 10/30/2015)
10/28/2015	<u>420</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial held on 10/28/2015. (lg) (Entered: 10/30/2015)
10/29/2015	<u>416</u>	RESPONSE in Opposition re <u>406</u> MOTION for Judgment as a Matter of Law <i>and Memorandum in Support –Supplemental Memorandum in Opposition</i> filed by Richard Healy. (Schneider, Todd) (Entered: 10/29/2015)
10/29/2015	<u>417</u>	MOTION for Judgment as a Matter of Law (<i>Renewed</i>), MOTION for New Trial by Cox Communications Inc. (Zwisler, Margaret) (Entered: 10/29/2015)
10/29/2015	<u>421</u>	Minute Entry for proceedings held before Honorable Robin J. Cauthron: Jury Trial completed on 10/29/2015. (lg) (Entered: 10/30/2015)
10/29/2015	<u>422</u>	Jury Instructions. (lg) (Entered: 10/30/2015)
10/29/2015	<u>423</u>	JURY VERDICT. (lg) (Entered: 10/30/2015)
10/29/2015	<u>424</u>	SUPPLEMENTAL Jury Instruction 1. (lg) (Entered: 10/30/2015)
10/29/2015	<u>425</u>	SUPPLEMENTAL Jury Instruction 2. (lg) (Entered: 10/30/2015)
10/29/2015	<u>426</u>	Jury Note 1. (lg) (Entered: 10/30/2015)
10/29/2015	<u>427</u>	SUPPLEMENTAL Jury Instruction 3. (lg) (Entered: 10/30/2015)
10/29/2015	<u>428</u>	SUPPLEMENTAL Jury Instruction 4. (lg) (Entered: 10/30/2015)

10/29/2015	<u>429</u>		Jury Note 2. (lg) (Entered: 10/30/2015)
10/29/2015	<u>430</u>		SUPPLEMENTAL Jury Instruction 5. (lg) (Entered: 10/30/2015)
10/29/2015	<u>431</u>		SUPPLEMENTAL Jury Instruction 6. (lg) (Entered: 10/30/2015)
10/29/2015	<u>432</u>		Jury Note 3. (lg) (Entered: 10/30/2015)
11/04/2015	<u>433</u>		MOTION for Leave <i>To Exceed Page Limitation</i> by Richard Healy. (Kim, Jason) (Entered: 11/04/2015)
11/05/2015	<u>434</u>		ORDER granting <u>433</u> Plaintiff's Motion for Leave to Exceed Page Limitation. Signed by Honorable Robin J. Cauthron on 11/5/15. (lg) (Entered: 11/05/2015)
11/05/2015	<u>435</u>		MEMORANDUM in Opposition re <u>417</u> MOTION for Judgment as a Matter of Law (<i>Renewed</i>) MOTION for New Trial filed by Richard Healy. (Kim, Jason) (Entered: 11/05/2015)
11/09/2015	<u>436</u>		REPLY to Response to Motion re <u>417</u> MOTION for Judgment as a Matter of Law (<i>Renewed</i>) MOTION for New Trial filed by Cox Communications Inc. (Zwisler, Margaret) (Entered: 11/09/2015)
11/12/2015	<u>437</u>		ORDER on motions; <u>397</u> Plaintiff's Motion in Limine to Admit Plaintiff's Exhibits 105, 106, 107, and 108; <u>398</u> Plaintiff's Amended Motion in Limine to Admit Plaintiff's Exhibits 105, 106, 107, and 108; <u>399</u> Plaintiff's Motion to Amend Jury Instruction Regarding Foreclosure; <u>403</u> Plaintiff's Motion in Limine to Reject Cox's Proposed Jury Instruction Regarding Geographic Definition of Tied Product Market; <u>412</u> Cox Communications, Inc.'s Motion for Leave to File Sur-reply in Further Opposition to Plaintiffs Motion to Amend Jury Instruction Regarding Foreclosure; <u>312</u> Cox Communications, Inc.'s Motion to Exclude the Testimony of David Park. Signed by Honorable Robin J. Cauthron on 11/12/15. (lg) (Entered: 11/12/2015)
11/12/2015	<u>438</u>	56	ORDER granting <u>417</u> Renewed Motion for Judgment as a Matter of Law; moot <u>406</u> Motion for Judgment as a Matter of Law;. Signed by Honorable Robin J. Cauthron on 11/12/15. (lg) (Entered: 11/12/2015)
11/12/2015	<u>439</u>	61	JUDGMENT in favor of Defendant and against Plaintiff Class. Signed by Honorable Robin J. Cauthron on 11/12/15. (lg) (Entered: 11/12/2015)
11/16/2015	<u>440</u>	62	NOTICE OF APPEAL as to <u>439</u> Judgment by Richard Healy. Filing fee \$ 505, receipt number 1087-2184172. (Blaschke, Michael) (Entered: 11/16/2015)
11/17/2015	<u>441</u>		PRELIMINARY RECORD LETTER – Electronic Transmission of Notice of Appeal with Preliminary Record sent to Tenth Circuit Court of Appeals re <u>440</u> Notice of Appeal (cps) (Entered: 11/17/2015)

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

In re:)
)
COX ENTERPRISES, INC. SET-TOP) Case No. 12-ML-2048-C
CABLE TELEVISION BOX)
ANTITRUST LITIGATION)

RICHARD HEALY,)
)
Plaintiff,)
)
vs.)
)
COX COMMUNICATIONS, INC.,)
)
Defendant.)

MEMORANDUM OPINION AND ORDER

At the close of Plaintiff’s case in chief, Defendant moved for Judgment as a Matter of Law pursuant to Fed. R. Civ. P. 50(a). The Court took the matter under advisement. Defendant presented its case-in-chief. The matter was submitted to the jury which reached a verdict in favor of Plaintiff. Defendant then filed a Motion for Judgment as a Matter of Law pursuant to Fed. R. Civ. P. 50(b) or in the alternative a new trial. Plaintiff has now responded to the renewed Motion.

The legal standard applicable, as set forth by the Tenth Circuit, states:

Judgment as a matter of law is appropriate only when “a party has been fully heard on an issue and there is no legally sufficient evidentiary basis for a reasonable jury to find for that party on that issue.” Fed. R. Civ. P. 50(a)(1). We read this language to mean a court may grant the motion “only if the evidence points but one way and is susceptible to no reasonable inferences which may support the opposing party’s position.” Q.E.R., Inc. v. Hickerson, 880 F.2d 1178, 1180 (10th Cir. 1989).

Finley v. United States, 82 F.3d 966, 968 (10th Cir. 1996), rehearing en banc, 123 F.3d 1342 (10th Cir. 1997).

As the Court instructed the jury in instruction No. 10, there are five elements on which Plaintiff must offer evidence for a jury verdict in his favor. The Court determined as matter of law that Plaintiff had satisfied the first element, that being premium cable and set-top boxes are separate and distinct products. Therefore, the issue for the present motion is whether there was sufficient evidence for a jury to reach a determination for Plaintiff on the remaining four elements.

The Court finds that Plaintiff has failed to offer evidence which, even giving him the reasonable inferences required, would permit a jury to find in his favor on the fourth and fifth elements. As set forth in the instructions given to the jury, the fourth element states: “That the alleged tying arrangement has foreclosed a substantial volume of commerce in Oklahoma City to other sellers or potential sellers of set-top boxes in the market for set-top boxes.” (Dkt. No. 422, p. 17.) The Court finds that Plaintiff failed to offer evidence from which a jury could determine that any other manufacturer wished to sell set-top boxes at retail or that Cox had acted in a manner to prevent any other manufacturer from selling set-top boxes at retail. Because of this, there is no evidence that Defendant foreclosed any competition. See Jefferson Parish Hosp. Dist. No. 2 v. Hyde, 466 U.S. 2, 27 (1984) (“Tying arrangements need only be condemned if they restrain competition on the merits by forcing purchases that would not otherwise be made.”). The Tenth Circuit, in Fox Motors, Inc. v. Mazda Distribs. (Gulf), Inc., 806 F.2d 953, 957 (10th Cir. 1986), put it this way: “Tying arrangements pose [a risk

of stifling competition] when sellers exploit their control over one market to force buyers into accepting another product which would otherwise be purchased elsewhere.” Because a set-top box could not be purchased elsewhere, through no fault of Defendant, there is no exploitation of the market or a stifling of competition.

In his Response, Plaintiff points to CableCARD and Tru2Way and argues the issues surrounding those items were evidence that Cox foreclosed entry into the market by a third-party set-top box manufacturer. However, there was no evidence presented to the jury that a manufacturer or potential manufacturer of set-top boxes refused to enter the market because of Defendant’s actions regarding CableCARD or Tru2Way.* Plaintiff points to TiVo, arguing there was evidence it wanted to sell a set-top box at retail but did not because of Defendant. Plaintiff argues that the testimony regarding the TiVo’s device established that the reason no such product existed during the class period was because of an indemnification issue between Cox and Motorola and not any technical constraint. Plaintiff argues, “The jury could reasonably have found that this purported ‘indemnification issue’ was manufactured by Cox to prevent the TiVo deal from being completed.” (Dkt. No. 435, p. 11.) But there was no evidence on which the jury could reach that conclusion. Rather, Plaintiff invites unsupported speculation.

The verdict of a jury must be based upon something more than mere speculation and conjecture. It is not sufficient to show a set of circumstances

* The Court notes Plaintiff’s reliance on DX-205 for the proposition that Best Buy was reluctant to support Tru2Way because of its perception that cable companies had not supported CableCARD. This evidence is insufficient to establish foreclosure of the market by Defendant.

bringing the theory of appellants within the realm of possibilities, nor can the theory itself furnish the deficiency; the evidence must bring the theory to the level and dignity of a probably [sic] cause.

Franklin v. Skelly Oil Co., 141 F.2d 568, 570-71 (10th Cir. 1944). Thus, Plaintiff's argument and evidence related to the TiVo product were insufficient to support a finding that Defendant foreclosed any competition.

Plaintiff also argued that the Consumer Electronics Association would like to see a robust two-way set-top box retail market and that there were consumer electronics companies interested in manufacturing boxes for retail. However, again, the evidence presented ended with a discussion of the desire – never was there any evidence the desire was prevented or blocked by actions from Cox. Thus, the leap in logic necessary to close the gap is again beyond that permissible by a jury. Id.

While the Court agrees with Plaintiff that Cox required a customer to rent a set-top box in order to obtain premium cable, there simply is no evidence from which a reasonable jury could determine that that arrangement led to a foreclosure of commerce. Indeed, the evidence that comes closest to supporting Plaintiff's position were the actions related to the set-top box purchased on ebay. However, that was an isolated and minimal incident and not within the geographic market. It simply cannot create the basis for an anti-trust action.

The instructions established the fifth element required Plaintiff to prove: "That Plaintiff was injured in his business or property because of the alleged tying arrangement." (Dkt. No. 422, p. 17.) That is, Plaintiff was required to show that that loss or injury arose from the competition-reducing aspect of Defendant's behavior. Elliott Indus. Ltd v. BP Am.

Prod. Co., 407 F.3d 1091, 1124-25 (10th Cir. 2005). Plaintiff has failed to offer evidence from which a jury could return a verdict in his favor on this issue, because he has failed to demonstrate that Cox's customers were harmed because of the alleged tie. For the reasons noted above demonstrating that there is no evidence that a competitor wished to sell set-top boxes at retail, Plaintiff cannot establish that any harm came to them because of any tying activity.

CONCLUSION

For the reasons set forth herein, the Court finds that Cox Communications, Inc.'s Renewed Motion for Judgment as a Matter of Law (Dkt. No. 417) should be GRANTED. A separate judgment in favor of Defendant will enter.

IT IS SO ORDERED this 12th day of November, 2015.



ROBIN J. CAUTHRON
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

In re:)
)
COX ENTERPRISES, INC. SET-TOP) Case No. 12-ML-2048-C
CABLE TELEVISION BOX)
ANTITRUST LITIGATION)

RICHARD HEALY,)
)
Plaintiff,)
)
vs.)
)
COX COMMUNICATIONS, INC.,)
)
Defendant.)

J U D G M E N T

For the reasons set forth in the Order filed this date granting Defendant Cox Communications, Inc.'s Renewed Motion for Judgment as a Matter of Law, judgment is hereby entered as follows:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that judgment is hereby entered in favor of Defendant and against Plaintiff Class.

DATED this 12th day of November, 2015.


ROBIN J. CAUTHRON
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:)
)
COX ENTERPRISES, INC.,) **12-ML-02048-C**
SET-TOP CABLE TELEVISION)
BOX ANTITRUST LITIGATION)
)
_____)
This document relates to:)
)
Richard Healy,)
)
Plaintiff,)
)
v.)
)
Cox Communications, Inc.,)
)
Defendant.)
_____)

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Richard Healy, on behalf of the class certified in this matter, appeals to the United States Court of Appeals for the Tenth Circuit from the Judgment of the District Court entered in favor of Defendant in this action on November 12, 2015 (Docket No. 439).

DATED: November 16, 2015

Respectfully submitted,

/s/ Michael J. Blaschke

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CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2015, I electronically transmitted the attached document to the Court Clerk using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to all ECF registrants.

/s/ Michael J. Blaschke