

CONSOL,JURYDEMAND,PROTO

**U.S. District Court**  
**United States District Court for the Western District of Washington (Seattle)**  
**CIVIL DOCKET FOR CASE #: 2:14-cv-00540-JCC**

Barovic v. Ballmer et al  
Assigned to: Judge John C Coughenour  
Cause: 28:1332 Diversity

Date Filed: 04/11/2014  
Jury Demand: Plaintiff  
Nature of Suit: 160 Stockholders Suits  
Jurisdiction: Diversity

**Plaintiff**

**Kim Barovic**  
*derivatively on behalf of Microsoft Corporation*

represented by **Alfred G Yates , Jr**  
LAW OFFICE OF ALFRED G. YATES  
519 ALLEGHENY BLDG  
429 FORBES AVE  
PITTSBURGH, PA 15219  
412-391-5164  
Email: yateslaw@aol.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Brett D. Stecker**  
WEISER LAW FIRM  
22 CASSATT AVENUE  
FIRST FLOOR  
BERWYN, PA 19312  
610-225-2677  
Email: bds@weiserlawfirm.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Gerald L Rutledge**  
LAW OFFICE OF ALFRED G YATES JR  
519 ALLEGHENY BLDG  
429 FORBES AVE  
PITTSBURGH, PA 15219  
412-391-5164  
Email: yateslaw@aol.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeffrey J. Ciarlanto**

WEISER LAW FIRM  
22 CASSATT AVENUE  
FIRST FLOOR  
BERWYN, PA 19312  
610-225-2677  
Email: jjc@weiserlawfirm.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kathleen A. Herkenhoff**  
THE WEISER LAW FIRM PC  
12707 HIGH BLUFF DRIVE  
STE 200  
SAN DIEGO, CA 92130  
858-794-1441  
Email: kah@weiserlawfirm.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Duncan Calvert Turner**  
BADGLEY MULLINS TURNER PLLC  
19929 BALLINGER WAY NE, STE 200  
SEATTLE, WA 98155  
206-621-6566  
Email: dturner@badgleynullins.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Stephen Diphilipo**

*derivatively on behalf of Microsoft  
Corporation*

represented by **Alfred G Yates , Jr**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Duncan Calvert Turner**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Gerald L Rutledge**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Katherine Ryan**

RYAN & MANISKAS, LLP  
995 OLD EAGLE SCHOOL RD.  
STE 311  
WAYNE, PA 19087  
484-588-5516  
Email: kryan@rmclasslaw.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Richard A Maniskas**

RYAN & MANISKAS, LLP  
995 OLD EAGLE SCHOOL RD  
STE 311  
WAYNE, PA 19087  
484-588-5516  
Email: rmaniskas@rmclasslaw.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Steven A. Ballmer**represented by **Brendan Thomas Mangan**

DAVIS WRIGHT TREMAINE (SEA)  
1201 THIRD AVENUE STE 2200  
SEATTLE, WA 98101-3045  
206-622-3150  
Email: brendanmangan@dwt.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**

DAVIS WRIGHT TREMAINE (SEA)  
1201 THIRD AVENUE STE 2200  
SEATTLE, WA 98101-3045  
206-622-3150  
Email: steverummage@dwt.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**

DAVIS WRIGHT TREMAINE (SEA)  
1201 THIRD AVENUE STE 2200  
SEATTLE, WA 98101-3045

206-757-8303

Email: candicetewell@dwt.com

*ATTORNEY TO BE NOTICED*

**Defendant**

**Dina D. Dublon**

represented by **Brendan Thomas Mangan**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Candice Tewell**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**William H. Gates III**

represented by **Brendan Thomas Mangan**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Candice Tewell**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Maria M. Klawe**

represented by **Brendan Thomas Mangan**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Candice Tewell**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Stephen J. Luczo**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**David F. Marquardt**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Charles H. Noski**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****Helmut Panke**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****John W. Thompson**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****Peter S. Klein**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Brad Smith**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**B. Kevin Turner**

represented by **Brendan Thomas Mangan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stephen M. Rummage**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Candice Tewell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Nominal Defendant**

**Microsoft Corporation**

represented by **Charles J Ha**  
ORRICK HERRINGTON & SUTCLIFFE  
LLP (SEA)  
701 FIFTH AVENUE  
STE 5600  
SEATTLE, WA 98104  
206-839-4300  
Email: charlesha@orrick.com  
*ATTORNEY TO BE NOTICED*

**Daniel J Dunne , Jr.**  
ORRICK HERRINGTON & SUTCLIFFE  
LLP (SEA)  
701 FIFTH AVENUE  
STE 5600  
SEATTLE, WA 98104  
206-839-4300

Fax: 839-4301  
 Email: ddunne@orrick.com  
**ATTORNEY TO BE NOTICED**

**George E Greer**  
 ORRICK HERRINGTON & SUTCLIFFE  
 (WA)  
 701 FIFTH AVE  
 STE 5600  
 SEATTLE, WA 98104-7097  
 206-839-4300  
 Fax: 206-839-4301  
 Email: ggreer@orrick.com  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/11/2014	<a href="#">1</a>	COMPLAINT against defendant(s) All Defendants (Receipt # 0981-3569448) Attorney Duncan Calvert Turner added to party Kim Barovic(pty:pla), filed by Kim Barovic. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Civil Cover Sheet, # <a href="#">5</a> Summons)(Turner, Duncan) (Entered: 04/11/2014)
04/14/2014	<a href="#">2</a>	APPLICATION OF ATTORNEY Brett D. Stecker FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiff Kim Barovic (Fee Paid) Receipt No. 0981-3570621. (Turner, Duncan) (Entered: 04/14/2014)
04/14/2014	<a href="#">3</a>	APPLICATION OF ATTORNEY Jeffrey J. Ciarlanto FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiff Kim Barovic (Fee Paid) Receipt No. 0981-3570623. (Turner, Duncan) (Entered: 04/14/2014)
04/14/2014	<a href="#">4</a>	APPLICATION OF ATTORNEY Kathleen A. Herkenhoff FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiff Kim Barovic (Fee Paid) Receipt No. 0981-3570625. (Turner, Duncan) (Entered: 04/14/2014)
04/14/2014		Judge John C Coughenour added. (MKB) (Entered: 04/14/2014)
04/14/2014	<a href="#">5</a>	Summons Issued as to defendant Microsoft Corporation. (MKB) (Entered: 04/14/2014)
04/14/2014	6	ORDER re <a href="#">2</a> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Brett D. Stecker for Kim Barovic, by William M. McCool. (No document associated with this docket entry, text only.)(DS) (Entered: 04/14/2014)
04/14/2014	7	ORDER re <a href="#">3</a> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Jeffrey J. Ciarlanto for Kim Barovic, by William M. McCool. (No document associated with this docket entry, text only.)(DS) (Entered: 04/14/2014)
04/14/2014	8	ORDER re <a href="#">4</a> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Kathleen A. Herkenhoff for Kim Barovic, by William M. McCool. (No document associated with this docket entry, text only.)(DS) (Entered: 04/14/2014)



04/14/2014	<a href="#">9</a>	ORDER REGARDING DISCOVERY AND DEPOSITIONS by United States District Judge John C. Coughenour. (PP) (Entered: 04/14/2014)
04/18/2014	<a href="#">10</a>	AFFIDAVIT of Service of Summons and Complaint on Caroline Little on 4/15/2014, filed by Plaintiff Kim Barovic. (Turner, Duncan) (Entered: 04/18/2014)
04/24/2014	<a href="#">11</a>	NOTICE of Change of Address/Change of Name of Attorney Duncan Calvert Turner. Filed by Plaintiff Kim Barovic. (Turner, Duncan) Modified Address on 4/25/2014 (DS). (Entered: 04/24/2014)
04/28/2014	<a href="#">12</a>	NOTICE of Appearance by attorney Daniel J Dunne, Jr on behalf of Nominal Defendant Microsoft Corporation. (Dunne, Daniel) (Entered: 04/28/2014)
04/28/2014	<a href="#">13</a>	NOTICE of Appearance by attorney George E Greer on behalf of Nominal Defendant Microsoft Corporation. (Greer, George) (Entered: 04/28/2014)
04/28/2014	<a href="#">14</a>	NOTICE of Appearance by attorney Charles J Ha on behalf of Nominal Defendant Microsoft Corporation. (Ha, Charles) (Entered: 04/28/2014)
04/29/2014	<a href="#">15</a>	NOTICE of Appearance by attorney Candice Tewell on behalf of Defendants Steven A. Ballmer, Dina D. Dublon, William H. Gates III, Maria M. Klawe, Peter S. Klein, Stephen J. Luczo, David F. Marquardt, Charles H. Noski, Helmut Panke, Brad Smith, John W. Thompson, B. Kevin Turner. (Tewell, Candice) (Entered: 04/29/2014)
04/29/2014		Attorney Stephen M. Rummage,Brendan Thomas Mangan for Steven A. Ballmer,Stephen M. Rummage,Brendan Thomas Mangan for Dina D. Dublon,Stephen M. Rummage,Brendan Thomas Mangan for William H. Gates III,Stephen M. Rummage,Brendan Thomas Mangan for Maria M. Klawe,Stephen M. Rummage,Brendan Thomas Mangan for Peter S. Klein,Stephen M. Rummage,Brendan Thomas Mangan for Stephen J. Luczo,Stephen M. Rummage,Brendan Thomas Mangan for David F. Marquardt,Stephen M. Rummage,Brendan Thomas Mangan for Charles H. Noski,Stephen M. Rummage,Brendan Thomas Mangan for Helmut Panke,Stephen M. Rummage,Brendan Thomas Mangan for Brad Smith,Stephen M. Rummage,Brendan Thomas Mangan for John W. Thompson,Stephen M. Rummage,Brendan Thomas Mangan for B. Kevin Turner added; per <a href="#">15</a> Notice of Appearance,. (ELS) (Entered: 04/29/2014)
05/20/2014	<a href="#">16</a>	STIPULATION AND PROPOSED ORDER <i>Consolidating Related Actions, Appointing Co-Lead Counsel and Liaison Counsel and Related Matters</i> by parties. (Turner, Duncan) (Entered: 05/20/2014)
05/28/2014	<a href="#">17</a>	STIPULATED ORDER OF CONSOLIDATION by Judge John C Coughenour. Case is consolidated with C14-586JCC. (CL) (Entered: 05/28/2014)
06/26/2014	<a href="#">18</a>	NOTICE - <i>Verified Consolidated Shareholder Derivative Complaint</i> ; filed by Plaintiffs Kim Barovic, Stephen Diphilipo. (Turner, Duncan) (Entered: 06/26/2014)
08/11/2014	<a href="#">19</a>	MOTION to Dismiss <i>Complaint</i> by Nominal Defendant Microsoft Corporation. (Attachments: # <a href="#">1</a> Proposed Order) Noting Date 10/31/2014, (Dunne, Daniel) (Entered: 08/11/2014)

08/11/2014	<a href="#">20</a>	DECLARATION of Daniel J. Dunne filed by Nominal Defendant Microsoft Corporation re <a href="#">19</a> MOTION to Dismiss <i>Complaint</i> (Dunne, Daniel) (Entered: 08/11/2014)
08/11/2014	<a href="#">21</a>	CORPORATE DISCLOSURE STATEMENT Filed pursuant to Fed.R.Civ.P 7.1. Filed by Microsoft Corporation (Dunne, Daniel) (Entered: 08/11/2014)
08/11/2014	<a href="#">22</a>	CERTIFICATE OF SERVICE by Nominal Defendant Microsoft Corporation re <a href="#">21</a> Corporate Disclosure Statement, <a href="#">19</a> MOTION to Dismiss <i>Complaint</i> , <a href="#">20</a> Declaration (Dunne, Daniel) (Entered: 08/11/2014)
08/11/2014	<a href="#">23</a>	MOTION to Dismiss by Defendants Steven A. Ballmer, Dina D. Dublon, William H. Gates III, Maria M. Klawe, Peter S. Klein, Stephen J. Luczo, David F. Marquardt, Charles H. Noski, Helmut Panke, Brad Smith, John W. Thompson, B. Kevin Turner. (Attachments: # <a href="#">1</a> Proposed Order) Noting Date 10/31/2014, (Rummage, Stephen) (Entered: 08/11/2014)
08/11/2014	<a href="#">24</a>	DECLARATION of Stephen M. Rummage filed by Defendants Steven A. Ballmer, Dina D. Dublon, William H. Gates III, Maria M. Klawe, Peter S. Klein, Stephen J. Luczo, David F. Marquardt, Charles H. Noski, Helmut Panke, Brad Smith, John W. Thompson, B. Kevin Turner re <a href="#">23</a> MOTION to Dismiss (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Rummage, Stephen) (Entered: 08/11/2014)
09/24/2014	<a href="#">25</a>	<del>STIPULATION AND PROPOSED ORDER EXTENDING BRIEFING SCHEDULE ON PENDING MOTIONS</del> by parties re <a href="#">17</a> Consolidation Order – for Lead case only, <a href="#">16</a> Stipulation (Turner, Duncan) Document filed in error, stricken per counsel. Text Modified on 9/25/2014 (TM). (Entered: 09/24/2014)
09/24/2014	<a href="#">26</a>	STIPULATION AND PROPOSED ORDER <i>EXTENDING BRIEFING SCHEDULE ON PENDING MOTIONS</i> by parties re <a href="#">17</a> Consolidation Order - for Lead case only, <a href="#">16</a> Stipulation (Turner, Duncan) (Entered: 09/24/2014)
09/26/2014	<a href="#">27</a>	MINUTE ORDER by Judge John C Coughenour re <a href="#">26</a> Stipulation <i>EXTENDING BRIEFING SCHEDULE ON PENDING MOTIONS</i> . (LMK) (Entered: 09/26/2014)
09/30/2014	<a href="#">28</a>	RESPONSE, by Plaintiffs Kim Barovic, Stephen Diphilipo, to <a href="#">23</a> MOTION to Dismiss , <a href="#">19</a> MOTION to Dismiss <i>Complaint</i> . (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D, # <a href="#">5</a> Exhibit Exhibit E)(Turner, Duncan) (Entered: 09/30/2014)
10/30/2014	<a href="#">29</a>	REPLY, filed by Defendants Steven A. Ballmer, Dina D. Dublon, William H. Gates III, Maria M. Klawe, Peter S. Klein, Stephen J. Luczo, David F. Marquardt, Charles H. Noski, Helmut Panke, Brad Smith, John W. Thompson, B. Kevin Turner, TO RESPONSE to <a href="#">23</a> MOTION to Dismiss (Rummage, Stephen) (Entered: 10/30/2014)
10/30/2014	<a href="#">30</a>	REPLY, filed by Nominal Defendant Microsoft Corporation, TO RESPONSE to <a href="#">19</a> MOTION to Dismiss <i>Complaint</i> (Attachments: # <a href="#">1</a> Exhibit A)(Dunne, Daniel) (Entered: 10/30/2014)
12/10/2014	<a href="#">31</a>	ORDER Denying Defendant <a href="#">19</a> Microsoft Corporation's Motion to Dismiss Complaint and Individual Defendants' <a href="#">23</a> Motion to Dismiss, by Judge John C Coughenour.(TM) (Entered: 12/10/2014)

12/18/2014	<a href="#">32</a>	STIPULATION AND PROPOSED ORDER <i>Extending Deadline for Microsoft and Individual Defendants to Answer Consolidated Complaint</i> by parties (Tewell, Candice) (Entered: 12/18/2014)
12/19/2014	<a href="#">33</a>	MINUTE ORDER by U.S. District Judge John C Coughenour re <a href="#">32</a> Stipulation. The Court EXTENDS the deadline for Microsoft and the Individual Defendants to answer the Verified Consolidated Shareholder Derivative Complaint to January 9, 2015. (LMK) (Entered: 12/19/2014)
01/09/2015	<a href="#">34</a>	RESPONSE by Defendants Steven A. Ballmer, Dina D. Dublon, William H. Gates III, Maria M. Klawe, Peter S. Klein, Stephen J. Luczo, David F. Marquardt, Charles H. Noski, Helmut Panke, Brad Smith, John W. Thompson, B. Kevin Turner re <a href="#">18</a> Notice-Other <i>Individual Defendants' Answer to Verified Consolidated Complaint</i> (Rummage, Stephen) (Entered: 01/09/2015)
01/09/2015	<a href="#">35</a>	ANSWER to <a href="#">1</a> Complaint, by Microsoft Corporation.(Dunne, Daniel) (Entered: 01/09/2015)
01/12/2015	<a href="#">36</a>	<p>MINUTE ENTRY re: STATUS CONFERENCE.</p> <p>The attorney who will be responsible for trying the case should attend the conference and be prepared to discuss the following matters at the conference: <b>1.</b> The nature of the case; <b>2.</b> The status of matters which are presently set before the Court, e.g., hearings, motions, etc.; <b>3.</b> The status of discovery and a time schedule for its completion; <b>4.</b> A statement of any legal issues about which motions are contemplated and a possible briefing schedule; <b>5.</b> An estimate of the number of days needed for trial; <b>6.</b> Whether the case is jury or non-jury; <b>7.</b> The date by which the case will be ready for trial; <b>8.</b> Settlement probabilities; and <b>9.</b> Whether the parties consent to proceed to trial before an assigned magistrate judge pursuant to 28 U.S.C. 636(c).</p> <p>Counsel do NOT need to file a Joint Status Report or Rule 26(f) Report in advance of the Status Conference. Counsel should plan on arriving 10-15 minutes early to check in with the Courtroom Deputy Clerk, as the Court's calendar begins promptly at 9:00 a.m. COUNSEL FOR THE PARTY WHO FILED THIS MATTER SHALL IMMEDIATELY NOTIFY ALL OTHER PARTIES OF THE DATE AND TIME OF THE SCHEDULED STATUS CONFERENCE.</p> <p>A Status Conference is set for 2/17/2015 at 9:00 AM in Courtroom 16206 before U.S. District Judge John C. Coughenour. (PP) (Entered: 01/12/2015)</p>
02/17/2015	37	<p>MINUTE ENTRY for proceedings held before U.S. District Judge John C. Coughenour; CRD: <i>Paul Pierson</i>; Plaintiff's Counsel: <i>NOT PRESENT</i>; Defense Counsel: <i>Stephen Rummage and Daniel Dunne, Jr.</i>; CR: <i>Andrea Ramirez</i>; Time of Hearing: <i>9:00 a.m.</i>; Courtroom: <i>16206</i>; Session #: <i>2</i>.<b>Status Conference</b> was NOT held on 2/17/2015 due to non-appearance of Plaintiff's counsel.</p> <p>The Court directed an ORDER TO SHOW CAUSE issue for the failure of Plaintiff's counsel to appear at today's Status Conference and the Response is due in 10 days.</p>

		<b>A Further Status Conference is set for 3/17/2015 at 9:00 AM</b> in Courtroom 16206 before U.S. District Judge John C. Coughenour. (PP) (Entered: 02/17/2015)
02/17/2015	<a href="#">38</a>	RESPONSE TO ORDER TO SHOW CAUSE by Plaintiff Kim Barovic (Turner, Duncan) (Entered: 02/17/2015)
02/25/2015	<a href="#">39</a>	Joint MOTION for Protective Order <i>Joint Motion for Stipulated Protective Order</i> by Nominal Defendant Microsoft Corporation. (Attachments: # <a href="#">1</a> Exhibit A - Proposed Stipulated Protective Order, # <a href="#">2</a> Exhibit B - Redline) Noting Date 2/25/2015, (Greer, George) (Entered: 02/25/2015)
03/02/2015	<a href="#">40</a>	ORDER granting Parties <a href="#">39</a> Motion for Protective Order, by U.S. District Judge John C Coughenour.(TM) (Entered: 03/02/2015)
03/05/2015	<a href="#">41</a>	APPLICATION OF ATTORNEY Alfred G. Yates Jr FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiffs Kim Barovic, Stephen Diphilipo (Fee Paid) Receipt No. 0981-3931741 (Turner, Duncan) (Entered: 03/05/2015)
03/05/2015	<a href="#">42</a>	APPLICATION OF ATTORNEY Gerald L. Rutledge FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiffs Kim Barovic, Stephen Diphilipo (Fee Paid) Receipt No. 0981-3931765 (Turner, Duncan) (Entered: 03/05/2015)
03/05/2015	43	ORDER re <a href="#">41</a> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Alfred G Yates, Jr for Plaintiffs Kim Barovic, and Stephen Diphilipo, by Clerk of Court, William M. McCool. (NOTE TO COUNSEL: Local counsel agrees to sign all filings and to be prepared to handle the matter, including the trial thereof, in the event the applicant is unable to be present on any date scheduled by the court, pursuant to LCR 83.1(d)). (No document associated with this docket entry, text only.)(LMK) (Entered: 03/05/2015)
03/05/2015	44	ORDER re <a href="#">42</a> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Gerald L Rutledge for Plaintiffs Kim Barovic, and Stephen Diphilipo, by Clerk of Court, William M. McCool.(NOTE TO COUNSEL: Local counsel agrees to sign all filings and to be prepared to handle the matter, including the trial thereof, in the event the applicant is unable to be present on any date scheduled by the court, pursuant to LCR 83.1(d)). (No document associated with this docket entry, text only.)(LMK) (Entered: 03/05/2015)
03/17/2015	45	<p>MINUTE ENTRY re: STATUS CONFERENCE held before United States District Judge John C. Coughenour; Courtroom Deputy Clerk Paul Pierson; Court Reporter Nicki Drury; Plaintiff's Counsel Duncan Turner; Defendants' Counsel Stephen Rummage and Daniel Dunne, Jr.</p> <p>The case was called and counsel made their appearance. The Court inquires of counsel concerning their desired trial date and time estimate for trial. Note that <u>all</u> depositions, discovery and perpetuation, must be completed before the discovery completion date.</p> <p>Jury instructions shall be electronically filed with the Clerk of Court and include an original version and 2 separate versions: 1 numbered sequentially and with citations; and, the other copy without numbering or citations. Counsel are advised that the Court will rely primarily upon the Manual of Model Jury Instructions for the Ninth Circuit in</p>

preparation of final instructions for submission to the jury.

Counsel are advised that this case is one of several cases set for the week described below. Counsel shall be prepared to commence trial as scheduled, but understand that the trial may have to be continued. Counsel are directed to contact the Courtroom Deputy Clerk at [paul\\_pierson@wawd.uscourts.gov](mailto:paul_pierson@wawd.uscourts.gov) 2-4 weeks in advance of the trial date regarding the Court's trial calendar.

Case management dates are established as follows: **2-3 WEEKS FOR A JURY TRIAL SET ON 10/3/2016 @ 9:30 AM** in Courtroom 16206 before U.S. District Judge John C.Coughenour. A Proposed Pretrial Order is due by 9/23/2016; Pleading amendment/3rd party action is/are due by 9/4/2015; Trial briefs and proposed voir dire/jury instructions are due by 9/29/2016; discovery cutoff is 120 days before trial, and the dispositive motion filing deadline is 90 days before trial.

Counsel should attend Courtroom Technology Training at least ONE (1) MONTH in advance of the trial date in order to become familiar utilizing the A/V equipment now available in the courtroom. Training is held at 3:00 p.m. on the 1st and 3rd Wednesday of each month in Courtroom 18B. (PP) (Entered: 03/17/2015)