

CLOSED, reassigned

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:13-cv-14241-RHC-RSW**

Energy Conversion Devices Liquidation Trust v. Trina Solar Limited et al
Assigned to: District Judge Robert H. Cleland
Referred to: Magistrate Judge R. Steven Whalen
Demand: \$950,000
Cause: 15:1 Antitrust Litigation

Date Filed: 10/04/2013
Date Terminated: 10/31/2014
Jury Demand: Both
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

**Energy Conversion Devices
Liquidation Trust**
*by and Through Its Liquidating Trustee,
John Madden*

represented by **W. Gordon Dobie**
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V.

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Defendant

Trina Solar (U.S.), Inc.

represented by **Daniel Edward Laytin**
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Leonid E. Feller
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Defendant

**Yingli Green Energy Holding
Company Limited**

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Defendant

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Susan M. McKeever
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Defendant

Suntech Power Holdings Co., Ltd.

Defendant

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Date Filed	#	Docket Text
10/04/2013	<u>1</u>	COMPLAINT filed by Energy Conversion Devices Liquidation Trust against Suntech America, Inc., Suntech Power Holdings Co., Ltd., Trina Solar (U.S.), Inc., Trina Solar Limited, Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited with Jury Demand. Plaintiff requests summons issued. Receipt No: 0645-4321779 - Fee: \$ 400. County Where Action Arose: Oakland - [Previously dismissed case: No] [Possible companion case(s): None] (Attachments: # <u>1</u> Exhibit A - The Department of Commerce and the International Trade Commission Issued Findings) (Sarafa, Derek) (Entered: 10/04/2013)
10/04/2013		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (KKra) (Entered: 10/04/2013)

10/04/2013	2	SUMMONS Issued for * All Defendants * (KKra) (Entered: 10/04/2013)
10/04/2013	3	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Energy Conversion Devices Liquidation Trust (Sarafa, Derek) (Entered: 10/04/2013)
10/16/2013	4	ORDER of DISQUALIFICATION and REASSIGNING CASE from District Judge Arthur J. Tarnow to District Judge Robert H. Cleland. (SSch) (Entered: 10/16/2013)
02/18/2014	5	WAIVER OF SERVICE Returned Executed. Trina Solar Limited waiver sent on 2/10/2014, answer due 4/11/2014. (O'Neil, William) (Entered: 02/18/2014)
02/18/2014	6	WAIVER OF SERVICE Returned Executed. Trina Solar (U.S.), Inc. waiver sent on 2/10/2014, answer due 4/11/2014. (O'Neil, William) (Entered: 02/18/2014)
02/18/2014	7	WAIVER OF SERVICE Returned Executed. Yingli Green Energy Americas, Inc. waiver sent on 2/10/2014, answer due 4/11/2014. (O'Neil, William) (Entered: 02/18/2014)
02/18/2014	8	WAIVER OF SERVICE Returned Executed. Yingli Green Energy Holding Company Limited waiver sent on 2/10/2014, answer due 4/11/2014. (O'Neil, William) (Entered: 02/18/2014)
02/28/2014	9	ATTORNEY APPEARANCE: Patrick G. Seyferth appearing on behalf of Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited (Seyferth, Patrick) (Entered: 02/28/2014)
03/03/2014	10	ATTORNEY APPEARANCE: Susan M. McKeever appearing on behalf of Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited (McKeever, Susan) (Entered: 03/03/2014)
03/20/2014	11	ATTORNEY APPEARANCE: William C. O'Neil appearing on behalf of Energy Conversion Devices Liquidation Trust (O'Neil, William) (Entered: 03/20/2014)
03/20/2014	12	ATTORNEY APPEARANCE: W. Gordon Dobie appearing on behalf of Energy Conversion Devices Liquidation Trust (Dobie, W.) (Entered: 03/20/2014)
04/08/2014	13	NOTICE of Appearance by Matthew J. Reilly on behalf of Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited. (Reilly, Matthew) (Entered: 04/08/2014)
04/08/2014	14	NOTICE of Appearance by Karen M. Gift on behalf of Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited. (Gift, Karen) (Entered: 04/08/2014)
04/10/2014	15	ATTORNEY APPEARANCE: Leonid E. Feller appearing on behalf of Trina Solar (U.S.), Inc., Trina Solar Limited (Feller, Leonid) (Entered: 04/10/2014)
04/17/2014	16	MOTION to Transfer Case to the Northern District of California, Oakland Division by Energy Conversion Devices Liquidation Trust. (Dobie, W.) (Entered: 04/17/2014)

04/18/2014	17	Joint MOTION to Dismiss <i>Plaintiff's Complaint</i> by All Defendants. (Seyferth, Patrick) (Entered: 04/18/2014)
04/18/2014	18	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Yingli Green Energy Americas, Inc. identifying Corporate Parent Yingli Green Energy Holding Company Limited for Yingli Green Energy Americas, Inc.. (Seyferth, Patrick) (Entered: 04/18/2014)
04/18/2014	19	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Yingli Green Energy Holding Company Limited (Seyferth, Patrick) (Entered: 04/18/2014)
04/18/2014	20	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Trina Solar Limited (Attachments: # 1 Exhibit A) (Feller, Leonid) (Entered: 04/18/2014)
04/18/2014	21	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Trina Solar (U.S.), Inc. (Attachments: # 1 Exhibit A) (Feller, Leonid) (Entered: 04/18/2014)
04/23/2014	22	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 4/24/2014 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 04/23/2014)
04/24/2014	23	RESPONSE to 16 MOTION to Transfer Case to the Northern District of California, Oakland Division filed by All Defendants. (Seyferth, Patrick) (Entered: 04/24/2014)
04/24/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Telephonic Status Conference held on 4/24/2014 Disposition: Defendants to file new response brief, Briefing deadlines on motion to dismiss on hold (LWag) (Entered: 04/25/2014)
04/29/2014	24	STIPULATION AND ORDER Setting Deadline for Defendants' Supplemental Response to Plaintiffs' 16 MOTION to Transfer Case to the Northern District of California, Oakland Division : (Response due by 5/5/2014, Reply due by 5/15/2014) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/29/2014)
05/05/2014	25	NOTICE of Appearance by Catherine T. Dobrowitsky on behalf of Suntech America, Inc.. (Dobrowitsky, Catherine) (Entered: 05/05/2014)
05/05/2014	26	NOTICE of Appearance by Jonathan C. Sanders on behalf of Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited. (Sanders, Jonathan) (Entered: 05/05/2014)
05/05/2014	27	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Suntech America, Inc. identifying Corporate Parent Suntech Power Holdings Co., Ltd. for Suntech America, Inc.. (Dobrowitsky, Catherine) (Entered: 05/05/2014)
05/05/2014	28	SUPPLEMENTAL BRIEF re 16 MOTION to Transfer Case to the Northern District of California, Oakland Division filed by All Defendants. (Seyferth, Patrick) (Entered: 05/05/2014)

05/05/2014	29	NOTICE of Appearance by Jerome S. Fortinsky on behalf of Suntech America, Inc.. (Fortinsky, Jerome) (Entered: 05/05/2014)
05/09/2014	30	NOTICE of Appearance by James Robert Hileman on behalf of Trina Solar (U.S.), Inc., Trina Solar Limited. (Hileman, James) (Entered: 05/09/2014)
05/09/2014	31	NOTICE of Appearance by Daniel Edward Laytin on behalf of Trina Solar (U.S.), Inc., Trina Solar Limited. (Laytin, Daniel) (Entered: 05/09/2014)
05/15/2014	32	REPLY to Response re 16 MOTION to Transfer Case <i>to the Northern District of California, Oakland Division</i> filed by Energy Conversion Devices Liquidation Trust. (Attachments: # 1 Exhibit A) (Dobie, W.) (Entered: 05/15/2014)
06/18/2014	33	OPINION AND ORDER denying 16 Plaintiff's Motion to Transfer Case. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/18/2014)
06/20/2014	34	ANSWER to Complaint with Affirmative Defenses with Jury Demand by Yingli Green Energy Americas, Inc., Yingli Green Energy Holding Company Limited. (Reilly, Matthew) (Entered: 06/20/2014)
06/20/2014	35	ANSWER to Complaint with Affirmative Defenses with Jury Demand by Trina Solar (U.S.), Inc., Trina Solar Limited. (Laytin, Daniel) (Entered: 06/20/2014)
07/03/2014	36	STIPULATED ORDER Setting Deadlines as to 17 Joint MOTION to Dismiss <i>Plaintiff's Complaint</i> :(Response due by 7/23/2014, Reply due by 8/8/2014) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/03/2014)
07/23/2014	37	RESPONSE to 17 Joint MOTION to Dismiss <i>Plaintiff's Complaint</i> filed by Energy Conversion Devices Liquidation Trust. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1- Order denying Defendants Motion to Dismiss in The Solyndra Residual Trust v. Suntech Power Holdings Co., Ltd., # 3 Exhibit 2- Excerpts the Final ITC Determination in Crystalline Silicon Photovoltaic Cells and Modules from China, # 4 Exhibit 3- Excerpts from the DOC Fact Sheet, # 5 Exhibit 4- Excerpts from Final DOC Determination in Antidumping Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the Peoples Republic of China) (Dobie, W.) (Entered: 07/23/2014)
07/24/2014	38	RESPONSE to 17 Joint MOTION to Dismiss <i>Plaintiff's Complaint (CORRECTED for clerical error)</i> filed by Energy Conversion Devices Liquidation Trust. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Order denying Defendants Motion to Dismiss in The Solyndra Residual Trust v. Suntech Power Holdings Co., Ltd., # 3 Exhibit 2 - Excerpts the Final ITC Determination in Crystalline Silicon Photovoltaic Cells and Modules from China, # 4 Exhibit 3 - Excerpts from the DOC Fact Sheet, # 5 Exhibit 4 - Excerpts from Final DOC Determination in Antidumping Duty Investigation of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the Peoples Republic of China) (Dobie, W.) (Entered: 07/24/2014)
08/08/2014	39	REPLY to Response re 17 Joint MOTION to Dismiss <i>Plaintiff's Complaint Defendants' Reply in Support of Their Joint Motion to Dismiss Plaintiff's Complaint</i> filed by All Defendants. (Hileman, James) (Entered: 08/08/2014)

10/31/2014	40	OPINION AND ORDER granting 17 Defendants' Joint Motion to Dismiss. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/31/2014)
10/31/2014	41	JUDGMENT in favor of Defendants against Plaintiffs (LWag) (Entered: 10/31/2014)

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