

INTRACIRCUIT, VACANTJUDGESHIP

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:09-cv-00613-RBK**

Redbox Automated Retail LLC v. Warner Home
Video

Assigned to: Judge Robert B. Kugler

Related Cases: [1:08-cv-00766-RBK-JS](#)

[1:09-cv-00592-RBK](#)

Cause: 15:1 Antitrust Litigation

Date Filed: 08/18/2009

Jury Demand: Plaintiff

Nature of Suit: 820 Copyright

Jurisdiction: Federal Question

Plaintiff

**Redbox Automated Retail
LLC**

represented by **James S. Green**
Seitz, Van Ogtrop & Green, P.A.

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1500

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Wilmington, DE 19899

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Charles S. Bergen

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PRO HAC VICE

ATTORNEY TO BE NOTICED

V.

Defendant

Warner Home Video

*a division of Warner Bros.
Home Entertainment Inc.*

represented by **Anne Shea Gaza**
Richards, Layton & Finger, PA
One Rodney Square
920 N. King Street
Wilmington, DE 19801
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Email: gaza@rlf.com
ATTORNEY TO BE NOTICED

Katherine B. Forrest

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*PRO HAC VICE**ATTORNEY TO BE NOTICED***Stephen M. Ferguson**

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920 N. King Street

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/18/2009	1	COMPLAINT filed with Jury Demand against Warner Home Video - Magistrate Consent Notice to Pltf. (Filing fee \$ 350, receipt number 255.) - filed by Redbox Automated Retail LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Acknowledgement of Consent Form, # 4 Civil Cover Sheet) (ksr) (Entered: 08/19/2009)
08/18/2009	2	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction (ksr) (Entered: 08/19/2009)
08/18/2009	3	Disclosure Statement pursuant to Rule 7.1 filed by Redbox Automated Retail LLC identifying Other Affiliate Coinstar Inc. for Redbox Automated Retail LLC. (ksr) (Entered: 08/19/2009)
08/18/2009		No Summons Issued (ksr) (Entered: 08/19/2009)
08/19/2009		Summons Issued as to Warner Home Video on 8/19/2009. (rwc) (Entered: 08/19/2009)
08/20/2009	4	SUMMONS Returned Executed by Redbox Automated Retail LLC. Warner Home Video served on 8/19/2009, answer due 9/8/2009. (Green, James) (Entered: 08/20/2009)
08/24/2009		Summons Reissued (Alias Summons) as to Warner Home Video. (fms) (Entered: 08/24/2009)
08/26/2009	5	SUMMONS Returned Executed by Redbox Automated Retail LLC. Warner Home Video served on 8/25/2009, answer due 9/14/2009. (Green, James) (Entered: 08/26/2009)
08/26/2009		Case assigned to Judge Robert B. Kugler of the District of

		New Jersey (in lieu of Vacant Judgeship). Please include the initials of the Judge (RBK) after the case number on all documents filed. (Courtesy copies of filings should be sent to the chambers of the assigned Judge). (rjb) (Entered: 08/26/2009)
09/01/2009	6	STIPULATION TO EXTEND TIME to answer, move or otherwise respond to the complaint to October 1, 2009 - filed by Warner Home Video. (Gaza, Anne) (Entered: 09/01/2009)
09/02/2009	7	MOTION for Pro Hac Vice Appearance of Attorney Charles S. Bergen - filed by Redbox Automated Retail LLC. (Green, James) (Entered: 09/02/2009)
09/02/2009	8	MOTION for Pro Hac Vice Appearance of Attorney Michael S. Gulland - filed by Redbox Automated Retail LLC. (Green, James) (Entered: 09/02/2009)
09/02/2009	9	MOTION for Pro Hac Vice Appearance of Attorney George R. Dougherty - filed by Redbox Automated Retail LLC. (Green, James) (Entered: 09/02/2009)
09/10/2009		SO ORDERED, re 6 STIPULATION TO EXTEND TIME to answer, move or otherwise respond to the complaint to October 1, 2009 - Set/Reset Answer Deadlines: Warner Home Video answer due 10/1/2009. Signed by Judge Robert B. Kugler on 9/8/09. (rwc) (Entered: 09/10/2009)
09/10/2009		SO ORDERED, re 9 MOTION for Pro Hac Vice Appearance of Attorney George R. Dougherty filed by Redbox Automated Retail LLC, 7 MOTION for Pro Hac Vice Appearance of Attorney Charles S. Bergen filed by Redbox Automated Retail LLC, 8 MOTION for Pro Hac Vice Appearance of Attorney Michael S. Gulland filed by Redbox Automated Retail LLC. Signed by Judge Robert B. Kugler on 9/8/09. (rwc) (Entered: 09/10/2009)
09/11/2009	10	MOTION for Pro Hac Vice Appearance of Attorney Katherine B. Forrest - filed by Warner Home Video. (Gaza, Anne) (Entered: 09/11/2009)
09/16/2009	11	PROPOSED ORDER granting admission pro hac vice of Katherine B. Forrest re 10 MOTION for Pro Hac Vice Appearance of Attorney Katherine B. Forrest by Warner Home Video. (Gaza, Anne) (Entered: 09/16/2009)
09/17/2009	12	ORDER - granting re 10 MOTION for Pro Hac Vice Appearance of Attorney Katherine B. Forrest filed by Warner Home Video. Signed by Judge Robert B. Kugler on 9/17/09. (rwc)

		(Entered: 09/17/2009)
10/01/2009	13	MOTION to Dismiss for Failure to State a Claim (<i>Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)</i>) - filed by Warner Home Video. (Attachments: # 1 Text of Proposed Order)(Gaza, Anne) (Entered: 10/01/2009)
10/01/2009	14	OPENING BRIEF in Support re 13 MOTION to Dismiss for Failure to State a Claim (<i>Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)</i>) MOTION to Dismiss for Failure to State a Claim (<i>Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)</i>) filed by Warner Home Video. Answering Brief/Response due date per Local Rules is 10/19/2009. (Gaza, Anne) (Entered: 10/01/2009)
10/01/2009	15	DECLARATION re 13 MOTION to Dismiss for Failure to State a Claim (<i>Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)</i>) MOTION to Dismiss for Failure to State a Claim (<i>Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)</i>) (<i>Declaration of Katherine B. Forrest</i>) by Warner Home Video. (Attachments: # 1 Exhibit A - D)(Gaza, Anne) (Entered: 10/01/2009)
10/01/2009	16	Disclosure Statement pursuant to Rule 7.1 filed by Warner Home Video identifying Corporate Parent Warner Bros. Entertainment Inc. for Warner Home Video.. (Gaza, Anne) (Entered: 10/01/2009)
10/13/2009	17	Stipulation for Extension of Time to <i>file Plaintiff's Brief in Opposition to Defendant's Motion to Dismiss</i> - filed by Redbox Automated Retail LLC. (Green, James) Modified on 10/15/2009 (rwc). (Entered: 10/13/2009)
10/29/2009	18	MOTION for Pro Hac Vice Appearance of Attorney Colleen P. Sorensen - filed by Redbox Automated Retail LLC. (Green, James) (Entered: 10/29/2009)
11/10/2009	19	ORDER - Setting Deadlines/Hearings (Status Teleconference set for 12/7/2009 10:00 AM before Judge Joel Schneider.). Signed by Judge Joel Schneider on 11/9/09. (rwc) (Entered: 11/10/2009)
11/16/2009	20	STIPULATION to File Amended Complaint by Redbox Automated Retail LLC. (Green, James) (Entered: 11/16/2009)

		11/16/2009)
11/30/2009	21	AMENDED COMPLAINT against Warner Home Video- filed by Redbox Automated Retail LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Green, James) (Entered: 11/30/2009)
12/07/2009		Minute Entry for proceedings held before Judge Joel Schneider - Status Teleconference held on 12/7/2009. (rwc) (Entered: 12/08/2009)
12/21/2009	22	MOTION to Dismiss for Failure to State a Claim (<i>DEFENDANT WARNER HOME VIDEO'S MOTION TO DISMISS THE AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)</i>) - filed by Warner Home Video. (Attachments: # 1 Text of Proposed Order)(Ferguson, Stephen) (Entered: 12/21/2009)
12/21/2009	23	OPENING BRIEF in Support re 22 MOTION to Dismiss for Failure to State a Claim (<i>DEFENDANT WARNER HOME VIDEO'S MOTION TO DISMISS THE AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)</i>) MOTION to Dismiss for Failure to State a Claim (<i>DEFENDANT WARNER HOME VIDEO'S MOTION TO DISMISS THE AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)</i>) filed by Warner Home Video. Answering Brief/Response due date per Local Rules is 1/7/2010. (Ferguson, Stephen) (Entered: 12/21/2009)
12/21/2009	24	DECLARATION re 22 MOTION to Dismiss for Failure to State a Claim (<i>DEFENDANT WARNER HOME VIDEO'S MOTION TO DISMISS THE AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)</i>) MOTION to Dismiss for Failure to State a Claim (<i>DEFENDANT WARNER HOME VIDEO'S MOTION TO DISMISS THE AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)</i>) (<i>DECLARATION OF KATHERINE B. FORREST</i>) by Warner Home Video. (Attachments: # 1 Exhibit A - G)(Ferguson, Stephen) (Entered: 12/21/2009)
12/22/2009	25	MOTION for Pro Hac Vice Appearance of Attorney Pei Y. Chung - filed by Redbox Automated Retail LLC. (Attachments: # 1 Exhibit Certification)(Green, James) (Entered: 12/22/2009)

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Transaction Receipt

