

General Docket
United States Court of Appeals for the Sixth Circuit

Court of Appeals Docket #: 10-3159 Lawrence Acker, et al Appeal From: Southern District of Ohio at Cincinnati Fee Status: fee paid	Docketed: 02/18/2010 Termed: 02/22/2010										
Case Type Information: 1) Original Proceeding 2) Mandamus 3) null											
Originating Court Information: District: 0648-1 : 09-00149 Trial Judge: Herman J. Weber, U.S. District Judge											
Prior Cases: None											
Current Cases: <table style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 15%; text-align: center;">Lead</th> <th style="width: 15%; text-align: center;">Member</th> <th style="width: 15%; text-align: center;">Start</th> <th style="width: 15%; text-align: center;">End</th> </tr> </thead> <tbody> <tr> <td>Consolidated</td> <td style="text-align: center;">10-3159</td> <td style="text-align: center;">10-3160</td> <td style="text-align: center;">03/31/2010</td> <td></td> </tr> </tbody> </table>			Lead	Member	Start	End	Consolidated	10-3159	10-3160	03/31/2010	
	Lead	Member	Start	End							
Consolidated	10-3159	10-3160	03/31/2010								

In re: LAWRENCE J. ACKER Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] Law Office 250 Civic Center Drive Suite 500 Columbus, OH 43215
BRIAN W. BUTTARS Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)
LINDA DESMOND Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)
JAMES P. FEENEY Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)
AINELLO MANCUSI Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)
RON MIASTKOWSKI Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)
PERRY PEKA Petitioner	David Freeman Axelrod Direct: 614-222-2032 [NTC Retained] (see above)

PATRICK SIMASKO
Petitioner

David Freeman Axelrod
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(see above)

WAYNE STANFORD
Petitioner

David Freeman Axelrod
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THE BARON GROUP, INC., dba, Baron's Ice House
Petitioner

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In re: LAWRENCE J. ACKER; BRIAN W. BUTTARS; LINDA DESMOND; JAMES P. FEENEY; AINELLO MANCUSI; RON
MIASKOWSKI; PERRY PEKA; PATRICK SIMASKO; WAYNE STANFORD; THE BARON GROUP, INC., dba, Baron's Ice House,

Petitioners

02/18/2010	 35 pg, 887.49 KB	Writ of Mandamus filed. Notice filed by Petitioners Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc.. (JC)
02/18/2010	 11 pg, 219.81 KB	Petitioner MOTION filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. for a stay and for a partial granting of a writ of mandamus . Certificate of Service:02/18/2010. (JC)
02/18/2010		The case manager for this case is: Jill Colyer (JC)
02/18/2010	 3 pg, 61.74 KB	ORDER filed: It is ORDERED that the district court's filing of the judgment upon its docket in this case is stayed pending further order of this court. The United States and the defendant in the district court are requested to file any pleadings responsive to the motion to stay and the petition for writ of mandamus prior to 3:00 p.m. on Friday, February 19, 2010. The district court judge is invited, but is not required to respond. Damon J. Keith, Circuit Judge; Boyce F. Martin , Jr., Circuit Judge and Eric L. Clay, Circuit Judge. (JC)
02/18/2010	 6 pg, 211.5 KB	MOTION filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. to consolidate cases. Certificate of Service: 02/18/2010. (DFA)
02/18/2010	 1 pg, 25.37 KB	APPEARANCE filed for Respondent USA by John P. Fonte. Certificate of Service: 02/18/2010. (JPF)
02/18/2010	 1 pg, 25.64 KB	APPEARANCE filed for Respondent USA by Robert B. Nicholson. Certificate of Service: 02/18/2010. (RBN)
02/19/2010	 1 pg, 25.26 KB	APPEARANCE filed for Respondent USA by James J. Fredricks. Certificate of Service: 02/19/2010. (JJF)
02/19/2010		Update fee status change to paid. (JC)
02/19/2010	 1 pg, 25.22 KB	APPEARANCE filed for Respondent Arctic Glacier International Inc. by Chad A. Readler. Certificate of Service: 02/19/2010. (CAR)
02/19/2010	 179 pg, 609.4 KB	NOTIFICATION filed by Mr. Chad A. Readler for Arctic Glacier International Inc. regarding <i>Response to Writ Petition and Exhibit A</i> . Certificate of Service: 02/19/2010. (CAR)
02/19/2010	 0 pg, 0 KB	NOTIFICATION filed by Mr. Chad A. Readler for Arctic Glacier International Inc. regarding <i>Motion to Dismiss Appeal and Opposition to Motion to Consolidate</i> . Certificate of Service: 02/19/2010. --[Edited 02/19/2010 by JC: DOCUMENT LOCKED. INCORRECTLY FILED. Attorney has been instructed to refile.] (CAR)
02/19/2010	 21 pg, 210.57 KB	RESPONSE in opposition filed regarding a motion mandamus case, [4135006-2] ; previously filed by Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. in 10-3159. Response from Attorney Mr. John P. Fonte for Respondent USA Certificate of Service:02/19/2010. (JPF)
02/19/2010	 5 pg, 28.86 KB	RESPONSE in opposition filed regarding a motion for miscellaneous relief, [4135015-2] ; previously filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. in 10-3159. Response from Attorney Mr. John P. Fonte for Respondent USA Certificate of Service:02/19/2010. (JPF)
02/19/2010	 12 pg, 39.52 KB	RESPONSE in opposition filed regarding a motion to consolidates, [4135284-2] ; previously filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. in 10-3159. Response from Attorney Mr. Chad A. Readler for Respondent Arctic Glacier International Inc. Certificate of Service:02/19/2010. (CAR)
02/19/2010	 1 pg, 25.27 KB	APPEARANCE filed for Respondent Arctic Glacier International Inc. by John M. Majoras. Certificate of Service: 02/19/2010. (CAR)
02/20/2010	 8 pg, 314.83 KB	REPLY filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. regarding <i>PARTIAL GRANTING OF WRIT OF MANDAMUS</i> . Certificate of Service: 02/20/2010. (DFA)
02/20/2010	 29 pg, 1.16 MB	MOTION filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. for <i>leave to file reply in support of petition</i> . Certificate of Service: 02/20/2010. (DFA)

02/22/2010	 	ORDER filed: The Petition for a writ of mandamus filed as no. 10-3159 is DENIED. The motion to dismiss the appeal filed by Mr. Chad A. Readler for Arctic Glacier International, Inc. in 10-3160 is GRANTED. The motion to consolidate nos. 10-3159 and 10-3160 filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. is DENIED as MOOT. The temporary stay previously entered is DISSOLVED. Damon J. Keith, Circuit Judge; Boyce F. Martin , Jr., Circuit Judge and Eric L. Clay, Circuit Judge. [10-3159, 10-3160] (PJE)
02/22/2010	 	APPEARANCE filed for Respondent Arctic Glacier International Inc. in 10-3159 by Melissa B. Hirst. Certificate of Service: 02/22/2010. [10-3159, 10-3160] (MBH)
02/22/2010	 	MOTION filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. in 10-3159, 10-3160 to stay district court proceeding. Certificate of Service: 02/22/2010. [10-3159, 10-3160] (DFA)
02/23/2010	 	This ORDER, which was issued on February 22, 2010, is placed in the TRADITIONAL PUBLISHED ORDER FORMAT pursuant to local rule 206. Damon J. Keith, Boyce F. Martin, Jr., Circuit Judge and Eric L. Clay, Circuit Judges. [10-3159, 10-3160] (LKM)
02/23/2010	 	ORDER filed denying motion stay district court proceeding [4137000-2] filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc. in 10-3159. Damon J. Keith, Circuit Judge; Boyce F. Martin , Jr., Circuit Judge and Eric L. Clay, Circuit Judge. [10-3159, 10-3160] (JC)
03/05/2010		NOTICE OF DOCKETING ERROR, ENTRY REMOVED. Name of Document: PETITION for rehearing before original panel, for en banc rehearing filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc.. Type of Error: Wrong entry. Action taken: Attorney instructed to redocket. (BLH)
03/08/2010		NOTICE OF DOCKETING ERROR, ENTRY REMOVED. Name of Document: PETITION for initial hearing en banc filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc.. Type of Error: Wrong entry. Action taken: Attorney redocketed. (BLH)
03/08/2010	 	PETITION for en banc rehearing filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc.. Certificate of Service: 03/08/2010. (DFA)
03/31/2010	 	ORDER filed denying the petitions for en banc rehearing [4145337-2] , [4145341-2] filed by Mr. David Freeman Axelrod for Lawrence J. Acker, Brian W. Buttars, Linda Desmond, James P. Feeney, Ainello Mancusi, Ron Miastkowski, Perry Peka, Patrick Simasko, Wayne Stanford and The Baron Group, Inc.. Damon J. Keith, Boyce F. Martin , Jr., Eric L. Clay, Circuit Judges. [10-3159, 10-3160] (BLH)

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