

MDL_CLOSED

United States Judicial Panel on Multidistrict Litigation
CIVIL DOCKET FOR CASE #: MDL No. 2121

IN RE: Musical Instruments and Equipment Antitrust Litigation

Assigned to: Larry Alan Burns
 Transferee District: California Southern
 Master Docket Number: 3:09-md-2121

Date Filed: 10/07/2009
 MDL Status: Transferred
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V.

Defendant**Liaison Counsel for Defendant**

Date Filed	#	Docket Text
10/07/2009	1	MOTION -- BRIEF, SCHEDULE OF ACTIONS (7 actions) Filed by pltf. David Giambusso - SUGGESTED TRANSFEREE DISTRICT: S.D. California; SUGGESTED TRANSFEREE JUDGE: Judge Larry Alan Burns - w/Appendix of Exhibits A-G, cert of serv & disk (tb) Notified involved judges of Schedule of Actions (tb) (Entered: 10/07/2009)
10/07/2009	2	NOTICE OF FILING AND PUBLICATION OF BRIEFING SCHEDULE -- (re: pldg. 1) BRIEFING SCHEDULE IS SET AS FOLLOWS: Appearances & Corporate Disclosures due by noon: October 19, 2009 Responses due on or before: October 27, 2009 Notified involved counsel (tb) (Entered: 10/07/2009)
10/20/2009	3	APPEARANCE -- (re: pldg. 1) GEORGE C. AGUILAR, ESQ. for David Keel; PAUL C. CUOMO, ESQ. for National Association of Music Merchants; ELIZABETH A. FEGAN, ESQ. for Allen Hale; JEFFREY B. GITTLEMAN, ESQ. for Mark O'Leary; LAWRENCE G. SCARBOROUGH, ESQ. for Fender Musical Instruments Corp.; OLIMPIO LEE SQUITIERI, ESQ. for David Giambusso; BONNY E. SWEENEY, ESQ. for Colby Giles; JOSEPH N. WILLIAMS, ESQ. for Rory W. Collins & MARGARET M. ZWISLER, ESQ. for Guitar Center, Inc. - Notified involved counsel (tl) (Entered: 10/20/2009)
10/20/2009	4	NOTICE OF RELATED ACTION -- (2 actions) Signed by J. Alex Grimsley, Esq. counsel for deft. Fender Musical Instruments Corp. in Walter Witherspoon, etc., CAS 3:09-2178 & Joshua Ramsey, et al., CAS 3:09-2211(JMPL previously notified) (dated 10/15/09) - w/Exhibits A & B & cert of svc (dls) (Entered: 10/20/2009)
10/21/2009	5	HEARING ORDER -- (re: pldg. 1) Setting motion to transfer for Panel hearing on November 19, 2009 in Cambridge, Massachusetts - Notified involved counsel & judges (rh) (Entered: 10/21/2009)
10/21/2009	6	CORPORATE DISCLOSURE STATEMENT -- (re: pldg. 1) Filed by National Association of Music Merchants, Inc. (NAMM) (tb) (Entered: 10/21/2009)
10/21/2009	7	CORPORATE DISCLOSURE STATEMENT -- (re: pldg. 1) Filed by Guitar Center, Inc. (tb) (Entered: 10/21/2009)

10/21/2009	8	CORPORATE DISCLOSURE STATEMENT -- (re: pldg. 1) Filed by Fender Musical Instruments Corp. -w/cert of serv (tb) (Entered: 10/21/2009)
10/21/2009	9	NOTICE OF RELATED ACTION -- (re: pldg. 1) Signed by Mark J. Tamblyn, Esq. counsel for movant David Giambusso - Niranjan Parikh, CAC 2:09-7254; Kate Mac Williamson, CAC 2:09-7375; Walter Witherspoon, etc., CAS 3:09-2178; Joshua Ramsey, et al., CAS 3:09-2211; Cynthia Sjepulveda, CAS 3:09-2267; Jason Paradise, CAS 3:09-2285; Kenneth Manyin, DC 1:09-1950 & Alex Teller, ILN 1:09-6104 (JPML previously notified) (dated 10/20/09) - w/Schedule of Actions; Exhibit A & cert of svc (dls) (Entered: 10/21/2009)
10/27/2009	10	RESPONSE, MEMORANDUM -- (re: pldg. 1) Filed by deft. Fender Musical Instruments Corp. -w/cert of svc & disk (dls) (Entered: 10/27/2009)
10/27/2009	11	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. in Kenneth Manyin, DC 1:09-1950; John Banish, DC 1:09-1984 & Russell D. Melton, DC 1:09-2002 - w/cert of svc & disk (dls) (Entered: 10/27/2009)
10/27/2009	12	RESPONSE -- (re: pldg. 1) Filed by pltfs. Allen Hale, Mark O'Leary, Alex Teller & Rory Collins & INTERESTED PARTY pltfs. Cynthia Sepulveda, CAS 3:09-2267 & Agustin Cervantes, CAC 2:09-7526 - w/cert of svc & disk (dls) (Entered: 10/27/2009)
10/27/2009	13	RESPONSE, MEMORANDUM -- (re: pldg. 1) Filed by defts. Guitar Center, Inc.; Guitar Center Stores, Inc.; National Association of Music Merchants, Inc. & Gibson Guitar Corp. - w/Exhibit A; Notice of Related Actions (William S. Poff, Jr., CAC 2:09-7614; Scott Cook, CAC 2:09-7630; Gerald Logsdon, CAC 2:09-7783 & Alex Bohl, CAS 3:09-2332); Schedule of Actions; Exhibit A; cert of svc & disk (dls) (Entered: 10/27/2009)
11/03/2009	14	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltf. Brandon Armstrong, TXE 1:09-942 - w/Exhibits 1 & 2, cert of svc & disk (mst) (Entered: 11/03/2009)
11/03/2009	15	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. Kate MacWilliamson in CAC 2:09-7375 & Niranjan Parikh in CAC 2:09-7254 - w/Schedule of Related Actions, cert of svc & disk (mst) (Entered: 11/03/2009)
11/03/2009	16	APPEARANCE -- (re: pldg. 1) CHRISTOPHER M. BURKE, ESQ., for Kate MacWilliamson & Niranjan Parikh - Notified involved counsel (mst) (Entered: 11/03/2009)
11/03/2009	17	NOTICE OF RELATED ACTION -- (re: pldg. 1) Signed by Margaret M. Zwisler, Esq. counsel for defts. Guitar Center, Inc. & Guitar Center Stores, Inc. - Richard Tabas, DC 1:09-2019; Robert Lesko, et al., CAS 3:09-2418; Joshua Spencer Seiler, et al., CAS 3:09-2423; Rob Roessler, CAC 2:09-7923 and Ryan J. Bigg, KYW 3:09-869 (dated 10/30/09) - w/Schedule A & cert of svc (mst) (Entered: 11/03/2009)
11/03/2009	18	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltf. Bryan Roach, TXE 1:09-940 - w/Exhibits 1 & 2, cert of svc & disk (tll) (Entered: 11/03/2009)
11/03/2009	19	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. in Ramsey, et al., CAS 3:09-2211 - w/Related Action: Pearson, et al., ILN 1:09-6872, cert of svc & disk (tll) Note: action listed in footnote #4 (Entered: 11/03/2009)
11/04/2009	20	APPEARANCE -- (re: pldg. 1) TIMOTHY HARVEY, ESQ., for Gibson Guitar Corp. d/b/a Gibson U.S.A - Notified involved counsel (mst) (Entered: 11/04/2009)
11/04/2009	21	CORPORATE DISCLOSURE STATEMENT -- (re: pldg. 1) Filed by Gibson Guitar Corp., d/b/a Gibson U.S.A. -w/cert of serv (tb) (Entered: 11/04/2009)
11/09/2009	22	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. in Walter Witherspoon, et al., CAS 3:09-2178 - w/cert of svc & disk (dls) (Entered: 11/09/2009)
11/09/2009	23	REPLY -- (re: pldgs. 10 , 11 , 12 , 13 , 14 , 15 , 18 & 19) Filed by pltf. David Giambusso - w/cert of svc & disk (dls) Amended cert of svc recv'd 11/9/09 (Entered: 11/09/2009)
11/10/2009	24	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltf. in Jason Paradise, CAS 3:09-2285 - w/Schedule of Actions, cert of svc & disk (dls) Supplemental cert of svc recv'd 11/10/09 (Entered: 11/10/2009)
11/12/2009	25	RESPONSE -- (re: pldg. 1) Filed by defts. Guitar Center, Inc., Guitar Center Stores, Inc., National Association of Music Merchants, Inc., Fender Musical Instruments Corp., Gibson Guitar Corp, Korg USA, Inc., Roland Corp. U.S. & Yamaha Corp. of America - w/Exhibits A-E; cert of svc & disk (dls) Amended cert of svc recv'd 11/10/09 SEE MDL 2127 pldg. 3 (Entered: 11/12/2009)
11/12/2009	26	ORDER DENYING RECONSIDERATION, DENYING REQUEST FOR CONTINUANCE AND EXTENDING TIME TO RESPOND IN MDL NO. 2127 -- IT IS ORDERED that the request for reconsideration is DENIED. IT

		IS FURTHER ORDERED that the request for a continuation of oral argument in MDL No. 2121 until the Panel's January 2010 hearing is DENIED. IT IS FURTHER ORDERED that an Extension of Time to file a Response is afforded to all parties in MDL No. 2127. (dls) Responses are due on or before: December 22, 2009 SEE MDL 2127 pldg. 4 (Entered: 11/12/2009)
11/13/2009	27	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. Allen Hale, Mark O'Leary, Alex Teller, Colby Giles, Rory W. Collins, David Giambusso, Cynthia Sepulveda, CAS 3:09-2267, Agustin Cervantes, CAC 2:09-7526, Gerald Logsdon, CAC 2:09-7783, Joshua Seller, et al., CAS 3:09-2423 - w/ Exhibits 1-6, cert of svc & disk (jm) RELATED DOCKET ENTRY TO MDL 2127 pldg. 5 (Entered: 11/13/2009)
11/16/2009	28	RESPONSE (JOINDER) -- (re: pldg. 1) Filed by pltfs. Kenneth Manyin, Richard Tabas, Russell Melton & Jon Bandish - w/cert of svc & disk (dls) SEE MDL 2127 pldg. 6 (Entered: 11/16/2009)
11/17/2009	29	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. in Kevin Gognepain, CAS 3:09-2488 & Jerry Jost, ILS 3:09-923 SUPPLEMENTAL RESPONSE (JOINDER) -- (re: pldgs. 14 & 18) Filed by pltfs. in Bryan Roach, TXE 1:09-940; Brandon Armstrong, TXE 1:09-942 - w/cert of svc & disk (dls) RELATED DOCKET ENTRY to MDL 2127 pldg. 8 (Entered: 11/17/2009)
11/17/2009	30	NOTICE OF RELATED ACTION -- (11 actions) Signed by Lawrence G. Scarborough, Esq. counsel for deft. Fender Musical Instruments Corp. - Craig Kennedy, CAC 2:09-7985; Kevin Gagnepain, CAS 3:09-2488; Jerry Jost, ILS 3:09-923; Richard Tabas, DC 1:09-2013; Robert Lesko, et al., CAS 3:09-2418; Joshua Spencer Seiler, et al., CAS 3:09-2423; Ryan J. Gigg, KYW 3:09-869; Bryan Roach, TXE 1:09-940; Brandon Armstrong, TXE 1:09-942; Rob Roessler, CAC 2:09-7923 & Josh Pearson, et al., ILN 1:09-6872 (JPML previously notified) (dated 11/9/09) w/Exhibits A-K & cert of svc (dls) Amended cert of svc recv'd 11/17/09 (Entered: 11/17/2009)
11/17/2009	31	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1 & 15) Filed by pltf. in Paula Jennings, CAC 2:09-8343 - w/cert of svc (dls) Amended cert of svc recv'd 11/17/09 (Entered: 11/17/2009)
11/18/2009	32	HEARING APPEARANCES -- (re: pldg. 5) (For Panel hearing on November 19, 2009 in Cambridge, Massachusetts) OLIMPIO LEE SQUITIERI, ESQ. for David Giambusso; MARGARET M. ZWISLER, ESQ. for Guitar Center, Inc. and Guitar Center Stores, Inc.; BEN BARNOW, ESQ. for Walter Witherspoon, et al.; ELIZABETH C. PRITZKER, ESQ. for Joshua Ramsey, et al.; ELIZABETH A. FEGAN, ESQ. for Allen Hale; JEFFREY B. GITTLEMAN, ESQ. for Mark O'Leary and Cynthia Sepulveda; MICHAEL C. EYERLY, ESQ. for Kate MacWilliamson and Niranjana Parikh; JEFFREY J. CORRIGAN, ESQ. for Kenneth Manyin and Richard Tabas & ERIC D. HOLLAND, ESQ. for Brandon Armstrong and Bryan Roach (rh) (Entered: 11/18/2009)
11/18/2009	33	WAIVERS OF ORAL ARGUMENT -- (re: pldg. 5) (For Panel hearing on November 19, 2009 in Cambridge, Massachusetts) National Association of Music Merchants, Inc. and Fender Musical Instruments Corp. (rh) (Entered: 11/18/2009)
11/19/2009	34	RESPONSE (INTERESTED PARTY) -- (re: pldg. 1) Filed by pltfs. in Robert Lesko, et al., CAS 3:09-2418 - w/cert of svc & disk (dls) Amended cert of svc recv'd 11/19/09 (Entered: 11/19/2009)
11/19/2009	35	RESPONSE -- (JOINDER) (re: pldg. 1 & 27) Filed by pltf. David Keel - w/ cert of svc & disk (jm) SEE MDL 2127 PLDG. 18 (Entered: 11/19/2009)
12/02/2009	36	NOTICE OF RELATED ACTION -- (re: pldg. 1) (1 action) Signed by Roberta D. Liebenberg, Esq. counsel for pltf. in Daniel T. Smith, CAC 2:09-8708 - w/Exhibit 1 & cert of svc (dls) (Entered: 12/02/2009)
12/09/2009	37	CONSENT ORDER -- Signed by Chief Judge Irma E. Gonzalez in S.D. California (dated 12/8/09) - Consenting to transfer of litigation to Judge Larry A. Burns for coordinated or consolidated pretrial proceedings (dls) (Entered: 12/09/2009)
12/09/2009	38	TRANSFER ORDER -- (re: pldg. 37) Transferring 3 actions to Judge Larry A. Burns in S.D. Californai - Hale, CAC 2:09-6897; O'Leary, CAC 2:09-7015 & Teller, ILN 1:09-6104 - Notified involved counsel, judges, Panel judges, clerks, misc. recipients & publishers (dls) IT IS FURTHER ORDERED that this docket is renamed as follows: IN RE: Musical Instruments and Equipment Antitrust Litigation. Filed in CAS 12/9/09 (dld) (Entered: 12/09/2009)
12/09/2009	39	ORDER RENAMING LITIGATION -- (re: pldg. 38) IT IS THEREFORE ORDERED that this litigation is renamed as IN RE: Musical Instruments and Equipment Antitrust Litigation - Notified involved counsel & judges (dls) (Entered: 12/09/2009)
12/15/2009	40	CTO FILED TODAY -- (CTO-1) 19 actions - 6 districts: CAC 2:09-7254; CAC 2:09-7375; CAC 2:09-7526; CAC 2:09-7614; CAC 2:09-7630; CAC 2:09-7783; CAC 2:09-7923; CAC 2:09-7985; CAC 2:09-8343; CAC 2:09-8708;

		DC 1:09-1950; DC 1:09-1984; DC 1:09-2002; DC 1:09-2019; ILN 1:09-6872; ILS 3:09-923; KYW 3:09-869; TXE 1:09-940 & TXE 1:09-942 - Notified involved counsel & judges (dls) (Entered: 12/15/2009)
12/15/2009	41	NOTICE OF FILING CTO AND PUBLICATION OF BRIEFING SCHEDULE -- (CTO-1) (re: pldg. 40) BRIEFING SCHEDULE IS SET AS FOLLOWS: Appearances & Oppositions are due by noon: December 29, 2009 Notified involved counsel (dls) (Entered: 12/15/2009)
12/30/2009	42	CTO FINAL TODAY -- (CTO-1) (re: pldg. 40) 19 actions - 6 districts: CAC 2:09-7254; CAC 2:09-7375; CAC 2:09-7526; CAC 2:09-7614; CAC 2:09-7630; CAC 2:09-7783; CAC 2:09-7923; CAC 2:09-7985; CAC 2:09-8343; CAC 2:09-8708; DC 1:09-1950; DC 1:09-1984; DC 1:09-2002; DC 1:09-2019; ILN 1:09-6872; ILS 3:09-923; KYW 3:09-869; TXE 1:09-940 & TXE 1:09-942 - Notified involved clerks & judges (tll) (Entered: 12/30/2009)
01/13/2010	43	CTO FILED TODAY -- (CTO-2) Collins, TNE 3:09-531 - Notified involved counsel & judges (dls) (Entered: 01/13/2010)
01/13/2010	44	NOTICE OF FILING CTO AND PUBLICATION OF BRIEFING SCHEDULE -- (CTO-2) (re: pldg. 43) BRIEFING SCHEDULE IS SET AS FOLLOWS: Appearances & Oppositions are due by noon: January 27, 2010 Notified involved counsel (dls) (Entered: 01/13/2010)
01/28/2010	45	NOTICE OF OPPOSITION TO CTO -- (CTO-2) (re: pldg. 43) Filed by pltf. in Collins, TNE 3:09-531 - Notified involved counsel & judges (dls) (Entered: 01/28/2010)
01/28/2010	46	APPEARANCE -- (CTO-2) (re: pldg. 43) GORDON BALL, ESQ. for pltf. in Collins, TNE 3:09-531 (dls) (Entered: 01/28/2010)
01/28/2010	47	NOTICE OF FILED OPPOSITION AND PUBLICATION OF BRIEFING SCHEDULE -- (CTO-2) (re: pldg. 45) BRIEFING SCHEDULE IS SET AS FOLLOWS: Corporate Disclosures are due by noon: February 11, 2010 Motion/Brief to Vacate due on or before: February 11, 2010 Responses due on or before: March 4, 2010 (Entered: 01/28/2010)
02/17/2010	48	MOTION/BRIEF TO VACATE CTO -- (CTO-2) (re: pldg. 45) Filed by pltf. in Collins, TNE 3:09-531 - w/cert of svc & disk (dls) (Entered: 02/17/2010)
02/25/2010	49	HEARING ORDER -- (re: pldg. 45) Setting Panel hearing on March 25, 2010 in San Diego, California in the following opposition of pltf. in Collins, TNE 3:09-531 - Notified involved counsel & judges (rh) (Entered: 02/25/2010)
03/03/2010	50	RESPONSE -- (CTO-2) (re: pldg. 48) Filed by Interested Party Pltfs. Allen Hale, Mark O'Leary, Alex Teller, Colby Giles, Rory Collins, Cynthia Sepulveda, Agustin Cervantes, Gerald Logsdon, Jason Paradise, Niranjana Parikh, Kate MacWilliamson and David Giambusso re Collins, TNE 3:09-531- w/Exhibits A & B; cert of svc & disk (dls) (Entered: 03/03/2010)
03/04/2010	51	RESPONSE -- (CTO-2) (re: pldg. 48) Filed by depts. Guitar Center, Inc. & National Association of Music Merchants, Inc. in Collins, TNE 3:09-531 - w/Exhibits A & B; cert of svc & disk (dls) (Entered: 03/04/2010)
03/12/2010	52	CTO FILED TODAY -- (CTO-3) Wiggins, CAN 3:10-631 - Notified involved counsel & judges (dls) (Entered: 03/12/2010)
03/12/2010	53	NOTICE OF FILING CTO AND PUBLICATION OF BRIEFING SCHEDULE -- (CTO-3) (re: pldg. 52) BRIEFING SCHEDULE IS SET AS FOLLOWS: Appearances & Oppositions are due by noon: March 26, 2010 Notified involved counsel (dls) (Entered: 03/12/2010)
03/29/2010	54	CTO FINAL TODAY -- (CTO-3) (re: pldg. 52) Wiggins, CAN 3:10-631 - Notified involved clerks & judges (dp) (Entered: 03/29/2010)
04/01/2010	55	TRANSFER ORDER -- (re: pldg. 49) Transferring Collins, TNE 3:09-531 - Notified involved counsel, judges, Panel judges & clerks (dls) (Entered: 04/01/2010)
02/17/2016	56	ORDER OF TRANSFEREE COURT -- (FINAL JUDGEMENT) Signed by U.S. District Judge Larry Alan Burns in the S.D. California and filed in district court on 2/9/16 (LAH) (Entered: 02/17/2016)
02/17/2016	57	***THIS MDL IS CLOSED. (Luthi, Jeffery) (Entered: 02/17/2016)

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