

**U.S. District Court
Northern District of Iowa (Western Division)
CIVIL DOCKET FOR CASE #: 5:10-cv-04038-MWB**

Waterman v. VS Holding Company et al **DO NOT SPREAD
TEXT WHEN DOCKETING IN THIS LEAD CASE**

Assigned to: Judge Mark W Bennett
Referred to: Chief Magistrate Paul A Zoss
Member case: [\(View Member Case\)](#)
Cause: 28:1331 Fed. Question: Anti-trust

Date Filed: 05/03/2010
Date Terminated: 11/09/2011
Jury Demand: None
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

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*on behalf of himself and all
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Plymouth County, Iowa
individually and on behalf of
all others similarly situated
TERMINATED: 07/26/2010

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Plaintiff

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Plaintiff

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TERMINATED: 07/26/2010

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Plaintiff

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Plaintiff

**Strawn Construction
Services, Inc**
TERMINATED: 07/26/2010

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Plaintiff

Sioux County, Iowa

*Individually and on behalf of
all others similarly situated
TERMINATED: 07/26/2010*

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TERMINATED: 06/16/2011

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Plaintiff

Sioux Contractors
TERMINATED: 04/25/2011

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Plaintiff

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Defendant

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Defendant

Corporate Does I and II
TERMINATED: 07/26/2010

Defendant

**Northwest Ready-Mix
Concrete**

TERMINATED: 08/30/2010

Defendant

**Grupo Cementos de
Chihuahua, SAB de CV**
TERMINATED: 08/30/2010

Defendant

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Defendant

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Date Filed	#	Docket Text
05/03/2010	<u>1</u>	NOTICE OF NEW CASE FILING by Randy Waterman. No conflicts identified. (Attachments: # <u>1</u> Plaintiff's Attorney List) Mailed to attorney Pickner. (src) (Entered: 05/03/2010)
05/03/2010		Set Deadline: Check Status Deadline set for 5/10/2010 to ensure that attorney Pickner has signed up for CM-ECF. Mailed to attny Pickner. (src) (Entered: 05/03/2010)
05/04/2010	<u>2</u>	COMPLAINT with jury trial demanded against VS Holding Company, Steven K Vande Brake (Filing fee \$ 350 receipt number 0862-995702.), filed by Randy Waterman. Scheduling Report due by 9/14/2010 (Attachments: # <u>1</u> Civil Cover Sheet) (Wandro, Steven) Modified on 5/5/2010 to add text re jury trial demanded (des). (Entered: 05/04/2010)
05/05/2010	<u>3</u>	Summons Issued as to VS Holding Company, Steven Keith Vande Brake. ****PLEASE MAKE COPIES OF SUMMONS FOR EACH DEFENDANT AND FILL IN REMAINING INFORMATION**** (Attachments: # <u>1</u> Civil Cases New Case Packet) (des) (Entered: 05/05/2010)
05/20/2010	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice as to attorney Eric S Pavlack (Pro Hac Vice Fee \$75 - Receipt Number 0862-1005546) by Plaintiff Randy Waterman (Attachment #(1) Text of Proposed Order) (Wandro, Steven) Modified text on 05/20/2010 (kfs) (Entered: 05/20/2010)
05/20/2010	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice as to attorney Irwin B Levin (Pro Hac Vice Fee \$75 - Receipt Number 0862-1005600) filed by Plaintiff Randy Waterman (Attachment #(1) Text of Proposed Order) (Wandro, Steven) Modified text on 05/20/2010 (kfs) (Entered: 05/20/2010)
05/20/2010	<u>6</u>	AMENDED COMPLAINT with jury trial demanded against GCC Alliance Concrete, Inc., Siouxland Concrete Company, Great Lakes Concrete Inc., Kent Robert Stewart, filed by Randy Waterman. (Wandro, Steven) Modified on 5/21/2010 to add text re jury trial demanded (des). (Entered: 05/20/2010)
05/21/2010	<u>7</u>	MOTION for attorney Richard E Shevitz Leave to Appear Pro Hac Vice (Pro Hac Vice Fee \$ 75 receipt number 0862-1005946) by Plaintiff Randy Waterman (Attachments: # <u>1</u> Atty registration form) (Wandro, Steven) Modified on 5/21/2010 to add attorney name to text (des). (Entered: 05/21/2010)
05/21/2010	<u>8</u>	MOTION for attorney Scott D Gilchrist Leave to Appear Pro Hac Vice (Pro Hac Vice Fee \$ 75 receipt number 0862-1005978) by Plaintiff Randy Waterman (Attachments: # <u>1</u> atty registration form) (Wandro, Steven) Modified on 5/21/2010 to add attorney name to text (des). (Entered: 05/21/2010)
05/21/2010	<u>9</u>	ORDER granting <u>4</u> , <u>5</u> , <u>7</u> and <u>8</u> Motions for attorneys Eric S Pavlack, Irwin B Levin, Richard E Shevitz, and Scott D Gilchrist Leave to Appear pro hac vice. Signed by Clerk on 5/21/2010. (des) (Additional attachment(s) added on 5/21/2010: # <u>1</u> Corrected) (des). Modified on 5/21/2010 Regenerated NEF to serve copies of corrected order (des). (Entered: 05/21/2010)
05/24/2010	<u>10</u>	NOTICE of Appearance by Matthew G Whitaker on behalf of GCC Alliance Concrete, Inc. (Whitaker, Matthew) (Entered: 05/24/2010)
05/24/2010	<u>11</u>	DOCKETED IN ERROR - SUMMONS Returned Executed by Randy Waterman. GCC Alliance Concrete, Inc. served on 5/6/2010, answer due 5/26/2010. (Wandro, Steven) Modified on 5/25/2010 to note that incorrect party was noted on the return. Attorney to refile correct document. (src) (Entered: 05/24/2010)
05/24/2010	<u>12</u>	WAIVER OF SERVICE Returned Executed by Randy Waterman. GCC Alliance Concrete, Inc. waiver sent on 5/21/2010, answer due 7/20/2010. (Wandro, Steven) (Entered: 05/24/2010)
05/25/2010	<u>13</u>	SUMMONS Returned Executed by Randy Waterman. VS Holding Company served on 5/6/2010, answer due 5/26/2010. (Wandro, Steven) (Entered: 05/25/2010)

05/25/2010		Set Deadline – Defendant GCC Alliance Concrete Inc's LR 7.1 Disclosure Statement due by 06/24/2010 (Pursuant to <u>12</u> Waiver of Service Returned Executed) (kfs) (Entered: 05/25/2010)
05/25/2010	<u>14</u>	MOTION to Consolidate Cases by Plaintiff Randy Waterman (Attachments: # <u>1</u> Brief In Support of Motion, # <u>2</u> Text of Proposed Order) (Wandro, Steven) (Entered: 05/25/2010)
05/26/2010	<u>15</u>	NOTICE of Appearance by Daniel L Hartnett on behalf of VS Holding Company (Hartnett, Daniel) (Entered: 05/26/2010)
05/27/2010	<u>16</u>	WAIVER OF SERVICE Returned Executed by Randy Waterman. Siouxland Concrete Company waiver sent on 5/26/2010, answer due 7/26/2010. (Wandro, Steven) (Entered: 05/27/2010)
05/27/2010	<u>17</u>	WAIVER OF SERVICE Returned Executed by Randy Waterman. Steven Keith Vande Brake waiver sent on 5/24/2010, answer due 7/23/2010. (Wandro, Steven) (Entered: 05/27/2010)
06/08/2010	<u>18</u>	NOTICE of Appearance by Francis L Goodwin on behalf of Steven Keith Vande Brake (Goodwin, Francis) (Entered: 06/08/2010)
06/08/2010	<u>19</u>	MOTION Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading by Defendant GCC Alliance Concrete, Inc (Whitaker, Matthew) (Entered: 06/08/2010)
06/09/2010	<u>20</u>	MOTION for Leave to Appear Pro Hac Vice for C. Joseph Russell (Pro Hac Vice Fee \$ 75 receipt number 0862–1014967) by Defendant Steven Keith Vande Brake (Attachments: # <u>1</u> CM/ECF Registration) (Goodwin, Francis) (Entered: 06/09/2010)
06/09/2010	<u>21</u>	MOTION for Leave to Appear Pro Hac Vice for Thomas J. Costakis (Pro Hac Vice Fee \$ 75 receipt number 0862–1015053) by Defendant Steven Keith Vande Brake (Attachments: # <u>1</u> CM/EFC Registration) (Goodwin, Francis) (Entered: 06/09/2010)
06/09/2010	<u>22</u>	MOTION for Leave to Appear Pro Hac Vice for Brian S Strawbridge (Pro Hac Vice Fee \$ 75 receipt number 0862–1015059) by Defendant Steven Keith Vande Brake (Attachments: # <u>1</u> CM/EFC Registration) (Goodwin, Francis) Modified text on 06/09/2010 (kfs) (Entered: 06/09/2010)
06/09/2010	<u>23</u>	ORDER Granting <u>20</u> Motion for Leave to Appear Pro Hac Vice as to attorney C Joseph Russell – Granting <u>21</u> Motion for Leave to Appear Pro Hac Vice as to attorney Thomas J Costakis – Granting <u>22</u> Motion for Leave to Appear Pro Hac Vice as to attorney Brian S Strawbridge. Signed by Clerk on 06/09/10. (kfs) (Entered: 06/09/2010)
06/10/2010	<u>24</u>	ORDER denying except to the extend relief is granted specifically in this order, but without prejudice to motions being refiled in accordance with any schedule or deadline established by the court in this or in any subsequent order (15 in 5:10–cv–04045–MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete, Inc, (4 in 5:10–cv–04042–MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (23 in 5:10–cv–04045–MWB) MOTION for Extension of Time to File Answer (<i>Unopposed</i>) filed by Siouxland Concrete Company, (5 in 5:10–cv–04046–MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (14 in 5:10–cv–04038–MWB) MOTION to Consolidate Cases filed by Randy Waterman, (10 in 5:10–cv–04043–MWB) MOTION to Consolidate Cases <i>and Establish a Schedule for Rule 23(g) Motion Practice</i> MOTION to Consolidate Cases <i>and Establish a Schedule for Rule 23(g) Motion Practice</i> filed by Farmers Cooperative Company, (15 in 5:10–cv–04041–MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (11 in 5:10–cv–04041–MWB) MOTION to Consolidate Cases filed by Frank Audino Construction Inc, (11 in 5:10–cv–04045–MWB, 11 in 5:10–cv–04045–MWB) MOTION to Consolidate Cases MOTION to Appoint Counsel filed by Sioux City Engineering Co., (5 in 5:10–cv–04040–MWB) MOTION to Consolidate Cases

		filed by Dawn Allen, (10 in 5:10-cv-04048-MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete, Inc, (9 in 5:10-cv-04050-MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (14 in 5:10-cv-04043-MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (19 in 5:10-cv-04038-MWB) MOTION Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete, Inc, (11 in 5:10-cv-04040-MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete Inc, (10 in 5:10-cv-04047-MWB) MOTION to Appoint Interim Class Counsel and Defer Defendant's Responsive Pleading filed by GCC Alliance Concrete, Inc. Until further order, these ten cases are consolidated for all purposes. All filings in these cases must be made in case C10-4038-MWB, and in no other case (See Order for caption to be used). Clerk will authorize all counsel properly appearing in these cases to file and receive service in C10-4038-MWB. The lawyers for the plaintiffs are directed to confer with each other by 6/24/2010 and agree on a proposed order establishing procedures for selecting interim class counsel. Proposed order to be submitted by 7/1/2010 (See Order Text). Signed by Chief Magistrate Judge Paul A Zoss on 6/10/2010. (copy to non-ecf attorney) (des) (Entered: 06/10/2010)
06/11/2010	<u>25</u>	NOTICE of Appearance by Hayward L Draper on behalf of VS Holding Company (Draper, Hayward) (Entered: 06/11/2010)
06/11/2010	<u>26</u>	NOTICE of Appearance by Thomas H Walton on behalf of VS Holding Company (Walton, Thomas) (Entered: 06/11/2010)
06/11/2010	<u>27</u>	NOTICE of Appearance by Brian S Strawbridge on behalf of Steven Keith Vande Brake (Strawbridge, Brian) (Entered: 06/11/2010)
06/11/2010	<u>28</u>	NOTICE of Appearance by Thomas J Costakis on behalf of Steven Keith Vande Brake (Costakis, Thomas) (Entered: 06/11/2010)
06/11/2010	<u>29</u>	NOTICE of Appearance by C Joseph Russell on behalf of Steven Keith Vande Brake (Russell, C) (Entered: 06/11/2010)
06/11/2010	<u>30</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Christopher Lovell</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1017136) by Plaintiffs City of LeMars, Iowa, Le Mars Public Storage, Inc (Attachments: # <u>1</u> Supplement ECF Registration Form) (Lovell, Christopher) (Entered: 06/11/2010)
06/11/2010	<u>31</u>	MOTION for Leave to Appear Pro Hac Vice for <i>Fred Taylor Isquith Jr</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1017160) by Plaintiffs City of LeMars, Iowa, Le Mars Public Storage, Inc (Attachments: # <u>1</u> Supplement ECF Registration) (Isquith, Fred) Modified on 6/15/2010 (des). (Entered: 06/11/2010)
06/11/2010	<u>32</u>	ORDER consolidating C10-4054-MWB into Case Number C10-4038-MWB, for all purposes. All filings must be made only in C10-4038-MWB. The lawyers for the plaintiffs are directed to confer with each other by 6/24/2010 and agree on a proposed order establishing procedures for selecting interim class counsel. Proposed order to be submitted by 7/1/2010 (See Order Text). Signed by Chief Magistrate Judge Paul A Zoss on 6/11/2010. (copy to non-ecf attorney) (des) (Entered: 06/11/2010)
06/14/2010	<u>33</u>	ORDER granting <u>30</u> Motion for attorney Christopher Lovell Leave to Appear pro hac vice by City of LeMars, Iowa, LeMars Public Storage, Inc; granting <u>31</u> Motion for attorney Fred Taylor Isquith Jr Leave to Appear pro hac vice by City of LeMars, Iowa, Le Mars Public Storage, Inc. Signed by Clerk on 6/14/2010. (copy to non-ecf atty) (des) (Entered: 06/14/2010)
06/14/2010	<u>34</u>	ORDER consolidating C10-4055-MWB into Case Number C10-4038-MWB, for all purposes. All filings must be made only in C10-4038-MWB. The lawyers for the plaintiffs are directed to confer with each other by 6/24/2010 and agree on a proposed order establishing procedures for selecting interim class counsel. Proposed order to be submitted by 7/1/2010 (See Order Text). Signed by Chief Magistrate Judge Paul A Zoss on 6/14/2010. (copy to non-ecf atty) (des) (Entered: 06/14/2010)

		06/14/2010)
06/14/2010	<u>35</u>	MOTION for Leave to Appear Pro Hac Vice for Gregory P Hansel (Pro Hac Vice Fee \$ 75) by Plaintiff Strawn Construction Co (ksy) (Entered: 06/14/2010)
06/14/2010		Fee Receipt: \$ 75.00, receipt number IAN110004442 for Pro Hac Vice Fee for Gregoery P. Hansel by Strawn Construction Co. (ksy) (Entered: 06/14/2010)
06/14/2010	<u>36</u>	ORDER granting <u>35</u> Motion for Leave to Appear Pro Hac Vice for Gregory P Hansel on behalf of Strawn Construction, Co. Signed by Clerk on 6/14/10. (ksy) (Entered: 06/14/2010)
06/14/2010	<u>37</u>	MOTION for Leave to Appear Pro Hac Vice for Randall B. Weill (Pro Hac Vice Fee \$ 75) by Plaintiff Strawn Construction Co. (ksy) (Entered: 06/14/2010)
06/14/2010	<u>38</u>	MOTION for Leave to Appear Pro Hac Vice for Joshua R.Carver (Pro Hac Vice Fee \$ 75) by Plaintiff Strawn Construction Co. (ksy) (Entered: 06/14/2010)
06/14/2010	<u>39</u>	ORDER granting <u>37</u> Motion for Leave to Appear Pro Hac Vice for Randall B. Weill; granting <u>38</u> Motion for Leave to Appear Pro Hac Vice for Joshua R. Carver for Strawn Construction, Co. Signed by Clerk on 6/14/10. (ksy) (Entered: 06/14/2010)
06/14/2010		Fee Receipt: \$ 150.00, receipt number IAN110004445 for Pro Hac Vice Fees for Randall B. Weill and Joshua R. Carver by Strawn Construction Co (ksy) (Entered: 06/14/2010)
06/15/2010	<u>40</u>	ORDER consolidating C10-4056-MWB into Case Number C10-4038-MWB, for all purposes. All filings must be made only in C10-4038-MWB. The lawyers for the plaintiffs are directed to confer with each other by 6/24/2010 and agree on a proposed order establishing procedures for selecting interim class counsel. Proposed order to be submitted by 7/1/2010 (See Order Text). Signed by Chief Magistrate Judge Paul A Zoss on 6/14/2010. (per jkh attorneys not admitted pro hac vice will not be served). (des) (Entered: 06/15/2010)
06/15/2010		PER Plaintiffs Brown Commercial Construction Company, Concrete Specialty, Inc, and Vanderhelm Construction, Inc being added to case with <u>40</u> Order – Set Deadlines: Plaintiff LR 7.1 Disclosure Statement due by 7/5/2010. (des) (Entered: 06/15/2010)
06/15/2010	<u>41</u>	MOTION for Leave to Appear Pro Hac Vice for Kyle G. Devalerio (Pro Hac Vice Fee \$ 75 receipt number 0862-1018789) by Plaintiff Dirksen Ag Enterprises, Inc (Murphy, Patrick) Modified text on 6/15/2010 (ksy). (Entered: 06/15/2010)
06/15/2010	<u>42</u>	MOTION for Leave to Appear Pro Hac Vice for Manuel J. Dominguez(Pro Hac Vice Fee \$ 75 receipt number 0862-1018823) by Plaintiff Dirksen Ag Enterprises, Inc (Murphy, Patrick) Modified text on 6/15/2010 (ksy). (Entered: 06/15/2010)
06/15/2010	<u>43</u>	MOTION for Leave to Appear Pro Hac Vice for Russell D. Henkin (Pro Hac Vice Fee \$ 75 receipt number 0862-1018824) by Plaintiff Farmers Cooperative Company (ksy) (Entered: 06/15/2010)
06/15/2010	<u>44</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Sioux City Engineering Co (Goosmann, Jeana) (Entered: 06/15/2010)
06/15/2010	<u>45</u>	ORDER granting <u>41</u> Motion for Leave to Appear Pro Hac Vice for Kyle G. Devalerio; granting <u>42</u> Motion for Leave to Appear Pro Hac Vice for Manuel G. Dominguez for Dirksen Ag Enterprises, Inc. Check Status Deadline ECF Registration due by 6/22/2010. Signed by Clerk on 6/15/10. (Copy w/NEF to non-ecf parties) (ksy) (Entered: 06/15/2010)
06/15/2010	<u>46</u>	ORDER granting <u>43</u> Motion for Leave to Appear Pro Hac Vice for Russell D. Henkin on on behalf of Farmers Cooperative Company. Check Status Deadline ECF Registration due by 6/22/2010. Signed by Clerk on 6/15/10. (Copy w/NEF to non-ecf parties) (ksy) (Entered: 06/15/2010)
06/15/2010	<u>47</u>	ORDER RE: Selection of Interim Class Counsel and Liaison Counsel. All counsel seeking appointment as interim class counsel shall submit a motion and supporting memorandum of not more than 20 pages by 6/24/2010. Any movant or movant

		group may file a single response not to exceed five pages by 7/1/2010. The court will hold a hearing on Friday, July 9, 2010, at 08:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett. Signed by Judge Mark W Bennett on 6/15/2010. (per jkh attorneys not admitted pro hac vice will not be served) (des) (Entered: 06/15/2010)
06/16/2010	<u>48</u>	WAIVER OF SERVICE Returned Executed by Brown Commercial Construction Company. GCC Alliance Concrete, Inc waiver sent on 6/16/2010, answer due 8/16/2010. (Wandro, Steven) (Entered: 06/16/2010)
06/16/2010	<u>49</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Frank Audino Construction Inc (Wandro, Steven) (Entered: 06/16/2010)
06/17/2010	<u>50</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by VS Holding Company (Hartnett, Daniel) (Entered: 06/17/2010)
06/17/2010	<u>51</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Brown Commercial Construction Company (Wandro, Steven) (Entered: 06/17/2010)
06/17/2010	<u>52</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Concrete Specialty, Inc (Wandro, Steven) (Entered: 06/17/2010)
06/17/2010	<u>53</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Vanderhelm Construction, Inc (Wandro, Steven) (Entered: 06/17/2010)
06/17/2010	<u>54</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Brian M. Sund</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020375) by Plaintiff Dawn Allen (Sund, Brian) (Entered: 06/17/2010)
06/17/2010	<u>55</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Dawn Allen (Steiner, Renae) (Entered: 06/17/2010)
06/17/2010	<u>56</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Jackson D. Bigham</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020539) by Plaintiff Dawn Allen (Bigham, Jackson) (Entered: 06/17/2010)
06/17/2010	<u>57</u>	MOTION for Leave to Appear pro hac vice of <i>William R. Pakalka</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020785) by Defendant GCC Alliance Concrete, Inc (Attachments: # <u>1</u> Appendix) (Whitaker, Matthew) (Entered: 06/17/2010)
06/17/2010	<u>58</u>	MOTION for Leave to Appear pro hac vice of <i>Don J. DeGabrielle</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020798) by Defendant GCC Alliance Concrete, Inc (Attachments: # <u>1</u> Appendix) (Whitaker, Matthew) (Entered: 06/17/2010)
06/17/2010	<u>59</u>	MOTION for Leave to Appear pro hac vice of <i>Anne M. Rodgers</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020804) by Defendant GCC Alliance Concrete, Inc (Attachments: # <u>1</u> Appendix) (Whitaker, Matthew) (Entered: 06/17/2010)
06/17/2010	<u>60</u>	MOTION for Leave to Appear pro hac vice of <i>Sumera Khan</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020815) by Defendant GCC Alliance Concrete, Inc (Attachments: # <u>1</u> Appendix) (Whitaker, Matthew) (Entered: 06/17/2010)
06/17/2010	<u>61</u>	MOTION for Leave to Appear Pro Hac Vice <i>Re: Daniel E. Gustafson</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1020827) by Plaintiff Vance Grell (Attachments: # <u>1</u> Registration Form) (Zaiger, Mark) (Entered: 06/17/2010)
06/17/2010	<u>62</u>	MOTION for Leave to Appear Pro Hac Vice <i>Re: Daniel C. Hedlund</i> by Plaintiff Vance Grell (Attachments: # <u>1</u> Registration Form) (Zaiger, Mark) (Entered: 06/17/2010)
06/18/2010	<u>63</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Strawn Construction Co (Killinger, Sam) (Entered: 06/18/2010)
06/18/2010	<u>64</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Strawn Construction Services, Inc (Killinger, Sam) (Entered: 06/18/2010)
06/18/2010	<u>65</u>	ORDER granting <u>54</u> Motion for attorney Brian M Sund Leave to Appear pro hac vice and granting <u>56</u> Motion for attorney Jackson D Bigham Leave to Appear pro hac vice for Plaintiff Dawn Allen. Signed by Clerk on 6/18/2010. (des) (Entered: 06/18/2010)

06/18/2010		Docket Annotation re <u>62</u> MOTION for Leave to Appear Pro Hac Vice <i>Re: Daniel C. Hedlund</i> : Pro Hac Vice fee was not paid and attorney will properly refile. (des) (Entered: 06/18/2010)
06/18/2010	<u>66</u>	MOTION for Leave to Appear Pro Hac Vice – <i>Hedlund</i> (Pro Hac Vice Fee \$ 75 receipt number 0862–1021010) by Plaintiff Vance Grell (Attachments: # <u>1</u> ECF Registration Form) (Zaiger, Mark) (Entered: 06/18/2010)
06/18/2010	<u>67</u>	ORDER granting <u>57</u> Motion for attorney William R Pakalka Leave to Appear pro hac vice, granting <u>58</u> Motion for attorney Don J DeGabrielle Leave to Appear pro hac vice, granting <u>59</u> Motion for attorney Anne M Rodgers Leave to Appear pro hac vice, granting <u>60</u> Motion for attorney Sumera Khan Leave to Appear pro hac vice by Defendant GCC Alliance Concrete Inc. Signed by Clerk on 6/18/2010. (des) (Entered: 06/18/2010)
06/18/2010	<u>68</u>	ORDER granting <u>61</u> Motion for attorney Daniel E Gustafson Leave to Appear pro hac vice, granting <u>66</u> Motion for attorney Daniel C Hedlund Leave to Appear pro hac vice by Plaintiff Vance Grell. Signed by Clerk on 6/18/2010. (des) (Entered: 06/18/2010)
06/18/2010	<u>69</u>	WAIVER OF SERVICE Returned Executed by Brown Commercial Construction Company. Siouxland Concrete Company waiver sent on 6/18/2010, answer due 8/17/2010. (Wandro, Steven) (Entered: 06/18/2010)
06/22/2010	<u>70</u>	ORDER regarding procedures being used for the lead counsel auction on 07/09/10 – Objection to the procedures due 06/29/2010 (See text of order for further instructions). Signed by Judge Mark W Bennett on 06/22/10. (kfs) (Entered: 06/22/2010)
06/23/2010	<u>71</u>	Docket Annotation (Attachments: # <u>1</u> Refund Confirmation): Pro Hac Vice Fee of \$75.00 receipt #0862–1014967 by Francis Goodwin captured by pay.gov on 6/9/10 at 11:41:56. Pay.gov also captured Pro Hac Vice Fee of \$75.00 receipt #0862–1014981 by Francis Goodwin on 6/9/10 at 11:49:52. Therefore, receipt #0862–1014981 for \$75.00 Pro Hac Vice Fee is refunded to Counsel pursuant to written request dated 6/10/10 and Clerk's Approval on 6/21/10 re <u>20</u> Motion (Pro Hac Vice fee \$75.00 receipt #0862–1014967). (filed per Financial Dept) (skm) (Entered: 06/23/2010)
06/24/2010	<u>72</u>	MOTION to Appoint Counsel <i>Preti Flaherty as Interim Lead Counsel and Rawlings Nieland as Interim Liaison Counsel</i> by Plaintiff Strawn Construction Co (Attachments: # <u>1</u> Exhibit Sample Required Monthly Time and Expense Report, # <u>2</u> Exhibit Preti Flaherty Resume, # <u>3</u> Exhibit Rawlings Nieland Resume) (Hansel, Gregory) (Entered: 06/24/2010)
06/24/2010	<u>73</u>	MOTION to Appoint Counsel <i>Plymouth Plaintiffs Group's Motion To Appoint Interim Class Counsel And Liaison Counsel</i> by Plaintiffs City of LeMars, Iowa, Dirksen Ag Enterprises, Inc, Farmers Cooperative Company, Le Mars Public Storage, Inc, Plymouth County, Iowa (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G) (Levitt, Adam) (Entered: 06/24/2010)
06/24/2010	<u>74</u>	MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel</i> by Plaintiff Vance Grell (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2) (Zaiger, Mark) (Entered: 06/24/2010)
06/24/2010	<u>75</u>	MOTION to Appoint Counsel <i>Cohen & Malad and Heins Mills & Olson, P.L.L.C. as Plaintiffs' Interim Co–Lead Counsel and Steven P. Wandro of Wandro, Baer & McCarthy, P.C. and Jeffrey T. Myers of Hutchinson, Myers, Eckert & Voh as Plaintiffs' Interim Co–Liaison Counsel</i> by Plaintiff Randy Waterman (Attachments: # <u>1</u> Brief In Support of Appointment, # <u>2</u> Exhibit Cohen & Malad Resume, # <u>3</u> Exhibit Heins Mills Resume, # <u>4</u> Exhibit Brown Declaration, # <u>5</u> Exhibit Miller Declaration, # <u>6</u> Exhibit Holtze Declaration (Holtze Construction Co.), # <u>7</u> Exhibit Connelly Declaration, # <u>8</u> Exhibit Holtze Declaration (Sioux Contractors), # <u>9</u> Exhibit Audino Declaration) (Wandro, Steven) (Entered: 06/24/2010)

06/24/2010	<u>76</u>	MOTION to Appoint Counsel <i>Faruqi & Faruqi, LLP as Interim Lead Counsel and Goosmann Law Firm, PLC as Interim Liaison Counsel</i> by Plaintiff Sioux City Engineering Co (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Declaration of Jon Sulzbach, # <u>3</u> Resume of Faruqi & Faruqi, LLP, # <u>4</u> Resume of Briol & Associates, PLLC, # <u>5</u> Resume of Goosmann Law Firm, PLC) (Zylstra, Nathaniel) (Entered: 06/24/2010)
06/25/2010	<u>77</u>	SUMMONS Returned Executed by Strawn Construction Services, Inc. VS Holding Company served on 6/21/2010, answer due 7/12/2010 (for C10-4046). (Killinger, Sam) Modified on 6/25/2010 add case number (jkh). (Entered: 06/25/2010)
06/25/2010	<u>78</u>	SUMMONS Returned Executed by Strawn Construction Co. VS Holding Company served on 6/22/2010, answer due 7/13/2010 (for 10-4042). (Killinger, Sam) Modified on 6/25/2010 to add case number (jkh). (Entered: 06/25/2010)
06/29/2010	<u>79</u>	SUMMONS Returned Executed by Brown Commercial Construction Company. Great Lakes Concrete Inc served on 6/22/2010, answer due 7/13/2010. (Wandro, Steven) (Entered: 06/29/2010)
06/30/2010	<u>80</u>	ORDER – By e-mail to counsel dated June 30, 2010, a copy of which is attached, I notify counsel for the various parties of requirements for solicitation of clients. Those requirements are incorporated in their entirety herein by reference, including the July 5, 2010, deadline for various filings. Signed by Judge Mark W Bennett on 06/30/2010. (src) (Entered: 06/30/2010)
07/01/2010	<u>81</u>	ORDER reassigning Case Number C10-4060 to Judge Mark W Bennett and consolidating into Case Number C10-4038-MWB, for all purposes. All filings must be made only in C10-4038-MWB. All deadlines and discovery in the newly-filed case are stayed except as set forth in orders in Case Number C10-4038-MWB on or after 06/15/2010. Signed by Judge Mark W Bennett on 6/30/2010. (des) (Entered: 07/01/2010)
07/01/2010	<u>82</u>	NOTICE by Strawn Construction Co, Strawn Construction Services, Inc re <u>80</u> Order, <i>Filing Proof of Compliance</i> (Hansel, Gregory) Modified on 7/2/2010 to clean up text (des). (Entered: 07/01/2010)
07/01/2010	<u>83</u>	AFFIDAVIT re <u>80</u> Order, by Strawn Construction Co, Strawn Construction Services, Inc (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Hansel, Gregory) Modified on 7/2/2010 to clean up text (des). (Entered: 07/01/2010)
07/01/2010	<u>84</u>	NOTICE by Vance Grell re <u>80</u> Order, <i>Filing Notice of Compliance</i> (Attachments: # <u>1</u> Affidavit) (Zaiger, Mark) Modified on 7/2/2010 to clean up text (des). (Entered: 07/01/2010)
07/01/2010	<u>85</u>	Response to Motion re <u>74</u> MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel</i> filed by Vance Grell. (Attachments: # <u>1</u> Exhibit A) (Zaiger, Mark) (Entered: 07/01/2010)
07/01/2010	<u>86</u>	Response to Motion re <u>74</u> MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel</i> , <u>76</u> MOTION to Appoint Counsel <i>Faruqi & Faruqi, LLP as Interim Lead Counsel and Goosmann Law Firm, PLC as Interim Liaison Counsel</i> , <u>72</u> MOTION to Appoint Counsel <i>Preti Flaherty as Interim Lead Counsel and Rawlings Nieland as Interim Liaison Counsel</i> , <u>75</u> MOTION to Appoint Counsel <i>Cohen & Malad and Heins Mills & Olson, P.L.L.C. as Plaintiffs' Interim Co-Lead Counsel and Steven P. Wandro of Wandro, Baer & McCarthy, P.C. and Jeffrey T. Myers of Hutchinson, Myers, Eckert & Voh as Plaintiffs' filed by City of LeMars, Iowa, Dirksen Ag Enterprises, Inc, Farmers Cooperative Company, Le Mars Public Storage, Inc, Plymouth County, Iowa, Sioux County, Iowa. (Attachments: # <u>1</u> Exhibit A) (Tangren, John) Modified on 7/2/2010 to remove excessive text (des). (Entered: 07/01/2010)</i>
07/01/2010	<u>87</u>	Response to Motion re <u>74</u> MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel</i> , <u>73</u> MOTION to Appoint Counsel <i>Plymouth Plaintiffs Group's Motion To Appoint Interim Class Counsel And Liaison Counsel</i> , <u>72</u> MOTION to Appoint Counsel <i>Preti Flaherty as Interim Lead Counsel and Rawlings Nieland as Interim Liaison</i>

		<i>Counsel, <u>75</u> MOTION to Appoint Counsel Cohen & Malad and Heins Mills & Olson, P.L.L.C. as Plaintiffs' Interim Co-Lead Counsel and Steven P. Wandro of Wandro, Baer & McCarthy, P.C. and Jeffrey T. Myers of Hutchinson, Myers, Eckert & Voh as Plaintiffs' filed by Sioux City Engineering Co. (Goosmann, Jeana) (Entered: 07/01/2010)</i>
07/01/2010	<u>88</u>	Response to Motion re <u>74</u> MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel, <u>73</u> MOTION to Appoint Counsel Plymouth Plaintiffs Group's Motion To Appoint Interim Class Counsel And Liaison Counsel, <u>76</u> MOTION to Appoint Counsel Faruqi & Faruqi, LLP as Interim Lead Counsel and Goosmann Law Firm, PLC as Interim Liaison Counsel, <u>72</u> MOTION to Appoint Counsel Preti Flaherty as Interim Lead Counsel and Rawlings Nieland as Interim Liaison Counsel (Response of Indiana Concrete Group) filed by Dawn Allen, Brown Commercial Construction Company, Concrete Specialty, Inc, Frank Audino Construction Inc, Vanderhelm Construction, Inc, Randy Waterman. (Wandro, Steven) (Entered: 07/01/2010)</i>
07/02/2010	<u>89</u>	MOTION for Leave to Appear Pro Hac Vice for attorney Douglas A Abrahams(Pro Hac Vice Fee \$ 75 receipt number 0862-1028219) by Plaintiff Farmers Cooperative Company (Murphy, Patrick) Modified on 7/6/2010 to add attorney name to text(Schmith, Donaline). (Entered: 07/02/2010)
07/02/2010	<u>90</u>	MOTION for Leave to Appear Pro Hac Vice for attorney Joseph C Kohn(Pro Hac Vice Fee \$ 75 receipt number 0862-1028225) by Plaintiff Farmers Cooperative Company (Murphy, Patrick) Modified on 7/6/2010 to add attorney name to text (Schmith, Donaline). (Entered: 07/02/2010)
07/02/2010	<u>91</u>	MOTION for Leave to Appear Pro Hac Vice for attorney William E Hoese(Pro Hac Vice Fee \$ 75 receipt number 0862-1028227) by Plaintiff Farmers Cooperative Company (Murphy, Patrick) Modified on 7/6/2010 to add attorney name to text(Schmith, Donaline). (Entered: 07/02/2010)
07/06/2010	<u>92</u>	ORDER granting <u>89</u> Motion for Attorney Douglas A Abrahams Leave to Appear Pro Hac Vice; granting <u>90</u> Motion for Attorney Joseph C Kohn Leave to Appear Pro Hac Vice; granting <u>91</u> Motion for Attorney William E Hoese Leave to Appear Pro Hac Vice. Signed by Clerk on 7/6/2010. (djs) (Entered: 07/06/2010)
07/06/2010	<u>93</u>	NOTICE of Appearance by Michael W Ellwanger on behalf of Strawn Construction Co, Strawn Construction Services, Inc (Ellwanger, Michael) (Entered: 07/06/2010)
07/08/2010	<u>94</u>	SUMMONS Returned Executed by Brown Commercial Construction Company. Kent Robert Stewart served on 6/22/2010, answer due 7/13/2010. (Wandro, Steven) (Entered: 07/08/2010)
07/08/2010	<u>95</u>	SUMMONS Returned Executed by Frank Audino Construction Inc. Great Lakes Concrete Inc served on 6/15/2010, answer due 7/13/2010. (Wandro, Steven) (Entered: 07/08/2010)
07/08/2010	<u>96</u>	SUMMONS Returned Executed by Frank Audino Construction Inc. Kent Robert Stewart served on 6/15/2010, answer due 7/13/2010. (Wandro, Steven) (Entered: 07/08/2010)
07/08/2010	<u>97</u>	SUMMONS Returned Executed by Randy Waterman. Great Lakes Concrete Inc. served 6/15/10; Answer due 7/13/10 (Wandro, Steven) Modified on 7/9/2010 to show deadlines (djs). (Entered: 07/08/2010)
07/08/2010	<u>98</u>	SUMMONS Returned Executed by Randy Waterman. Kent Stewart served 6/15/10; Answer due 7/13/10 (Wandro, Steven) Modified on 7/9/2010 to add deadlines (djs). (Entered: 07/08/2010)
07/09/2010	<u>99</u>	Minute Entry for proceedings held before Judge Mark W Bennett: Motion Hearing held on 7/9/2010 re <u>74</u> MOTION to Appoint Counsel <i>Gustafson Gluek as Interim Lead Counsel and Shuttleworth & Ingersoll as Interim Liaison Counsel</i> filed by Vance Grell, <u>73</u> MOTION to Appoint Counsel <i>Plymouth Plaintiffs Group's Motion To Appoint Interim Class Counsel And Liaison Counsel</i> filed by City of LeMars, Iowa, Plymouth County, Iowa, Dirksen Ag Enterprises, Inc, Le Mars Public

		Storage, Inc, Farmers Cooperative Company, <u>76</u> MOTION to Appoint Counsel <i>Faruqi & Faruqi, LLP as Interim Lead Counsel and Goosmann Law Firm, PLC as Interim Liaison Counsel</i> filed by Sioux City Engineering Co, <u>72</u> MOTION to Appoint Counsel <i>Preti Flaherty as Interim Lead Counsel and Rawlings Nieland as Interim Liaison Counsel</i> filed by Strawn Construction Co, <u>75</u> MOTION to Appoint Counsel <i>Cohen & Malad and Heins Mills & Olson, PLLC as Plaintiffs' Interim Co-Lead Counsel and Steven P Wandro of Wandro, Baer & McCarthy, PC and Jeffrey T. Myers of Hutchinson, Myers, Eckert & Voh as Plaintiffs'</i> filed by Randy Waterman. Order to follow. (Court Reporter-Shelly Semmler) (des) (Entered: 07/09/2010)
07/09/2010	<u>100</u>	ORDER granting in part and denying in part <u>72</u> Motion to Appoint Counsel; denying <u>73</u> Motion to Appoint Counsel; granting in part and denying in part <u>74</u> Motion to Appoint Counsel; granting in part and denying in part <u>75</u> Motion to Appoint Counsel; denying <u>76</u> Motion to Appoint Counsel (See Order Text). The court appoints Irwin Levin (Cohen & Malad) and Gregory Hansel (Preti Flaherty) as co-lead interim counsel and Mark Zaiger (Shuttleworth as interim liaison counsel as counsel best able to represent the interests of the putative class. Signed by Judge Mark W Bennett on 7/09/2010. (des) (Entered: 07/09/2010)
07/13/2010	<u>101</u>	ORDER SETTING HEARINGS. Telephonic Scheduling Conference set for 8/17/2010 10:00 AM before Chief Magistrate Judge Paul A Zoss (See order text for instructions to participate). Parties directed to hold a Rule 26(f) conference by 8/13/2010. Plaintiffs directed to email proposed scheduling deadlines and discovery plan by 8/16/2010 (See order text for address). Signed by Chief Magistrate Judge Paul A Zoss on 7/13/2010. (des) (Entered: 07/13/2010)
07/14/2010	<u>102</u>	ORDER re <u>80</u> Order, Co-lead interim counsel, Irwin Levin (Cohen & Malad), shall file on or before July 16, 2010, a notice of compliance with requirements for disclosures concerning solicitation of clients or an explanation of why no such notice is required. Signed by Judge Mark W Bennett on 7/14/2010. (des) (Entered: 07/14/2010)
07/16/2010	<u>103</u>	NOTICE by Brown Commercial Construction Company, Concrete Specialty, Inc, Frank Audino Construction Inc, Vanderhelm Construction, Inc, Randy Waterman <i>of Filing Declaration of Irwin B. Levin Regarding Compliance with Iowa Rule of Professional Conduct 32:7.3</i> (Attachments: # <u>1</u> Exhibit Declaration of Irwin B. Levin) (Levin, Irwin) (Entered: 07/16/2010)
07/26/2010	<u>104</u>	AMENDED COMPLAINT (<i>Consolidated Class Action Complaint and Demand for Jury Trial</i>) against GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Siouxland Concrete Company, Kent Robert Stewart, VS Holding Company, Steven Keith Vande Brake, filed by Randy Waterman, Sioux City Engineering Co, City of LeMars, Iowa, Frank Audino Construction Inc, Sioux Contractors. (Gilchrist, Scott) (Entered: 07/26/2010)
07/30/2010	<u>105</u>	NOTICE of Appearance by Bryan S Hatch on behalf of Siouxland Concrete Company (Hatch, Bryan) (Entered: 07/30/2010)
07/30/2010	<u>106</u>	MOTION for Leave to Appear Pro Hac Vice <i>of David E. Everson</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1042192) by Defendant Siouxland Concrete Company (Attachments: # <u>1</u> Attorney Registration Form) (Hatch, Bryan) (Entered: 07/30/2010)
07/30/2010	<u>107</u>	MOTION for Leave to Appear Pro Hac Vice <i>of Misty Watt</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1042213) by Defendant Siouxland Concrete Company (Attachments: # <u>1</u> Attorney Registration Form) (Hatch, Bryan) (Entered: 07/30/2010)
07/30/2010	<u>108</u>	Order Granting Motion for Leave to Appear Pro Hac Vice as to David E. Everson <u>106</u> and Misty Cooper Watt <u>107</u> Also verified two \$75 pro hac vice fees with IPM Report. Signed by Clerk on 7/30/10. (djs) (Entered: 07/30/2010)
08/03/2010	<u>109</u>	MOTION for Leave to Appear Mark Laughlin and David Mullin (Pro Hac Vice Fee \$ 75 receipt number 0862-1043999) by Defendant Great Lakes Concrete Inc (Stoller, Larry) Modified on 8/13/2010 to add text (djs). (Entered: 08/03/2010)

08/03/2010	<u>110</u>	NOTICE of Appearance by Larry A Stoller on behalf of Kent Robert Stewart (Stoller, Larry) (Entered: 08/03/2010)
08/03/2010	<u>111</u>	NOTICE of Appearance by Larry A Stoller on behalf of Great Lakes Concrete Inc (Stoller, Larry) (Entered: 08/03/2010)
08/05/2010	<u>112</u>	MOTION for Leave to Appear pro hac vice for David Mullin (Pro Hac Vice Fee \$ 75 receipt number 0862-1045028) by Defendants Great Lakes Concrete Inc, Kent Robert Stewart (Stoller, Larry) (Entered: 08/05/2010)
08/05/2010	<u>113</u>	ORDER granting <u>109</u> Motion for Leave to Appear Pro Hac Vice of Mark Laughlin; granting <u>112</u> Motion for Leave to Appear Pro Hac Vice of David Mullin. Conflicts previously done. Also verified two \$75 pro hac vice fees with IPM Report. Signed by Clerk on 8/5/10. (djs) (Entered: 08/05/2010)
08/06/2010	<u>114</u>	MOTION to Withdraw as Attorney by Plaintiff Dawn Allen Associated Cases: 5:10-cv-04038-MWB, 5:10-cv-04040-MWB (Myers, Jeffrey) (Entered: 08/06/2010)
08/06/2010	<u>115</u>	ORDER granting <u>114</u> Motion to Withdraw as Attorney. Attorney Jeffrey T Myers terminated. The plaintiff continues to be represented by counsel. Signed by Chief Magistrate Judge Paul A Zoss on 08/06/2010. (src) (Entered: 08/06/2010)
08/17/2010	<u>116</u>	SCHEDULING ORDER AND DISCOVERY PLAN: Initial Disclosures ddl 08/24/10 but not filed with the court - Add Parties ddl 04/15/2011 - Amended Pleadings ddl 04/15/2011 - Plaintiffs Expert Witness ddl 09/01/2011 - Defendants Expert Witness ddl 11/01/2011 - Plaintiffs Rebuttal Experts ddl 12/01/2011 - Discovery ddl 12/01/2010 - Motions ddl 12/30/2011 - Trial Ready ddl 04/30/2012 - See text of order for further deadlines. Signed by Chief Magistrate Judge Paul A Zoss on 08/17/10. (kfs) (Entered: 08/17/2010)
08/17/2010	<u>117</u>	Minute Entry for proceedings held before Chief Magistrate Judge Paul A Zoss - Telephonic Scheduling Conference held on 08/17/2010 (Court Reporter: Digital Recording) (kfs) (Entered: 08/17/2010)
08/17/2010	<u>118</u>	ORDER SETTING HEARINGS. Telephonic Status Conferences set for 9/28/2010 10:00 AM; 11/9/2010 10:00 AM; 12/21/2010 10:00 AM; 2/1/2011 10:00 AM; 3/15/2011 10:00 AM; 4/26/2011 10:00 AM; 6/7/2011 10:00 AM; 7/19/2011 10:00 AM; 8/30/2011 10:00 AM; and 10/18/2011 10:00 AM in before Chief Magistrate Judge Paul A Zoss. Status Report due by 8/27/2010. Signed by Chief Magistrate Judge Paul A Zoss on 8/17/10. (emailed to attorney Jeffrey Myers) (djs) Modified on 8/18/2010 to add text (djs). (Entered: 08/17/2010)
08/20/2010	<u>119</u>	MOTION for Leave to Appear Pro Hac Vice by Plaintiff Strawn Construction Co (Pratt, Neal) (Entered: 08/20/2010)
08/23/2010	<u>120</u>	Fee Receipt: \$75.00, receipt number IAN110004822 for Pro Hac Vice fee by Neal Pratt. (pac) (Entered: 08/23/2010)
08/23/2010	<u>121</u>	Joint MOTION for Protective Order <i>Governing the Production and Exchange of Confidential Information</i> by Defendant GCC Alliance Concrete, Inc (Whitaker, Matthew) (Entered: 08/23/2010)
08/23/2010	<u>122</u>	ORDER granting <u>119</u> Motion for Leave to Appear pro hac vice of Neal F. Pratt. Signed by Clerk on 8/23/10. (djs) (Entered: 08/23/2010)
08/23/2010	<u>123</u>	PROTECTIVE ORDER Governing the Production and Exchange of Confidential Information. Signed by Chief Magistrate Judge Paul A Zoss on 08/23/10. (kfs) (Entered: 08/23/2010)
08/24/2010	<u>124</u>	NOTICE by City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman re <u>116</u> Scheduling Order and Discovery Plan, <i>Submission of Declarations Regarding Preservation of Documents and Data</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E) (Levin, Irwin) (Entered: 08/24/2010)
08/24/2010	<u>125</u>	NOTICE by Frank Audino Construction Inc, Sioux Contractors, Brown Construction, Concrete Specialty, Vanderhelm Construction <i>Notice of Withdrawal John Gray</i> (Gray, John) Modified on 8/25/2010 to add text. (djs). (Entered: 08/24/2010)

		08/24/2010)
08/24/2010	<u>126</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by GCC Alliance Concrete, Inc (Whitaker, Matthew) (Entered: 08/24/2010)
08/24/2010	<u>127</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by VS Holding Company (Walton, Thomas) (Entered: 08/24/2010)
08/24/2010	<u>128</u>	NOTICE by VS Holding Company (Walton, Thomas) re <u>116</u> Scheduling Order and Discovery Plan, Submission of Declarations Regarding Preservation of Documents and Data. Modified on 8/25/2010 to add text (djs). (Entered: 08/24/2010)
08/24/2010	<u>129</u>	NOTICE by Steven Keith Vande Brake re <u>116</u> Scheduling Order and Discovery Plan, Submission of Declarations Regarding Preservation of Documents and Data (Strawbridge, Bryan) Modified on 8/25/2010 to add text (djs). (Entered: 08/24/2010)
08/24/2010	<u>130</u>	NOTICE by GCC Alliance Concrete, Inc re <u>116</u> Scheduling Order and Discovery Plan, Submission of Declarations Regarding Preservation of Documents and Data. (Whitaker, Matthew) Modified on 8/25/2010 to add text (djs). (Entered: 08/24/2010)
08/24/2010	<u>131</u>	NOTICE by Siouxland Concrete Company re <u>116</u> Scheduling Order and Discovery Plan, Submission of Declarations Regarding Preservation of Documents and Data. (Hatch, Bryan) Modified on 8/25/2010 to add text (djs). (Entered: 08/24/2010)
08/24/2010	<u>132</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Siouxland Concrete Company (Hatch, Bryan) (Entered: 08/24/2010)
08/24/2010	<u>133</u>	Notice of Great Lakes Concrete Inc and Kent Stewart re <u>116</u> Scheduling Order and Discovery Plan, Submission of Declarations Regarding Preservation of Documents and Data and Local Rule 7.1 Disclosure Statement by Great Lakes Concrete and Kent Stewart. Modified on 8/25/2010 to add text (djs). (Entered: 08/24/2010)
08/25/2010	<u>134</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Hearing on Motion to Appoint Counsel held on 07/09/10 before Judge Mark W Bennett – Court Reporter: Shelly Semmler – Telephone Number 712–233–3846 – Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction – After that date it may be obtained through PACER – Redaction Request ddl 09/15/2010 – Redacted Transcript ddl 09/27/2010 – Release of Transcript Restriction ddl 11/23/2010 (kfs) (Entered: 08/25/2010)
08/25/2010	<u>135</u>	NOTICE of Filing of Electronic Transcript: Administrative Order attached: Please read for instructions for actions parties/counsel may be required to take RE: <u>134</u> Transcript of Hearing on Motion to Appoint Counsel (kfs) (Entered: 08/25/2010)
08/26/2010	<u>136</u>	PURSUANT TO LOCAL RULE 7.1 Disclosure Statement by Sioux Contractors (Gilchrist, Scott) (Entered: 08/26/2010)
08/27/2010	<u>137</u>	STATUS REPORT of <i>Plaintiffs Regarding Defendants Not Named in Consolidated Complaint</i> by City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Levin, Irwin) (Entered: 08/27/2010)
08/27/2010	<u>138</u>	NOTICE of Voluntary Dismissal by Plymouth County, Iowa, Sioux County, Iowa (Levin, Irwin) (Entered: 08/27/2010)
08/27/2010	<u>139</u>	NOTICE of Voluntary Dismissal by City of LeMars, Iowa, Vance Grell, Le Mars Public Storage, Inc, Plymouth County, Iowa, Sioux County, Iowa, Strawn Construction Co, Strawn Construction Services, Inc (Levin, Irwin) (Entered: 08/27/2010)
09/03/2010	<u>140</u>	ORDER Re: Mediation. Please see the attached letter regarding mediation in this case. Signed by Judge Mark W Bennett on 09/03/2010. (Attachments: # <u>1</u> Letter to Counsel) (src) (Entered: 09/03/2010)
09/03/2010	<u>141</u>	AFFIDAVIT of Anne M. Rodgers by GCC Alliance Concrete, Inc per <u>140</u> Order (Rodgers, Anne) Modified on 9/7/2010 to add text (djs). (Entered: 09/03/2010)

09/08/2010	<u>142</u>	AFFIDAVIT of <i>David E. Everson</i> by Siouxland Concrete Company pursuant to <u>140</u> Order (Everson, David). Modified on 9/9/2010 to add text (djs). (Entered: 09/08/2010)
09/10/2010	<u>143</u>	AFFIDAVIT of <i>F. Lee Goodwin</i> by Steven Keith Vande Brake pursuant to <u>140</u> Order (Strawbridge, Bryan) Modified on 9/13/2010 to add link (djs). (Entered: 09/10/2010)
09/10/2010	<u>144</u>	AFFIDAVIT by Great Lakes Concrete Inc pursuant to <u>140</u> Order. (Stoller, Larry) Modified on 9/13/2010 to add link (djs). (Entered: 09/10/2010)
09/13/2010	<u>145</u>	TRIAL MANAGEMENT ORDER: Witness and exhibit lists exchanged by parties (but not filed) at least 28 days before FPTC – Exhibits marked – Jury Instructions 21 days before FPTC. Motions in Limine 28 days before FPTC – Jury Trial set for 05/07/2012 at 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett – Final Pretrial Conference set for 04/24/2012 at 3:00 PM in SC 1st Fl Ct before Chief Magistrate Judge Paul A Zoss – Proposed Pretrial Order ddl 04/19/2010. Signed by Judge Mark W Bennett on 09/13/10. (kfs) (Entered: 09/13/2010)
09/16/2010	<u>146</u>	UNRESISTED MOTION for Agreed Extension of Time to Respond to Plaintiffs Interrogatories and Request for Production by Defendant Steven Keith Vande Brake (Attachments: # <u>1</u> Text of Proposed Order) (Costakis, Thomas) (Entered: 09/16/2010)
09/16/2010	<u>147</u>	AFFIDAVIT re <u>140</u> Order <i>Re Mediation</i> by VS Holding Company (Draper, Hayward) (Entered: 09/16/2010)
09/17/2010	<u>148</u>	ORDER granting <u>146</u> UNRESISTED Motion for an extension of time to respond to the plaintiffs' discovery requests. The movant's responses are due by 10/22/2010. Signed by Chief Magistrate Judge Paul A Zoss on 9/16/2010. (des) (Entered: 09/17/2010)
09/17/2010	<u>149</u>	MOTION to Dismiss by Defendant GCC Alliance Concrete, Inc Responses due by 10/4/2010 (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Whitaker, Matthew) Modified on 9/20/2010 to change text (djs). (Entered: 09/17/2010)
09/17/2010	<u>150</u>	MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> by Defendant Steven Keith Vande Brake Responses due by 10/4/2010 (Strawbridge, Bryan) (Entered: 09/17/2010)
09/17/2010	<u>151</u>	MOTION to Dismiss by Defendant VS Holding Company Responses due by 10/4/2010 (Attachments: # <u>1</u> Brief, # <u>2</u> Statement of Authenticity, # <u>3</u> Exhibit to Statement of Authenticity, # <u>4</u> Exhibit to Statement of Authenticity) (Draper, Hayward) (Entered: 09/17/2010)
09/17/2010	<u>152</u>	<i>Defendant Siouxland Concrete Company's</i> ANSWER to <u>104</u> Amended Complaint, by Siouxland Concrete Company.(Everson, David) (Entered: 09/17/2010)
09/17/2010	<u>153</u>	MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> by Defendants Great Lakes Concrete Inc, Kent Robert Stewart Responses due by 10/4/2010 (Mullin, David) (Entered: 09/17/2010)
09/20/2010	<u>154</u>	AFFIDAVIT re <u>140</u> Order of <i>Eric S. Pavlack</i> by City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Pavlack, Eric) (Entered: 09/20/2010)
09/22/2010	<u>155</u>	UNRESISTED MOTION for Extension of Time to Respond to Interrogatories and Request for Production by Defendant Great Lakes Concrete Inc (Attachments: # <u>1</u> Text of Proposed Order) (Laughlin, Mark) (Entered: 09/22/2010)
09/23/2010	<u>156</u>	ORDER granting <u>155</u> UNRESISTED Motion for extension of time to respond to discovery requests. Movants' discovery responses are due by 10/22/10, pursuant to the agreed-upon terms set forth in the motion. Signed by Chief Magistrate Paul A. Zoss on 9/23/10. (tjf) Modified on 9/23/2010 to note nef regenerated to correct service (des). (Entered: 09/23/2010)
09/23/2010	<u>157</u>	ORDER SETTING HEARINGS. Telephonic Scheduling Conference set for 9/28/2010 10:00 AM before Chief Magistrate Judge Paul A Zoss (See order for instructions to participate). Signed by Chief Magistrate Judge Paul A Zoss on

		9/23/2010. (des) (Entered: 09/23/2010)
09/28/2010	<u>158</u>	Minute Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Status Conference held on 9/28/2010. (Digital Recording) (des) (Entered: 09/28/2010)
09/28/2010	<u>159</u>	Joint MOTION to Amend/Correct <u>145</u> Trial Management Order., <i>Regarding Numbering of Deposition Exhibits</i> by Defendant GCC Alliance Concrete, Inc (Rodgers, Anne) (Entered: 09/28/2010)
09/28/2010	<u>160</u>	ORDER granting <u>159</u> Motion to Amend That Portion Of The Court's Order Setting Trial Regarding Numbering Of Deposition Exhibits. The parties are permitted to number deposition exhibits consecutively without any labels or identification as to whose exhibits they are until after the close of discovery. Signed by Judge Mark W Bennett on 09/28/2010. (src) (Entered: 09/28/2010)
10/01/2010	<u>161</u>	UNRESISTED MOTION for Enlargement of Time to Respond to Motions to Dismiss by Plaintiffs City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Levin, Irwin) (Entered: 10/01/2010)
10/04/2010	<u>162</u>	ORDER granting <u>161</u> UNRESISTED MOTION for Enlargement of Time to Respond to Motions to Dismiss filed by Frank Audino Construction Inc, City of LeMars, Iowa, Sioux Contractors, Randy Waterman, Sioux City Engineering Co. Responses due by 10/11/2010 re <u>149</u> MOTION to Dismiss, <u>151</u> MOTION to Dismiss, <u>150</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> , <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> . Signed by Judge Mark W Bennett on 10/04/2010. (des) (Entered: 10/04/2010)
10/11/2010	<u>163</u>	BRIEF in Opposition re <u>149</u> MOTION to Dismiss, <u>151</u> MOTION to Dismiss, <u>150</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> , <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint (Plaintiffs' Omnibus Opposition to Defendants' Motions to Dismiss)</i> filed by City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman. (Levin, Irwin) (Entered: 10/11/2010)
10/18/2010	<u>164</u>	STATUS REPORT (<i>Joint Progress Report</i>) by GCC Alliance Concrete, Inc (Rodgers, Anne) (Entered: 10/18/2010)
10/20/2010	<u>165</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Robert Eisler</i>) (Pro Hac Vice Fee \$ 75 receipt number 0862-1083468) by Plaintiffs Dawn Allen, Brown Commercial Construction Company, City of LeMars, Iowa, Concrete Specialty, Inc, Dirksen Ag Enterprises, Inc, Farmers Cooperative Company, Frank Audino Construction Inc, Vance Grell, Le Mars Public Storage, Inc, Plymouth County, Iowa, Sioux City Engineering Co, Sioux Contractors, Sioux County, Iowa, Strawn Construction Co, Strawn Construction Services, Inc, Vanderhelm Construction, Inc, Randy Waterman (Attachments: # <u>1</u> ECF Registration Form, # <u>2</u> Certificate in Good Standing) (Zaiger, Mark) (Entered: 10/20/2010)
10/21/2010	<u>166</u>	ORDER granting <u>165</u> Motion for Leave to Appear Pro Hac Vice of Robert G. Eisler. Signed by Clerk on 10/21/10. (djs) (Entered: 10/21/2010)
10/21/2010	<u>167</u>	REPLY BRIEF to <u>149</u> MOTION to Dismiss filed by GCC Alliance Concrete, Inc. (Rodgers, Anne) Modified on 10/22/2010 to delete repetitive text (djs). (Entered: 10/21/2010)
10/21/2010	<u>168</u>	REPLY BRIEF to re <u>151</u> MOTION to Dismiss filed by VS Holding Company. (Draper, Hayward) (Entered: 10/21/2010)
10/21/2010	<u>169</u>	REPLY to Response to Motion re <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> filed by Great Lakes Concrete Inc, Kent Robert Stewart. (Laughlin, Mark) Modified on 10/22/2010 to delete repetitive text (djs). (Entered: 10/21/2010)
11/05/2010	<u>170</u>	ORDER Setting Hearings. Telephonic Scheduling Conference set for 11/9/2010 10:00 AM before Chief Magistrate Judge Paul A Zoss (See Order Text for instructions to participate). Signed by Chief Magistrate Judge Paul A Zoss on 11/5/2010. (des) (Entered: 11/05/2010)

11/08/2010	<u>171</u>	ORDER Cancelling Hearings. The status conference previously scheduled for 11/9/10 is cancelled. Signed by Chief Magistrate Judge Paul A Zoss on 11/8/10. (djs) (Entered: 11/08/2010)
11/11/2010	<u>172</u>	MOTION for Leave to File Motion for admission Pro hac vice of Kelsey N McChane by Defendant Kent Robert Stewart (Stoller, Larry) Modified on 11/12/2010 to add text (djs). (Entered: 11/11/2010)
11/12/2010	<u>173</u>	ORDER granting <u>172</u> Motion to Appear pro hac vice for Kelsey N McChane. Signed by Clerk on 11/12/10. (djs) (Entered: 11/12/2010)
11/15/2010		FEE Receipt: \$ 75.00, receipt number IAN550000458 for Pro Hac Vice for Kelsey McChane by Great Lakes Concrete Inc, Kent Robert Stewart. (djs) (Entered: 11/15/2010)
12/20/2010	<u>174</u>	MOTION for Leave to File Amended Complaint (<i>UNOPPOSED</i>) by Plaintiffs City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Attachments: # <u>1</u> Exhibit A: Proposed Amended Complaint, # <u>2</u> Exhibit B: Redline Amended Complaint, # <u>3</u> Text of Proposed Order) (Levin, Irwin) (Entered: 12/20/2010)
12/21/2010	<u>175</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Status Conference held on 12/21/2010. Parties to submit joint status report with proposed revisions to Scheduling Order by December 28, 2010. Order to follow. (Court Reporter – Digital Recording) (src) (Entered: 12/21/2010)
12/21/2010	<u>176</u>	ORDER – Granting <u>174</u> MOTION for Leave to File Amended Complaint filed by Frank Audino Construction Inc, City of LeMars, Iowa, Sioux Contractors, Randy Waterman, Sioux City Engineering Co. The Clerk of Court is directed to docket the Amended Consolidated Class Action Complaint submitted with the motion. The parties are directed to confer and file a joint Status Report by 12/28/2010. Signed by Chief Magistrate Judge Paul A Zoss on 12/21/2010. (src) (Entered: 12/21/2010)
12/21/2010	<u>177</u>	DISMISSED WITHOUT PREJUDICE – AMENDED Consolidated Class Action Complaint with Jury Demand against All Defendants filed by Vanderhelm Construction, Inc, Le Mars Public Storage, Inc, Strawn Construction Services, Inc, Concrete Specialty, Inc, Randy Waterman, Sioux City Engineering Co, Brown Commercial Construction Company, Dawn Allen, Vance Grell, Strawn Construction Co, City of LeMars, Iowa, Frank Audino Construction Inc, Dirksen Ag Enterprises, Inc, Plymouth County, Iowa, Farmers Cooperative Company, Sioux County, Iowa, Sioux Contractors. Docketed pursuant to order at <u>176</u> . (src) Modified on 3/8/2011 to add text per order at <u>207</u> . (src) (Entered: 12/21/2010)
12/21/2010	<u>178</u>	Summons Issued as to Tri–State Ready–Mix Inc, Chad Van Zee. ****PLEASE MAKE COPIES OF SUMMONS FOR EACH DEFENDANT AND FILL IN REMAINING INFORMATION**** (Attachments: # <u>1</u> New Civil Case Packet) (src) (Entered: 12/21/2010)
12/21/2010	<u>179</u>	ORDER: The Court hereby schedules the depositions of the Defendants Steven Vande Brake and Kent Stewart to begin Wednesday, February 9, 2011 at 9:00 AM in the 1st Floor District Courtroom in the United States Courthouse in Sioux City, Iowa – The parties are directed to work together to develop a schedule for their examination of these Defendants that will allow completion of the depositions by no later than 5:00 PM on Friday, February 11, 2011. Signed by Judge Mark W Bennett on 12/21/10. (kfs) (Entered: 12/21/2010)
12/22/2010	<u>180</u>	MOTION to Withdraw as Attorney by Plaintiffs Strawn Construction Services, Inc, Strawn Construction Co, Strawn Construction Services, Inc, Strawn Construction Co Associated Cases: 5:10–cv–04038–MWB, 5:10–cv–04042–MWB, 5:10–cv–04046–MWB (Killinger, Sam) (Entered: 12/22/2010)
12/22/2010	<u>181</u>	ORDER Granting <u>180</u> Motion to Withdraw as Attorney – Attorney Sam S Killinger terminated. Signed by Chief Magistrate Judge Paul A Zoss on 12/22/10. (kfs) (Entered: 12/22/2010)
12/28/2010	<u>182</u>	STATUS Report <i>Proposing Revisions to the Scheduling Order</i> by City of LeMars, Iowa, Concrete Specialty, Inc, Frank Audino Construction Inc, GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Sioux City Engineering Co, Sioux

		Contractors, Siouxland Concrete Company, Kent Robert Stewart, VS Holding Company, Steven Keith Vande Brake, Randy Waterman (Attachments: # <u>1</u> Text of Proposed Order Proposed Revised Scheduling Order) (Levin, Irwin) Modified on 12/29/2010 to remove caps (djs). (Entered: 12/28/2010)
12/29/2010	<u>183</u>	STIPULATED REVISED SCHEDULING Order and Discovery Plan: Add Parties Deadline due by 4/15/2011. Amended Pleadings due by 4/15/2011. Plaintiffs Expert Witness due by 9/12/2011. Defendants Expert Witnesses due by 11/1/2011. Plaintiffs Rebuttal Experts due by 12/1/2011. Fact Discovery due by 12/1/11. Expert Discovery due by 12/15/2011. Dispositive Motions due by 12/30/2011. Trial Ready Deadline 4/30/2012. Signed by Chief Magistrate Judge Paul A Zoss on 12/29/10. (djs) (Entered: 12/29/2010)
01/06/2011	<u>184</u>	NOTICE by GCC Alliance Concrete, Inc re <u>149</u> MOTION to Dismiss (<i>Defendant GCC Alliance Concrete, Inc.'s Notice That Its Pending Motion to Dismiss and Briefing in Support Apply to Plaintiffs' Amended Consolidated Complaint</i>) (Rodgers, Anne) (Entered: 01/06/2011)
01/10/2011	<u>185</u>	NOTICE by VS Holding Company re <u>151</u> MOTION to Dismiss (<i>Defendant VS Holding Company's Notice That Its Pending Motion to Dismiss and Briefing in Support Apply to Plaintiffs' Amended Consolidated Complaint</i>) (Draper, Hayward) (Entered: 01/10/2011)
01/10/2011	<u>186</u>	NOTICE by Steven Keith Vande Brake re <u>150</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint (Vande Brake's Notice That His Pending Motion to Dismiss Consolidated Complaint Applies to Plaintiffs' Amended Consolidated Complaint)</i> (Strawbridge, Bryan) (Entered: 01/10/2011)
01/10/2011	<u>187</u>	NOTICE by Great Lakes Concrete Inc, Kent Robert Stewart re <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint (Defendant Kent Stewart's and Defendant Great Lakes Concrete, Inc.'s Notice That Their Pending Motion to Dismiss and Briefing in Support Apply to Plaintiffs' Amended Consolidated Complaint)</i> (Mullin, David) (Entered: 01/10/2011)
01/10/2011	<u>188</u>	NOTICE of Appearance by David Stubstad on behalf of Great Lakes Concrete Inc, Kent Robert Stewart (Stubstad, David) (Entered: 01/10/2011)
01/11/2011	<u>189</u>	MOTION to Dismiss <i>Plaintiffs' Amended Consolidated Complaint</i> by Defendants Tri-State Ready-Mix Inc, Chad Van Zee Responses due by 1/28/2011 (Dickinson, Joshua) (Entered: 01/11/2011)
01/11/2011	<u>190</u>	CORPORATE Disclosure Statement by Tri-State Ready-Mix Inc identifying Corporate Parent Van Zee Enterprises, Inc., Other Affiliate TSP Contracting, L.L.C., Other Affiliate Valley Sand & Gravel, Inc., Other Affiliate Rock Valley Precast, Inc., Other Affiliate Top Construction, Inc., Other Affiliate Material Services, Inc. for Tri-State Ready-Mix Inc. (Dickinson, Joshua) (Entered: 01/11/2011)
01/14/2011	<u>191</u>	MOTION for Leave to Appear pro hac vice of <i>Mark A. Thornhill</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1132075) by Defendants Tri-State Ready-Mix Inc, Chad Van Zee (Attachments: # <u>1</u> Exhibit) (Dickinson, Joshua) (Entered: 01/14/2011)
01/14/2011	<u>192</u>	MOTION for Leave to Appear pro hac vice of <i>Emily M. Taylor</i> (Pro Hac Vice Fee \$ 75 receipt number 0862-1132083) by Defendants Tri-State Ready-Mix Inc, Chad Van Zee (Attachments: # <u>1</u> Exhibit) (Dickinson, Joshua) (Entered: 01/14/2011)
01/14/2011	<u>193</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Status Conference held on 1/14/2011. (Court Reporter FTR Gold.) (djs) (Entered: 01/14/2011)
01/18/2011	<u>194</u>	ORDER granting <u>191</u> Motion for Leave to Appear Pro Hac Vice of Mark A Thornhill; granting <u>192</u> Motion for Leave to Appear Pro Hac Vice of Emily M Taylor. Signed by Clerk on 1/18/11. (djs) (Entered: 01/18/2011)
01/19/2011	<u>195</u>	MOTION to Withdraw as Attorney for <i>Kent Stewart and Great Lakes Concrete, Inc.</i> by Defendant Kent Robert Stewart (Stoller, Larry) (Entered: 01/19/2011)

01/20/2011	<u>196</u>	ORDER granting <u>195</u> Motion to Withdraw as Attorney. Attorney Larry A Stoller terminated. Signed by Judge Mark W Bennett on 1/20/2011. (des) Modified on 1/20/2011 to note nef regenerated to correct service (des). (Entered: 01/20/2011)
01/21/2011	<u>197</u>	NOTICE by Tri-State Ready-Mix Inc, Chad Van Zee re <u>183</u> Scheduling Order and Discovery Plan, <i>Declaration Regarding Preservation of Documents and Data</i> (Dickinson, Joshua) (Entered: 01/21/2011)
01/21/2011	<u>198</u>	NOTICE by Tri-State Ready-Mix Inc, Chad Van Zee re <u>123</u> Protective Order <i>Acknowledgment</i> (Dickinson, Joshua) (Entered: 01/21/2011)
01/31/2011	<u>199</u>	ORDER Setting Hearing – Telephonic Scheduling Conference set for 2/1/2011 10:00 AM in before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line at 712-233-8933 and use pass code 1112#. Signed by Chief Magistrate Judge Paul A Zoss on 01/31/11. (src) (Entered: 01/31/2011)
01/31/2011	<u>200</u>	BRIEF in Opposition re <u>149</u> MOTION to Dismiss, <u>151</u> MOTION to Dismiss, <u>150</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> , <u>189</u> MOTION to Dismiss <i>Plaintiffs' Amended Consolidated Complaint</i> , <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> filed by Strawn Construction Co, Strawn Construction Services, Inc. (Hansel, Gregory) (Entered: 01/31/2011)
02/01/2011	<u>201</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Scheduling Conference held on 2/1/2011 (Plaintiff Motion due by 2/1/2011. Defendant Tri-State Ready Mix's Response due by 2/2/2011. An order will be filed on 2/3/11). (Court Reporter FTR Gold.) (djs) (Entered: 02/01/2011)
02/01/2011	<u>202</u>	MOTION to Order Protocol for Production of Electronic Transaction Data by Plaintiffs City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Pavlack, Eric) (Entered: 02/01/2011)
02/02/2011	<u>203</u>	MOTION to Withdraw as Attorney by <i>Jeremy J. Cross</i> by Plaintiff Sioux City Engineering Co (Goosmann, Jeana) (Entered: 02/02/2011)
02/02/2011	<u>204</u>	ORDER granting <u>203</u> Motion to Withdraw as Attorney for plaintiff Sioux City Engineering Co. Attorney Jeremy J Cross terminated. The court notes that attorney Jeana L Goosmann has filed an appearance on behalf of the plaintiff and will continue to represent them. Signed by Chief Magistrate Judge Paul A Zoss on 2/2/11. (djs) (Entered: 02/02/2011)
02/02/2011	<u>205</u>	Response to Motion re <u>202</u> MOTION to Order Protocol for Production of Electronic Transaction Data filed by Tri-State Ready-Mix Inc, Chad Van Zee. (Dickinson, Joshua) (Entered: 02/02/2011)
02/03/2011	<u>206</u>	ORDER re <u>202</u> Motion to Order Protocol for Production of Electronic Transaction Data. See text of Order. Signed by Chief Magistrate Judge Paul A Zoss on 2/3/11. (djs) (Entered: 02/03/2011)
03/08/2011	<u>207</u>	MEMORANDUM OPINION AND ORDER – granting <u>149</u> MOTION to Dismiss filed by GCC Alliance Concrete, Inc, <u>150</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> filed by Steven Keith Vande Brake, <u>151</u> MOTION to Dismiss filed by VS Holding Company, <u>153</u> MOTION to Dismiss <i>Plaintiffs' Consolidated Complaint</i> filed by Kent Robert Stewart, Great Lakes Concrete Inc, and <u>189</u> MOTION to Dismiss <i>Plaintiffs' Amended Consolidated Complaint</i> filed by Tri-State Ready-Mix Inc, Chad Van Zee, to the extent that the Amended Consolidated Complaint (docket no. <u>177</u>). The plaintiffs shall have to and including 3/29/2011, within which to file a motion for leave to amend their complaint, accompanied by a proposed amended complaint. If no such motion and proposed amended complaint are received by this deadline, this action will be dismissed with prejudice. Signed by Judge Mark W Bennett on 03/08/2011. (src) (Entered: 03/08/2011)
03/09/2011	<u>208</u>	ORDER Setting Hearing – Telephonic Scheduling Conference set for 3/10/2011 2:00 PM before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line at 712-233-8933 and use pass code 1112#. Signed by Chief Magistrate Judge Paul A Zoss on 03/09/2011. (src) (Entered: 03/09/2011)

03/10/2011	<u>209</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Status Conference held on 3/10/2011. Deadline for the filing of a motion to amend complaint previously set for 3/29/2011 with <u>207</u> Memorandum Opinion and Order by Judge Mark W Bennett. (Digital Recording) (des) (Entered: 03/10/2011)
03/11/2011	<u>210</u>	MOTION for Leave to File Motion for Admission Pro Hac Vice of Mark Foster by Defendant Siouxland Concrete Company (Attachments: # <u>1</u> Attorney Registration Form) (Hatch, Bryan) (Additional attachment added on 3/14/2011: # <u>2</u> Certificate of Good Standing) (src). (Entered: 03/11/2011)
03/11/2011	<u>211</u>	ORDER Setting Hearing – Telephonic Scheduling Conference set for 3/15/2011 10:00 AM before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line at 712–233–8933 and use pass code 1112#. Signed by Chief Magistrate Judge Paul A Zoss on 03/11/2011. (src) (Entered: 03/11/2011)
03/14/2011	<u>212</u>	ORDER Granting Mark Foster's Motion for Leave to Appear Pro Hac Vice <u>210</u> on on behalf of defendant Siouxland Concrete Company, on the condition that counsel pay the required pro hac vice admission fee. Fee due by 3/21/2011. Signed by Clerk on 03/11/2011. (src) (Entered: 03/14/2011)
03/14/2011	<u>213</u>	ORDER: At the parties' request, the Telephonic Scheduling Conference previously scheduled for 03/15/11 at 10:00 AM is cancelled. Signed by Chief Magistrate Judge Paul A Zoss on 03/14/11. (kfs) (Entered: 03/14/2011)
03/15/2011		FEE Receipt: \$75.00, receipt number IAN550000527 for Pro Hac Vice Fee for Mark Foster by Siouxland Concrete Company. Receipt mailed to payee. (src) (Entered: 03/15/2011)
03/29/2011	<u>214</u>	MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman, Holtze Construction Company (Attachments: # <u>1</u> Exhibit A Proposed Second Amended Consolidated Class Action Complaint and Demand for Jury Trial, # <u>2</u> Text of Proposed Order) (Levin, Irwin) (Entered: 03/29/2011)
03/30/2011	<u>215</u>	ORDER setting deadline re <u>214</u> MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by Frank Audino Construction Inc, City of LeMars, Iowa, Sioux Contractors, Brown Commercial Construction Company, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co. Any resistance to the motion must be filed by 4/8/2011. Signed by Chief Magistrate Judge Paul A Zoss on 3/30/11. (djs) (Entered: 03/30/2011)
04/01/2011	<u>216</u>	MOTION for Leave to Appear Pro Hac Vice <i>Seth R. Gassman</i> (Pro Hac Vice Fee \$ 75 receipt number 0862–1177764) by Plaintiff Vance Grell (Attachments: # <u>1</u> Certificate of Good Standing) (Rinden, Jennifer) (Entered: 04/01/2011)
04/01/2011	<u>217</u>	MOTION for Leave to File Overlength Brief (<i>Brief in Support of Plaintiffs' Motion for Class Certification—Under Seal</i>) by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Text of Proposed Order) (Levin, Irwin) (Entered: 04/01/2011)
04/04/2011	<u>219</u>	NOTICE of Change of Address by Manuel J Dominguez (Dominguez, Manuel) (Entered: 04/04/2011)
04/04/2011	<u>220</u>	RESCINDED—ORDER: Denying Without Prejudice <u>217</u> Motion for Leave to File Overlength Brief. Signed by Judge Mark W Bennett on 04/04/11. (kfs) Modified on 4/5/2011 to note rescinded pursuant to <u>221</u> Order (des). (Entered: 04/04/2011)
04/04/2011	<u>221</u>	ORDER Nunc Pro Tunc rescinding <u>220</u> Order denying Motion for Leave to File Overlength Brief as to <u>218</u> MOTION to Certify Class filed by Frank Audino Construction Inc, City of LeMars, Iowa, Brown Commercial Construction Company, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co (See Order Text). Clerk shall file under seal the overlength brief.

		Signed by Judge Mark W Bennett on 4/4/2011. (clerk has attached brief to 218 Motion to Certify Class) (des) (Entered: 04/04/2011)
04/04/2011	<u>222</u>	ORDER granting <u>216</u> Motion for Leave to Appear Pro Hac Vice of Seth R. Gassman on behalf of Plaintiff Strawn Construction Service, Inc. on the condition that counsel submits the CM-ECF registration form. Check Status Deadline due by 4/18/2011. Signed by Clerk on 4/4/11. (emailed to Gassman with CM-ECF sign up form) (djs) (Entered: 04/04/2011)
04/06/2011		DOCKET Annotation re 218 Sealed MOTION to Certify Class and Supporting Declarations, and Exhibits. Clerk office received hard copy and has provided to MWB chambers. (src) (Entered: 04/06/2011)
04/08/2011	<u>223</u>	RESISTANCE to Motion re <u>214</u> MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by VS Holding Company. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit) (Walton, Thomas) (Entered: 04/08/2011)
04/08/2011	<u>224</u>	DOCKETED IN ERROR – RESISTANCE to Motion re MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Kent Robert Stewart, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake. (Attachments: # <u>1</u> Text of Proposed Order) (Rodgers, Anne) Modified on 4/11/2011 to add text per order at <u>226</u> (djs). (Entered: 04/08/2011)
04/11/2011	<u>225</u>	MOTION to Correct <u>224</u> Resistance to Motion, by Defendants GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Kent Robert Stewart, Tri-State Ready-Mix Inc, Chad Van Zee, Steven Keith Vande Brake (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Supplement Corrected Joint Resistance, # <u>3</u> Supplement Proposed Order to Corrected Joint Resistance) (Rodgers, Anne) Modified on 4/12/2011 to remove text (djs). (Entered: 04/11/2011)
04/11/2011	<u>226</u>	ORDER granting <u>225</u> Motion to Correct <u>224</u> Joint Resistance to Plaintiff's <u>214</u> Motion for Leave to file Second Amended Consolidated Class Action Complaint. Signed by Chief Magistrate Judge Paul A Zoss on 4/11/11. (djs) (Entered: 04/11/2011)
04/11/2011	<u>227</u>	RESISTANCE to Motion re <u>214</u> MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Kent Robert Stewart, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake. (Attachments: # <u>1</u> Proposed Order) This corrected resistance docketed by clerk pursuant to <u>226</u> Order. (djs) (Entered: 04/11/2011)
04/12/2011	<u>228</u>	MOTION for Leave to File Amended Declaration of Russell Mangum (<i>UNOPPOSED</i>) by Plaintiffs City of LeMars, Iowa, Frank Audino Construction Inc, Sioux City Engineering Co, Sioux Contractors, Randy Waterman (Attachments: # <u>1</u> Text of Proposed Order) (Pavlack, Eric) (Entered: 04/12/2011)
04/12/2011	<u>229</u>	ORDER granting <u>228</u> Motion for Leave to File Amended Declaration of Russell Mangum. Signed by Chief Magistrate Judge Paul A Zoss on 4/12/2011. (clerk has attached amended declaration to #218 Sealed Motion to Certify Class; Plaintiffs have served copies of amended declaration) (des) (Entered: 04/12/2011)
04/12/2011	<u>230</u>	ORDER re <u>214</u> MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by Frank Audino Construction Inc, City of LeMars, Iowa, Sioux Contractors, Brown Commercial Construction Company, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co. The defendants have resisted the motion. Plaintiffs are granted leave to file a reply brief by 4/18/2011. Signed by Chief Magistrate Judge Paul A Zoss on 4/12/2011. (des) (Entered: 04/12/2011)
04/18/2011	<u>231</u>	MOTION for Leave to File Overlength Brief (<i>Reply in Support of Plaintiffs' Motion for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial</i>) by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman

		(Attachments: # <u>1</u> Exhibit A (Proposed Brief), # <u>2</u> Text of Proposed Order) (Levin, Irwin) (Entered: 04/18/2011)
04/19/2011	<u>232</u>	ORDER granting <u>231</u> Motion for Leave to File Overlength Brief. The Clerk of Court is directed to docket the brief submitted with the motion. Signed by Chief Magistrate Judge Paul A Zoss on 4/19/11. (djs) (Entered: 04/19/2011)
04/19/2011	<u>233</u>	REPLY BRIEF to <u>214</u> MOTION for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial filed by Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman. Filed by Clerk pursuant to <u>232</u> Order (djs) (Entered: 04/19/2011)
04/25/2011	<u>234</u>	ORDER Setting Hearing. Telephonic Scheduling Conference set for 4/26/2011 10:00 AM before Chief Magistrate Judge Paul A Zoss. See text of order. Signed by Chief Magistrate Judge Paul A Zoss on 4/25/11. (djs) (Entered: 04/25/2011)
04/25/2011	<u>235</u>	ORDER granting <u>214</u> Motion for Leave to File Second Amended Consolidated Class Action Complaint and Demand for Jury Trial. See order text for details. Signed by Chief Magistrate Judge Paul A Zoss on 04/25/2011. (src) (Entered: 04/25/2011)
04/25/2011	<u>236</u>	Second AMENDED Consolidated Class Action Complaint and Demand for Jury Trial against All Defendants, filed by Vanderhelm Construction, Inc, Le Mars Public Storage, Inc, Strawn Construction Services, Inc, Holtze Construction Company, Concrete Specialty, Inc, Randy Waterman, Sioux City Engineering Co, Brown Commercial Construction Company, Dawn Allen, Vance Grell, Strawn Construction Co, City of LeMars, Iowa, Frank Audino Construction Inc, Dirksen Ag Enterprises, Inc, Plymouth County, Iowa, Farmers Cooperative Company, Sioux County, Iowa, Sioux Contractors. Filed by Clerk per order at <u>235</u> . (src) (Entered: 04/25/2011)
04/26/2011	<u>237</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Scheduling Conference held on 4/26/2011. (Court Reporter FTR Gold.) (djs) (Entered: 04/26/2011)
04/29/2011	<u>238</u>	ORDER – The defendant's deadline to respond to the plaintiffs' 218 SEALED Motion for Class Certification filed by Frank Audino Construction Inc, City of LeMars, Iowa, Brown Commercial Construction Company, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co. is extended to and including 6/10/2011, and the plaintiffs' deadline to file any reply is extended to and including 8/1/2011. Signed by Judge Mark W Bennett on 4/29/11. (djs) (Entered: 04/29/2011)
05/10/2011	<u>239</u>	MOTION to Dismiss <i>Second Amended Consolidated Complaint</i> by Defendant VS Holding Company Responses due by 5/27/2011 (Attachments: # <u>1</u> Brief In Support of Motion to Dismiss Second Amended Consolidated Complaint, # <u>2</u> Exhibit to Brief in Support of Motion to Dismiss Second Amended Consolidated Complaint) (Walton, Thomas) (Entered: 05/10/2011)
05/13/2011	<u>240</u>	MOTION for Extension of Time to File Answer re <u>236</u> Amended Complaint,, by Defendant Siouxland Concrete Company (Hatch, Bryan) (Entered: 05/13/2011)
05/16/2011	<u>241</u>	ORDER granting <u>240</u> MOTION for Extension of Time to File Answer re <u>236</u> Amended Complaint. The deadline is extended, for Siouxland Concrete Company only, to 7/1/2011. Signed by Chief Magistrate Judge Paul A Zoss on 5/16/11. (djs) (Entered: 05/16/2011)
05/16/2011	<u>242</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Consolidated Complaint</i> by Defendant GCC Alliance Concrete, Inc Responses due by 6/2/2011 (Attachments: # <u>1</u> Brief) (Rodgers, Anne) (Entered: 05/16/2011)
05/16/2011	<u>243</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Consolidated Class Action Complaint</i> by Defendant Steven Keith Vande Brake Responses due by 6/2/2011 (Strawbridge, Bryan) (Entered: 05/16/2011)
05/16/2011	<u>244</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Consolidated Complaint</i> by Defendants Tri-State Ready-Mix Inc, Chad Van Zee Responses due by 6/2/2011

		(Dickinson, Joshua) (Entered: 05/16/2011)
05/16/2011	<u>245</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Consolidated Complaint</i> by Defendants Great Lakes Concrete Inc, Kent Robert Stewart Responses due by 6/2/2011 (Attachments: # <u>1</u> Brief in Support of Motion to Dismiss) (Laughlin, Mark) Modified on 5/17/2011 to change text (djs). (Entered: 05/16/2011)
05/19/2011	<u>246</u>	Joint MOTION to Stay Due to Settlement <i>with Settling Defendants and Proposed Order</i> by Plaintiff Randy Waterman (Hansel, Gregory) (Entered: 05/19/2011)
05/23/2011	<u>247</u>	ORDER – Granting <u>246</u> Joint MOTION to Stay Due to Settlement <i>with Settling Defendants</i> filed by Randy Waterman until 07/07/2011. See order text for details. The Settling Parties shall file status reports, separately or jointly, not later than 07/01/2011, on the necessity of continuing the stay for an additional limited period of time to effectuate settlement. Signed by Judge Mark W Bennett on 05/23/2011. (src) (Entered: 05/23/2011)
05/25/2011	<u>248</u>	Joint MOTION to Stay Due to Settlement and Proposed Order <i>as to Tri–State Defendants</i> by Plaintiff Randy Waterman (Hansel, Gregory) (Entered: 05/25/2011)
05/26/2011	<u>249</u>	ORDER granting <u>248</u> Joint Motion To Extend Stay To Include Tri–State Defendants (See Order Text). Status Report Deadline 7/1/2011. Signed by Judge Mark W Bennett on 5/26/2011. (des) (Entered: 05/26/2011)
06/02/2011	<u>250</u>	ORDER Setting Hearing. Telephonic Scheduling Conference set for 6/7/2011 10:00 AM before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line. See text of order for further instructions. Signed by Chief Magistrate Judge Paul A Zoss on 6/2/11. (djs) Regenerated NEF to send to Jeffrey Myers on 6/2/2011 (djs). (Entered: 06/02/2011)
06/08/2011	<u>251</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Scheduling Conference held on 06/08/2011 (Court Reporter: Digital Recording) (kfs) (Entered: 06/08/2011)
06/09/2011	<u>252</u>	ORDER Setting Hearing – Telephonic Scheduling Conference set for 6/17/2011 11:00 AM before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line at 712–233–8933 and use pass code 1112#. Signed by Chief Magistrate Judge Paul A Zoss on 06/09/2011. (src) (Entered: 06/09/2011)
06/15/2011	<u>253</u>	MOTION to Withdraw as Attorney by Plaintiffs Brown Commercial Construction Company, Concrete Specialty, Inc, Frank Audino Construction Inc, Vanderhelm Construction, Inc, Randy Waterman (Attachments: # <u>1</u> Text of Proposed Order) (Pavlack, Eric) (Entered: 06/15/2011)
06/15/2011	<u>254</u>	ORDER: Granting <u>253</u> Motion to Withdraw as Attorney by attorney Eric S Pavlack as to Plaintiffs Randy Waterman, Frank Audino Construction Inc, Brown Commercial Construction Company, Concrete Specialty Inc and Vanderhelm Construction Inc. Signed by Chief Magistrate Judge Paul A Zoss on 06/15/11. (kfs) (Entered: 06/15/2011)
06/16/2011	<u>255</u>	MOTION to Withdraw as Attorney <i>Eric S. Pavlack</i> by Plaintiffs Dawn Allen, City of LeMars, Iowa, Dirksen Ag Enterprises, Inc, Farmers Cooperative Company, Vance Grell, Holtze Construction Company, Le Mars Public Storage, Inc, Plymouth County, Iowa, Sioux City Engineering Co, Sioux Contractors, Sioux County, Iowa, Strawn Construction Co, Strawn Construction Services, Inc (Attachments: # <u>1</u> Text of Proposed Order) (Pavlack, Eric) (Entered: 06/16/2011)
06/16/2011	<u>256</u>	ORDER granting <u>255</u> Motion to Withdraw as Attorney. Attorney Eric S Pavlack terminated as to plaintiffs, Dawn Allen, Strawn Construction Company, Farmers Cooperative Company, Sioux City Engineering Company, Dirksen Ag Enterprises Inc, Le Mars Public Storage Inc, City of Le Mars, Iowa, Vance Grell, Plymouth County, Iowa, Strawn Construction Services Inc, Sioux Contractors, Sioux County, Iowa, and Holtze Construction. Signed by Chief Magistrate Judge Paul A Zoss on 6/16/11. (djs) (Entered: 06/16/2011)
06/17/2011	<u>257</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Scheduling Conference held on 06/17/2011 (Court Reporter: Digital Recording) (kfs) (Entered: 06/17/2011)

06/17/2011	<u>258</u>	ORDER Setting Hearings. Telephonic Mediation is set for 6/24/2011 09:00 AM before Chief Magistrate Judge Paul A Zoss. See text of order. Signed by Chief Magistrate Judge Paul A Zoss on 6/17/11. (djs) (Entered: 06/17/2011)
06/21/2011	<u>259</u>	MOTION for Leave to Appear pro hac vice <i>Barbara D'Aquila</i> by Defendant GCC Alliance Concrete, Inc (Attachments: # <u>1</u> Exhibit A) (Whitaker, Matthew) (Entered: 06/21/2011)
06/22/2011	<u>260</u>	ORDER Granting Barbara D'Aquila's <u>259</u> Motion for Leave to Appear Pro Hac Vice by Defendant GCC Alliance Concrete, Inc, on the condition that counsel pay the required pro hac vice admission fee. Fee due by 6/28/2011. Signed by Clerk on 06/22/11. (src) (Entered: 06/22/2011)
06/27/2011	<u>261</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Settlement Conference held on 6/24/2011. Case did not settle. Continuation of mediation June 29, 2011. (Court Reporter – None) (src) (Entered: 06/27/2011)
06/27/2011	<u>262</u>	ORDER Setting Hearing: Continuation of Telephonic Mediation Hearing set for 06/29/2011 at 9:45 AM before Chief Magistrate Judge Paul A Zoss: All parties are directed to call the conference bridge line at 712-233-8933. Signed by Chief Magistrate Judge Paul A Zoss on 06/24/11. (kfs) (Entered: 06/27/2011)
06/27/2011		DUPLICATE PAYMENT – FEE Receipt: \$ 75.00, receipt number IAN110006793 for Pro Hac Vice Filing Fee as to attorney Barbara D'Aquila (original receipt mailed to atty D'Aquila). (skm) Modified on 6/28/2011 to note that this payment will be returned. (src) Modified on 6/28/2011, receipt number IAN110006793 for \$75.00 will be voided 6/28/2011 and returned to paying party along with a copy of the voided receipt (skm). (Entered: 06/27/2011)
06/27/2011		FEE Receipt: \$75.00, receipt number IAN550000579 for Pro Hac Vice Fee for Barbara D'Aquila by GCC Alliance Concrete, Inc. Receipt mailed to filer. (src) (Entered: 06/27/2011)
06/29/2011	<u>263</u>	MINUTE Entry for proceedings held before Chief Magistrate Paul A Zoss: Telephonic Settlement Conference held on 6/29/2011. Settlement negotiations are continuing. Continuation of telephonic mediation 7/1/2011 at 02:00 PM. (Court Reporter-None) (des) (Entered: 06/29/2011)
06/29/2011	<u>264</u>	ORDER Setting Hearing. Continuation of Telephonic Mediation set for 7/1/2011 02:00 PM before Chief Magistrate Judge Paul A Zoss. All parties are directed to call the conference bridge line. See text of order. The deadline for the parties' Status Reports is extended to 7/5/2011. Signed by Chief Magistrate Judge Paul A Zoss on 6/29/11. (djs) (Entered: 06/29/2011)
07/01/2011	<u>265</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Mediation held on 7/1/2011. Tentative settlement agreement was reached. Order to follow. (Court Reporter-None) (djs) (Entered: 07/01/2011)
07/01/2011	<u>266</u>	ORDER: The parties reached tentative agreement on all remaining issues in the case, subject to submission to and approval by the court. All deadlines in the case are stayed until 7/8/11. On or before that date, the parties are to file with the court a joint status report confirming that all documentation necessary to conclude the settlement has been executed. (Status Report due by 7/8/2011.) Signed by Chief Magistrate Judge Paul A Zoss on 7/1/11. (djs) (Entered: 07/01/2011)
07/08/2011	<u>267</u>	NOTICE by Randy Waterman <i>Plaintiffs' Status Report Regarding Settlement</i> (Hansel, Gregory) (Entered: 07/08/2011)
07/11/2011	<u>268</u>	ORDER Setting Hearings. Telephonic Scheduling Conference set for 7/13/2011 10:30 AM before Chief Magistrate Judge Paul A Zoss (See Order text for instructions to participate). Signed by Chief Magistrate Judge Paul A Zoss on 7/11/2011. (des) (Entered: 07/11/2011)
07/11/2011	<u>269</u>	STATUS Report <i>Amended Regarding Settlement</i> by Strawn Construction Co, Strawn Construction Services, Inc (Hansel, Gregory) (Entered: 07/11/2011)
07/13/2011	<u>270</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Scheduling Conference held on 7/13/2011. On 7/15/11, the plaintiffs' will file a motion for preliminary approval of the three settlements including proposed

		notices. (Court Reporter FTR Gold.) (djs) (Entered: 07/13/2011)
07/15/2011	<u>271</u>	UNRESISTED Motion for Preliminary Approval of Settlement Agreements and Preliminary Certification of Settlement Classes by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Exhibit 1 (Alliance/Tri-State Settlement Agreement), # <u>2</u> Exhibit 2 (Alliance/Great Lakes Settlement Agreement), # <u>3</u> Exhibit 3 (Alliance/Siouxland Settlement Agreement), # <u>4</u> Declaration of Irwin B. Levin, # <u>5</u> Text of Proposed Order (Preliminary Approval of Alliance/Tri-State Settlement), # <u>6</u> Text of Proposed Order (Preliminary Approval of Alliance/Great Lakes Settlement), # <u>7</u> Text of Proposed Order (Preliminary Approval of Alliance/Siouxland Settlement)) (Levin, Irwin) (Additional attachment(s) added on 7/15/2011: # <u>8</u> Brief in Support). Brief attached pursuant to <u>275</u> Order. (djs). Modified on 7/18/2011 to change text (djs). (Entered: 07/15/2011)
07/15/2011	<u>272</u>	MOTION for Leave to File Overlength Brief <u>271</u> <i>In Support of Unopposed Motion for Preliminary Approval of Settlement Agreements and Preliminary Certification of Settlement Classes</i> by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Exhibit 1 (Proposed Brief), # <u>2</u> Text of Proposed Order) (Levin, Irwin) Modified on 7/15/2011 to add link (djs). (Entered: 07/15/2011)
07/15/2011	<u>273</u>	ORDER: In anticipation of the settlement of this case, all pending motions (<u>218</u> Motion to Certify Class, <u>239</u> Motion to Dismiss, <u>242</u> Motion to Dismiss, <u>243</u> Motion to Dismiss, <u>244</u> Motion to Dismiss and <u>245</u> Motion to Dismiss) are denied without prejudice to their reassertion at a later date, and all deadlines and events in this case are terminated. Signed by Chief Magistrate Judge Paul A Zoss on 07/15/11. (kfs) (Entered: 07/15/2011)
07/15/2011	<u>274</u>	MOTION to Withdraw as Attorney <i>Manuel J. Dominguez</i> by Plaintiffs Dirksen Ag Enterprises, Inc, Sioux County, Iowa (Attachments: # <u>1</u> Text of Proposed Order) (Dominguez, Manuel) (Entered: 07/15/2011)
07/15/2011	<u>275</u>	ORDER granting <u>272</u> Motion for Leave to File Overlength Brief. The Clerk of Court shall detach the overlength brief and attach it to the <u>271</u> Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement Agreements and Preliminary Certification of Settlement Classes. Signed by Judge Mark W Bennett on 7/15/11. (djs) (Entered: 07/15/2011)
07/15/2011	<u>276</u>	ORDER granting <u>274</u> Motion to Withdraw as Attorney. Attorney Manuel J Dominguez terminated as to plaintiffs Dirksen Ag Enterprises, Inc. and Sioux County, Iowa. Attorney Kyle G DeValerio will continue to represent the plaintiffs. Signed by Chief Magistrate Judge Paul A Zoss on 7/15/11. (djs) (Entered: 07/15/2011)
07/20/2011	<u>277</u>	ORDER Preliminarily Approving Settlement, Certifying Alliance/Great Lakes Settlement Class and Directing Notice: Fairness Hearing set for 11/01/2011 at 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett: See text of order for further instructions. Signed by Judge Mark W Bennett on 07/20/11. (kfs) (Entered: 07/20/2011)
07/20/2011	<u>278</u>	ORDER Preliminarily Approving Settlement, Certifying Alliance/Tri-State Settlement Class and Directing Notice: Fairness Hearing set for 11/01/2011 at 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett: See text of order for further instructions. Signed by Judge Mark W Bennett on 07/20/11. (kfs) (Entered: 07/20/2011)
07/20/2011	<u>279</u>	ORDER Preliminarily Approving GCC Alliance/Siouxland Settlement, Certifying Settlement Class and Directing Notice: Fairness Hearing set for 11/01/2011 at 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett: See text of order for further instructions. Signed by Judge Mark W Bennett on 07/20/11. (kfs) (Entered: 07/20/2011)
08/01/2011	<u>280</u>	Joint MOTION to Amend Nunc Pro Tunc <u>278</u> Preliminary Approval Order for Alliance/Tri-State Settlement) by Plaintiffs Brown Commercial Construction

		Company, Frank Audino Construction Inc, Holtze Construction Company, Randy Waterman, Defendants GCC Alliance Concrete, Inc, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake (Attachments: # <u>1</u> Exhibit A (Agreement to Correct Alliance/Tri-State Settlement), # <u>2</u> Text of Proposed Order Corrected Alliance-Tri-State Preliminary Approval Order) (Gilchrist, Scott) Modified on 8/2/2011 to change text (djs). (Entered: 08/01/2011)
08/02/2011	<u>281</u>	CORRECTED ORDER Preliminarily Approving Settlement, Certifying Alliance/Tri-State Settlement Class and Directing Notice granting <u>280</u> Motion to Amend Nunc Pro Tunc <u>278</u> Order: Fairness Hearing set for 11/01/2011 at 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett (See text of order for further instructions). Signed by Judge Mark W Bennett on 8/1/2011. (des) (Entered: 08/02/2011)
08/03/2011	<u>282</u>	MOTION for Determination That No Extension is Necessary Under Settlement Agreement by Defendants Great Lakes Concrete Inc, Kent Robert Stewart (Laughlin, Mark) Modified on 8/4/2011 to change text (djs). (Entered: 08/03/2011)
08/05/2011	<u>283</u>	ORDER Setting Telephonic Hearing on <u>282</u> MOTION for Determination That No Extension is Necessary Under Settlement Agreement. Telephonic Motion Hearing set for 8/5/2011 1:30 PM before Chief Magistrate Judge Paul A Zoss.Signed by Chief Magistrate Judge Paul A Zoss on 08/05/2011. (src) (Entered: 08/05/2011)
08/05/2011	<u>284</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Paul A Zoss: Telephonic Motion Hearing held on 8/5/2011 re <u>282</u> MOTION for Determination That No Extension is Necessary Under Settlement Agreement filed by Kent Robert Stewart, Great Lakes Concrete Inc. Order to follow. (Court Reporter FTR Gold.) (djs) (Entered: 08/05/2011)
08/05/2011	<u>285</u>	ORDER granting <u>282</u> Motion for Extension of Time to extend deadline. The court finds it would be just and expedient to simply extend the deadline for the second payment to 8/5/11. See text of order. Signed by Chief Magistrate Judge Paul A Zoss on 8/5/11. (djs) (Entered: 08/05/2011)
09/02/2011	<u>286</u>	MOTION for an Award of Attorneys Fees, Reimbursement of Expenses, and Incentive Awards for Class Representatives by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Declaration of Irwin B. Levin) (Levin, Irwin) Modified on 9/6/2011 to remove duplicative text (djs). (Additional attachment(s) added on 9/6/2011 pursuant to <u>288</u> Order: # <u>2</u> Brief in Support) (djs). (Entered: 09/02/2011)
09/02/2011	<u>287</u>	MOTION for Leave to File Overlength Brief (<i>Unopposed</i>) by Plaintiffs Brown Commercial Construction Company, Frank Audino Construction Inc, Holtze Construction Company, Le Mars Public Storage, Inc, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Proposed Brief in Support of Motion for an Award of Attorneys Fees, Reimbursement of Expenses, and Incentive Awards for Class Representatives), # <u>2</u> Text of Proposed Order) (Levin, Irwin) Modified on 9/6/2011 to remove duplicative text (djs). (Entered: 09/02/2011)
09/06/2011	<u>288</u>	ORDER granting <u>287</u> Motion for Leave to File Overlength Brief. The Clerk of Court shall detach the overlength brief from the motion and refile it as an attachment to the plaintiff's 9/2/11 <u>286</u> Motion. Signed by Judge Mark W Bennett on 9/6/11. (djs) (Entered: 09/06/2011)
09/13/2011	<u>289</u>	Response to Motion re <u>286</u> MOTION for an Award of Attorneys Fees, Reimbursement of Expenses, and Incentive Awards for Class Representatives filed by GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Siouxland Concrete Company, Kent Robert Stewart, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake. (Khan, Sumera) (Entered: 09/13/2011)
10/07/2011	<u>290</u>	ORDER Setting Hearing on <u>286</u> MOTION for an Award of Attorneys Fees, Reimbursement of Expenses, and Incentive Awards for Class Representatives. Motion Hearing set for 11/1/2011 9:00 AM in SC 3rd Fl Ct before Judge Mark W Bennett, in conjunction with the Fairness Hearing already scheduled for that time and date. Signed by Judge Mark W Bennett on 10/07/2011. (src) (Entered: 10/07/2011)

10/17/2011	<u>291</u>	MOTION for Finding of Satisfactory Cooperation by Defendant Siouxland Concrete Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D: Memorandum of Law in Support of its Motion for Finding of Satisfactory Cooperation, # <u>5</u> Exhibit E: Proposed Finding of "Satisfactory Cooperation" of Defendant Siouxland Concrete Company) (Everson, David) Modified text on 10/21/2011 (kfs) (Entered: 10/17/2011)
10/18/2011	<u>292</u>	NOTICE by Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (<i>Plaintiffs' Notice of Persons and Entities Requesting Exclusion from Settlement Classes</i>) (Levin, Irwin) (Entered: 10/18/2011)
10/18/2011	<u>293</u>	Joint MOTION Final Approval of Settlement Agreements by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman, Defendants GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Siouxland Concrete Company, Kent Robert Stewart, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake (Attachments: # <u>1</u> Text of Proposed Order Proposed Alliance/Great Lakes Settlement Final Approval Order, # <u>2</u> Text of Proposed Order Proposed Alliance/Siouxland Settlement Final Approval Order, # <u>3</u> Text of Proposed Order Proposed Alliance/Tri-State Final Approval Order) (Levin, Irwin) (Additional attachment(s) added on 10/19/2011: # <u>4</u> Brief, # <u>5</u> Declaration of Irwin B. Levin in Support of Joint Motion for Final Approval of Settlements, # <u>6</u> Declaration of Michelle M. La Count, Esq.) (djs). (Entered: 10/18/2011)
10/18/2011	<u>294</u>	DOCKETED IN ERROR – BRIEF in Support re <u>293</u> Joint MOTION Final Approval of Settlement Agreements filed by Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman. (Attachments: # <u>1</u> Declaration of Irwin B. Levin in Support of Joint Motion for Final Approval of Settlements, # <u>2</u> Declaration of Michelle M. La Count, Esq.) (Levin, Irwin) Modified on 10/19/2011 to remove duplicate text. Clerk notified attorney and has attached to motion at <u>293</u> . (djs). (Entered: 10/18/2011)
10/24/2011	<u>295</u>	DOCKETED IN ERROR – NOTICE by GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Kent Robert Stewart, VS Holding Company, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "Alliance/Great Lakes Settlement"</i> (Khan, Sumera) Attorney contacted clerk and will re-file with appropriate attachment on 10/24/2011 (djs). (Entered: 10/24/2011)
10/24/2011	<u>296</u>	DOCKETED IN ERROR – NOTICE by GCC Alliance Concrete, Inc, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "Alliance/Tri-State Settlement"</i> (Khan, Sumera) Attorney contacted clerk and will re-file with appropriate attachment on 10/24/2011 (djs). (Entered: 10/24/2011)
10/24/2011	<u>297</u>	DOCKETED IN ERROR – NOTICE by GCC Alliance Concrete, Inc, Siouxland Concrete Company, VS Holding Company, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "GCC Alliance/Siouxland Settlement"</i> (Khan, Sumera) Attorney contacted clerk and will re-file with appropriate attachment on 10/24/2011 (djs). (Entered: 10/24/2011)
10/24/2011	<u>298</u>	NOTICE by GCC Alliance Concrete, Inc, Great Lakes Concrete Inc, Kent Robert Stewart, VS Holding Company, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "Alliance/Great Lakes Settlement"</i> (Attachments: # <u>1</u> Exhibit CAFA Notice dated July 25, 2011) (Khan, Sumera) (Entered: 10/24/2011)
10/24/2011	<u>299</u>	NOTICE by GCC Alliance Concrete, Inc, Tri-State Ready-Mix Inc, VS Holding Company, Chad Van Zee, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "Alliance/Tri-State Settlement"</i> (Attachments: # <u>1</u> Exhibit CAFA Notice dated July 25, 2011) (Khan, Sumera) (Entered: 10/24/2011)
10/24/2011	<u>300</u>	NOTICE by GCC Alliance Concrete, Inc, Siouxland Concrete Company, VS Holding Company, Steven Keith Vande Brake <i>Affidavit Certifying Service of Notice of Proposed "GCC Alliance/Siouxland Settlement"</i> (Attachments: # <u>1</u>

		Exhibit CAFA Notice dated July 25, 2011) (Khan, Sumera) (Entered: 10/24/2011)
10/31/2011	<u>301</u>	ORDER granting <u>291</u> Motion for Finding of Satisfactory Cooperation of Defendant Siouxland Concrete Company (See Order Text). Signed by Judge Mark W Bennett on 10/31/2011. (des) (Entered: 10/31/2011)
11/01/2011	<u>302</u>	MINUTE Entry for proceedings held before Judge Mark W Bennett: Motion Hearing held on 11/1/2011 re <u>286</u> MOTION for an Award of Attorneys Fees, Reimbursement of Expenses, and Incentive Awards for Class Representatives filed by Frank Audino Construction Inc, City of LeMars, Iowa, Brown Commercial Construction Company, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co; Ruling – will approve – order to follow; and <u>293</u> Joint MOTION For Final Approval of Settlement Agreements filed by VS Holding Company, City of LeMars, Iowa, Siouxland Concrete Company, Tri–State Ready–Mix Inc, Brown Commercial Construction Company, Great Lakes Concrete Inc, Randy Waterman, Holtze Construction Company, Sioux City Engineering Co, Frank Audino Construction Inc, Steven Keith Vande Brake, Kent Robert Stewart, GCC Alliance Concrete, Inc, Chad Van Zee; Ruling – will approve settlements – order to follow. (Court Reporter – Shelly Semmler) (src) (Entered: 11/01/2011)
11/01/2011	<u>303</u>	ORDER Approving Alliance/Great Lakes Settlement and Final Judgment (See Order Text). Signed by Judge Mark W Bennett on 11/01/2011. (des) (Entered: 11/01/2011)
11/01/2011	<u>304</u>	ORDER Approving GCC Alliance/Siouxland Settlement and Final Judgment (See Order Text). Signed by Judge Mark W Bennett on 11/01/2011. (des) (Entered: 11/01/2011)
11/01/2011	<u>305</u>	ORDER Approving Alliance/Tri–State Settlement and Final Judgment (See Order Text). Signed by Judge Mark W Bennett on 11/01/2011. (des) (Entered: 11/01/2011)
11/02/2011	<u>306</u>	JUDGMENT is entered in accordance with attached <u>303</u> Order Approving Alliance/Great Lakes Settlement and Final Judgment. Signed by Clerk and Approved By Judge Mark W Bennett on 11/02/2011. (des) (Entered: 11/02/2011)
11/02/2011	<u>307</u>	JUDGMENT is entered in accordance with <u>304</u> Order Approving GCC Alliance/Tri–State Settlement and Final Judgment. Signed by Clerk and Approved By Judge Mark W Bennett on 11/02/2011. (des) (Entered: 11/02/2011)
11/02/2011	<u>308</u>	JUDGMENT is entered in accordance with <u>305</u> Order Approving Alliance/Tri–State Settlement and Final Judgment. Signed by Clerk and Approved By Judge Mark W Bennett on 11/02/2011. (des) (Entered: 11/02/2011)
11/09/2011	<u>309</u>	MEMORANDUM OPINION AND ORDER granting <u>286</u> Motion For An Award of Attorneys' Fees, The Reimbursement Of Expenses, And Incentive Awards For Class Representatives (See Order Text). Signed by Judge Mark W Bennett on 11/9/2011. (des) (Entered: 11/09/2011)
11/09/2011	<u>310</u>	JUDGMENT on Attorneys' Fees, expenses, and incentive awards is entered in accordance with the attached Memorandum Opinion and Order. Signed by Clerk and approved by Judge Mark W Bennett on 11/9/2011. (des) (Entered: 11/09/2011)
11/18/2011	<u>311</u>	NOTICE of Filing of Official Transcript of Fairness Hearing and Motion for Attorney Fees held on 11/01/11 before Judge Mark W Bennett: Court Reporter: Shelly Semmler: Telephone Number 712–233–3846: Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction: After that date it may be obtained through PACER: Redaction Request ddl 12/09/2011: Redacted Transcript ddl 12/19/2011: Release of Transcript Restriction set for 02/16/2012 (kfs) (Entered: 11/18/2011)
11/18/2011	<u>312</u>	NOTICE of Filing of Electronic Transcript: Administrative Order attached: Please read for instructions for actions parties/counsel may be required to take RE: <u>311</u> Transcript of Fairness Hearing and Motion for Attorney Fees (kfs) (Entered: 11/18/2011)

12/12/2011	<u>313</u>	MOTION For Approval of Plan of Distribution by Plaintiffs Brown Commercial Construction Company, City of LeMars, Iowa, Frank Audino Construction Inc, Holtze Construction Company, Sioux City Engineering Co, Randy Waterman (Attachments: # <u>1</u> Exhibit A (Declaration of Michelle La Count), # <u>2</u> Exhibit B (Sample Notice and Claim Form for Alliance/Siouxland Settlement), # <u>3</u> Exhibit C (Sample Notice and Claim Form for Alliance/Tri-State Settlement), # <u>4</u> Exhibit D (Sample Notice and Claim Form for Alliance/Great Lakes Settlement), # <u>5</u> Text of Proposed Order) (Levin, Irwin) (Entered: 12/12/2011)
12/13/2011	<u>314</u>	ORDER granting <u>313</u> Motion For Approval of Plan of Distribution. Signed by Judge Mark W Bennett on 12/13/2011. (src) (Entered: 12/13/2011)