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TYPE E

U.S. District Court
USDC District of Columbia (Washington)

CIVIL DOCKET FOR CASE #: 96-CV-1258

ERVIN & ASSOC, et al v. HAMILTON SEC GROUP, et al

Filed: 06/06/96

Assigned to: Judge Louis F. Oberdorfer

Referred to: Magistrate Judge Alan Kay

Demand: \$0,000

Nature of Suit: 890

Lead Docket: None

Jurisdiction: Federal Question

Dkt# in other court: None

Cause: 28:1331 Fed. Question: Breach of Contract

Case type: 1. civil 2. null

ERVIN AND ASSOCIATES, INC.
plaintiff

Daniel Matthew Hawke
[term 08/12/99]
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v.

HAMILTON SECURITIES GROUP, INC
defendant

Michael J. McManus
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Kenneth E. Ryan
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HAMILTON SECURITIES ADVISORY
SERVICES, INC.
defendant

Kenneth E. Ryan
(See above)
[COR LD NTC ret]

BLACKROCK CAPITAL FINANCE L.P.
defendant
[term 08/28/00]

OCWEN FINANCIAL CORPORATION
fka
BERKELEY FEDERAL BANK & TRUST
FSB
defendant
[term 08/28/00]

WILLIAMS, ADLEY & COMPANY
defendant

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UNITED STATES OF AMERICA
Non Party

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NEIL V. GETNICK
movant

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GETNICK & GETNICK
movant

Pamela Anne Bresnahan
(See above)
[COR LD NTC ret]

=====

GOLDMAN SACHS & CO.
defendant
[term 08/28/00]

- 6/6/96 1 COMPLAINT filed by plaintiff ERVIN & ASSOC INC (zz)
[Entry date 04/26/00] [Edit date 04/26/00] [1:96cv1258]
- 6/6/96 16 LCvR 26.1 Certificate of disclosure of corporate
affiliations and financial interests by plaintiff ERVIN &
ASSOC INC (cjp) [Entry date 06/16/00] [1:96cv1258]
- 6/7/96 17 ORDER by Judge Charles R. Richey : directing that the
counsel for the parties, including the government if it so
desires, shall appear before the Court at 2:00 on 6/20/00
for a status conference pursuant to Federal Rule of Civil
Procedure 16; and that counsel for the plaintiffs shall
give notice of the above to the Chief of the Civil
Division, Office of the US Attorney for the District of
Columbia and effect service of process on the named
defendants by 4:00 on 6/14/96 (N) (cjp)
[Entry date 06/16/00] [1:96cv1258]
- 6/13/96 18 MOTION filed by Non Party USA for reconsideration of order
directing that the counsel for the parties, including the
government if it so desires, shall appear before the Court
at 2:00 on 6/20/00 for a status conference pursuant to
Federal Rule of Civil Procedure 16; and that counsel for
the plaintiffs shall give notice of the above to the Chief
of the Civil Division, Office of the US Attorney for the
District of Columbia and effect service of process on the
named defendants by 4:00 on 6/14/96 [17-1] (cjp)
[Entry date 06/16/00] [1:96cv1258]
- 6/13/96 19 STATEMENT filed by plaintiff ERVIN & ASSOC INC ,
regarding: joins in and consent to the partial motion to
reconsider order of 6/7/96 filed by USA (cjp)
[Entry date 06/16/00] [1:96cv1258]
- 6/20/96 20 ORDER by Judge Charles R. Richey : granting motion for
reconsideration of order directing that the counsel for the
parties, including the government if it so desires, shall
appear before the Court at 2:00 on 6/20/00 for a status
conference pursuant to Federal Rule of Civil Procedure 16;
and that counsel for the plaintiffs shall give notice of
the above to the Chief of the Civil Division, Office of the
US Attorney for the District of Columbia and effect service
of process on the named defendants by 4:00 on 6/14/96
[17-1] [18-1] by USA (N) (cjp) [Entry date 06/16/00]
[1:96cv1258]
- 7/1/96 21 ORDER by Judge Charles R. Richey : directing that the
counsel for the plaintiff and the government shall appear
before the Court at 2:00 on 8/19/96, for a status
conference; and directing that pursuant to 31 USC Section
3730(b)(2), the matter shall remain under seal until
further order of this Court (N) (cjp) [Entry date 06/16/00]
[1:96cv1258]

- 8/16/96 22 MOTION filed by Non Party USA to extend time to 11/18/96 within which to make intervention decision and maintain seal on this case (cjp) [Entry date 06/16/00] [1:96cv1258]
- 8/23/96 23 ORDER by Judge Charles R. Richey : granting motion to extend time to 11/18/96 within which to make intervention decision and maintain seal on this case until 11/18/96 [22-1] by USA (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/14/96 24 MOTION (UNOPPOSED) filed by Non Party USA to extend time until 30 days after the completion of the criminal investigation and any resulting criminal proceedings (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/18/96 25 ORDER by Judge Charles R. Richey : granting motion to extend time until 30 days after the completion of the criminal investigation and any resulting criminal proceedings [24-1] by USA; and directing that the complaint and all other filings shall remain under seal until further order of this Court (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/20/96 26 MOTION (EMERGENCY) filed by plaintiff ERVIN & ASSOC INC for limited lifting of seal (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/21/96 27 RESPONSE by Non Party USA to motion for limited lifting of seal [26-1] by ERVIN & ASSOC INC (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/22/96 28 ORDER by Judge Charles R. Richey : granting motion for limited lifting of seal [26-1] by ERVIN & ASSOC INC for the sole and limited purpose of enabling Relator to make an ex parte in camera notification to Senior Judge William B. Bryant in the matter entitled Ervin & Associates, Inc. v Helen M. Dunlap, et al 96-1253 and directing the case remains sealed (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 12/9/96 29 ORDER by Judge Charles R. Richey : directing that the parties shall appear before the Court for a Rule 16 status conference at 11:00 on 12/19/96 and shall then and there be prepared to discuss all aspects of the case (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 12/19/96 30 ORDER by Judge Charles R. Richey : directing that the US and the relator in this case, Ervin & Associates, Inc., shall appear before the Court at 10:30 on 3/10/97, and the US shall then and there be prepared to discuss the status of its criminal investigation and when it will be prepared to intervene or notify the Court that it declines to do so and directing that the case remains under seal (N) (cjp)

[Entry date 06/16/00] [1:96cv1258]

- 3/10/97 -- CASE REASSIGNED to Judge Charles R. Richey to Judge Stanley Sporkin (cjp) [Entry date 06/16/00] [1:96cv1258]
- 3/14/97 31 ORDER by Judge Stanley Sporkin : directing that the relator in this case, Ervin & Associates, Inc., shall appear before the Court at 10:00 on 5/20/97, and the US shall then and there be prepared to discuss when it will be prepared to intervene or notify the Court that it declines to do so; and, it is further ordered that all other filings shall remain under seal (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 5/21/97 32 ORDER by Judge Stanley Sporkin : extending time to 9/9/97 for the United States to intervene or to notify the Court that it declines to do so; directing that all filings shall remain under seal until 9/9/97 or until further order of this Court and directing that all pleadings remain under seal (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 9/10/97 -- STATUS HEARING before Judge Stanley Sporkin : setting status call for 3/9/98 Reporter: Beverly Byrne (cjp) [Entry date 06/16/00] [1:96cv1258]
- 9/11/97 33 ORDER by Judge Stanley Sporkin : extending time to 3/10/98 for the United States to intervene or to notify the Court that it declines to do so; and directing that the complaint and all filings shall remain under seal until 3/10/98 or until further order of this Court and directing that counsel for the government and counsel for the relator shall appear before the undersigned member of this Court on 3/9/98 at 10:00 and shall then and there be prepared to discuss all aspects of this case (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 11/19/97 34 ORDER by Judge Stanley Sporkin : granting application by the United States of America for partial lifting of the seal, and directing that the seal in this matter is partially lifted to allow the US to approach defendant Hamilton Securities Group, Inc. and discuss with them the underlying allegations, and if necessary disclose to them the complaint in this action and the identity of the relator; except as provided in this Order, the complaint and all filings shall remain under seal (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 3/9/98 -- STATUS HEARING before Judge Stanley Sporkin : setting further status call for 7/10/98 at 10:30 Reporter: Beverly Byrne (cjp) [Entry date 06/16/00] [1:96cv1258]

- 3/9/98 35 ORDER by Judge Stanley Sporkin : extending time to 7/10/98 for the United States to intervene or to notify the Court that it declines to do so and directing that the Complaint and all other filings shall remain under seal until 7/10/98 or until further order of this Court (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 7/10/98 -- STATUS HEARING before Judge Stanley Sporkin : setting further status call for 11/16/98 at 10:30 Reporter: Beverly Byrne (cjp) [Entry date 06/16/00] [1:96cv1258]
- 5/21/99 2 MOTION filed by defendant HAMILTON SEC GRP INC to unseal file; Exhibits (5). (zz) [Entry date 04/26/00] [1:96cv1258]
- 5/21/99 3 RESPONSE by defendant HAMILTON SEC GRP INC in opposition to Attorney's General's request for further extensions of time; Exhibits (5). (zz) [Entry date 04/26/00] [1:96cv1258]
- 6/11/99 41 RESPONSE by plaintiff ERVIN & ASSOC INC in opposition to motion to unseal file [2-1] by HAMILTON SEC GRP INC, motion to extend time to 5/1/00 in which to file their supplemental pleading. [11-1] by USA . (cjp) [Entry date 06/16/00] [1:96cv1258]
- 6/14/99 4 RESPONSE by Non Party USA in opposition to motion to unseal file [2-1] by HAMILTON SEC GRP INC ; and response to the opposition to the Attorney General's request for further extensions of time; Exhibits (16) (bulky) (zz) [Entry date 04/26/00] [1:96cv1258]
- 6/21/99 5 REPLY by defendant HAMILTON SEC GRP INC to response to motion to unseal file and opposition to the Attorney General's request for further extensions of time [2-1] by HAMILTON SEC GRP INC.; Exhibit (1). (zz) [Entry date 04/26/00] [1:96cv1258]
- 8/12/99 36 NOTICE OF WITHDRAWAL of appearance of Daniel M. Hawke for plaintiff ERVIN & ASSOC (cjp) [Entry date 06/16/00] [1:96cv1258]
- 9/3/99 8 AMENDED COMPLAINT by plaintiff ERVIN & ASSOC INC adding defendant GOLDMAN SACHS & CO, defendant WILLIAMS ADLEY & CO, and amending complaint [1-1]; Exhibit (1); Attachment (1). (Pleading Unsealed pursuant Order filed 5/1/00) (ks) [Entry date 05/02/00] [Edit date 08/16/00] [1:96cv1258]

- 9/9/99 37 ORDER by Judge Stanley Sporkin : extending time to 11/8/99 for the US to intervene or to notify the Court of their intent to decline and the ex parte application of the US is granted and the seal is partially lifted for the limited purpose of allowing the US to disclose, to defendants Goldman Sachs & Co. and Blackrock Capital Finance L.P. and counsel and agents for same, the substance of the allegations contained in the qui tam complaint, including the fact that the US is investigating those allegations; and that except as provided herein, this matter remains under seal until further order of the Court (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 2/28/00 -- CASE REASSIGNED from Judge Stanley Sporkin to Judge Louis F. Oberdorfer (cjp) [Entry date 06/16/00] [1:96cv1258]
- 3/9/00 39 ORDER by Judge Louis F. Oberdorfer : directing that a status conference and a hearing on defendant's motion to unseal file are scheduled for 4/18/00 at 10:00 in Courtroom 3 (N) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 4/17/00 10 STATEMENT filed by Non Party USA , regarding: the governments notice of election to decline intervention in this case. (ks) [Entry date 05/23/00] [1:96cv1258]
- 4/18/00 38 MOTION filed by plaintiff ERVIN & ASSOC INC for Neil V. Getnick to appear pro hac vice (Venable, Baetjier & Howard LLP 2010 Corporate Ridge, Suite 400, McLean, VA 22102, (703) 760-1927) (cjp) [Entry date 06/16/00] [1:96cv1258]
- 4/21/00 6 ORDER by Judge Louis F. Oberdorfer : that the complaint be unsealed; and that defendant HAMILTON SECURITIES GROUP's motion to unseal file, and all oppositions and replies to defendant's motion be unsealed; and that the Government may file supplemental oppositions to defendant's motion to unseal by 4/28/00; and that defendant may file supplemental reply to any supplemental opposition by 5/8/00; motion hearing set for 3:00 5/15/00 ; and that relator's consent motion for admission pro hac vice of Neil V. Getnick is granted. (N) (zz) [Entry date 04/26/00] [1:96cv1258]
- 4/21/00 40 MOTION filed by Non Party USA for a limited lifting of the seal to permit the US to reveal to all of the defendants that the US has elected to decline intervention (cjp) [Entry date 06/16/00] [1:96cv1258]
- 4/27/00 42 MOTION filed by plaintiff ERVIN & ASSOC INC to alter briefing schedule as described in Court's Order of 4/18/00 (cjp) [Entry date 06/16/00] [1:96cv1258]
- 4/28/00 43 RESPONSE by defendant HAMILTON SEC GRP INC in opposition to motion to alter briefing schedule as described in Court's Order of 4/18/00 [42-1] by ERVIN & ASSOC INC . (cjp) [Entry date 06/16/00] [1:96cv1258]

- 5/1/00 7 IMG ORDER by Judge Louis F. Oberdorfer : supplemental opposition by the realator to motion of Hamilton to unseal due 5/5/00 ; supplemental reply by Hamilton due 5/15/00 ; motion hearing continued from 5/15/00 to 10:00 5/23/00 ; directing that any and all amended complaints in this matter be unsealed; and directing that the United States' Notice of Election to Decline Intervention in this matter be unsealed (N) (jw) [Entry date 05/02/00] [1:96cv1258]
- 5/1/00 11 MOTION filed by Non Party USA to extend time to 5/1/00 in which to file their supplemental pleading. (ks) [Entry date 05/23/00] [1:96cv1258]
- 5/2/00 9 IMG ORDER by Judge Louis F. Oberdorfer : granting governments motion for extension of time to file a supplemental opposition to defendant Hamilton Securities' motion to unseal file; supplemental opposition to motion to unseal file due 5/2/00; further ordered, that the government may serve all defendants in this action with a copy of the United States' notice of election to decline intervention (N) (jf) [Entry date 05/04/00] [1:96cv1258]
- 5/2/00 12 STATEMENT filed by Non Party USA with respect to the pending motion to unseal the file. (ks) [Entry date 05/23/00] [1:96cv1258]
- 5/22/00 13 ORDER by Judge Gladys Kessler : status hearing set for 2:00 5/23/00 ; (N) (jf) [Entry date 05/23/00] [1:96cv1258]
- 5/23/00 -- STATUS HEARING before Judge Louis F. Oberdorfer: Reporter: Jacqueline Wood (MILLER) (jf) [Entry date 05/24/00] [1:96cv1258]
- 5/23/00 14 IMG ORDER by Judge Louis F. Oberdorfer : papers in this case be unsealed , further ordered, that the transcripts of any hearings now on file under seal be partially unsealed and made available only to the United States for the purpose of reviewing; further ordered, that the United States shall notify this Court in writing of its position pertaining to the unsealing of hearing transcripts within 10 days of obtaining all of the transcripts, further ordered, that the defendant Hamilton Securities shall have 10 days to reply in writing to the United States position pertaining to the unsealing of hearing transcripts; further ordered, status hearing set for 10:00 9/12/00 ; (N) (jf) [Entry date 05/30/00] [1:96cv1258]
- 6/12/00 15 IMG ORDER by Judge Louis F. Oberdorfer : unsealing the entire case; with the exception of transcripts of hearing, which are partially unsealed and to be made available only to the United States. (N) (jf) [1:96cv1258]

- 6/26/00 44 MOTION filed by plaintiff ERVIN & ASSOC INC to extend time to serve defendants with the complaint , or in the alternative for stay of proceedings; Exhibits (5) (bulky) (ks) [Entry date 06/28/00] [1:96cv1258]
- 7/6/00 45 MOTION (UNOPPOSED) filed by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES to extend time to 7/24/00 to file a responsive pleading to motion to extend time for service (jff) [Entry date 07/07/00] [1:96cv1258]
- 7/10/00 46 TRANSCRIPT filed for date of 8/19/96. Reporter: Laura Beasley. (UNSEALED PURSUANT TO THE COURT'S 9/13/00 ORDER) (adc) [Edit date 11/08/00] [1:96cv1258]
- 7/10/00 47 TRANSCRIPT filed for date of July 1, 1996. Reporter: Laura Beasley. (UNSEALED PURSUANT TO THE COURT'S 9/13/00 ORDER) (adc) [Edit date 11/08/00] [1:96cv1258]
- 7/10/00 48 TRANSCRIPT filed for date of June 20, 2000. Reporter: Laura Beasley. (PLACED UNDER SEAL IN THE VAULT IN ROOM 1800). (adc) [1:96cv1258]
- 7/10/00 49 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to extend time to 7/24/00 to file a responsive pleading to motion to extend time for service [45-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC; response to motion(s) due by 7/24/00 ; (N) (jff) [Entry date 07/11/00] [1:96cv1258]
- 7/10/00 50 NOTICE OF WITHDRAWAL of attorney Neil V. Getnick for ERVIN & ASSOC INC. (bjsp) [Entry date 07/11/00] [1:96cv1258]
- 7/24/00 51 RESPONSE by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES in opposition to motion to extend time to serve defendants with the complaint [44-1] by ERVIN & ASSOC INC . (bjsp) [Entry date 07/26/00] [1:96cv1258]
- 8/1/00 52 REPLY by plaintiff ERVIN & ASSOC INC in opposition to motion to extend time to serve defendants with the complaint [44-1] or in the alternative, motion for stay of proceedings [44-2] by ERVIN & ASSOC INC (bjsp) [Entry date 08/02/00] [1:96cv1258]
- 8/10/00 53 IMG ORDER by Judge Ricardo M. Urbina : denying motion to extend time to serve defendants with the complaint [44-1] ERVIN & ASSOC INC, denying motion for stay of proceedings [44-2] by ERVIN & ASSOC INC (N) (jff) [Entry date 08/11/00] [1:96cv1258]
- 8/14/00 54 STATEMENT filed by Non Party USA , regarding: Relator's Notice of Dismissal. (tth) [Entry date 08/17/00] [1:96cv1258]

- 8/16/00 -- SUMMONS (3) issued for defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES, defendant WILLIAMS ADLEY & CO for the Amended Complaint. (tth) [Edit date 08/16/00] [1:96cv1258]
- 8/18/00 55 MOTION filed by movant NEIL V. GETNICK for leave to file instanter motion for withdrawal of appearance EXHIBIT(MOTION) (bjsp) [Entry date 08/24/00] [1:96cv1258]
- 8/28/00 56 IMG NOTICE OF VOLUNTARY DISMISSAL as to party GOLDMAN SACHS & CO, party OCWEN FINANCIAL CORP, party BLACKROCK CAP FIN without prejudice. (jf) [1:96cv1258]
- 8/28/00 -- ORDER by Judge Paul L. Friedman granting voluntary dismissal of certain defendants without prejudice [56-1] (fiat) (N) (jf) [1:96cv1258]
- 8/28/00 58 RESPONSE by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES in opposition to plaintiff's voluntary dismissal of some but not all defendants (bjsp) [Entry date 08/29/00] [1:96cv1258]
- 8/29/00 57 TRANSCRIPT filed for date(s) of 01/29/99. Reporter: William McAllister. (PLACED UNDER SEAL IN VAULT IN ROOM 1800). (jeb) [1:96cv1258]
- 8/31/00 59 RESPONSE by Non Party USA to motion to unseal file [2-1] by HAMILTON SEC GRP INC (jf) [Entry date 09/01/00] [1:96cv1258]
- 9/5/00 60 MOTION filed by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES to extend time to 9/25/00 to answer amended complaint [8-1] (cjp) [Entry date 09/06/00] [1:96cv1258]
- 9/6/00 61 IMG ORDER by Judge Richard W. Roberts : granting motion to extend time to 9/25/00 to answer amended complaint [8-1] [60-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC (N) (lin) [Entry date 09/07/00] [1:96cv1258]
- 9/6/00 62 IMG NOTICE TO COUNSEL (lin) [Entry date 09/07/00] [1:96cv1258]
- 9/6/00 63 TRANSCRIPT filed for date(s) of 6/2/00. Reporter: Gordon Slodysko.; (UNSEALED PURSUANT TO THE COURT'S 9/13/00 ORDER) (dam) [Entry date 09/07/00] [Edit date 11/08/00] [1:96cv1258]
- 9/12/00 -- STATUS HEARING before Judge Louis F. Oberdorfer : Reporter: Gordon Slodysko (jf) [1:96cv1258]
- 9/13/00 64 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to unseal file [2-1] by HAMILTON SEC GRP INC (N) (jf) [Entry date 09/14/00] [1:96cv1258]

- 9/18/00 65 NOTICE OF CHANGE OF ADDRESS by Wayne Gormly Travell representing plaintiff ERVIN & ASSOC INC . New address: Venable, Baetjer & Howard, LLP 2010 Corporate Ridge, Suite 400, McLean VA 22102 (703) 760-1927. (cjp) [Entry date 09/19/00] [1:96cv1258]
- 9/19/00 67 RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/22/00 upon defendant WILLIAMS ADLEY & CO; Affidavit (1) (tth) [Entry date 09/20/00] [Edit date 09/20/00] [1:96cv1258]
- 9/19/00 68 RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/16/00 upon defendant HAMILTON SECURITIES; Affidavit (1); Exhibits (2) (tth) [Entry date 09/20/00] [1:96cv1258]
- 9/19/00 69 RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/16/00 upon defendant HAMILTON SEC GRP INC; Exhibits (2) (tth) [Entry date 09/20/00] [1:96cv1258]
- 9/20/00 66 IMG ORDER by Judge Louis F. Oberdorfer : denying motion for leave to file instanter motion for withdrawal of appearance [55-1] by NEIL V. GETNICK (N) (jf) [1:96cv1258]
- 9/22/00 70 MOTION (CONSENT) filed by defendant WILLIAMS ADLEY & CO to extend time to 10/27/00 to answer amended complaint [8-1] (jf) [Entry date 09/25/00] [1:96cv1258]
- 9/26/00 71 MOTION filed by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES to dismiss amended complaint [8-1], or, in the alternative, for summary judgment; exhibits (16) (cjp) [Entry date 09/27/00] [1:96cv1258]
- 9/27/00 72 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to extend time to 10/27/00 to answer amended complaint [8-1] [70-1] by WILLIAMS ADLEY & CO ; Answer extended to 10/27/00 for WILLIAMS ADLEY & CO (N) (jf) [1:96cv1258]
- 10/6/00 73 MOTION (UNOPPOSED) filed by plaintiff ERVIN & ASSOC INC to extend time to 10/24/00 to file a response to motion dismiss or summary judgment (jf) [Entry date 10/10/00] [1:96cv1258]
- 10/13/00 74 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to extend time to 10/24/00 to file a response to motion or summary judgment [73-1] by ERVIN & ASSOC INC; response to motion for summary judgment due 10/24/00 ; (N) (jf) [1:96cv1258]
- 10/20/00 75 MOTION filed by defendant WILLIAMS ADLEY & CO to dismiss amended complaint [1-1] ; exhibits (2) (bjsp) [Entry date 10/23/00] [1:96cv1258]

- 10/24/00 76 RESPONSE by plaintiff ERVIN & ASSOC INC to motions to dismiss amended complaint [8-1] [71-1], and for summary judgment [71-2]; Declaration (1); Affidavit (1); Exhibits (13) (ag) [Entry date 10/25/00] [1:96cv1258]
- 10/24/00 77 ATTORNEY APPEARANCE for plaintiff ERVIN & ASSOC INC by Mark D. Polston (bjsp) [Entry date 10/25/00] [1:96cv1258]
- 10/27/00 78 ERRATA by plaintiff ERVIN & ASSOC INC to the Court RE: the filing of amended signature page and proof of service (bjsp) [Entry date 10/30/00] [1:96cv1258]
- 10/27/00 79 ERRATA by plaintiff ERVIN & ASSOC INC to the Court RE: amended proof of service (bjsp) [Entry date 10/30/00] [1:96cv1258]
- 10/30/00 80 ERRATA (NOTICE OF FILING) by plaintiff ERVIN & ASSOC INC to the Court RE: the filing of declaration with original signature to be substituted for the current exhibit three to plaintiff/Relator's response to defendant HAMILTON's motion to dismiss or in the alternative for summary judgment; attachments (bjsp) [Entry date 10/31/00] [1:96cv1258]
- 10/30/00 81 MOTION (CONSENT) filed by plaintiff ERVIN & ASSOC INC to extend time to through and including 11/22/00 to respond to the motion to dismiss filed by WILLIAMS, ADLEY and Company. (cas) [Entry date 10/31/00] [1:96cv1258]
- 10/31/00 82 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to extend time to through and including 11/22/00 to respond to the motion to dismiss filed by WILLIAMS, ADLEY and Company. [81-1] by ERVIN & ASSOC INC; response to dispositive motions due by 11/22/00 ; (N) (jf) [Entry date 11/01/00] [1:96cv1258]
- 11/2/00 83 MOTION filed by defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES for enlargement of time for submitting a reply to the relator's opposition to Hamilton's motion to dismiss or, in the alternative, for summary judgment be extended to and including 11/10/00 (cas) [Entry date 11/06/00] [Edit date 11/08/00] [1:96cv1258]
- 11/3/00 84 IMG ORDER by Judge Louis F. Oberdorfer : granting motion for enlargement of time for submitting a reply to the relator's opposition be etended to and including 11/10/00 [83-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC; reply to dispositive motions due by 11/11/00 ; (N) (jf) [Entry date 11/07/00] [1:96cv1258]

- 11/9/00 85 REPLY by defendants HAMILTON SEC GRP INC, and HAMILTON SECURITIES in support of motion to dismiss amended complaint [8-1] [71-1], or in the alternative, motion for summary judgment [71-2]; Exhibits (2) (ag) [Entry date 11/13/00] [1:96cv1258]
- 11/21/00 86 RESPONSE by plaintiff ERVIN & ASSOC INC in opposition to motion to dismiss amended complaint [8-1] [71-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC . (ag) [Entry date 11/22/00] [1:96cv1258]
- 11/30/00 -- ALL PLEADINGS IN CIVIL ACTION 99-1698 ARE BEING FILED IN CIVIL ACTION 96-1258 AS OF ORDER DATED 11/30/00. (tth) [1:99cv1698]
- 11/30/00 87 IMG ORDER by Judge Louis F. Oberdorfer : granting motion to consolidate cases 96-1258 & 99-1698 [24-1] by JOHN J. ERVIN, ERVIN & ASSOC INC in 1:99-cv-01698, denying motion to remand and for attorney fees [22-1] by HAMILTON SEC GRP INC in 1:99-cv-01698; response to dispositive motions due 12/14/00 in 1:99-cv-01698, in 1:96-cv-01258. (N) (mlp) [1:96cv1258 1:99cv1698]
- 11/30/00 88 IMG MEMORANDUM by Judge Louis F. Oberdorfer. (N) (N) (mlp) [1:96cv1258 1:99cv1698]
- 12/4/00 89 REPLY MEMORANDUM of law by defendant WILLIAMS ADLEY & CO in support of motion to dismiss the first amended complaint [1-1] [75-1] by WILLIAMS ADLEY & CO; exhibits (2) (cas) [Entry date 12/05/00] [1:96cv1258]
- 12/14/00 -- MOTION filed by plaintiff HAMILTON SEC GRP INC in 1:99-cv-01698 to extend time to 12/21/00 to file a response to defendants' motion to dismiss or in the alternative for summary judgment (bjsp) [Entry date 12/15/00] [1:99cv1698]
- 12/21/00 90 IMG ORDER by Judge Louis F. Oberdorfer : motion hearing set for 2:00 1/31/01 ; (N) (jf) [Entry date 12/22/00] [1:96cv1258]
- 1/4/01 91 IMG ORDER by Judge Louis F. Oberdorfer : motion hearing set for 2:00 1/31/01 in 1:96-cv-01258, in 1:99-cv-01698 ; (N) (tb) [1:96cv1258 1:99cv1698]
- 1/4/01 -- REPLY by defendant ERVIN & ASSOC INC in 1:99-cv-01698, defendant JOHN J. ERVIN in 1:99-cv-01698 to response in opposition to motion to dismiss notice [1-1] [19-1] by JOHN J. ERVIN, ERVIN & ASSOC INC, motion for summary judgment [19-2] by JOHN J. ERVIN, ERVIN & ASSOC INC (tth) [Entry date 01/11/01] [1:99cv1698]

- 1/8/01 92 MOTION filed by defendant HAMILTON SEC GRP INC in 1:96-cv-01258, defendant HAMILTON SECURITIES in 1:96-cv-01258 for leave to file supplemental memorandum in support of motion to dismiss, or in the alternative for summary judgment; exhibits (5); (no pending exhibit) (tb) [Entry date 01/10/01] [1:96cv1258]
- 1/9/01 93 IMG ORDER by Judge Louis F. Oberdorfer : granting motion for leave to file supplemental memorandum in support of motion to dismiss, or in the alternative for summary judgment [92-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC (N) (tb) [Entry date 01/10/01] [1:96cv1258]
- 1/12/01 94 MOTION (CONSENT) filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 for leave to file a response to Hamilton Securities Group, Inc.'s and Hamilton Securities Advisory Services, Inc.' Supplemental Memorandum; EXHIBIT (RESPONSE) (tth) [Entry date 01/19/01] [1:96cv1258]
- 1/18/01 96 NOTICE OF CHANGE OF ADDRESS by Mark D. Polston in 1:96-cv-01258 representing plaintiff ERVIN & ASSOC INC in 1:96-cv-01258. New address: Hamilton Square, 600 14th Street, NW, Suite 600 Washington, DC 20005-2004, (202) 822-6985, (202) 347-6013 (fax). (tth) [Entry date 01/25/01] [1:96cv1258]
- 1/23/01 95 IMG ORDER by Judge Louis F. Oberdorfer : granting motion for leave to file a response to Hamilton Securities Group, Inc.'s and Hamilton Securities Advisory Services, Inc.' Supplemental Memorandum [94-1] by ERVIN & ASSOC INC (N) (tb) [Entry date 01/24/01] [1:96cv1258]
- 1/23/01 97 RESPONSE by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 to Hamilton Securities Group, Inc.'s and Hamilton Securities Advisory Services, Inc.'s supplemental Memorandum in support of their Motion to Dismiss or, in the Alternative for Summary Judgment, citing certain statements made by counsel for relator and counsel for the United States. (tth) [Entry date 01/31/01] [1:96cv1258]
- 1/31/01 -- MOTION HEARING before Judge Louis F. Oberdorfer taken under advisement by HAMILTON SECURITIES, HAMILTON SEC GRP INC motion to dismiss amended complaint [8-1] [71-1] in 1:96-cv-01258, taken under advisement by JOHN J. ERVIN, ERVIN & ASSOC INC motion to dismiss notice [1-1] [19-1] in 1:99-cv-01698 Reporter: Tristan Joseph (tb) [1:96cv1258 1:99cv1698]
- 2/5/01 99 STATEMENT filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258, regarding: Greer/Audit Chronology; Exhibit (1). (tth) [Entry date 02/12/01] [1:96cv1258]

- 2/5/01 100 STATEMENT filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258, regarding: Burstein Letter Chronology; Exhibits (3). (tth) [Entry date 02/12/01] [1:96cv1258]
- 2/8/01 98 IMG ORDER by Judge Louis F. Oberdorfer : denying motion to dismiss amended complaint [1-1] [75-1] by WILLIAMS ADLEY & CO in 1:96-cv-01258, denying motion to dismiss amended complaint without prejudice [8-1] [71-1] by HAMILTON SECURITIES, HAMILTON SEC GRP INC in 1:96-cv-01258, denying motion for summary judgment [71-2] by HAMILTON SECURITIES, HAMILTON SEC GRP INC in 1:96-cv-01258, denying motion to dismiss notice [1-1] without prejudice [19-1] by JOHN J. ERVIN, ERVIN & ASSOC INC in 1:99-cv-01698, denying motion for summary judgment [19-2] by JOHN J. ERVIN, ERVIN & ASSOC INC in 1:99-cv-01698 status hearing set for 10:00 2/15/01 in 1:96-cv-01258, in 1:99-cv-01698 ; (N) (tb) [1:96cv1258 1:99cv1698]
- 2/15/01 -- STATUS HEARING before Judge Louis F. Oberdorfer : status hearing set for 10:00 2/22/01 in 1:96-cv-01258, in 1:99-cv-01698 ; Reporter: Scott Wallace (tb) [1:96cv1258 1:99cv1698]
- 2/15/01 101 IMG ORDER by Judge Louis F. Oberdorfer : status hearing set for 10:00 2/22/01 in 1:96-cv-01258, in 1:99-cv-01698 ; (N) (tb) [1:96cv1258 1:99cv1698]
- 2/20/01 102 JOINT MOTION by plaintiff ERVIN & ASSOC INC, defendant HAMILTON SEC GRP INC, defendant HAMILTON SECURITIES, defendant WILLIAMS ADLEY & CO in 1:96-cv-01258 to extend time to 3/12/01 to file their respective responsive pleadings (tth) [Entry date 02/21/01] [1:96cv1258]
- 2/21/01 103 IMG ORDER by Judge Louis F. Oberdorfer : granting joint motion to extend time to 3/12/01 to file their respective responsive pleadings [102-1] by WILLIAMS ADLEY & CO, HAMILTON SECURITIES, HAMILTON SEC GRP INC, ERVIN & ASSOC INC in 1:96-cv-01258 extending time to 03/12/01 to answer amended complaint [8-1] by defendants (N) (tb) [1:96cv1258 1:99cv1698]
- 2/22/01 -- STATUS HEARING before Judge Louis F. Oberdorfer : Reporter: Jon Hundley, Miller Reporting (tb) [1:96cv1258]
- 2/22/01 104 IMG ORDER by Judge Louis F. Oberdorfer : referring discovery and settlement negotiations to Magistrate Judge Alan Kay (N) (tb) [Entry date 02/23/01] [1:96cv1258]
- 2/23/01 -- CASE REFERRED to Magistrate Judge Alan Kay for discovery, and for settlement negotiations (mmh) [Entry date 02/28/01] [1:96cv1258]

- 3/12/01 105 IMG ORDER by Magistrate Judge Alan Kay : settlement conference set for 10:30 AM on 4/2/01 in 1:96-cv-01258 and in 1:99-cv-01698 (N) (kk) [1:96cv1258 1:99cv1698]
- 3/12/01 106 ANSWER TO COMPLAINT [1-1] by defendant WILLIAMS ADLEY & CO in 1:96-cv-01258. (tth) [Entry date 03/13/01] [1:96cv1258]
- 3/12/01 108 ANSWER TO AMENDED COMPLAINT [8-1] by defendant HAMILTON SEC GRP INC in 1:96-cv-01258, defendant HAMILTON SECURITIES in 1:96-cv-01258 (jf) [Entry date 03/16/01] [1:96cv1258]
- 3/19/01 109 PRETRIAL STATEMENTS by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258, defendant HAMILTON SEC GRP INC in 1:96-cv-01258 (tb) [Entry date 03/20/01] [1:96cv1258]
- 3/20/01 110 SUPPLEMENTAL MEMORANDUM by defendant HAMILTON SEC GRP INC in 1:96-cv-01258 to pre-trial statement [109-1] by HAMILTON SEC GRP INC, ERVIN & ASSOC INC (bjsp) [Entry date 03/22/01] [1:96cv1258]
- 3/23/01 111 MOTION filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 for order requiring the presence of insurance carrier representative at settlement conference: Exhibit (1) (tth) [Entry date 03/26/01] [1:96cv1258]
- 3/28/01 112 RESPONSE by defendant HAMILTON SEC GRP INC in 1:96-cv-01258, defendant HAMILTON SECURITIES in 1:96-cv-01258 in opposition to motion for order requiring the presence of insurance carrier representative at settlement conference [111-1] by ERVIN & ASSOC INC. (tth) [Entry date 03/29/01] [1:96cv1258]
- 3/29/01 113 REPLY by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 to response in opposition to motion for order requiring the presence of insurance carrier representative at settlement conference [111-1] by ERVIN & ASSOC INC (tth) [Entry date 04/02/01] [1:96cv1258]
- 4/4/01 114 IMG ORDER by Judge Louis F. Oberdorfer : referring for report and recommendation on parties' pretrial statment and defendant Hamilton's supplement to pretrial statement to Magistrate Judge (N) (tb) [Entry date 04/05/01] [1:96cv1258]
- 4/10/01 115 IMG ORDER by Magistrate Judge Alan Kay : settlement conference set for 10:00 AM on 5/8/01 in 1:96-cv-01258 and in 1:99-cv-01698 (N) (kk) [1:96cv1258 1:99cv1698]

- 4/13/01 116 MOTION filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 for order establishing procedures to allow it immediate access to documents currently in the possession of the Special Master (bjsp) [Entry date 04/19/01] [1:96cv1258]
- 4/27/01 117 RESPONSE by defendant HAMILTON SEC GRP INC in 1:96-cv-01258 in opposition to motion for order establishing procedures to allow it immediate access to documents currently in the possession of the Special Master [116-1] by ERVIN & ASSOC INC. (tth) [Entry date 05/08/01] [1:96cv1258]
- 5/7/01 118 REPLY by defendant HAMILTON SEC GRP INC in 1:96-cv-01258, defendant HAMILTON SECURITIES in 1:96-cv-01258, defendant WILLIAMS ADLEY & CO in 1:96-cv-01258 to response in opposition to motion for order establishing procedures to allow it immediate access to documents currently in the possession of the Special Master [116-1] by ERVIN & ASSOC INC (tth) [Entry date 05/10/01] [1:96cv1258]
- 5/18/01 119 AMENDED STATEMENT by plaintiff ERVIN & ASSOC INC to joint pretrial conference statement submitted on March 9, 2001 in 1:96-cv-01258, defendant ERVIN & ASSOC INC in 1:99-cv-01698; exhibit's (1). (cas) [Entry date 05/21/01] [1:96cv1258 1:99cv1698]
- 5/24/01 121 ERRATA by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 of amended certificates of service to joint pretrial statement (jfb) [Entry date 06/10/01] [1:96cv1258]
- 5/31/01 120 MOTION filed by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 to compel plaintiffs HAMILTON SEC GROUP to provide answer to interrogatories, requests for admissions and to produce all documents (tb) [Entry date 06/08/01] [Edit date 06/08/01] [1:96cv1258]
- 6/7/01 122 RESPONSE by defendant HAMILTON SEC GRP INC in 1:96-cv-01258 in opposition to motion to compel plaintiffs HAMILTON SEC GROUP to provide answer to interrogatories, requests for admissions and to produce all documents [120-1] by ERVIN & ASSOC INC . (bjsp) [Entry date 06/14/01] [1:96cv1258]
- 6/14/01 123 REPLY by plaintiff ERVIN & ASSOC INC in 1:96-cv-01258 to response in opposition to motion to compel plaintiffs HAMILTON SEC GROUP to provide answer to interrogatories, requests for admissions and to produce all documents [120-1] by ERVIN & ASSOC INC (tb) [Entry date 06/21/01] [1:96cv1258]