

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:21-cv-10866-DJC**

United States of America et al v. Merck KGaA et al
Assigned to: Judge Denise J. Casper
related Case: [1:23-cv-10140-DJC](#)
Cause: 31:3729 False Claims Act

Date Filed: 05/25/2021
Jury Demand: Plaintiff
Nature of Suit: 376 Qui Tam (31 U.S.C. § 3729(a))
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America
ex rel. David Stonebrook

represented by **Abraham R. George**
US Attorney's Office - MA
J. Joseph Moakley U.S. Courthouse
1 Courthouse Way
Suite 9200
Boston, MA 02210
617-748-3152
Email: abraham.george@usdoj.gov
TERMINATED: 01/11/2023
ATTORNEY TO BE NOTICED

Jessica J. Weber
United States Attorney's Office
1 Courthouse Way, Suite 9200
Boston, MA 02210
617-748-3303
Email: jessica.j.weber@usdoj.gov
ATTORNEY TO BE NOTICED

Steven T. Sharobem
United States Attorney's Office MA
1 Courthouse Way
Suite 9200
Boston, MA 02210
617-748-3355
Email: steven.sharobem@usdoj.gov
ATTORNEY TO BE NOTICED

Plaintiff

David Stonebrook
Ex Relator

represented by **James F. Barger, Jr.**
Frohsin Barger & Walthall
402 Office Park Drive, Suite 270
Birmingham, AL 35223
205-933-4006
Fax: 205-933-4008
TERMINATED: 07/27/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sonya A. Rao
Morgan Verkamp LLC
35 East Seventh Steet
Suite 600
Cincinnati, OH 45202
513-651-4400
Fax: 513-651-4405
Email: sonya.rao@morganverkamp.com
TERMINATED: 07/27/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron Siri
Siri & Glimstad LLP
745 Fifth Avenue
Suite 500
New York, NY 10151
212-532-1091
Email: aaron@sirillp.com
ATTORNEY TO BE NOTICED

Christina Xenides
Siri & Glimstad LLP
1005 Congress Avenue
Suite 925-C36
Austin, TX 78701
512-265-5622
Email: cxenides@sirillp.com
ATTORNEY TO BE NOTICED

Elizabeth Ann Brehm
Siri & Glimstad LLP
745 Fifth Avenue
Suite 500
New York, NY 10151
212-532-1091
Fax: 646-417-5967
Email: ebrehm@sirillp.com
ATTORNEY TO BE NOTICED

Thomas William Stavola , Jr
209 County Road 537
Colts Neck, NJ 07722
732-790-0639
Email: tstavolajr@stavolalaw.com
TERMINATED: 03/15/2023
ATTORNEY TO BE NOTICED

V.

Defendant

Merck KGaA
Dramstadt, Germany

represented by **Elizabeth M. Bresnahan**
Morgan, Lewis & Bockius LLP
One Federal Street
Boston, MA 02110
617-951-8638
Email: elizabeth.bresnahan@morganlewis.com
ATTORNEY TO BE NOTICED

Jonathan P. York
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue NW
Washington, DC 20004
202-739-5119
Email: jonathan.york@morganlewis.com
ATTORNEY TO BE NOTICED

Scott A. Memmott
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
202-739-5098
Email: smemmott@morganlewis.com
ATTORNEY TO BE NOTICED

Defendant

Sigma-Aldrich Corp.

represented by **Elizabeth M. Bresnahan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. York
(See above for address)
ATTORNEY TO BE NOTICED

Scott A. Memmott
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

MilliporeSigma

represented by **Elizabeth M. Bresnahan**
(See above for address)
ATTORNEY TO BE NOTICED

Jonathan P. York
(See above for address)
ATTORNEY TO BE NOTICED

Scott A. Memmott
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Research Organics, LLC

represented by **Elizabeth M. Bresnahan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. York
(See above for address)
ATTORNEY TO BE NOTICED

Scott A. Memmott
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

EMD Millipore

represented by **Scott A. Memmott**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth M. Bresnahan
(See above for address)
ATTORNEY TO BE NOTICED

Jonathan P. York
(See above for address)
ATTORNEY TO BE NOTICED

Mediator

Judge Jennifer C. Boal

Date Filed	#	Docket Text
05/25/2021	<u>1</u>	COMPLAINT against All Defendants, filed by David Stonebrook. (Attachments: # <u>1</u> Civil Cover Sheet and Category Form) (Baker, Casey) (Entered: 05/25/2021)

07/26/2022	22	NOTICE of Election to Decline Intervention by United States of America (Attachments: # 1 Text of Proposed Order)(Currie, Haley) (Entered: 07/26/2022)
10/17/2022	26	Judge Denise J. Casper: ORDER entered. (Currie, Haley) (Entered: 10/17/2022)
01/09/2023	27	NOTICE of Appearance by Christina Xenides on behalf of David Stonebrook (Currie, Haley) (Entered: 01/09/2023)
01/09/2023	28	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Currie, Haley) (Entered: 01/09/2023)
01/09/2023	29	NOTICE of Appearance by Christina Xenides on behalf of David Stonebrook (Xenides, Christina) (Entered: 01/09/2023)
01/10/2023	30	NOTICE of Withdrawal of Appearance by Abraham R. George (George, Abraham) (Entered: 01/10/2023)
01/12/2023	31	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Research Organics, LLC served with the Summons and Complaint on 1/11/2023, answer due 2/1/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/12/2023)
01/13/2023	32	AFFIDAVIT OF SERVICE Executed by David Stonebrook. MilliporeSigma served with the Summons and Complaint on 1/10/2023, answer due 1/31/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	33	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Sigma-Aldrich Corp. served with the Summons and Complaint on 1/10/2023, answer due 1/31/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	34	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served with the Summons and Complaint on 1/10/2023, answer due 1/31/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	35	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Sigma-Aldrich Corp. served with US Declination and Order on 1/11/2023, answer due 2/1/2023 Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	36	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served with US Declination and Order on 1/11/2023, answer due 2/1/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	37	AFFIDAVIT OF SERVICE Executed by David Stonebrook. MilliporeSigma served with US Declination and Order on 1/11/2023, answer due 2/1/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/13/2023	38	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Research Organics, LLC served with US Declination and Order on 1/13/2023, answer due 2/3/2023. Acknowledgement filed by David Stonebrook. (Currie, Haley) (Entered: 01/13/2023)
01/20/2023	39	NOTICE of Appearance by Elizabeth M. Bresnahan on behalf of Research Organics, LLC, Sigma-Aldrich Corp. (Bresnahan, Elizabeth) (Entered: 01/20/2023)
01/20/2023	40	MOTION for Leave to Appear Pro Hac Vice for admission of Jonathan P. York Filing fee: \$ 125, receipt number AMADC-9677485 by Research Organics, LLC, Sigma-Aldrich Corp.. (Attachments: # 1 Affidavit Certification of J. York ISO Pro Hac Vice Motion)(Bresnahan, Elizabeth) (Entered: 01/20/2023)
01/20/2023	41	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Scott A. Memmott Filing fee: \$ 125, receipt number AMADC-9677521 by Research Organics, LLC, Sigma-Aldrich Corp.. (Attachments: # 1 Affidavit Certification of S. Memmott ISO Pro Hac Vice Motion)(Bresnahan, Elizabeth) (Entered: 01/20/2023)
01/26/2023	42	Proposed Document(s) submitted by United States of America: Proposed AMENDED ORDER (Currie, Haley) (Entered: 01/26/2023)
01/27/2023	43	Judge Denise J. Casper: AMENDED ORDER entered. (Currie, Haley) (Entered: 01/27/2023)
01/27/2023	44	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 40 Motion for Leave to Appear Pro Hac Vice Added Jonathan P. York. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number on your form when registering or it will be rejected.

		Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm . A Notice of Appearance must be entered on the docket by the newly admitted attorney. (Currie, Haley) (Entered: 01/27/2023)
01/27/2023	45	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 41 Motion for Leave to Appear Pro Hac Vice Added Scott A. Memmott. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number on your form when registering or it will be rejected. Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm . A Notice of Appearance must be entered on the docket by the newly admitted attorney. (Currie, Haley) (Entered: 01/27/2023)
01/27/2023	46	Joint MOTION for Leave to File Excess Pages by Research Organics, LLC, Sigma-Aldrich Corp..(Bresnahan, Elizabeth) (Entered: 01/27/2023)
01/27/2023	47	Assented-to MOTION for Leave to Appear Pro Hac Vice for admission of Aaron Siri, Esq. Filing fee: \$ 125, receipt number AMADC-9691397 by David Stonebrook. (Attachments: # 1 Affidavit Certification of Aaron Siri, Esq., # 2 Text of Proposed Order)(Xenides, Christina) Modified on 2/2/2023 to swap main document provided by counsel and adjust docket text (Currie, Haley). (Entered: 01/27/2023)
01/27/2023	48	Assented-to MOTION for Leave to Appear Pro Hac Vice for admission of Elizabeth A. Brehm, Esq. Filing fee: \$ 125, receipt number AMADC-9691398 by David Stonebrook. (Attachments: # 1 Affidavit Certification of Elizabeth A. Brehm, Esq., # 2 Text of Proposed Order)(Xenides, Christina) Modified on 2/2/2023 to swap main document provided by counsel and adjust docket text (Currie, Haley). (Entered: 01/27/2023)
01/27/2023	49	Assented-to MOTION for Leave to Appear Pro Hac Vice for admission of Thomas Stavola, Jr., Esq. Filing fee: \$ 125, receipt number AMADC-9691399 by David Stonebrook. (Attachments: # 1 Affidavit Certification of Thomas Stavola, Jr., # 2 Text of Proposed Order)(Xenides, Christina) Modified on 2/2/2023 to swap main document provided by counsel and adjust docket text (Currie, Haley). (Entered: 01/27/2023)
01/31/2023	50	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 46 Motion for Leave to File Excess Pages. Each side may have a total of 30 pages for supporting memo for the Motion to Dismiss and for the opposition to same. (Hourihan, Lisa) (Entered: 01/31/2023)
01/31/2023	51	NOTICE of Appearance by Elizabeth M. Bresnahan on behalf of Merck KGaA, MilliporeSigma (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	52	NOTICE of Appearance by Elizabeth M. Bresnahan on behalf of Merck KGaA, MilliporeSigma (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	53	NOTICE of Appearance by Elizabeth M. Bresnahan on behalf of Merck KGaA, MilliporeSigma (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	54	CORPORATE DISCLOSURE STATEMENT by Merck KGaA. (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	55	CORPORATE DISCLOSURE STATEMENT by Sigma-Aldrich Corp.. (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	56	CORPORATE DISCLOSURE STATEMENT by Research Organics, LLC. (Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	57	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp..(Bresnahan, Elizabeth) (Entered: 01/31/2023)
01/31/2023	58	MEMORANDUM in Support re 57 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp.. (Bresnahan, Elizabeth) (Entered: 01/31/2023)
02/01/2023	59	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Paul D. Mayer Filing fee: \$ 125, receipt number AMADC-9697699 by Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp.. (Attachments: # 1 Affidavit Certification of Paul Mayer)(Bresnahan, Elizabeth) (Entered: 02/01/2023)
02/01/2023	60	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 59 Motion for Leave to Appear Pro Hac Vice Added Paul Mayer.

		<p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorney. (Currie, Haley) (Entered: 02/01/2023)</p>
02/02/2023	61	<p>Judge Denise J. Casper: ELECTRONIC ORDER entered granting D. 47 Motion for Leave to Appear Pro Hac Vice Added Aaron Siri; D. 48 Motion for Leave to Appear Pro Hac Vice Added Elizabeth A. Brehm; D. 49 Motion for Leave to Appear Pro Hac Vice Added Thomas Stavola, Jr..</p> <p>Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number on your form when registering or it will be rejected.</p> <p>Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.</p> <p>A Notice of Appearance must be entered on the docket by the newly admitted attorneys. (Currie, Haley) (Entered: 02/02/2023)</p>
02/02/2023	62	NOTICE of Appearance by Elizabeth Ann Brehm on behalf of David Stonebrook (Brehm, Elizabeth) (Entered: 02/02/2023)
02/02/2023	63	NOTICE of Appearance by Aaron Siri on behalf of David Stonebrook (Siri, Aaron) (Entered: 02/02/2023)
02/02/2023	64	NOTICE of Appearance by Thomas William Stavola, Jr on behalf of David Stonebrook (Stavola, Thomas) (Entered: 02/02/2023)
02/06/2023	65	MOTION for Extension of Time to File Response/Reply as to 57 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by David Stonebrook.(Brehm, Elizabeth) (Entered: 02/06/2023)
02/07/2023	66	NOTICE of Appearance by Jonathan P. York on behalf of Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp. (York, Jonathan) (Entered: 02/07/2023)
02/08/2023	67	Opposition re 65 MOTION for Extension of Time to File Response/Reply as to 57 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp.. (York, Jonathan) (Entered: 02/08/2023)
02/09/2023	68	NOTICE of Appearance by Scott A. Memmott on behalf of Merck KGaA, MilliporeSigma, Research Organics, LLC, Sigma-Aldrich Corp. (Memmott, Scott) (Entered: 02/09/2023)
02/10/2023	69	Judge Denise J. Casper: ELECTRONIC ORDER entered re: 65 Motion for Extension of Time to File Response/Reply as to 57 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM. Having considered Plaintiff-Relator's motion for extension, D. 65, and Defendant's opposition to same, D. 67, the Court ALLOWS the motion and gives Plaintiff until 3/7/23 to file his response to the Motion to Dismiss. The Court does not anticipate further extensions regarding same. (Hourihan, Lisa) (Entered: 02/10/2023)
03/07/2023	70	AMENDED COMPLAINT against Research Organics, LLC, Sigma-Aldrich Corp., Merck KGaA, EMD Millipore, filed by David Stonebrook.(Siri, Aaron) (Entered: 03/07/2023)
03/08/2023	71	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served on 2/15/2023, answer due 3/8/2023. Acknowledgement filed by David Stonebrook. (Siri, Aaron) Modified on 3/10/2023 to adjust date served and answer due date (Currie, Haley). (Entered: 03/08/2023)
03/08/2023	72	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served on 2/13/2023, answer due 3/6/2023 Acknowledgement filed by David Stonebrook. (Siri, Aaron) Modified on 3/10/2023 to adjust defendant served and reflect correct dates of service and answer (Currie, Haley). (Entered: 03/08/2023)
03/14/2023	73	AFFIDAVIT OF SERVICE Executed by David Stonebrook. EMD Millipore served on 3/9/2023, answer due 3/30/2023. Acknowledgement filed by David Stonebrook. (Siri, Aaron) (Entered: 03/14/2023)
03/14/2023	74	NOTICE of Appearance by Jonathan P. York on behalf of EMD Millipore (York, Jonathan) (Entered: 03/14/2023)
03/14/2023	75	CORPORATE DISCLOSURE STATEMENT by EMD Millipore. (York, Jonathan) (Entered: 03/14/2023)
03/14/2023	76	MOTION for Leave to File <i>Consolidated Briefing and to Exceed Page Limitation</i> by EMD Millipore, Research Organics, LLC, Sigma-Aldrich Corp..(York, Jonathan) (Entered: 03/14/2023)

03/14/2023	77	NOTICE of Appearance by Scott A. Memmott on behalf of EMD Millipore (Memmott, Scott) (Entered: 03/14/2023)
03/15/2023	78	NOTICE of Appearance by Elizabeth M. Bresnahan on behalf of EMD Millipore (Bresnahan, Elizabeth) (Entered: 03/15/2023)
03/15/2023	79	NOTICE of Withdrawal of Appearance on behalf of Attorney Thomas Stavola, Jr. by David Stonebrook (Brehm, Elizabeth) Modified on 3/15/2023 to adjust docket text (Currie, Haley). (Entered: 03/15/2023)
03/20/2023	80	Judge Denise J. Casper: ELECTRONIC ORDER entered re D. 57 Motion to Dismiss for Failure to State a Claim - In light of the filing of the amended complaint, D. 70 , the court DENIES D. 57 as moot. (Currie, Haley) (Entered: 03/20/2023)
03/20/2023	81	Judge Denise J. Casper: ELECTRONIC ORDER entered re D. 76 MOTION for Leave to File Consolidated Briefing and to Exceed Page Limitation - The Court ALLOWS the motion for consolidated briefing and to exceed page limits. Consolidated briefing due by March 30, 2023. Defendant's memorandum and Realtor's Opposition shall not exceed 35 pages. (Currie, Haley) (Entered: 03/20/2023)
03/20/2023	82	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served on 3/16/2023, answer due 4/6/2023. Acknowledgement filed by David Stonebrook. (Siri, Aaron) (Entered: 03/20/2023)
03/28/2023	83	AFFIDAVIT OF SERVICE Executed by David Stonebrook. Merck KGaA served on 3/22/2023, answer due 4/12/2023. Acknowledgement filed by David Stonebrook. (Siri, Aaron) (Entered: 03/28/2023)
03/30/2023	84	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp..(Bresnahan, Elizabeth) (Entered: 03/30/2023)
03/30/2023	85	MEMORANDUM in Support re 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Bresnahan, Elizabeth) (Entered: 03/30/2023)
03/30/2023	86	DECLARATION re 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , 85 Memorandum in Support of Motion, of <i>Monica Elliott</i> by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp.. (Bresnahan, Elizabeth) (Entered: 03/30/2023)
04/04/2023	87	MOTION for Extension of Time to File Response/Reply as to 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re: <i>Amended Complaint</i> by David Stonebrook.(Brehm, Elizabeth) (Entered: 04/04/2023)
04/05/2023	88	Opposition re 87 MOTION for Extension of Time to File Response/Reply as to 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re: <i>Amended Complaint</i> filed by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp.. (York, Jonathan) (Entered: 04/05/2023)
04/13/2023	89	MEMORANDUM in Opposition re 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by David Stonebrook. (Siri, Aaron) (Entered: 04/13/2023)
04/14/2023	90	ELECTRONIC NOTICE Setting Hearing on Motion 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM : Motion Hearing set for 6/14/2023 03:00 PM in Courtroom 11 (In person only) before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 04/14/2023)
04/14/2023	91	MOTION for Leave to File <i>Reply Brief in Support of Motion to Dismiss and Exceed Page Limitation</i> by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp..(York, Jonathan) (Entered: 04/14/2023)
04/14/2023	92	Opposition re 91 MOTION for Leave to File <i>Reply Brief in Support of Motion to Dismiss and Exceed Page Limitation</i> filed by David Stonebrook. (Siri, Aaron) (Entered: 04/14/2023)
04/18/2023	93	Judge Denise J. Casper: ELECTRONIC ORDER entered re: 87 Motion for Extension of Time to File Response/Reply as to 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re: <i>Amended Complaint</i> . Motion for extension for Plaintiff to file opposition to Motion to Dismiss is DENIED as moot in light of the filing of opposition on April 13, 2023, D. 89. (Hourihan, Lisa) (Entered: 04/18/2023)
04/18/2023	94	Judge Denise J. Casper: ELECTRONIC ORDER entered re: 91 Motion for Leave to File <i>Reply Brief in Support of Motion to Dismiss and Exceed Page Limitation</i> by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp. Having reviewed Defendants' motion to file a reply brief (and exceed 10 pages), D. 91, and Plaintiff's opposition, D. 92, the Court ALLOWS the motion in part. Defendants may file a reply brief by April 25, 2023, but it may not exceed 10 pages. (Hourihan, Lisa) (Entered: 04/18/2023)
04/25/2023	95	REPLY to Response to 84 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp.. (York, Jonathan) (Entered: 04/25/2023)
06/07/2023	96	Joint MOTION to Stay <i>Pending Mediation</i> by EMD Millipore, Merck KGaA, Research Organics, LLC, Sigma-Aldrich Corp..(Bresnahan, Elizabeth) (Entered: 06/07/2023)

06/08/2023	97	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 96 Motion to Stay and to Refer Case for Mediation. Stay allowed for sixty (60) days. Parties to submit a status report on or before August 7, 2023. (Hourihan, Lisa) (Entered: 06/08/2023)
06/08/2023	98	ELECTRONIC NOTICE Canceling Hearing. In light of the referral to mediation, the hearing on the motion to dismiss set for 6/14/23 is canceled. (Hourihan, Lisa) (Entered: 06/08/2023)
06/08/2023	99	Judge Denise J. Casper: ORDER entered. ORDER REFERRING CASE to Alternative Dispute Resolution. (Hourihan, Lisa) (Entered: 06/08/2023)
06/13/2023	100	Notice of assignment to ADR Provider. Judge Jennifer C. Boal appointed. Associated Cases: 1:21-cv-10866-DJC, 1:23-cv-10140-DJC(Simeone, Maria) (Entered: 06/13/2023)
06/15/2023	101	<p>ELECTRONIC NOTICE of Hearing.</p> <p>The Alternative Dispute Resolution Hearing is set for August 25, 2023 at 10:00 in Courtroom 14 before Magistrate Judge Jennifer C. Boal. The parties shall promptly notify this Court if they elect to pursue private mediation. <u>See</u> Docket No. 96 at 2 n. 1.</p> <p>In the event this date poses a serious conflict, or any party believes that the case is not ripe for mediation, please do NOT contact the Courtroom Deputy directly regarding mediation scheduling; instead, the parties are to confer and file on CM/ECF a motion to cancel the mediation or to continue the mediation, as appropriate. In the case of motions to continue the mediation, the parties should include therein several proposed dates for which all counsel and principals are available.</p> <p>Counsel and principals are directed to be present and have full settlement authority. Each party must submit a brief (no more than 5 pages) mediation memorandum that includes a discussion of (1) the merits of the case (both strengths and weaknesses); (2) damages or other relief sought by the parties; (3) the status of discovery; and (4) the status of the parties' settlement discussions. The memoranda should be BY E-MAIL to (steve_york@mad.uscourts.gov) no later than fourteen (14) days prior to the mediation and marked "Confidential - Not for Docketing."</p> <p>Prior to the Mediation hearing, there will be a Preliminary Conference set for August 22, 2023 at 11:30 a.m. by remote proceedings before Magistrate Judge Jennifer C. Boal.</p> <p>The Preliminary Conference will be conducted by video, the clerk will provide the relative information for this conference to all parties at the email registered in CM/ECF, prior to the upcoming hearing.</p> <p>If you have technical or compatibility issues with video technology, please notify the session's courtroom deputy as soon as possible.</p> <p>It shall be understood (a) that all parties and counsel will participate in this court-sponsored mediation in good faith and with the interest of settling the matter on mutually acceptable terms, (b) that the entire mediation process, including all communications during any in-person, video or audio part thereof, is confidential, (c) that all statements made during the course of mediation are privileged settlement discussions, made without prejudice to any party's legal position, and inadmissible for any purpose in any legal proceeding, (d) that no party, participant, or representative shall seek in any proceeding to hereafter compel the mediator to testify and/or produce any document with respect to the mediation, and (e) that all parties, counsel and other participants agree that, by participating in this court-sponsored mediation, they are bound by these conditions and shall keep confidential all communications exchanged during the mediation process.</p> <p>(York, Steve) (Entered: 06/15/2023)</p>
08/03/2023	102	Joint MOTION for Extension of Time to October 6, 2023 to Extend Stay Pending Mediation and File Joint Status Report <i>and Joint Status Report of August 3, 2023</i> by David Stonebrook.(Brehm, Elizabeth) (Entered: 08/03/2023)
08/10/2023	103	Judge Denise J. Casper: ELECTRONIC ORDER entered granting 102 Motion for Extension of Stay Pending Mediation to 10/6/23 with a status report due that date. (Hourihan, Lisa) (Entered: 08/10/2023)
08/22/2023	104	<p>Electronic Clerk's Notes for proceedings held before Magistrate Judge Jennifer C. Boal: Preliminary Conference held on 8/22/2023. The Court reviewed preliminary matters with the parties prior to the upcoming mediation.</p> <p>(Court Reporter: Digital Recording.) (Court Reporter: SEALED Digital Recording) To order a copy of this Digital Recording, The parties should first seek leave of the Court. If approved, please then go to https://forms.mad.uscourts.gov/Audio.html. For a transcript of this proceeding, contact mad_transcripts@mad.uscourts.gov. (Attorneys present: Sharobem for the United States of America, York, Evans, McEnroe, Memmott, Bresnahan, & Siri)</p> <p>(Warnock, Douglas) (Entered: 08/22/2023)</p>

08/24/2023	105	ELECTRONIC NOTICE of Hearing.Preliminary Conference is set for 8/24/2023 at 3:30 PM in Courtroom 14 (Remote only) before Magistrate Judge Jennifer C. Boal. (Warnock, Douglas) (Entered: 08/24/2023)
08/24/2023	106	Electronic Clerk's Notes for proceedings held before Magistrate Judge Jennifer C. Boal: Preliminary Conference held on 8/24/2023. The Court reviewed preliminary matters with the parties prior to the upcoming mediation. (Court Reporter: SEALED Digital Recording) To order a copy of this Digital Recording, The parties should first seek leave of the Court. If approved, please then go to https://forms.mad.uscourts.gov/Audio.html . For a transcript of this proceeding, contact mad_transcripts@mad.uscourts.gov . (Attorneys present: McEnroe, Siri, Memmott, and Evans) (Warnock, Douglas) Modified Docket text on 8/24/2023 (Warnock, Douglas). (Entered: 08/24/2023)
08/25/2023	108	REPORT of Alternative Dispute Resolution Provider: Magistrate Judge Jennifer C. Boal reports this case did not settle but some progress was made. The parties will report to the clerk within 2 weeks their intentions to continue with mediation. (Warnock, Douglas) (Entered: 08/25/2023)
09/11/2023	109	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered. The parties reported that progress has been made, but they need additional time to continue their discussions. They shall submit a further status report to Magistrate Judge Boal on or before September 25, 2023. (Warnock, Douglas) (Entered: 09/11/2023)
09/26/2023	110	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered. The parties report that progress has been made, but they need additional time to continue their discussions. They shall submit a further status report to Magistrate Judge Boal <u>on or before October 6, 2023.</u> (Warnock, Douglas) (Entered: 09/26/2023)

PACER Service Center			
Transaction Receipt			
10/05/2023 17:29:29			
PACER Login:	wmendenhall	Client Code:	
Description:	Docket Report	Search Criteria:	1:21-cv-10866-DJC
Billable Pages:	10	Cost:	1.00