

|  |                         |                    |
|--|-------------------------|--------------------|
| <b>Caption</b>   | <b>Responsible C.O.</b> | <b>Case Number</b> |
| Thomas A Gauthier et al vs. Journal/Sentinel Inc et al | Thomas P. Donegan-45    | 99CV003572         |

WCIS Code: 30303 Other contracts

|  |                                    |                    |                    |
|--|------------------------------------|--------------------|--------------------|
| <b>Filing Date/C.O.</b>                    | <b>Disposition Date/C.O.</b>       | <b>Disposition</b> | <b>Next Action</b> |
| 05-04-1999<br>Jacqueline D. Schellinger-34 | 07-01-2002<br>Thomas P. Donegan-45 | 41<br>Other        |                    |

| Party Type | Name  | Address                | City      | St | Zip   | Attorney  | Status |
|------------|---|------------------------|-----------|----|-------|---|--------|
| Plaintiff  | Thomas A Gauthier   | 506 W Apple Tree Road  | Milwaukee | WI | 53217 | Thomas L Frenn<br>Donal M Demet<br>Mark E Sostarich<br>Kevin J Demet          | AC     |
| Plaintiff  | Michael Laska   | W232 S6113 Charles Dr  | Waukesha  | WI | 53186 | Kevin J Demet   | AC     |
| Plaintiff  | Michael Zodrow  | 3825 Catalpa St        | Greendale | WI | 53129 | Kevin J Demet   | AC     |
| Plaintiff  | Rolland Sewell  | W237 N1027 Kings Drive | Waukesha  | WI | 53188 | Kevin J Demet   | AC     |
| Plaintiff  | Joel McNally  | 1915 East Kenwood Blvd | Milwaukee | WI | 53211 | Kevin J Demet   | AC     |
| Defendant  | Journal/Sentinel Inc  | 333 West State St      | Milwaukee | WI | 53233 | Thomas L Shriner<br>David W Simon<br>G. Michael Halfenger<br>Cynthia Franecki | AC     |
| Defendant  | Journal Communications Inc  | 333 West State St      | Milwaukee | WI | 53233 | John R Dawson<br>David W Simon<br>Cynthia Franecki                            | AC     |
| Defendant  | Journal Employees Stock Trust<br>TN Agreement<br>TN Jesta a trust | 333 West State St      | Milwaukee | WI | 53233 | John R Dawson   | DI     |
| Defendant  | Christine A Farnsworth  |                        |           | WI |       | John R Dawson   | DI     |
| Defendant  | Monica I Sanchez  |                        |           | WI |       | John R Dawson   | DI     |
| Defendant  | Robert A Kahlor   |                        |           | WI |       | John R Dawson<br>David W Simon<br>Cynthia Franecki                            | AC     |
| Defendant  | Steven J Smith  |                        |           | WI |       | John R Dawson<br>David W Simon<br>Cynthia Franecki                            | AC     |
| Defendant  | Thomas M Karavakis  |                        |           | WI |       | John R Dawson<br>David W Simon<br>Cynthia Franecki                            | DI     |

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| Date       | Court Record Entries  | C. O.<br>Court Reporter<br>Tape / Counter<br>Location |
|------------|---|---|
| 05-04-1999 | Filing fee paid<br>99RV016262   |   |
| 05-04-1999 | Summons and complaint   |   |
| 05-13-1999 | Letters/correspondence<br>from Attorney Thomas Frenn requesting recusal. - (Denied. Court does<br>not find this to be a basis for recusal.) mp                        |   |
| 05-19-1999 | Letters/correspondence<br>from Attorney Thomas Frenn. mp  |   |
| 05-21-1999 | Letters/correspondence<br>from Attorney John Dawson. mp   |   |
| 05-25-1999 | Notice<br>sent this date that court will not recuse itself and further informing<br>parties that as of August 2, 1999 Judge Donegan will be assuming this<br>case. mp |   |
| 05-27-1999 | Affidavit<br>re: service. (8) mp  |   |
| 06-28-1999 | Answer and affirmative defense<br>of Journal/Sentinel Inc. mp   |   |
| 06-28-1999 | Notice of motion, motion<br>to dismiss returnable August 16, 1999 at 10:30AM.<br>Memorandum in support of motion.<br>Non-Wisconsin authority cited. mp                |   |
| 07-13-1999 | Brief<br>in opposition to motion to dismiss.<br>Non-Wisconsin authorities cited by plaintiff. mp  |   |

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| 07-15-1999 | Affidavit of service   |                              |
| 07-27-1999 | Memorandum<br>reply in support of defendants' motion to dismiss.<br>Filed, Thomas M. Karavakis' notice of motion and motion to dismiss<br>returnable 8-16-99 at 10:30 AM. -jmk   | Jacqueline D. Schellinger-34 |
| 07-29-1999 | Summons  |                              |
| 07-31-1999 | Judicial transfer  | Thomas P. Donegan-45         |
| 08-06-1999 | Letters/correspondence<br>dated 8/6/99 from Atty. Donal Demet FILED. jrs   |                              |
| 08-06-1999 | Affidavit<br>FILED. jrs  |                              |
| 08-06-1999 | Other papers<br>--- Notice of motion and motion for partial summary judgment on the<br>issue of contract liability of Journal/Sentinel, Inc FILED.<br>--- Brief in support of motion for partial summary judgment on the issue<br>of contract liability of Journal/Sentinel, Inc. FILED.<br>--- Affidavit of Thomas A. Gauthier, Class representative in support of<br>motion for partial summary judgment on the issue of contract liability of<br>Journal/Sentinel, Inc. FILED.<br>--- Affidavit of Joel McNally, Class representative in support of motion<br>for partial summary judgment on the issue of contract liability of<br>Journal/Sentinel, Inc. FILED. |                              |

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| 08-16-1999 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 10:29 a.m.<br>APPEARANCES:<br>--- Attorney Kevin Demet and Attorney Donal Demet for all plaintiffs.<br>--- Attorney John Dawson and Attorney David Simon for all defendants.<br><br>Parties do NOT wish Judge Donegan to recuse himself in this matter.<br>Court DISMISSES "JESTA" as a party to this case upon stipulation of parties.<br>Arguments as to the motion heard.<br>Court GRANTS defendant's motion to dismiss all claims against Journal Communications Inc.<br>Court GRANTS defendant's motion to dismiss plaintiff's claim for conversion or fraudulent transfer.<br>Court DENIES defendant's motion to dismiss claim of breach of fiduciary duty by trustees.<br>Court DENIES defendant's motion to dismiss wage claim.<br>Court DETERMINES that motion as to costs, attorneys fees, damages, etc. is untimely but will allow parties to bring motion at a later date.<br>MOTION HEARING to certify class action set for 10/4/99 at 11 a.m. in Branch 45. Motion date set for 9/20/99 removed from calendar. jrs | Thomas P. Donegan-45 |
| 08-16-1999 | Stipulation or order to dismiss party<br>AS TO JOURNAL EMPLOYEES STOCK TRUST (JESTA) ONLY. jrs  | Thomas P. Donegan-45 |
| 08-18-1999 | Letters/correspondence<br>dated 8/18/99 from Attorney David Simon FILED with proposed order.<br>jrs   |                      |
| 08-24-1999 | Notes<br>3-way call with Attorney David Simon and Attorney Don Demet to reschedule the motion hearing with the Judge's approval. MOTION HEARING adjourned to 10/18/99 at 11 a.m. in Branch 45. Court date of 10/4/99 removed from calendar. jrs   |                      |
| 08-26-1999 | Answer and affirmative defense<br>of Christinge Farnsworth, Monica Sanchez, Robert Kahlor, Steven Smith, and Thomas Karavakis FILED. jrs  |                      |
| 08-31-1999 | Order<br>on defendant's motion to dismiss signed and FILED. jrs   | Thomas P. Donegan-45 |
| 09-03-1999 | Proof of publication<br>FILED. jrs  |                      |

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| 09-17-1999 | Notes<br>Attorney David Simon called to schedule a motion for protective order. MOTION HEARING set on 10/18/99 at 11 a.m. along with other motion. 1/2 hour previously blocked. Court now blocks 1 hour. Attorney to notify parties. Motion papers to be filed. jrs   |                      |
| 09-17-1999 | Notice of motion, motion<br>Defendant's notice of motion and motion for a protective order FILED. jrs   |                      |
| 09-21-1999 | Notes<br>Foley & Lardner's office called to schedule a motion for protective order. MOTION HEARING set for 9/27/99 at 10:30 a.m. in Branch 45. Attorney to notify parties. Motion papers to be filed. jrs   |                      |
| 09-21-1999 | Notice of motion, motion<br>Defendant's notice of motion and motion for a protective order FILED. jrs   |                      |
| 09-23-1999 | Brief<br>in opposition to motion for protective order regarding attendance at depositions FILED. jrs  |                      |
| 09-27-1999 | Motion hearing<br>DEBBIE PORTER, COURT REPORTER<br>Case called at 10:36 a.m.<br>Appearances:<br>-- Attorney Kevin Demet and Attorney Thomas Frenn for plaintiffs.<br>-- Attorney John Dawson for defendants.<br>Statements made.<br>Stipulation and order DISMISSING Christine A. Farnsworth and Monica L. Sanchez signed and FILED.<br>Further statements made.<br>Plaintiff waives 10 day notice rule.<br>Arguments heard as to motion. | Thomas P. Donegan-45 |
| 09-27-1999 | Stipulation or order to dismiss party<br>AS TO CHRISTINE FARNSWORTH AND MONICA SANCHEZ. jrs   | Thomas P. Donegan-45 |

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10-04-1999 Other papers  
- Notice of motion and motion for certification of the plaintiffs' class pursuant to S. 803.08 Stat. FILED.  
- Brief in support of motion to certify the plaintiff's class under Wis. Stat. Sec. 803.08 FILED.  
- Affidavit of Thomas A. Gauthier, Class representative FILED.  
- Affidavit of Michael Laska, Class representative FILED.  
- Affidavit of Michael Zodrow, Class representative FILED.  
- Affidavit of Rolland Sewell, Class representative FILED.  
- Affidavit of Joel McNally, Class representative in support of motion to certify the plaintiff's class under Wis. Stat. Sec. 803.08 FILED.  
- Affidavit of Donal M. Demet, Class Counsel in support of motion to certify the plaintiff's class under Wis. Stat. Sec. 803.08 FILED.  
- Affidavit of Kevin J. Demet, class-counsel in support of motion to certify the plaintiff's class under Wis. Stat. Sec. 803.08 FILED.  
- Affidavit of Thomas L. Frenn FILED.  
- Affidavit of M.E. Sostarich FILED. jrs

10-11-1999 Other papers  
- Plaintiff's motion for remedial contempt sanction against Lehman Brothers FILED.  
- Affidavit of M.E. Sostarich FILED.  
- Plaintiff's motion to compel responses to plaintiff's first and second request for the production of documents and first and second set of interrogatories FILED.  
- Affidavit of M.E. Sostarich FILED. jrs

10-13-1999 Other papers  
- Memorandum in opposition to plaintiff's motion for class certification FILED.  
- Affidavit of Melinda Hein FILED.  
- Journal Sentinel Inc.'s response to plaintiff's motion to compel FILED.  
- Non-Wisconsin Authority cited in defendant's memorandum FILED.  
jrs

10-18-1999 Motion hearing Thomas P. Donegan-45  
DENISE WINIARSKI, COURT REPORTER  
Case called at 11:02 a.m.  
Appearances:  
- Attorney Thomas Frenn, Don Demet, Mark Sostarich and Kevin Demet for plaintiffs.  
- Attorney John Dawson, David Simon and Melinda Hein for defendants.  
Statements made.  
RE: Class Action Motion.  
Arguments heard.

10-27-1999 Letters/correspondence  
dated 10/26/99 from Attorney David Simon FILED with proposed order. jrs

11-02-1999 Amended summons and complaint  
FILED. jrs

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| 11-03-1999 | Letters/correspondence<br>dated 11/1/99 from Attorney Donal Demet FILED with proposed order.<br>jrs   |                      |
| 11-08-1999 | Notice of motion, motion<br>of DEFENDANTS for Costs and Fees with PROPOSED Order from<br>10-18-99 Motion Hearing under 5-day rule--sas  |                      |
| 11-10-1999 | Response/reply<br>from PLAINTIFFS to Judge Donegan OBJECTING to Defendants'<br>Motion for Costs--sas  |                      |
| 11-11-1999 | Order<br>on Discovery Motions--sas  | Thomas P. Donegan-45 |
| 11-18-1999 | Brief in support of motion<br>Amended, for Partial Summary Judgment on the Issue of Contract<br>Liability of Journal/Sentinel, Inc.--sas  |                      |
| 11-22-1999 | Letters/correspondence<br>Attorney Donal Demet to Judge Donegan transmitting PROPOSED<br>Order For Class Certification under 5-day rule--sas  |                      |
| 11-22-1999 | Letters/correspondence<br>from Attorney David Simon to Judge Donegan transmitting<br>OBJECTION to Plaintiffs' PROPOSED Order under 5-day rule--sas  |                      |
| 12-15-1999 | Other papers<br>- ORDER awarding defendants' costs and fees signed and FILED.<br>- ORDER for class certification signed and FILED.<br>- NOTICE of certification of the plaintiff's class pursuant to sec.<br>803.08, Wis. Stats., and exclusion rights of class members FILED.<br>- Exclusion request FILED. j.kap  | Thomas P. Donegan-45 |
| 12-20-1999 | Other papers<br>- Defendant's notice of motion and motion for summary judgment<br>FILED.<br>- Memorandum in opposition to plaintiff's motion for summary judgment<br>and in support of defendant's cross-motion for summary judgment<br>FILED.<br>- Affidavit of Melinda A. Hein FILED.<br>- Affidavit of Gerald D. Resler FILED.<br>- Affidavit of Astrid J. Garcia FILED.<br>- Affidavit of Sharon R. Schoen FILED.<br>- Non-Wisconsin authority cited in defendant's memorandum FILED.<br>- Defendant's amended answer and affirmative defenses FILED. j.kap |                      |

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| 01-04-2000 | Brief<br>Filed, Pif's Reply Brief in Support of Motion for Partial Summary Judgment on the Issue of Contract Liability of Journal/Sentinel and in Opposition to Cross-Motion for Summary Judgment.<br>Filed, Motion for Relief from Local Rule-case continued to 10-10-2000 10:00 a.m. for said motion. cp   |                      |
| 01-05-2000 | Transcript<br>filed, deposition of Astrid Garcia, 11-24-99<br>filed, deposition of David Croysdale 10-6-99<br>filed, deposition of Christine Farnsworth, 11-4-99<br>filed, deposition of Paul Kritzer, 10-6-99<br>filed, deposition of Jeffrey Kluever, 11-4-99<br>filed, deposition of Barbara Felix-Vyvyan, 11-2-99<br>filed, deposition of Daniel Harmsen, 11-3-99 cp |                      |
| 01-10-2000 | Motion hearing<br>Plaintiff in court by Attorney Kevin Demet, Attorney Donald Demet, Attorney Thomas Frenn and Attorney Mark Sustanich.<br>Defendants in court by Attorney John Dawson and Attorney Melinda Hein.<br>Case is in court on Summary Judgment motion.<br>Arguments proceeded.<br>Court to render a written decision. cp                                      | Thomas P. Donegan-45 |
| 01-14-2000 | Other papers<br>filed, Excerpt of Ms. Farnsworth's deposition. cp  |                      |
| 04-10-2000 | Decision<br>and order granting plaintiff's motion for partial summary judgment an denying defendant's motion for summary judgment. j.kap   | Thomas P. Donegan-45 |
| 04-10-2000 | Notice of motion, motion<br>FILED, Defendant's notice of motion and motion for a protective order.<br>MOTION HEARING set for 4/19/2000 at 10:30 a.m. in Branch 45.<br>j.kap  |                      |
| 04-17-2000 | Other papers<br>FILED by the Court, Newspaper article from the Journal/Sentinal dated 4/15/2000. j.kap   |                      |
| 04-17-2000 | Notes<br>Counsel called to removed the motion date of 4/19/2000 in lieu of the summary judgment motion decision. Court date of 4/19/2000 removed from calendar. j.kap  |                      |
| 04-17-2000 | Other papers<br>FILED, Brief in opposition to a motion for a protective order.<br>FILED, Non-Wisconsin authorities cited by plaintiffs.<br>FILED, Affidavit of Thomas L. Frenn in support of motion to compel discovery. j.kap   |                      |



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| 04-18-2000 | Letters/correspondence<br>dated 4/18/2000 from Attorney Thomas Frenn to Ms. Melinda Hein<br>regarding motion date FILED. j.kap  |                      |
| 04-20-2000 | Letters/correspondence<br>COPY to Attorney Thomas Frenn from Attorney John Dawson,<br>regarding order not to sell any trust units --ymm   |                      |
| 04-21-2000 | Notice of motion, motion<br>Defendants' Notice of Motion and Motion for Stay Pending Appeal<br>--ymm  |                      |
| 04-24-2000 | Other papers<br>Petition for Leave to Appeal filed with Court of Appeals on April 21,<br>2000 --ymm   |                      |
| 04-27-2000 | Letters/correspondence<br>dated 4/27/2000 from Attorney Melinda Hein to Attorney Thomas<br>Frenn regarding motion date FILED. j.kap   |                      |
| 05-03-2000 | Brief<br>filed, Plf's Brief in opposition to dft's motion for a stay with supporting<br>documents. cp   |                      |
| 05-08-2000 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 1:59 p.m.<br>Appearances:<br>- Attorneys Thomas Frenn, Mark Sostarich, Kevin Demet, and Don<br>Demet appear for plaintiffs.<br>- Plaintiff, Michael Zodrow, also appears.<br>- Attorney David Simon for Attorney John Dawson for defendants.<br>- Defendants, Journal/Sentinal, by representatives also appear.<br>Statements made.<br>Discussions held.<br>Arguments heard.<br>Court STAYS everything for approx. 7 weeks to await the Appeals<br>Court decision. Discovery is stayed until the next court date.<br>Plaintiff's counsel to prepare order.<br>MOTION HEARING adjourned to 8/1/2000 at 10 a.m. in Branch 45.<br>j.kap | Thomas P. Donegan-45 |
| 05-08-2000 | Other papers<br>FILED, Plaintiff-respondents' brief in opposition to petition for leave to<br>appeal.<br>FILED, Plaintiff-respondents appendix to its brief in opposition to<br>petition for leave to appeal. j.kap   |                      |

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| 05-15-2000 | Letters/correspondence dated 5/12/2000 from Attorney Thomas Frenn FILED with proposed order pursuant to 5-day rule. j.kap  |                      |
| 05-15-2000 | Letters/correspondence dated 5/15/2000 from Attorney David Simon regarding objection to proposed order FILED. j.kap  |                      |
| 05-16-2000 | Letters/correspondence dated 5/16/2000 from Attorney David Simon regarding proposed order FILED. j.kap   |                      |
| 05-17-2000 | Letters/correspondence dated 5/16/2000 from Attorney Thomas Frenn regarding proposed order FILED. j.kap  |                      |
| 05-17-2000 | Notes<br>Judge determines it not appropriate to sign the proposed order, and instructs notices to be sent to parties to set a scheduling conference. j.kap   |                      |
| 05-18-2000 | Notice of hearing for "in-person" SCHEDULING CONFERENCE set for 6/21/2000 at 3 p.m. in Branch 45, sent to parties this date. j.kap   |                      |
| 05-18-2000 | Transcript of judgment filed<br>Filed, Transcript of Judgment from the Court of Appeals dated May 15, 2000 Ordered that the petition for leave to appeal is denied   |                      |
| 06-08-2000 | Stipulation and order regarding confidential material signed and FILED. j.kap  | Thomas P. Donegan-45 |
| 06-20-2000 | Other papers<br>FILED, Issues to be discussed at 6/21/2000 scheduling conference. j.kap  |                      |
| 06-21-2000 | Scheduling conference<br>Appearances:<br>- Plaintiffs in court by Attorneys Thomas Frenn, Kevin Demet, Don Demet, and Mark Sostarich.<br>- Defendants in court by Attorney David Simon.<br>Statements made.<br>Scheduling order signed, FILED, and distributed to parties.<br>PRETRIAL set for 3/26/2001 at 2 p.m. in Branch 45. j.kap | Thomas P. Donegan-45 |

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| 06-29-2000 | Jury fee paid<br>0ORV024139  |                      |
| 06-29-2000 | Letters/correspondence<br><br>Filed: Copy of letter dated June 27, 2000, from Thomas L. Frenn to the Office of the Clerk of Court. jms   | Thomas P. Donegan-45 |
| 06-29-2000 | Letters/correspondence<br><br>Filed: Copy of letter dated June 26, 2000, from Thomas L. Frenn to Mr. David W. Simon. jms   | Thomas P. Donegan-45 |
| 07-25-2000 | Order<br>extending time to amend pleading and add parties signed and FILED.<br>j.kap   | Thomas P. Donegan-45 |
| 07-31-2000 | Notes<br>Attorney Thomas Frenn and Attorney David Simon have reached a mutual decision regarding the motion and parties require no motion hearing on 8/1/2000. Court date of 8/1/2000 removed from calendar.<br>j.kap  |                      |
| 08-10-2000 | Amended complaint<br>FILED, Plaintiff's second amended complaint. j.kap  |                      |
| 09-05-2000 | Letters/correspondence<br>dated 9-1-2000 from Michael Drew requesting to be removed as a plaintiff in this case. cln   |                      |
| 09-15-2000 | Stipulation and order<br>Signed and FILED, Amendment to confidentiality stipulation and order.<br>j.kap  | Thomas P. Donegan-45 |
| 09-19-2000 | Other papers<br>FILED, Journal Sentinel Inc.'s notice of motion and motion to compel discovery.<br>FILED, Brief in support of Journal Sentinel Inc.'s motion to compel discovery.<br>FILED, Appendix of authorities pursuant to local rule 364(g) (non-Wisconsin authorities). j.kap |                      |
| 09-22-2000 | Other papers<br>FILED, Defendant's notice of motion and motion to dismiss.<br>FILED, Defendant's answer and affirmative defenses to plaintiff's second amended complaint. j.kap  |                      |

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| 10-04-2000 | Brief<br>FILED, Brief in opposition to defendants motion to dismiss the officers and directors. j.kap  |                      |
| 10-25-2000 | Brief<br>FILED, Brief in opposition to the defendant's motion to compel discovery. j.kap   |                      |
| 10-30-2000 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 10:40 a.m.<br>Appearances:<br>- Attorney Don Demet and Attorney Kevin Demet for plaintiffs.<br>- Attorney John Dawson and Attorney Jay VanHandel for defendants.<br>Statements made.<br>Arguments heard.<br>Court takes issues under advisement and will render a written decision in the near future.<br>MOTION HEARING to include and exclude parties set for 11/20/2000 at 11:15 a.m. in Branch 45. j.kap                    | Thomas P. Donegan-45 |
| 11-07-2000 | Brief<br>FILED, Defendant's reply brief in support of motion to dismiss. j.kap   |                      |
| 11-10-2000 | Other papers<br>FILED, Notice of motion and motion to allow certain opt-outs to rejoin plaintiff class.<br>FILED, Plaintiff's brief in support of motion to allow certain opt-outs to rejoin plaintiff class.<br>FILED, Non-Wisconsin authority cited in plaintiff's brief in support of motion to allow certain opt-outs to rejoin plaintiff class. j.kap   |                      |
| 11-13-2000 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 10:08 a.m.<br>Appearances:<br>- Attorney Thomas Frenn and Attorney Kevin Demet for plaintiffs.<br>- Attorney David Simon for defendants.<br>Statements made.<br>Arguments heard.<br>Defendant to file an amended motion to dismiss if he intends to include Keith Spore.<br>As to the motion to dismiss one count (Count #6) of the second amended complaint; the court will issue a written decision in the near future. j.kap | Thomas P. Donegan-45 |
| 11-14-2000 | Notice of motion, motion<br>filed, Dft-Keith Spore's Joinder of Dfts' Motion to Dismiss-with The Journal Employees' Stock Trust Agreement attached. cp   |                      |

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11-17-2000 Letters/correspondence  
filed, Letter Response submitted by Attorney Kevin Demet. cp

11-17-2000 Letters/correspondence  
submitted by Attorney Thomas Frenn re: mediation. cp

11-20-2000 Motion hearing Thomas P. Donegan-45  
Plaintiff in court by Attorney Donal Demet.  
Defendant in court by Attonrey David Simon for Attorney John  
Dawson.  
Denise Winiarski, court reporter.  
Case is in court on Attorney Demet's motion to include Thomas  
Spiedel, John Anderson, Gunther Behre and William Nelson and exclude  
Mr. Drew in the class action.  
Objection by Attorney Simon to said motion.  
Court denied the motion to include the above listed parties in this class  
action, the court's previous order to stand.  
Plaintiff -Michael Drew's request to be excluded from this class action  
is granted.  
Attorney Simon's motion to dismiss will be held on an adjourned date.  
  
order to follow. cp

11-20-2000 Other papers  
filed, letter submitted by Attorney David Simon with proposed order of  
11-20-00 proceedings (5 day rule). cp

11-20-2000 Letters/correspondence  
submitted by Attorney John Dawson. cp

11-27-2000 Letters/correspondence  
dated 11/27/2000 from Attorney David Simon regarding proposed  
order dismissing the claims of former class member Mike Drew FILED.  
j.kap

11-29-2000 Order Thomas P. Donegan-45  
on plaintiff's motion to allow certain opt-outs to rejoin plaintiff class  
signed and FILED (no copies enclosed). j.kap

11-30-2000 Other papers  
FILED, Preliminary expert report of John D. Finnerty, PH.D.  
FILED, Plaintiff's witness list. j.kap

12-04-2000 Order Thomas P. Donegan-45  
Denying Defendants' Motion To Compel Discovery Of Each Individual  
Plaintiff Class Member, signed and filed. cln

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| 12-15-2000 | Notes<br>Clerk spoke with Attorney Cynthia Franecki and was informed that all necessary parties are available on the afternoon of 12/20/2000. STATUS (requested by Judge to discuss further briefing regarding the motion to dismiss) set for 12/20/2000 at 3 p.m. in Branch 45. j.kap  |                      |
| 12-20-2000 | Status conference<br>IN CHAMBERS - NOT ON RECORD<br>Appearances:<br>- Attorney Mark Sosterich.<br>- Attorney Kevin Demet.<br>- Attorney David Simon.<br>Statements made.<br>Briefing schedule (to address defendant's motion to dismiss) set as follows:<br>- Both parties have until on or before 1/10/2001 to file initial brief (maximum of 15 pages).<br>- Both parties have until on or before 1/22/2001 to file any responsive briefs (maximum of 7 pages).<br>Scheduling order was modified as to date for filing of any dispositive motions; the new deadline is on or before 2/1/2001. j.kap | Thomas P. Donegan-45 |
| 01-04-2001 | Stipulation and order<br>(for extending deadline of witness list, etc) signed and FILED. j.kap  | Thomas P. Donegan-45 |
| 01-10-2001 | Brief<br>FILED, Defendant's supplemental brief in support of their motion to dismiss count VI of the second amended complaint. j.kap  |                      |
| 01-10-2001 | Brief<br>FILED, Supplemental brief in opposition to defendant's motion to dismiss the officers and directors. j.kap   |                      |
| 01-15-2001 | Letters/correspondence<br>dated 1/12/2001 from Attorney Kevin Demet requesting that the court disregard a particular document that has been filed, FILED. j.kap   |                      |
| 01-21-2001 | Plaintiff's brief<br>In Opposition To Defendants' Motion For Summary Judgement On Wage And Contract Claims.----GP   |                      |
| 01-22-2001 | Brief<br>FILED, Defendants' supplemental reply brief in support of their motion to dismiss count VI of the second amended complaint. j.kap  |                      |
| 01-22-2001 | Letters/correspondence<br>dated 1/17/2001 from Attorney Thomas Frenn indicating additional witnesses FILED. j.kap   |                      |

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| Caption  | Responsible C.O.     | Case Number |
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01-23-2001 Motion  
FILED, Defendant's motion to extend the dispositive motion deadline.  
j.kap

01-24-2001 Notes  
Attorney Cynthia FranECKi called to change the motion date of 3/12/2001, apparently with opposing counsels approval. Attorney FranECKi also has a list of available dates for next week for opposing counsel. Motion date of 3/12/2001 is rescheduled to 1/31/2001 at 10 a.m. in Branch 45. Court date of 3/12/2001 removed from calendar.  
j.kap

01-24-2001 Witness list - defendant  
FILED, Defendant's expert witness list. j.kap

01-24-2001 Witness list - defendant  
FILED, Defendant's lay witness list.  
FILED, Defendant's expert witness list. j.kap

01-26-2001 Other papers  
FILED, Defendant's notice of motion and motion to modify the protective order.  
FILED, Affidavit of David W. Simon.  
FILED, Affidavit of William T. Lutzen. j.kap

01-30-2001 Other papers  
FILED, Notice of motion for partial summary judgment on the issue of breach of fiduciary duty by the defendant trustees.  
FILED, Plaintiff's motion for partial summary judgment on the issue of breach of fiduciary duty by the defendant trustees.  
FILED, Brief in support of partial summary judgment of breach of fiduciary duty on liability.  
FILED, Affidavit.  
FILED, Non-Wisconsin authorities cited by plaintiffs.  
FILED, Deposition of Paul Bonaiuto conducted on 6/16/2000.  
FILED, Deposition of Steven J. Smith conducted on 6/15/2000. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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01-31-2001 Motion hearing Thomas P. Donegan-45

DENISE WINIARSKI, COURT REPORTER

Case called at 10:04 a.m.

Appearances:

- Attorney Thomas Frenn, Attorney Don Demet, and Attorney Kevin Demet for plaintiffs.

- Attorney Cynthia Franecki for defendants.

Statements made.

Arguments heard.

Court GRANTS defendant's motion.

Court extends the date for filing any dispositive motions to, on or before, 21 days after parties receive the written decision on motion to dismiss.

PRETRIAL adjourned to 5/4/2001 at 10:30 a.m. in Branch 45. Pretrial date of 3/26/2001 removed from calendar.

Motion for summary judgment set for 3/19/2001 is removed from the calendar at this time (to be brought when defense brings their motion for summary judgment, so they may be heard at the same time).

MOTION HEARING (for protective order and to compel) remain on the calendar for 3/19/2001 at 10 a.m. in Branch 45. Estimated time is 1 hour. j.kap

02-26-2001

Other papers

FILED, Notice of motion and motion.

FILED, Notice of motion and motion for temporary injunction.

FILED, Affidavit of M.E. Sostarich, class counsel, regarding ex parte contacts by defendant's counsel.

FILED, Affidavit of Kevin J. Demet, class counsel, regarding ex parte contacts by defendant's counsel.

FILED, Affidavit of Donal M. Demet, class counsel, regarding ex parte contacts by defendant's counsel. j.kap

02-28-2001

Other papers

FILED, Journal Sentinel Inc.'s notice of motion and motion to compel discovery from the named plaintiffs and to compel plaintiffs to provide defendants with a meaningful and accurate witness list.

FILED, Brief in support of defendant's motion to compel discovery from the named plaintiffs and to compel plaintiffs to provide defendants with a meaningful and accurate witness list.

FILED, Appendix of authorities pursuant to local rule 364(g) (non-Wisconsin authorities).

FILED, Affidavit of Jonathan J. Van Handel. j.kap

02-28-2001

Other papers

FILED, Defendant's response to plaintiff's motion for a temporary restraining order.

FILED, Affidavit of David W. Simon.

FILED, Affidavit of John R. Dawson.

FILED, Affidavit of Paul E. Kritzer. j.kap



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02-28-2001 Other papers  
FILED, Notice of motion and motion of Roberta Walcutt to be included in the class of plaintiffs of, in the alternative, to be named as an additional named plaintiff.  
FILED, Memorandum of law in support of motion of Roberta Walcutt to be included in the class of plaintiffs of, in the alternative, to be named as an additional named plaintiff.  
FILED, Affidavit of Roberta Walcutt. j.kap

03-02-2001 Motion hearing Thomas P. Donegan-45  
DENISE WINIARSKI, COURT REPORTER  
Case called at 10:45 a.m.  
Appearances:  
- Attorney Don Demet, Attorney Kevin Demet and Attorney Mark Sostarich for plaintiffs.  
- Attorney John Dawson and Attorney Cynthia Franecki for defendants.  
  
- Paul Kritzer also appears.  
Statements made.  
Arguments heard.  
Court DENIES motion for temporary restraining order.  
Defense counsel to prepare order.  
Court, on it's own motion, directs parties to limit communications without addressing counsel. Plaintiff to prepare order. j.kap

03-02-2001 Notes  
Clerk phoned Attorney Kevin Demet and Attorney Cynthia Franecki (who also has access to Attorney David Simon's calendar) and parties have agreed to set a status (at judge's request) for 3/5/2001 at 11 a.m. in Branch 45. j.kap

03-05-2001 Status conference Thomas P. Donegan-45  
Appearances:  
- Attorney Mark Sostarich and Attorney Kevin Demet for plaintiffs.  
- Attorney David Simon and Attorney Cynthia Franecki for defendants.  
Status conference held in chambers off the record regarding defendant's motion to dismiss count 6 of the complaint. j.kap

03-08-2001 ✓ Other papers  
FILED, Plaintiff's opposition to "super" protective order. j.kap

03-09-2001 Transcript  
of 3/2/2001 motion hearing FILED. j.kap

03-14-2001 Notes  
Attorney Cynthia Franecki called to removed the motion to compel set for 3/19/2001, but the other 2 motions will still be heard. MOTION to compel adjourned to 3/26/2001 at 2 p.m. in Branch 45. j.kap

03-14-2001 Response/reply  
FILED, Defendant's response to Roberta Walcutt's motion to be included in the class of plaintiffs' or to be named as an additional plaintiff. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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03-14-2001 Brief  
FILED, Brief in opposition to the defendant's motion to compel discovery. j.kap

03-16-2001 Other papers  
FILED, Defendant's notice of motion and motion to take limited discovery from certain unnamed class members.  
FILED, Defendant's memorandum in support of their motion to take limited discovery from certain unnamed class members.  
FILED, Affidavit of Monica Sanchez.  
FILED, Copy of Affidavit of Paul E. Kritzer filed 2/28/2001.  
FILED, Affidavit of Cynthia J. Franecki.  
FILED, Non-Wisconsin authorities cited in defendant's memorandum.  
FILED, Defendant's notice of motion and motion for in camera inspection and disclosure of the February 23, 2001 letter from plaintiff's counsel to class members.  
FILED, Memorandum in support of defendant's motion for in camera inspection and disclosure of the February 23, 2001 letter from plaintiff's counsel to class members.  
FILED, Journal Sentinel Inc.'s amended notice of motion and motion to compel discovery from the named plaintiffs. j.kap

03-19-2001 Motion hearing Thomas P. Donegan-45  
DENISE WINIARSKI, COURT REPORTER  
Case called at 10:01 a.m.  
Appearances:  
- Attorney Thomas Frenn, Attorney Don Demet, Attorney Kevin Demet, and Attorney Mark Sostarich appear for plaintiffs.  
- Attorney David Simon appears for defendants.  
Statements made.  
Arguments heard.  
Court DENIES motion to add party.  
Court GRANTS motion to modify protective order.  
MOTION HEARING scheduled for 3/26/2001 has been moved to 4/2/2001 at 8:30 a.m. in Branch 45. j.kap

03-26-2001 Letters/correspondence  
dated 3/23/2001 from John Wolf demanding release FILED. j.kap

03-28-2001 Response/reply  
FILED, Defendant's reply in support of motion to compel discovery from class representatives. j.kap

03-28-2001  Brief  
FILED, Brief in opposition to the defendant's motion seeking: I. Depositions of absent class members; II. Waiver of attorney/client privilege; and , III. For inspection and disclosure of plaintiff's attorney client communication. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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| 04-02-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 8:33 a.m.<br>Appearances:<br>- Attorney Thomas Frenn, Attorney Don Demet, Attorney Kevin Demet and Attorney Mark Sostarich for plaintiff.<br>- Plaintiff, Thomas Gauthier, also present in court.<br>- Attorney John Dawson, Attorney David Simon, Attorney Cynthia Franecki and Attorney Mike Halfenger for defendants.<br>Statements made.<br>Arguments heard.<br>Court GRANTS defendant's motion to compel discovery from the named plaintiffs.<br>Further arguments heard.<br>(Court breaks to hear other cases)<br>Case recalled at 9:36 a.m. (same appearances)<br>Arguments continued.<br>Court GRANTS defendant's motion to take limited discovery from certain unnamed class members (with conditions as stated on the record - maximum of 2 hour depositions).<br>Further arguments heard.<br>Court DENIES defendant's motion for an in camera inspection and disclosure of the February 23, 2001 letter from plaintiff's counsel to class members.<br>Defense counsel to prepare order.<br>Parties request to have pretrial adjourned for reasons as stated on the record. PRETRIAL adjourned to 5/25/2001 at 9:30 a.m. in Branch 45.<br>Court date of 5/4/2001 removed from calendar. (Discovery deadline and pretrial reports due 1 week prior to pretrial.) j.kap | Thomas P. Donegan-45 |
| 04-04-2001 | Witness list - plaintiff<br>FILED, Plaintiff's amended and enhanced witness list. j.kap  |                      |
| 04-04-2001 | <i>W</i> Order<br>(from 3/19/2001 motion hearing) signed and FILED. j.kap  | Thomas P. Donegan-45 |
| 04-09-2001 | Motion<br>FILED, Plaintiff's motion for separate trial on damage issue and wage claim against defendant Journal Sentinel, Inc. j.kap   |                      |
| 04-09-2001 | Letters/correspondence<br>Copy of letter dated 4/6/2001 from Attorney Thomas Frenn addressed to Foley & Lardner regarding answers to interrogatories FILED. j.kap  |                      |
| 04-11-2001 | Motion<br>FILED, Plaintiff's motion for order requiring Ernst & Young, LLP and Lehman Brothers to produce witnesses in Wisconsin or authorizing out-of-state depositions. j.kap  |                      |

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04-23-2001 Notice of motion, motion  
FILED, Defendant's notice of motion and motion to modify the current  
schedule. j.kap

04-27-2001 Other papers  
FILED, Defendant's notice of motion and motion for summary  
judgment dismissing claims of involuntarily-terminated plaintiffs.  
FILED, Memorandum in support of defendant's motion for summary  
judgment dismissing claims of involuntarily-terminated plaintiffs.  
FILED, Affidavit of Michael P. Matthews.  
FILED, Certificate of service.  
with proposed order. j.kap

04-27-2001 Letters/correspondence  
dated 4/27/2001 from Attorney Cynthia Franecki FILED with proposed  
order. j.kap

05-02-2001 Letters/correspondence  
dated 5/2/2001 from Attorney Cynthia Franecki regarding proposed  
orders FILED. j.kap

05-02-2001 Other papers  
FILED, Ernst & Young LLP's brief in opposition to the plaintiff's motion  
to produce witnesses in Wisconsin or authorizing out-of-state  
depositions.  
FILED, Affidavit of Sylvester R. DeLitto submitted in support of Ernst &  
Young LLP's brief in opposition to the plaintiff's motion to produce  
witnesses in Wisconsin or authorizing out-of-state depositions.  
FILED, Affidavit of service. j.kap

05 04 2001 Other papers  
FILED, Nonparty Lehman Brothers' (1) opposition to plaintiff's motion  
for order requiring Lehman Brothers to produce witnesses in Wisconsin  
or authorizing out-of-state depositions and (2) motion for protective  
order.  
FILED, Affidavit of Christine P. Searl. j.kap

05-04-2001 Response/reply  
FILED, Defendants's response to plaintiff's motion for a separate trial.  
j.kap

05-04-2001 Letters/correspondence  
Copy of letter faxed to Cynthia Franecki from Thomas Frenn dated  
5/3/2001 regarding transcript dispute FILED. j.kap

05-07-2001 Transcript  
of the motion to compel hearing - excerpt - of 4/2/2001 FILED. j.kap

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05-09-2001 [LT] Notice of motion, motion  
Filed, defendants motion for leave to file amended answer, affirmative  
defenses and counterclaim.

05-11-2001 Affidavit  
FILED, Affidavit of Gordon P. Giampietro in support of nonparty Ernst  
& Young's request for attorney fees and costs.  
with proposed order. j.kap

05-14-2001 Other papers  
FILED, Affidavit of Danile R. Plane in support of nonparty Lehman  
Brothers' request for attorney's fees and costs.  
FILED, Affidavit of William R. Steinmetz in support of nonparty Lehman  
Brothers' request for attorney's fees and costs. j.kap

05-16-2001 Letters/correspondence  
dated 5/16/2001 from Attorney Mark Sostarich regarding proposed  
order FILED with alternative proposed order. j.kap

05-18-2001 Letters/correspondence  
dated 5/17/2001 from Attorney Mark Sostarich regarding attorney's  
fees FILED. j.kap

05-21-2001 Brief  
FILED, Brief in opposition to defendant's motion for leave to file an  
amended answer, affirmative defenses and counter-claim.  
FILED, Affidavit of Donal M. Demet, class counsel. j.kap

05-21-2001 Letters/correspondence  
dated 5/21/2001 from Attorney Gordon Giampietro regarding attorneys  
foes FILED. j.kap

05-22-2001 Notes  
Attorney David Simon and Attorney Tom Frenn called to adjourn the  
5/23/2001 motion hearing. MOTION HEARING adjourned to 5/29/2001  
at 11 a.m. in Branch 45. Court date of 5/23/2001 removed from  
calendar. j.kap

05-24-2001 Letters/correspondence  
dated 5/24/2001 from Attorney Mark Sostarich regarding attorney's  
fees FILED. j.kap

05-25-2001 Other papers  
FILED, Affidavit of David W. Simon.  
FILED, Reply brief in support of defendant Journal Sentinel Inc.'s  
motion for leave to file an amended answer, affirmative defenses and  
counterclaim.  
FILED, Non-Wisconsin authority cited in defendant's reply brief. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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| 05-29-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 11:05 a.m.<br>Appearances:<br>- Attorney Don Demet and Attorney Mark Sostarich for plaintiffs.<br>- Attorney John Dawson, Attorney David Simon and Attorney Michael Halfenger for defendants.<br>Statements made.<br>Arguments heard.<br>Court DENIES defendant's motion to file an amended answer.<br>Attorney Don Demet to prepare order. j.kap | Thomas P. Donegan-45 |
| 06-07-2001 | Order<br>denying plaintiff's motion to produce witnesses in Wisconsin and granting defendant's costs and fees signed and FILED. j.kap  | Thomas P. Donegan-45 |
| 06-14-2001 | Other papers<br>FILED, Plaintiff's brief in opposition to defendant's motion for summary judgment dismissing claims of involuntarily terminated plaintiffs.<br>FILED, Affidavit of Donal M. Demet, class counsel.<br>FILED, Non-Wisconsin authority cited in plaintiff's brief in opposition to defendant's motion for summary judgment. j.kap   |                      |
| 06-21-2001 | Letters/correspondence<br>dated 6/20/2001 from Attorney Kevin Demet regarding decision made by Judge Ullsvik FILED with attachment. j.kap  |                      |
| 06-22-2001 | Transcript<br>of 5/29/2001 motion hearing FILED. j.kap   |                      |
| 07-13-2001 | [LT] Response/reply<br>Filed, reply brief in support of defendant's motion for summary judgment dismissing claims of involuntarily-terminated plaintiffs. Per instructions of judge, 07-23-01 motion hearing is cancelled - court will provide a written decision on summary judgment motion within the week.  |                      |
| 07-17-2001 | Other papers<br>FILED, Defendant's notice of motion and motion for clarification.<br>FILED, Memorandum in support of defendant's motion for clarification.<br>FILED, Affidavit of G. Michael Halfenger.<br>FILED, Table of non-Wisconsin authorities cited in memorandum in support of defendant's motion for clarification. j.kap   |                      |
| 08-21-2001 | Notes<br>Attorney Don Demet and Attorney David Simon called to adjourn the 9/17/2001 motion hearing. MOTION HEARING adjourned to 9/24/2001 at 10 a.m. in Branch 45. Court date of 9/17/2001 removed from calendar. j.kap   |                      |

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| Caption  | Responsible C.O.     | Case Number |
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| 08-28-2001 | Other papers<br>FILED, Defendant Journal Sentinel Inc.'s notice of motion and motion for reconsideration.<br>FILED, Defendant JSI's memorandum in support of its motion for reconsideration (FILED UNDER SEAL).<br>FILED, Affidavit of Michael J. Koehler (FILED UNDER SEAL).<br>FILED, Affidavit of Bret A. Roge.<br>FILED, Affidavit of J. Lewis Perlson. j.kap   |                      |
| 09-04-2001 | Motion<br>for Ruling on Admissibility of Document, Alternative Motion for Commissions to Take Depositions Out of State. lm  | Thomas P. Donegan-45 |
| 09-18-2001 | Other papers<br>FILED, Defendant's notice of motion and motion to compel production of documents in the files of plaintiffs' expert.<br>FILED, Affidavit of G. Michael Halfenger.<br>FILED, Table of non-Wisconsin authorities in support of defendants' motion to compel production of documents in the files of plaintiff's expert. j.kap   |                      |
| 09-26-2001 | Other papers<br>FILED, Affidavit of Cynthia J. Franecki.<br>FILED, Defendant's objections to interrogatories to be directed to Messrs. Donald Kaifen, Thomas Kischler, and Eric Kahler.<br>FILED, Defendant's response to plaintiff's motion for ruling on admissibility of document and alternative motion for commissions to take depositions out of state. j.kap   |                      |
| 09-27-2001 | Letters/correspondence<br>dated 9/27/2001 from Attorney Gordon Giampietro regarding 10/1/2001 motion FILED. j.kap   |                      |
| 09-28-2001 | Affidavit<br>FILED, Affidavit of M.E. Sostarich. j.kap  |                      |
| 10-01-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 11:43 a.m.<br>Appearances:<br>- Attorney Mark Sostarich, Attorney Kevin Demet and Attorney Don Demet for plaintiffs.<br>- Attorney David Simon and Attorney Cynthia Franecki for defendants.<br>Statements made.<br>Arguments heard.<br>Court DENIES motion for admissibility.<br>Court GRANTS alternative motion for commissions to take depositions out of state.<br>Defense counsel to prepare order. j.kap | Thomas P. Donegan-45 |

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| Caption  | Responsible C.O.     | Case Number |
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| 10-17-2001 | Brief<br>FILED, Brief in opposition to defendant's motion to compel production of attorney work product. j.kap  |                      |
| 10-17-2001 | Other papers<br>FILED, Brief in opposition to defendant's motion for clarification of the court's decision of May 29, 2001.<br>FILED, Brief in opposition to defendant's motion for reconsideration of the summary judgment on contract liability issued April 10, 2000.<br>FILED, Affidavit of Donal M. Demet, class counsel.<br>FILED, Non-Wisconsin authority cited in: Plaintiff's brief in opposition to defendant's motion for reconsideration of the summary judgment on contract liability issued April 10, 2000 AND Brief in opposition to defendant's motion for clarification of the court's decision of May 29, 2001.<br>with proposed order. j.kap   |                      |
| 10-19-2001 | Other papers<br>FILED, Reply in support of defendant's motion for clarification.<br>FILED, Reply in support of defendant's motion to compel documents in the files of plaintiff's expert.<br>FILED, Table of non-Wisconsin authorities cited in reply brief of defendant's motion to compel documents in the files of plaintiff's expert. j.kap   |                      |
| 10-22-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 10:38 a.m.<br>Appearances:<br>- Attorney Don Demet, Attorney Mark Sostarich, Attorney Thomas Frenn and Attorney Kevin Demet for plaintiffs.<br>- Plaintiffs, Thomas Gauthier, Michael Laska, Michael Zodrow and Rolland Sewell, also present.<br>- Attorney John Dawson, Attorney David Simon, Attorney Mike Halfenger and Attorney Michael Matthews for defendants.<br>- 2 representatives from defendant, Journal/Sentinel, also present.<br>Statements made.<br>Arguments heard.<br>Court GRANTS defendant's motion to compel.<br>Court GRANTS defendant's motion for clarification (the court amends it's ruling by not ruling on 806.07).<br>Court DENIES defendant's motion for reconsideration.<br>Order (for clarification) signed and FILED.<br>Defense counsel to prepare orders as to motion to compel.<br>Attorney Demet to prepare order as to motion for reconsideration.<br>j.kap | Thomas P. Donegan-45 |



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10-22-2001 Other papers  
FILED, Defendant's notice of motion and motion for summary judgment on plaintiff's wage and contract claims.  
FILED, Memorandum in support of defendant's motion for summary judgment on plaintiff's wage and contract claims.  
FILED, Affidavit of Paul E. Kritzer filed in support of defendant's motion for summary judgment on plaintiff's wage and contract claims.  
FILED, Affidavit of Christine Farnsworth.  
FILED, Affidavit of Cynthia J. Franecki filed in support of defendant's motion for summary judgment on plaintiff's wage and contract claims.  
FILED, Non-Wisconsin authorities cited in memorandum in support of defendant's motion for summary judgment on plaintiff's wage and contract claims. j.kap

10-22-2001 Order Thomas P. Donegan-45  
authorizing commissions for out of state depositions signed and FILED.  
j.kap

10-22-2001 Order Thomas P. Donegan-45  
(regarding defendant's motion for leave to file an amended answer, affirmative defenses, and counterclaim) signed and FILED. j.kap

10-23-2001 Other papers  
FILED, Plaintiff's motion to compel.  
FILED, Affidavit of M.E. Sostarich. j.kap

10-24-2001 Notes  
Attorney Cynthia Franecki, Attorney Mark Sostarich and Attorney Kevin Demet called to request a quick phone status with the judge on Monday afternoon. It will only take a few minutes, and it's nothing that the judge needs to prepare for. TELEPHONE STATUS CONFERENCE set for 10/29/2001 at 1:30 p.m. in Branch 45. j.kap

10-29-2001 Letters/correspondence  
dated 10/29/2001 from Attorney David Simon regarding this afternoon's telephone status conference FILED. j.kap

10-29-2001 Status conference Thomas P. Donegan-45  
NOT ON RECORD  
Appearances:  
- Attorney Don Demet and Attorney Kevin Demet for plaintiffs.  
- Attorney David Simon and Attorney Paul Kritzer for defendants.  
  
The deadline for filing dispositive motions regarding the motion for summary judgment seeking dismissal of plaintiff's breach of fiduciary duty claims against the officers and directors has been changed from 11/1/2001 to 14 days after notice of court's decision on motion to dismiss fiduciary duty summary judgment.  
  
PRETRIAL adjourned to 2/8/2002 at 9:30 a.m. in Branch 45.  
Pretrial date of 1/11/2002 removed from calendar.  
Pretrial reports are to be filed on or before 2/1/2002.  
Discovery is also to be completed on or before 2/1/2002. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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10-30-2001 Letters/correspondence  
from Attorney Kevin Demet to Judge Donegan transmitting PROPOSED  
Order for 10-29-2001 Hearing under 5-day rule--sas

10-31-2001 Other papers  
FILED, Defendant's memorandum in support of their motion for  
summary judgment dismissing plaintiff's breach of fiduciary duty claim  
and in opposition to plaintiff's motion for summary judgment on the  
same issue.  
FILED, Affidavit of David W. Simon.  
FILED, Defendant's notice of motion and motion for summary judgment  
dismissing plaintiff's breach of fiduciary duty claim.  
FILED, Affidavit of Paul E. Kritzer.  
FILED, Affidavit of Paul M. Bonaiuto.  
FILED, Non-Wisconsin authorities. j.kap

11-01-2001 Notice of motion  
for Partial Summary Judgment on the Issue of Breach of Fiduciary  
Duty by the Defendant Trustees --ymm

11-01-2001 Motion  
Plaintiffs' Motion for Partial Summary Judgment on the Issue of Breach  
of Fiduciary Duty by the Defendant Trustees, with supporting Affidavit  
and Amended Brief --ymm

11-01-2001 Other papers  
FILED, Defendant's notice of motion and motion for summary judgment  
dismissing plaintiff's claims on the grounds of accord and satisfaction  
and release.  
FILED, Memorandum in support of defendant's motion for summary  
judgment dismissing certain claims of all class members on the grounds  
of accord and satisfaction and release.  
FILED, Affidavit of Cynthia J. Franecki.  
FILED, Affidavit of Paul E. Kritzer. j.kap

11-02-2001 Transcript  
(from the 1/10/2000 motion hearing) FILED. j.kap

11-02-2001 Transcript  
(of the 10/22/2001 motion hearing - excerpt - decision) FILED. j.kap

11-02-2001 Transcript  
(from the 10/1/2001 motion hearing) FILED. j.kap

11-06-2001 Transcript  
of 10/22/2001 motion hearing-excerpt-arguments FILED. j.kap

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| Caption  | Responsible C.O.     | Case Number |
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| Thomas A Gauthier et al vs. Journal/Sentinel Inc et al | Thomas P. Donegan-45 | 99CV003572  |

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| 11-08-2001 | Letters/correspondence<br>dated 11/6/2001 from Attorney Don Demet regarding schedule of events FILED. j.kap  |                      |
| 11-12-2001 | Letters/correspondence<br>from Attorney Donal Demet confirming the results of the telephonic hearing regarding scheduling of motions outstanding. lm   | Thomas P. Donegan-45 |
| 11-14-2001 | Motion<br>Filed, Motion for Permission to Propound Interrogatories in Excess of Rule 342 Limitation submitted by Attorney Mark Sostarich. lm   | Thomas P. Donegan-45 |
| 11-20-2001 | Order<br>on defendant's request for amended scheduling order signed and FILED. j.kap   | Thomas P. Donegan-45 |
| 11-21-2001 | Plaintiff's brief<br>In Opposition To Defendants Motion For Summary Judgement Dismissing Claims On Grounds Of Accord And Satisfaction And Release.----GP   |                      |
| 11-21-2001 | Affidavit<br>Of Donal M. Demet , Class Counsel - Opposition To Defendants Motion For Summary Judgement - Accord And Satisfaction And Release.-----GP   |                      |
| 11-23-2001 | Order<br>on defendant's motion for reconsideration of the summary judgment on contract liability issued April 10, 2000 signed and FILED. j.kap   | Thomas P. Donegan-45 |
| 11-26-2001 | Other papers<br>FILED, Defendant's brief in opposition to plaintiff's motion to compel and plaintiff's motion to propound interrogatories in excess of rule 342 limitation.<br>FILED, Affidavit of Paul E. Kritzer.<br>FILED, Affidavit of David W. Simon. j.kap |                      |
| 11-26-2001 | Order<br>(regarding defendant's motion to compel) signed and FILED. j.kap  | Thomas P. Donegan-45 |
| 11-29-2001 | Letters/correspondence<br>dated 11/29/2001 from Attorney David Simon FILED with Second affidavit of M.E. Sostarich in support of plaintiff's October 22, 2001 motion to compel. j.kap  |                      |
| 11-29-2001 | Letters/correspondence<br>dated 11/28/2001 from Attorney Mark Sostarich regarding 12/3/2001 motion date FILED with Second Affidavit of M.E. Sostarich in support of plaintiff's October 22, 2001 motion to compel. j.kap   |                      |

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| Caption  | Responsible C.O.     | Case Number |
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11-30-2001 Letters/correspondence  
dated 11/29/2001 from Attorney Don Demet FILED. j.kap

12-03-2001 Brief  
FILED, Plaintiff's response brief on the fiduciary duty motions. j.kap

12-03-2001 Motion hearing  
DENISE WINIARSKI, COURT REPORTER  
Case called at 10:59 a.m.  
Appearances:  
- Attorney Don Demet, Attorney Mark Sostarich and Attorney Thomas Frenn for plaintiffs.  
- Attorney David Simon for defendants.  
  
\* RE: Plaintiff's Motion to Compel Production of Documents and Records (Requests 1-4) from 8/30/2001:  
Statements made.  
Arguments heard.  
Court GRANTS request #1 (Deadlines as stated on the record.)  
Court DENIES request #2.  
Court GRANTS request #3.  
Court DENIES request #4 subject to defendant's effort to further search within 2 weeks.  
  
\* RE: Plaintiff's Motion for permission to Propound Interrogatories:  
Statements made.  
Arguments heard.  
Court GRANTS motion.  
  
Attorney Mark Sostarich to prepare order. j.kap

12-03-2001 Other papers  
FILED, Reply memorandum in support of defendant's motion for summary judgment dismissing certain claims of all class members on the grounds of accord and satisfaction and release.  
FILED, Defendant's memorandum in support of their motion for summary judgment dismissing plaintiff's wage and breach of contract claims.  
FILED, Defendant's response to plaintiffs's "amended brief" in support of their cross-motion for summary judgment on their breach of fiduciary duty claim.  
FILED, Affidavit of David W. Simon.  
FILED, Non-Wisconsin authorities cited in defendant's response to plaintiff's "amended" brief" in support of their cross-motion for summary judgment on their breach of fiduciary duty claim. j.kap

12-05-2001 Letters/correspondence  
dated 12/5/2001 from Attorney Don Demet regarding 12/7/2001 motion hearing FILED with attachments. j.kap

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| 12-07-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 2:02 p.m.<br>Appearances:<br>- Attorney Don Demet, Attorney Kevin Demet, Attorney Mark Sostarich and Attorney Thomas Frenn for plaintiffs.<br>- Attorney Tom Shriner, Attorney David Simon, and Attorney Cynthia Franecki for defendants.<br>FILED, Non-Wisconsin Authority cited in plaintiff's oral arguments on 12/7/2001 in opposition to defendant's motion for summary judgment - accord and satisfaction.<br>Statements made.<br>Arguments heard.<br>Court GRANTS motion to dismiss plaintiff's wage claim.<br>Court DENIES motion to dismiss contract claim.<br>Court DENIES defendant's motion to dismiss on the grounds of accord & satisfaction.<br>Court DENIES motion to dismiss all claims except contract claims based on release.<br>Attorney Demet to prepare order. j.kap | Thomas P. Donegan-45 |
| 12-10-2001 | Response/reply<br>FILED, Defendant's reply memorandum in support of their motion for summary judgment dismissing plaintiff's breach of fiduciary duty claim.<br>j.kap  |                      |
| 12-10-2001 | Brief<br>FILED, Plaintiff's reply brief on the fiduciary duty motions. j.kap   |                      |
| 12-11-2001 | Affidavit<br>FILED, Supplemental affidavit of Thomas L. Frenn. j.kap   |                      |
| 12-13-2001 | Telephone status conference<br>Telephone Status Conference held at the court's request to adjourn the 12/17/2001 motion hearing.<br>Appearances by phone:<br>- Attorney Thomas Frenn.<br>- Attorney David Simon.<br>MOTION HEARING adjourned to 12/21/2001 at 3 p.m. in Branch 45.<br>Motion date of 12/17/2001 removed from calendar. j.kap   | Thomas P. Donegan-45 |
| 12-17-2001 | Other papers<br>Copy of Production Credit Association v. Vodak FILED. j.kap  |                      |

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| Caption  | Responsible C.O.     | Case Number |
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| 12-21-2001 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 3:03 p.m.<br>Appearances:<br>- Attorney Thomas Frenn, Attorney Mark Sostarich, Attorney Kevin Demet and Attorney Don Demet for plaintiffs.<br>- Attorney Shriner, Attorney David Simon and Attorney Helfinger for defendants.<br>Statements made.<br>RE: MOTION FOR SUMMARY JUDGMENT DISMISSING PLAINTIFF'S BREACH OF FIDUCIARY DUTY CLAIM:<br>Arguments heard.<br>Court will render an oral decision, and set a date for which decision will be heard.<br>PRETRIAL adjourned to 1/25/2002 at 2 p.m. in Branch 45.<br>Pretrial date of 2/8/2002 removed from calendar, as court is unavailable that date. j.kap | Thomas P. Donegan-45 |
| 12-21-2001 | Order<br>regarding plaintiff's October 22, 2001 motion to compel signed and FILED. j.kap   | Thomas P. Donegan-45 |
| 01-04-2002 | Other papers<br>FILED, two foreign cases cited at oral argument at the hearing of the Fiduciary Duty Motions of 12/21/01 submitted by Attorney Kevin Demet. Im   | Thomas P. Donegan-45 |
| 01-08-2002 | Other in-court activity<br>Telephone call from Attorney Mark Sostarich to schedule motion for sanctions for JANUARY 11, 2002 AT 3:30 P.M. Im   | Thomas P. Donegan-45 |
| 01-09-2002 | Other papers<br>FILED, Plaintiff's motion for sanctions for failure to comply with court's December 3, 2001 order regarding discovery, and motion for leave to have this motion heard on less than five-days notice.<br>FILED, Affidavit of M.E. Sostarich. j.kap  |                      |
| 01-09-2002 | Transcript<br>(of 12/7/2001 motion hearing - excerpts - decisions) FILED. j.kap  |                      |
| 01-10-2002 | Notes<br>Attorney David Simon, Attorney Cynthia Frannecki, Attorney Thomas Frenn and Attorney Mark Sostarich called to adjourn the 1/11/2002 sanctions hearing. MOTION HEARING (for sanctions) adjourned to 1/14/2002 at 10:30 a.m. in Branch 45. Motion date of 1/11/2002 removed from calendar. j.kap  |                      |
| 01-10-2002 | Letters/correspondence<br>dated 1/10/2002 from Attorney Thomas Shriner in response to Attorney Kevin Demet's letter to the court dated 12/27/2001 FILED. j.kap   |                      |

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| 01-14-2002 | Motion hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 10:32 a.m.<br>Appearances:<br>- Attorney Thomas Frenn, Attorney Mark Sostarich, Attorney Don Demet and Attorney Kevin Demet for plaintiffs.<br>- Attorney Cynthia Franecki and Attorney David Simon for defendants.<br>Statements made.<br>Arguments heard.<br>Court defers ruling on motion for sanctions.<br>Parties are to continue to resolve issues.<br>Parties are to call the court on or before noon on Friday, 1/18/2002 to advise the court of the status. j.kap | Thomas P. Donegan-45 |
| 01-14-2002 | Letters/correspondence<br>dated 1/11/2002 from Attorney Kevin Demet regarding Mr. Shriner's letter dated 1/10/2002 FILED. j.kap   |                      |
| 01-16-2002 | Transcript<br>(of the 12/21/2001 motion hearing for summary judgment on Fiduciary Duties) FILED. j.kap  |                      |
| 01-16-2002 | Transcript<br>(for the 12/3/2001 motion to compel hearing - excerpt - decision) FILED. j.kap  |                      |
| 01-22-2002 | Other papers<br>FILED, Defendant's memorandum regarding trial management issues, filed in preparation for pretrial conference.<br>FILED, Affidavit of David W. Simon.<br>FILED, Non-Wisconsin authorities cited in defendant's memorandum regarding trial management issues, filed in preparation for pretrial conference. j.kap  |                      |

Caption

Responsible C.O.

Case Number

Thomas A Gauthier et al vs. Journal/Sentinel Inc et al

Thomas P. Donegan-45

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01-22-2002

Hearing

DENISE WINIARSKI, COURT REPORTER

Case called at 3:00 p.m.

Appearances:

- Attorney Mark Sostarich, Attorney Thomas Frenn, Attorney Don Demet and Attorney Kevin Demet for plaintiffs.
- Plaintiff's, Thomas Gauthier and Joel McNally, also present in court.
- Attorney Cynthia Franecki, Attorney Tom Shriner, Attorney G. Michael Halfenger, Attorney David Simon, Attorney Mary Leahy and Attorney Paul Kritzer for defendants.

Statements made.

Arguments heard.

Thomas P. Donegan-45

RE: PLAINTIFF'S MOTION TO RESOLVE DISCOVERY ISSUE:

1. Language of verification re: document "Transactional Information" stipulated to as stated on the record to be signed today.
2. Stipulation accepted that Paul Kritzer has authority of trustees to sign verification.
3. Parties have 2 weeks from Friday (1/25/02) to file expert reports.

RE: COURT'S DECISION ON DEFENDANT'S SUMMARY JUDGMENT MOTION FILED 4/27/2001 TO DISMISS CLAIMS OF INVOLUNTARILY TERMINATED PLAINTIFF'S:

1. Re: Motion to dismiss for Accord & Satisfaction - Court previously DENIED defendant's similar motion on 12/7/2001, and therefore Court need not address this issue.
2. & 3. Court treats as motions to reconsider order of 4/10/2000 and DENIES motion.
4. Re: Defendant's motion for summary judgment to dismiss plaintiff's claims under doctrine of Release is DENIED.

Court reserves judgment on defendant's motion to dismiss fiduciary claims against officers and directors and defendant's claim to dismiss fiduciary claim against trustees until pretrial date of 1/25/2002.

Pretrial reports are to be filed no later than Friday (1/25/02) morning.  
Pretrial reports to be limited to contract issue.

Attorney Sostarich to prepare order. j.kap



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| Caption  | Responsible C.O.     | Case Number |
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01-25-2002 Pre-trial conference Thomas P. Donegan-45

DENISE WINIARSKI, COURT REPORTER  
Case called at 2:09 p.m.

Appearances:

- Attorney Thomas Frenn, Attorney Donal Demet, Attorney Mark Sostarich and Attorney Kevin Demet for plaintiffs.

- Attorney Thomas Shriner, Attorney David Simon, Attorney G. Michael Halfenger and Attorney Cynthia Franecki for defendants.

Statements made.

AS TO DEFENDANT'S MOTION TO DISMISS PLAINTIFFS CLAIM FOR BREACH OF FIDUCIARY DUTY BY OFFICERS AND DIRECTORS:

The Court, sua sponte, converts to a summary judgment motion, and GRANTS defendant's motion.

ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT DISMISSING PLAINTIFF'S CLAIM FOR BREACH OF FIDUCIARY DUTY BY TRUSTEES:

The Court GRANTS, based on statute of limitations, and issue preclusion.

Amended stipulation as to database to be filed by plaintiff's counsel.

Discovery deadline is today.

Plaintiff only allowed, without objection, to continue discovery with Ernst & Young.

Each party to file competing motions in limine as requested by the court, on or BEFORE 2/15/2002, except for expert issues.

Responses to be filed on or BEFORE 2/25/2002.

No reply by either party will be permitted.

Court will reserve time on March 5, 6 and 7 at 10 a.m., and let parties know by 2/28/2002 as to what issues will be heard on what date.

JURY TRIAL DATE OF 3/4/2002 removed from calendar.

JURY TRIAL adjourned to 6/17/2002 at 2 p.m. (as a #2 trial) in Branch 45.

JURY TRIAL adjourned to 12/2/2002 at 2 p.m. (as a #1 trial) in Branch 45. j.kap

01-25-2002 Report  
Filed, Dft.'s P.T. Report on Breach of Contract Claim. cp

02-07-2002 Letters/correspondence  
dated 2/5/2002 from Attorney Kevin Demet requesting an extension of time to produce plaintiff's final expert report FILED. j.kap

02-11-2002 Order signed Thomas P. Donegan-45  
FILED, signed Order Denying Defendants' Motion for Summary Judgment - Involuntarily Terminated Plaintiffs. lm

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| 02-11-2002 | Order signed<br>FILED, signed Order on Defendants' Motions for Summary Judgment.<br>lm  | Thomas P. Donegan-45 |
| 02-12-2002 | Other papers<br>FILED, Plaintiffs' Amended Final Pretrial Report; Plaintiffs' Proposed Form of Special Verdict; Plaintiffs Amended Requested Jury Instructions. lm  | Thomas P. Donegan-45 |
| 02-12-2002 | Letters/correspondence<br>dated 2/12/2002 from Attorney G. Michael Halfenger regarding deadlines FILED. j.kap   |                      |
| 02-13-2002 | Telephone status conference<br>(as requested by the court)<br>Appearances by phone:<br>- Attorney Kevin Demet for plaintiffs.<br>- Attorney G. Michael Halfenger and Attorney Cynthia Franecki for defendants.<br>RE: Letters dated 2/5/2002 and 2/12/2002<br>Statements made.<br>Discussions held.<br>No objections to the timelines proposed in Mr. Halfenger's letter with the addition of the following:<br>- All motions in limine except Class D Certification due 2/20/2002.<br>- Response brief for motions in limine due 2/28/2002.<br>Arguments will be heard on either Mar. 11, 12 or 13. The court will let parties know which date.<br>Attorney G. Michael Halfenger to prepare order. j.kap | Thomas P. Donegan-45 |
| 02-14-2002 | Stipulation or order to dismiss party<br>Signed and filed, Order DISMISSING Counts V and VI of the 2nd Amended Complaint and DISMISSING Action as to the following defendants: KAHLOR, SMITH, KARAVAKIS, HUTCHISON, JARZEMBINSKI, KIEL, BONAIUTO and SPORE. cp  | Thomas P. Donegan-45 |
| 02-15-2002 | Other papers<br>FILED, Defendant's notice of motion and motion in limine to decertify the class or, in the alternative, to sever the claims of the named plaintiffs for trial, and to allow discovery from and separate trials for the remaining class members.<br>FILED, Defendant's memorandum in support of its motion in limine to decertify the class.<br>FILED, Non-Wisconsin authorities cited in defendant's memorandum.<br>FILED, Affidavit.<br>FILED, Affidavit of David W. Simon. j.kap  |                      |
| 02-18-2002 | Report<br>FILED, final expert report of John Finnerty, Ph.D. on behalf of the class of plaintiffs. lm   | Thomas P. Donegan-45 |

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| 02-20-2002 | Other papers<br>FILED, Defendant's Motion in Limine to Preclude the Admission of Certain Evidence; Defendant's Brief in Support of its Motion; Defendant's Motion in Limine to Exclude Individuals from the Class; Defendant's Brief in Support of its Motion; the Affidavit of Cynthia J. Franecki in Support of Defendant's Motion to Exclude Certain Individuals from the Class; Defendant's Motion in Limine to Prohibit Plaintiffs from Offering their Current Deposition Designations at Trial; a Table of the Non-Wisconsin Authorities is cited in the various briefs. Im   | Thomas P. Donegan-45 |
| 02-20-2002 | Other papers<br>FILED, Plaintiffs' Motion in Limine to Prohibit Defendants' use of Witnesses Not Timely Identified; and Supporting Brief and Exhibits; Plaintiffs' Motion in Limine to Prohibit Parol Evidence on any Contrary Interpretation of the Contract; and Supporting Brief; Plaintiffs' Motion in Limine to Prohibit Introduction of Evidence of Payment by the JESTA Trustees as an Element of Accord and Satisfaction; and supporting Brief and Exhibits; Non-Wisconsin Authorities cited in the Accord and Satisfaction Brief; Plaintiffs' Objections to, and Motion to Strike Defendant's Proposed Jury Instructions and Special Verdict. Im | Thomas P. Donegan-45 |
| 02-21-2002 | Stipulation<br>FILED, Stipulation Regarding Jesta Unit Transactions; Verification; hard copy of the database - SEALED. Im   | Thomas P. Donegan-45 |
| 02-25-2002 | Other papers<br>FILED, Plaintiffs' Opposition to Motion to Decertify; Exhibits 1.12, including Affidavit of Kevin J. Demet; Affidavit of Thomas L. Frenn, Table of Foreign Authorities. Im  | Thomas P. Donegan-45 |
| 02-25-2002 | Motion<br>FILED, Defendant's Motion to Quash and For al Protective Order; Brief in Support of Its Motion; The Affidavit of Cynthia J. Franecki in Support of Defendant's Motion. Im   | Thomas P. Donegan-45 |
| 02-25-2002 | Letters/correspondence<br>FILED, letter from Attorney Kevin Demet objecting to proposed order submitted by defense counsel. Im  | Thomas P. Donegan-45 |
| 02-26-2002 | Motion hearing<br>Court Reporter - DENISE WINIARSKI<br>Plaintiffs, Thomas Gauthier, in court by Attorney Mark Sostarich<br>Defendants, in court by Attorneys Thomas Shriner and Cynthia Franecki<br><br>Attorney Gordan Giampretro in court for Ernst & Young, LLP<br>Defendants' motion to quash or for protective order proceeded. Court grants waiver of 5 day notice. Burden not met fo to quash or for protective order. Court denies motion. Deposition to proceed. Per order to be signed. Im  | Thomas P. Donegan-45 |
| 02-26-2002 | Amended<br>FILED, Amended Notice of Motion and Motion to Quash and for a Protective Order. Im   | Thomas P. Donegan-45 |

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| 02-26-2002 | Order signed<br>FILED, signed Scheduling Order. Im   | Thomas P. Donegan-45 |
| 02-28-2002 | Brief<br>FILED, Plaintiffs' Brief in Opposition to Defendant's Motion in Limine to Preclude the Admission of Certain Evidence. Im  | Thomas P. Donegan-45 |
| 02-28-2002 | Brief<br>FILED, Brief in Response to Defendant's Motion in Limine to Exclude Certain Individuals from the Class. Im  | Thomas P. Donegan-45 |
| 03-01-2002 | Other papers<br>FILED, Defendant's Response to Plaintiffs' Motion in Limine to Prohibit Evidence of the Parties' Understanding of the Sllback Provision - Wrongly Labeled "Parol Evidence,"; Response to Plaintiffs' Motion in Limine to Prohibit Assertion of Accord and Satisfaction Defense; Response to Plaintiff's Motion to Strike Certain Witnesses; Response to Plaintiff's Objections to Proposed Jury Instructions and Special Verdict Form, along with a table of the non-Wisconsin authorities cited therein. Im | Thomas P. Donegan-45 |
| 03-01-2002 | Order signed<br>FILED, signed Order on Plaintiffs' Motion to Allow Certain Opt-Outs to Rejoin Plaintiff Class. Im  | Thomas P. Donegan-45 |
| 03-05-2002 | Brief<br>FILED, Defendant's Reply Memorandum in Support of Its Motin to Decertify the Class. Im  | Thomas P. Donegan-45 |
| 03-06-2002 | Motion<br>FILED, Plaintiff's Motion to Strike Late Submissions Relative to the Motion to Decertify the Class. Im   | Thomas P. Donegan-45 |
| 03-06-2002 | Brief<br>FILED, Brief in Opposition to Defendant's Motion in Limine Regarding Defendant's Expert Witness, Ernst & Young, LLP; March 5, 2002 Affidavit of M.E. Sostarich". Im   | Thomas P. Donegan-45 |
| 03-07-2002 | Other papers<br>FILED, Defendant's Response to Motion to STRike Exhibits to Franecki Affidavit. Im   | Thomas P. Donegan-45 |
| 03-08-2002 | Transcript<br>-FILED, Original Transcript - Hearing Re Stipulation and Decisions of 1/22/02 held before Judge Thomas Donegan.<br>-FILED, Original Transcript - Decision of Defendant's Motion to Dismiss Claims Against Officers and Directors and Defendant's Motin for Summary Judgment to Dismiss Fiduciary Duty Claims Against Trustees of 1/25/02 held before Judge Thomas Donegan. Im  | Thomas P. Donegan-45 |

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| 03-12-2002 | Transcript<br>FILED, original transcript - Motion to Compel Discovery - Excerpt RE Causation heard on 4/2/01 before Judge Thomas Donegan. Im   | Thomas P. Donegan-45 |
| 03-12-2002 | Order signed<br>FILED, signed Order Dismissing Counts V and VI of the Second Amended Complaint and Dismissing Action as to Defendants Kahlor, Smith, Karavakis, Hutchison, Jarzembinski, Kiel, Bonaiuto, and Spore. IM   | Thomas P. Donegan-45 |
| 03-14-2002 | Other in-court activity<br>NOTE: ORDER SIGNED ON 3/12/02 IS A DUPLICATE OF THE ORDER PREVIOUSLY SIGNED ON 2/14/02. Im  | Thomas P. Donegan-45 |
| 03-27-2002 | Notice of motion, motion<br>FILED, Notice of Motion and Motion for Determination as to Who is in the Class; attached supporting documents; Affidavit of Mailing; proposed Order on Disputed Class Members. Im  | Thomas P. Donegan-45 |
| 04-03-2002 | Letters/correspondence<br>FILED, letter from Howard Hoerl objecting to being excluded from the class action suit. Im   | Thomas P. Donegan-45 |
| 04-05-2002 | Letters/correspondence<br>FILED, letter from Attorney Thomas Frenn with copy of Howard Hoerl's objection to the Notice of Motion and Motion for Determination as to Who is in the Class. Im  | Thomas P. Donegan-45 |
| 04-15-2002 | Motion hearing<br>Court Reporter DENISE WINIARSKI<br>Plaintiffs, Thomas Gauthier, in court by Attorneys Thomas Frenn, Donal Demet and Kevin Demet<br>Defendant, Journal/Sentinel Inc., in court by Attorneys Thomas Shriner and Cynthia Franecki<br>Howard Hoerl in court, pro se<br>Plaintiff's motion for determination as to Who is in the Class heard. Attorney Frenn advised the court only C. Smith and A. Teletzke were included in Class and all other interested parties were excluded. Statement by Howard Hoerl. Court excluded Mr. Hoerl from Class. Documents to filed with the court by 4/24/02.<br>FILED signed Order on Disputed Class Members. Case continued to May 1, 2002 at 2:00 p.m. for status conference. Im | Thomas P. Donegan-45 |
| 05-09-2002 | Status conference<br>Plaintiffs in court by Attorneys Thomas Frenn, Donal Demet and Kevin Demet<br>Defendant, Journal Sentinel, Inc. in court by Attorneys Thomas Shriner and Cynthia Franecki<br>DENISE WINIARSKI, COURT RPEORTER<br>Statements by Counsel. Court grants order preliminarily approving class settlement. Notices to parties of class action settlement to be sent out by 5/11/02. Objections to proposed settlement to be mailed by 6/13/02. Hearing to determine whether the Court should approve proposed settlement set for JULY 1, 2002 AT 3:00 P.M. Im   | Thomas P. Donegan-45 |

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| 05-09-2002 | Other papers<br>-FILED, signed Order Preliminarily Approving Class Settlement.<br>-FILED, Notice of Class Action Settlement.<br>-FILED, signed Order Concerning Settlement Fund. Im  | Thomas P. Donegan-45 |
| 07-01-2002 | Hearing<br>DENISE WINIARSKI, COURT REPORTER<br>Case called at 2:58 p.m.<br>Appearances:<br>Attorney Thomas Frenn, Attorney Don Demet and Attorney Kevin Demet for plaintiff.<br>- Attorney Thomas Shriner for defendants.<br>Statements made.<br>Sworn & Testified for Plaintiff: Thomas Gauthier.<br>Court finds settlement fair and reasonable.<br>FILED, Signed Order for distribution of settlement fund.<br>FILED, Signed Final Order and judgment. j.kap | Thomas P. Donegan-45 |
| 07-01-2002 | Judgment<br>entered Judgment (distribution of settlement fund) this is not a docketed judgment. mld  | Thomas P. Donegan-45 |
| 07-01-2002 | Judgment<br>entered Judgment (final judgment) this is not a docketed judgment.<br>mld  | Thomas P. Donegan-45 |