

10-813

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FENDI ADELE S.R.L., FENDI S.R.L., and
FENDI NORTH AMERICA, INC.

Plaintiffs,

- against -

BURLINGTON COAT FACTORY WAREHOUSE
CORPORATION and COHOES FASHIONS, INC.,

Defendants.

Case No. 06-CV-0085 (LBS)(MHD)

-----X
BURLINGTON COAT FACTORY WAREHOUSE
CORPORATION AND COHOES FASHIONS, INC.

Defendants/Third-Party Plaintiffs,

- against -

546332 BC LTD., d/b/a COLTON INTERNATIONAL,
SUMMIT RESOURCE IMPORTS LLC,
EURO MODA, INC., MODA'OGGI, INC., and
ASHLEY REED TRADING, INC.,

Third-Party Defendants.

NOTICE OF APPEAL

U.S. COURT OF APPEALS
2010 MAR -3 PM 3:39

PLEASE TAKE NOTICE that Defendants and Third-Party Plaintiffs Burlington Coat
Factory Warehouse Corporation and Cohoes Fashions, Inc., hereby appeal to the United States
Court of Appeals for the Second Circuit from all aspects of the Judgment entered in this action

*Consented
Index received
Fee Paid
Pr. 06-1351-CV*

on February 11, 2010, and from all aspects of the Amended Judgment entered in this action on February 16, 2010.

Dated: New York, New York
March 2, 2010

SMITH, GAMBRELL & RUSSELL, LLP

By: 

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By: 

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Third-Party Defendants

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FENDI ADELE S.R.I., FENDI S.R.I., and
FENDI NORTH AMERICA,

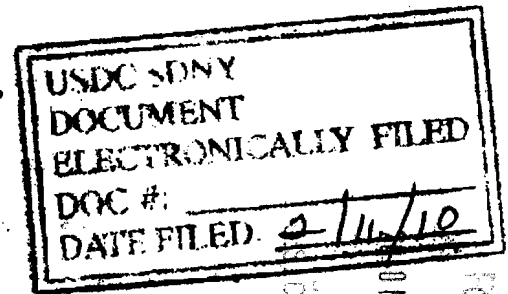
Plaintiffs,

06 CIVIL 0085(LBS)
JUDGMENT

-v-

BURLINGTON COAT FACTORY WAREHOUSE CORP.,
et.al.,

Defendants/Third Party Plaintiffs,



-v-

546332 bc, LTD., et.al.,

Third Party Defendants.

-----X
DISTRICT COURT

-----X
FENDI ADELE S.R.I., and
Whereas, Fendi now moves for summary judgment on its remaining causes of action, in addition, three other motions are pending, Burlington's motion to Amend Answer, Burlington's motion for summary judgment against the Third-Party Defendants, and Colton's Cross-Motion to dismiss third party complaint, then, on February 8, 2010, the Court having issued its Memorandum and Order, granting Fendi's motion for summary judgment, referring the matter of damages to Magistrate Judge Dolinger for inquest, directing Burlington to submit to the Court within sixty days a compliance plan, directing Burlington to submit a compliance report within six months, granting Colton's cross-motion to dismiss the third-party complaint, granting Burlington's motion for partial summary judgment against Ashley Reed, Euro Moda, Moda Oggi, and Summit and adopting in its entirety the December 1, 2009, Report and Recommendation, it is,

ORDERED, ADJUDGED AND DECREED, that for the reasons stated in the Court's Memorandum and Order, dated February 8, 2010, the Report of the Magistrate Judge is judgment against the Third-Party Defendants, and C.

adopted, Febdi's motion for summary judgment is granted, the matter of damages and attorneys' fees is referred to Magistrate Judge Dolinger for inquest, Burlington is directed to submit within sixty days a compliance plan, Burlington is also directed to submit to Court within six months a compliance report, Colton's cross-motion to dismiss the third-party complaint is granted, Burlington's motion for partial summary judgment against Ashley Reed, Euro Moda, Moda Oggi, and Summit is also granted.

DATED: NEW YORK, NY

February 5, 2010

J. Michael McMahon

Clerk

(By) Deputy Clerk

(By) Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:06-cv-00085-LBS-MHD

Fendi Adele S.R.L. et al v. Burlington Coat Factory Warehouse Corporation
Assigned to: Judge Leonard B. Sand
Referred to: Magistrate Judge Michael H. Dolinger
Related Case: 1:86-cv-571
Cause: 15:1051 Trademark Infringement

Date Filed: 01/05/2006
Jury Demand: Defendant
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff**Fendi Adele S.R.L.**represented by **Anthony S. Cannatella**

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Warehouse Corporation**

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Counter Defendant

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Counter Defendant

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Warehouse Corporation**

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Counter Defendant

Cohoes Fashions, Inc.**Counter Defendant****Burlington Coat Factory
Warehouse Corporation**

Date Filed	#	Docket Text
01/05/2006	1	COMPLAINT against Burlington Coat Factory Warehouse Corporation. (Filing Fee \$ 250.00, Receipt Number 565698) Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(es,) Additional attachment(s) added on 1/20/2006 (mbe,). Additional attachment(s) added on 2/21/2006 (jeh,). (Entered: 01/06/2006)
01/05/2006		SUMMONS ISSUED as to Burlington Coat Factory Warehouse Corporation. (es,) (Entered: 01/06/2006)
01/05/2006		Case Designated ECF. (es,) (Entered: 01/06/2006)
01/05/2006	2	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(es,) Additional attachment(s) added on 1/20/2006 (mbe,). (Entered: 01/06/2006)
01/05/2006		CASE REFERRED TO Judge Leonard B. Sand as possibly similar to 87-cv-571. (es,) (Entered: 01/06/2006)
01/10/2006		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Anthony S. Cannatella for noncompliance with Section (3) of the S. D.N.Y. 3rd Amended Instructions For Filing An Electronic Case or Appeal and Section 1(d) of the S.D.N.Y. Procedures For Electronic Case Filing. E-MAIL the PDF for Document 1 Complaint, 2 Rule 7.1 Disclosure Statement to: case_openings@nysd.uscourts.gov. (lb,) (Entered: 01/10/2006)
01/11/2006	3	NOTICE OF APPEARANCE by J. Joseph Bainton on behalf of Burlington Coat Factory Warehouse Corporation (Bainton, J.) (Entered: 01/11/2006)
01/11/2006	4	NOTICE OF APPEARANCE by John Jongmin Lee on behalf of Burlington Coat Factory Warehouse Corporation (Lee, John) (Entered: 01/11/2006)

01/12/2006	5	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION for Order to Show Cause. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) Modified on 4/6/2006 (kg). (Entered: 01/12/2006)
01/12/2006	6	DECLARATION of J. Joseph Bainton in Support re: 5 MOTION for Order to Show Cause.. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A ? 1 of 3 ? Letter from J. Bainton to the Hon. Leonard B. Sand# 2 Exhibit A ? 2 of 3 ? Letter from J. Bainton to the Hon. Leonard B. Sand# 3 Exhibit A ? 3 of 3 ? Letter from J. Bainton to the Hon. Leonard B. Sand# 4 Exhibit B ? Letter from J. Bainton to A. Cannatella# 5 Exhibit C ? E-mail from J. Bainton to A. Cannatella# 6 Exhibit D ? Letter from A. Cannatella to J. Bainton# 7 Exhibit E ? Letter from A. Cannatella to the Hon. Leonard B. Sand)(Bainton, J.) (Entered: 01/12/2006)
01/12/2006	7	CERTIFICATE OF SERVICE of Proposed Order to Show Cause and Declaration of J. Joseph Bainton served on Fendi Adele S.R.L., et. al. on 1/12/06. Service was made by Mail. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 01/12/2006)
01/20/2006	8	ORDER TO SHOW CAUSE by Burlington Coat Factory Warehouse Corporation for an order for expedited discovery. Withdrawn, see transcript proceeding. (Signed by Judge Leonard B. Sand on 1/20/06) (dle,) (Entered: 01/23/2006)
01/20/2006		Minute Entry for proceedings held before Judge Leonard B. Sand : Pretrial Conference held on 1/20/2006. (kco,) (Entered: 01/23/2006)
01/20/2006	9	AMENDED COMPLAINT amending 1 Complaint, against Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. Related document: 1 Complaint, filed by Fendi S.R. L., Fendi North America, Inc., Fendi Adele S.R.L..(sac,) Additional attachment(s) added on 1/25/2006 (sac,). (Entered: 01/24/2006)
01/20/2006		SUMMONS ISSUED as to Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (sac,) (Entered: 01/24/2006)

01/20/2006		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Anthony S. Cannatella for noncompliance with Section (3) of the S. D.N.Y. 3rd Amended Instructions For Filing An Electronic Case or Appeal and Section 1(d) of the S.D.N.Y. Procedures For Electronic Case Filing. E-MAIL the PDF for Document 9 Amended Complaint, to: case_openings@nysd.uscourts.gov. (sac,) (Entered: 01/24/2006)
01/25/2006	10	AFFIDAVIT OF SERVICE. Burlington Coat Factory Warehouse Corporation served on 1/5/2006, answer due 1/25/2006. Service was accepted by Alison Wong. Document filed by Fendi Adele S.R.L.; Fendi S.R.L.; Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 01/25/2006)
01/25/2006	11	AFFIDAVIT OF SERVICE. Burlington Coat Factory Warehouse Corporation served on 1/20/2006, answer due 2/9/2006. Service was accepted by Joseph Bainton, Attorney. Document filed by Fendi Adele S.R.L.; Fendi S.R.L.; Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 01/25/2006)
01/25/2006	12	AFFIDAVIT OF SERVICE. Cohoes Fashions, Inc. served on 1/20/2006, answer due 2/9/2006. Service was accepted by Joseph Bainton, Attorney. Document filed by Fendi Adele S.R.L.; Fendi S.R.L.; Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 01/25/2006)
01/25/2006		CASE ACCEPTED AS RELATED TO 86-cv-571. Notice of Assignment to follow. (jeh,) Modified on 2/16/2006 (laq,). (Entered: 01/26/2006)
01/25/2006		Magistrate Judge Ronald L. Ellis is so designated. (jeh,) (Entered: 01/26/2006)
01/25/2006	13	NOTICE OF CASE ASSIGNMENT to Judge Leonard B. Sand. Judge Unassigned no longer assigned to the case. (jeh,) (Entered: 01/26/2006)
02/01/2006	14	TRANSCRIPT of proceedings held on 1/20/2006 @11:00 a.m. before Judge Leonard B. Sand. (lb,) (Entered: 02/01/2006)
02/01/2006	15	TRANSCRIPT of proceedings held on 1/20/06 @ 11:00 AM before Judge Leonard B. Sand. (kco,) (Entered: 02/01/2006)

02/03/2006	16	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Burlington Coat Factory Warehouse Corporation.(Bainton, J.) (Entered: 02/03/2006)
02/03/2006	17	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Cohoes Fashions, Inc..(Bainton, J.) (Entered: 02/03/2006)
02/03/2006	18	ANSWER to Amended Complaint with JURY DEMAND., COUNTERCLAIM against all plaintiffs. Document filed by Burlington Coat Factory Warehouse Corporation. Related document: 9 Amended Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L.,. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Errata J)(Bainton, J.) (Entered: 02/03/2006)
02/03/2006	19	ANSWER to Amended Complaint., COUNTERCLAIM against all plaintiffs. Document filed by Cohoes Fashions, Inc.. Related document: 9 Amended Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L.,. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Exhibit J) (Bainton, J.) (Entered: 02/03/2006)
02/15/2006		MEMORANDUM OF LAW in Opposition re: MOTION for an Order pursuant to FRCP 60 amending nunc pro tunc the May 19, 1987 Consent Injunction. Document filed by plaintiffs Fendi Adele, S.r.l., and Fendi North America, Inc. ORIGINAL DOCUMENT ENTERED IN CASE #86cv0571, DOC. #8. (tp,) (Entered: 02/27/2006)
02/15/2006		DECLARATION of Anthony S. Cannatella in Opposition re: MOTION for an Order pursuant to FRCP 60 amending nunc pro tunc the May 19, 1987 Consent Injunction. Document filed by Fendi Adele S.R.L., Fendi North America, Inc. ORIGINAL DOCUMENT ENTERED IN CASE #86cv0571, DOC. #14. (tp,) (Entered: 02/27/2006)
02/16/2006	20	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 02/16/2006)

02/16/2006	21	THIRD PARTY COMPLAINT against 546332 BC Ltd., Ashley Reed Trading, Inc., Euro Moda, Inc., Moda Oggi, Inc., Summit Resource Imports LLC. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 # 2 # 3 # 4)(sac,) (Entered: 02/17/2006)
02/16/2006		SUMMONS ISSUED as to Moda Oggi, Inc., Summit Resource Imports LLC, 546332 BC Ltd., Ashley Reed Trading, Inc., Euro Moda, Inc.. (sac,) (Entered: 02/17/2006)
02/22/2006	22	ANSWER to Counterclaim., ANSWER to Counterclaim. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 02/22/2006)
02/22/2006	23	AFFIDAVIT OF SERVICE of Reply to Answer and Counterclaim served on J. Joseph Bainton on February 22, 2006. Service was made by MAIL. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 02/22/2006)
02/27/2006	24	SUMMONS RETURNED EXECUTED. 546332 BC Ltd. served on 2/20/2006, answer due 3/13/2006. Service was accepted by Howard Colton, President. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 02/27/2006)
03/02/2006	25	REQUEST for Production of Documents. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 03/02/2006)
03/02/2006	26	AFFIDAVIT OF SERVICE of Plaintiff's First Requet for the Production of Documents served on J. Joseph Bainton, Esq. on March 2, 2006. Service was made by Hand Delivery. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 03/02/2006)
03/02/2006	27	MEMO ENDORSEMENT ON NOTICE OF MOTION: ENDORSEMENT: Motion DENIED. See opinion on the record this date. (Signed by Judge Leonard B. Sand on 3/2/06) (js,) (Entered: 03/03/2006)
03/02/2006		Minute Entry for proceedings held before Judge Leonard B. Sand : Oral Argument held on 3/2/2006 re: Memorandum of Law in Oppisition, filed by Fendi North America, Inc., Fendi Adele S.R.L. Denied. (jco,) (Entered: 03/07/2006)

03/06/2006	28	SUMMONS RETURNED EXECUTED. Euro Moda, Inc. served on 3/1/2006, answer due 3/21/2006. Service was accepted by Steve Silverstein, Officer. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Supplement Recipient's Description and Signature)(Bainton, J.) (Entered: 03/06/2006)
03/06/2006	29	SUMMONS RETURNED EXECUTED. Moda Oggi, Inc. served on 3/1/2006, answer due 3/21/2006. Service was accepted by Steve Silverstein, Officer. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Supplement Recipient's Description and Signature)(Bainton, J.) (Entered: 03/06/2006)
03/06/2006	30	SUMMONS RETURNED EXECUTED. Summit Resource Imports LLC served on 3/1/2006, answer due 3/21/2006. Service was accepted by Steve Naidrich, President. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Supplement Recipient's Description and Signature)(Bainton, J.) (Entered: 03/06/2006)
03/15/2006	31	ACKNOWLEDGMENT OF SERVICE. Ashley Reed Trading, Inc. served on 3/12/2006, answer due 4/3/2006. Service was made by Mail. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 03/15/2006)
03/20/2006	32	STIPULATION: the time for defendant Summit Resource Imports LLC to answer, move or otherwise respond to the third party complaint is extended to 4/1/0/06. (Signed by Judge Leonard B. Sand on 3/20/06) (db,) (Entered: 03/20/2006)
03/20/2006		Set Answer Due Date purs. to 32 Stipulation and Order as to Summit Resource Imports LLC answer due on 4/10/2006. (db,) (Entered: 03/20/2006)
03/20/2006	33	ANSWER to Complaint. Document filed by Colton International. (Goodman, Robert) (Entered: 03/20/2006)
03/21/2006	34	TRANSCRIPT of proceedings held on 03/02/06 before Judge Leonard B. Sand. (es,) (Entered: 03/21/2006)
03/21/2006	35	NOTICE OF APPEAL from 27 Memo Endorsement. Document filed by Burlington Coat Factory Warehouse Corporation. Filing fee \$ 255.00, receipt number E 573526. (nd,) (Entered: 03/22/2006)

03/22/2006		Transmission of Notice of Appeal to the District Judge re: 35 Notice of Appeal. (nd,) (Entered: 03/22/2006)
03/22/2006		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 35 Notice of Appeal. (nd,) (Entered: 03/22/2006)
03/22/2006		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 22 Answer to Counterclaim, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 1 Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 9 Amended Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 19 Answer to Amended Complaint, Counterclaim,, filed by Cohoes Fashions, Inc., 33 Answer to Complaint filed by Colton International,, 4 Notice of Appearance filed by Burlington Coat Factory Warehouse Corporation,, 2 Rule 7.1 Disclosure Statement filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 7 Certificate of Service Other filed by Burlington Coat Factory Warehouse Corporation,, 16 Rule 7.1 Disclosure Statement filed by Burlington Coat Factory Warehouse Corporation,, 21 Third Party Complaint, filed by Burlington Coat Factory Warehouse Corporation,, Cohoes Fashions, Inc., 23 Affidavit of Service Other filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 11 Affidavit of Service Complaints, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 24 Summons Returned Executed filed by Burlington Coat Factory Warehouse Corporation,, 32 Stipulation and Order, 26 Affidavit of Service Other, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 3 Notice of Appearance filed by Burlington Coat Factory Warehouse Corporation,, 27 Memo Endorsement, 29 Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation,, 5 MOTION for Order to Show Cause. filed by Burlington Coat Factory Warehouse Corporation,, 31 Acknowledgment of Service Complaints filed by Burlington Coat Factory Warehouse Corporation,, 18 Answer to Amended Complaint, Counterclaim,, filed by Burlington Coat Factory Warehouse Corporation,, 35 Notice of Appeal filed by Burlington Coat Factory Warehouse Corporation,, 10 Affidavit of Service Complaints filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 20 Rule 7.1 Disclosure</p>

		Statement filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 13 Notice of Case Assignment/Reassignment, 30 Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation,, 8 Order to Show Cause filed by Burlington Coat Factory Warehouse Corporation,, 28 Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation,, 6 Declaration in Support of Motion,, filed by Burlington Coat Factory Warehouse Corporation,, 17 Rule 7.1 Disclosure Statement filed by Cohoes Fashions, Inc.,, 25 Request for Production of Documents filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L.,, 12 Affidavit of Service Complaints filed by Fendi S.R.L., Fendi North America, Inc.,, Fendi Adele S.R.L., were transmitted to the U.S. Court of Appeals. (nd,) (Entered: 03/22/2006)
03/24/2006	36	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Euro Moda, Inc..(Smargiassi, John) (Entered: 03/24/2006)
03/24/2006	37	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Moda Oggi, Inc..(Smargiassi, John) (Entered: 03/24/2006)
03/24/2006	38	ANSWER to Third Party Complaint with JURY DEMAND., COUNTERCLAIM against Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Document filed by Euro Moda, Inc..(Smargiassi, John) (Entered: 03/24/2006)
03/24/2006	39	ANSWER to Third Party Complaint with JURY DEMAND., COUNTERCLAIM against Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Document filed by Moda Oggi, Inc..(Smargiassi, John) (Entered: 03/24/2006)
03/24/2006	40	CERTIFICATE OF SERVICE of Answer to Third-Party Complaint with Counterclaims served on Burlington Coat Factory and Cohoes Fashions on March 24, 2006. Service was made by Mail. Document filed by Euro Moda, Inc., Burlington Coat Factory Warehouse Corporation, Moda Oggi, Inc.. (Smargiassi, John) (Entered: 03/24/2006)
03/30/2006	41	TRANSCRIPT of proceedings held on 3/2/06 at 2:15 p.m. before Judge Leonard B. Sand. (js,) (Entered: 03/30/2006)
04/03/2006	42	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Ashley Reed Trading, Inc..(Dunne, Gerard) (Entered: 04/03/2006)

04/03/2006	43	ANSWER to Complaint. Document filed by Ashley Reed Trading, Inc..(Dunne, Gerard) (Entered: 04/03/2006)
04/05/2006	44	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION for Leave to Appear pro hac vice. Document filed by Euro Moda, Inc.. (Smargiassi, John) Modified on 4/6/2006 (kg). (Entered: 04/05/2006)
04/05/2006	45	DECLARATION of John Smargiassi in Support re: 44 MOTION for Leave to Appear pro hac vice.. Document filed by Euro Moda, Inc.. (Smargiassi, John) (Entered: 04/05/2006)
04/05/2006	46	DECLARATION of Kirk G. Downing in Support re: 44 MOTION for Leave to Appear pro hac vice.. Document filed by Euro Moda, Inc.. (Smargiassi, John) (Entered: 04/05/2006)
04/06/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney John Smargiassi to MANUALLY RE-FILE Document No. 44 Motion for Admission Pro Hac Vice. This document is not filed via ECF. (kg) (Entered: 04/06/2006)
04/10/2006	47	CERTIFICATE OF SERVICE of Civil Appeal Pre-Argument Statement (Forms C & D) served on Fendi Adele S.R.L., Fendi S.R.L., and Fendi North America, Inc. on 4/4/06. Service was made by Mail. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/10/2006)
04/10/2006	48	MOTION for an order, admitting Kirk G. Downing to Appear Pro Hac Vice. Document filed by Moda Oggi, Inc., Euro Moda, Inc., Moda Oggi, Inc., Euro Moda, Inc.. (sac,) (Entered: 04/11/2006)
04/12/2006	49	ORDER; granting 48 Motion for Kirk G. Downing to Appear Pro Hac Vice. (Signed by Judge Leonard B. Sand on 4/12/06) (sac,) (Entered: 04/12/2006)
04/12/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 49 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (sac,) (Entered: 04/12/2006)

04/13/2006	50	REPLY to <i>Counterclaims of Third-Party Defendants Euro Moda, Inc. and Moda Oggi, Inc.</i> Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/13/2006)
04/14/2006	51	MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accounting to determine defendants profits earned on the sale of FENDI trademarked goods from May 19, 1987 to the present (Disgorgement Damages), (iv) awarding plaintiffs Disgorgement Damages pursuant to 28 U.S.C. 2202 in an amount as</i>

*established by
the accounting,
and (v) awarding
plaintiffs their
costs and
reasonable
attorneys fees
incurred to date
in connection
with this action
pursuant to Rule
83.9(a), Civil
Rules of the
United States
Courts for the
Southern and
Eastern Districts
of New York*

. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. Responses due by 4/24/2006 Return Date set for 4/27/2006 02:15 PM. (Cannatella, Anthony) (Entered: 04/14/2006)

04/14/2006

[52](#)

MEMORANDUM OF LAW in Support re: [51](#) MOTION for Partial Summary Judgment *for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L.,*

*Fendi North
America, Inc..
(Attachments: #
[1](#) Statement of
Uncontested
Material Facts#
[2](#) Exhibit Exhibit
A to Statement
of Uncontested
Material Facts#
[3](#) Exhibit B to
Statement of
Uncontested
Material Facts#
[4](#) Exhibit C to
Statement of
Uncontested
Material Facts#
[5](#) Exhibit D
through F to the
Statement of
Uncontested
Material Facts#
[6](#) Exhibit G to
Statement of
Uncontested
Material Facts#
[7](#) Exhibit H to
Statement of
Uncontested
Material Facts#
[8](#) Exhibit I to
Statement of
Uncontested
Material Facts#
[9](#) Exhibit J and
K to Statement
of Uncontested
Material Facts)
(Cannatella,
Anthony)
(Entered:*

		04/14/2006)
04/17/2006	53	AFFIDAVIT OF SERVICE of Notice of Motion for Partial Summary Judgment, Memorandum of Law in Support of Motion for Partial Summary Judgment, and Statement of Uncontested Material Facts served on J. Joseph Bainton on 04/14/06. Service was accepted by Lala Yusubova. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 04/17/2006)
04/24/2006	54	RULE 56.1 STATEMENT. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/24/2006)
04/24/2006	55	MEMORANDUM OF LAW in Opposition re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/24/2006)</i>

04/24/2006

[56](#)

DECLARATION of Stacy J. Haigney in Opposition re: [51](#) MOTION for Partial Summary Judgment *for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Burlington Coat Factory Warehouse Corporation.*
 (Attachments: # [1](#) # [2](#) # [3](#) # [4](#) # [5](#) # [6](#) # [7](#) # [8](#) # [9](#) # [10](#) # [11](#) # [12](#) # [13](#) # [14](#)) (Bainton, J.) (Entered: 04/24/2006)

04/24/2006

[57](#)

DECLARATION of Stacy J. Haigney in Opposition re: [51](#) MOTION for Partial Summary Judgment *for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in*

contempt
pursuant to 28
U.S.C. 2201,
(iii) ordering
expedited
discovery and an
accou. Document
filed by
Burlington Coat
Factory Warehouse
Corporation.
(Attachments: #
1 # 2 # 3 # 4
5 # 6 # 7 #
8 # 9 # 10 #
11 # 12 # 13 #
14) (Bainton,
J.) (Entered:
04/24/2006)

04/26/2006

[58](#)

REPLY MEMORANDUM OF LAW in Support re: [51](#) MOTION for
Partial Summary Judgment *for an*
order pursuant
to Fed. Rule
Civ. Proc 56:
(i) granting
plaintiffs
partial summary
judgment, (ii)
declaring
defendants in
contempt
pursuant to 28
U.S.C. 2201,
(iii) ordering
expedited
discovery and an
accou. Document
filed by Fendi
Adele S.R.L.,
Fendi S.R.L.,
Fendi North
America, Inc..

		<i>(Cannatella, Anthony)</i> (Entered: 04/26/2006)
04/26/2006	59	NOTICE of Notice that Attorney Has Not Been Retained. Document filed by Colton International. (Goodman, Robert) (Entered: 04/26/2006)
04/26/2006	60	FIRST MOTION for Partial Summary Judgment. Document filed by Burlington Coat Factory Warehouse Corporation. Responses due by 5/8/2006 Return Date set for 5/11/2006 02:15 PM. (Bainton, J.) (Entered: 04/26/2006)
04/26/2006	61	MEMORANDUM OF LAW in Support re: 60 FIRST MOTION for Partial Summary Judgment.. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/26/2006)
04/26/2006	62	RULE 56.1 STATEMENT. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/26/2006)
04/26/2006	63	DECLARATION of J. Joseph Bainton in Support re: 60 FIRST MOTION for Partial Summary Judgment.. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A (1 of 3)# 2 Exhibit A (2 of 3)# 3 Exhibit A (3 of 3)# 4 Exhibit B# 5 Exhibit C)(Bainton, J.) (Entered: 04/26/2006)
04/27/2006	64	MEMO ENDORSEMENT on re: 60 FIRST MOTION for Partial Summary Judgment. filed by Burlington Coat Factory Warehouse Corporation. Decision reserved. See record this date 4/27/06. (Signed by Judge Leonard B. Sand on 4/27/06) (db,) (Entered: 04/27/2006)
04/27/2006		Minute Entry for proceedings held before Judge Leonard B. Sand : Oral Argument held on 4/27/2006 re: plaintiffs 51 MOTION for Partial Summary Judgment. Judgment - decision reserved. (db,) (Entered: 05/02/2006)

05/02/2006	65	AFFIDAVIT OF SERVICE of Reply to Plaintiffs Statement of Uncontested Facts, Memorandum of Law in Opposition to Plaintiffs Motion for Summary Judgment, and Declaration of Stacy J. Haigney served on Anthony S. Cannatella, Esq., Kirk Downing, Esq., Gerard F. Dunne, Esq., Lawrence Fechner, Esq., John Smargiassi, Esq. on April 24, 2006. Service was made by Mail. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/02/2006)
05/02/2006	66	AFFIDAVIT OF SERVICE of Notice of Motion, Defendant and Third-Party Plaintiffs Reply to Plaintiffs Statement of Uncontested Facts, Memorandum of Law in Support of Motion for Summary Judgment, and Declaration of J. Joseph Bainton served on Reply to Plaintiffs? Statement of Uncontested Facts, Memorandum of Law in Opposition to Plaintiffs? Motion for Summary Judgment, and Declaration of Stacy J. Haigney on April 26, 2006. Service was made by Mail. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/02/2006)
05/08/2006	67	RESPONSE to Motion re: 60 FIRST MOTION for Partial Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit 1) (Cannatella, Anthony) (Entered: 05/08/2006)
05/09/2006	68	TRANSCRIPT of proceedings held on 4/27/2006 @ 3:15 p.m. before Judge Leonard B. Sand. (lb,) (Entered: 05/09/2006)
05/31/2006	69	ORDER GRANTING PARTIAL SUMMARY JUDGMENT; Defendants motion for summary judgment dismissing shall file of the defenses asserted in Plaintiffs' Reply to Defendants' counterclaim is granted in all respects and those defenses are hereby dismissed with prejudice, with costs of this motion, if any, to abide the trial of the action. (Signed by Judge Leonard B. Sand on 5/31/06) (dj,) Additional attachment(s) added on 6/1/2006 (rag,). (Entered: 05/31/2006)
05/31/2006		Minute Entry for proceedings held before Judge Leonard B. Sand : Pretrial Conference held on 5/31/2006. All discovery by 1/8/07, PTO by 1/22/07 and pretrial conference 1/30/07- 10 a.m. (jco,) (Entered: 06/05/2006)
06/13/2006	70	TRANSCRIPT of proceedings held on 5/31/06 before Judge Leonard B. Sand. (mo,) (Entered: 06/13/2006)

06/15/2006	71	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Judge Leonard B. Sand on 6/15/2006) (lb,) (Entered: 06/15/2006)
07/06/2006	72	STIPULATION AND ORDER: It is hereby stipulated and agreed that pursuant to Federal Rule of Appellate Procedure 10(e)(2)(A), the following documents are included in the Record on Appeal to the United States Court of Appeal for the Second Circuit: Declaration of Stacey J. Haigney in Support of Defendant Burlington Coat Factory's motion to amend nunc pro tunc the 1987 Consent Injunction, dated 2/2/2006; Declaration of J. Joseph Bainton in Support of Defendant Burlington Coat Factory's motion to amend nunc pro tunc the 1987 Consent Injunction, dated 2/3/2006. Declaration of Anthony S. Cannatella in Opposition to Defendant Burlington Coat Factory's motion to amend nunc pro tunc the 1987 Consent Injunction, dated 2/15/2006; and Reply Declaration of J. Joseph Bainton in Further Support of Defendant Burlington Coat Factory's motion to amend nunc pro tunc the 1987 Consent Injunction, dated 2/22/2006. It is further stipulated and agreed that the aforementioned documents will be held by Bainton McCarthy LLC, until requested by the United States Court of Appeals for the Second Circuit. (Signed by Judge Leonard B. Sand on 7/3/2006) (lb,) (Entered: 07/06/2006)
07/19/2006	73	NOTICE to Take Deposition of Ashley Reed Trading, Inc. on August 31, 2006 at 10:00 AM.Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 07/19/2006)
07/19/2006	74	NOTICE to Take Deposition of Moda Oggi, Inc. on August 30, 2006 at 10:00 AM.Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 07/19/2006)
07/19/2006	75	NOTICE to Take Deposition of Euro Moda, Inc. on August 29, 2006 at 10:00 AM.Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 07/19/2006)
07/19/2006	76	NOTICE to Take Deposition of Summit Resource Imports LLC on August 28, 2006 at 10:00 AM.Document filed by Fendi Adele S.R. L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 07/19/2006)

07/20/2006	77	NOTICE OF APPEARANCE by Lawrence Badash Fechner on behalf of Summit Resource Imports LLC (Fechner, Lawrence) (Entered: 07/20/2006)
07/20/2006	78	NOTICE to Take Deposition of Burlington Coat Factory Warehouse Corporation on August 17, 2006 at 10:00 AM.Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	79	NOTICE to Take Deposition of Cohoes Fashions Inc. on August 18, 2006 at 10:00 AM.Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc..(Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	80	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Burlington Coat Factory Warehouse Corporation on July 11, 2006. Service was made by Email and Hand Delivery. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	81	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Cohoes Fashions Inc. on July 11, 2006. Service was made by Email and Hand Delivery. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	82	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Ashley Reed Trading, Inc. on July 19, 2006. Service was made by Email and First Class Mail. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	83	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Moda Oggi, Inc. on July 19, 2006. Service was made by Email and First Class Mail. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
07/20/2006	84	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Euro Moda, Inc. on July 19, 2006. Service was made by Email and First Class Mail. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)

07/20/2006	85	AFFIDAVIT OF SERVICE of Notice of Taking Deposition 30(b)(6) served on Summit Resource Imports LLC on July 19, 2006. Service was made by Email and First Class Mail. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 07/20/2006)
08/04/2006	86	RULE 7.1 DISCLOSURE STATEMENT. Document filed by 546332 BC Ltd..(Jakab, Peter) (Entered: 08/04/2006)
08/04/2006	87	AMENDED ANSWER to with JURY DEMAND. Document filed by 546332 BC Ltd.. (Jakab, Peter) (Entered: 08/04/2006)
10/06/2006	88	MOTION to Consolidate Cases. Document filed by Burlington Coat Factory Warehouse Corporation and Cohoes Fashion, Inc. (Bainton, J.) Modified on 10/10/2006 (kg). (Entered: 10/06/2006)
10/06/2006	89	CERTIFICATE OF SERVICE. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 10/06/2006)
10/06/2006	90	MEMORANDUM OF LAW in Support re: 88 MOTION to Consolidate Cases/ Document filed by Burlington Coat Factory Warehouse Corporation and Cohoes Fashions, Inc. (Bainton, J.) Modified on 10/10/2006 (kg). (Entered: 10/06/2006)
10/06/2006	91	CERTIFICATE OF SERVICE. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 10/06/2006)
10/06/2006	92	DECLARATION of J. Joseph Bainton in Support re: 88 MOTION to Consolidate Cases.. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A-1# 2 Exhibit A-2# 3 Exhibit A-3# 4 Exhibit B# 5 Exhibit C# 6 Exhibit D# 7 Exhibit E# 8 Exhibit F# 9 Exhibit G# 10 Exhibit H# 11 Exhibit I# 12 Exhibit J# 13 Exhibit K)(Bainton, J.) (Entered: 10/06/2006)
10/06/2006	93	CERTIFICATE OF SERVICE. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 10/06/2006)

10/12/2006	94	NOTICE of Substitution of Attorney. Old Attorney: Fein & Jakab, New Attorney: Law Office of Bruce D. Katz, Address: Law Office of Bruce D. Katz, 225 Broadway, New York, New York, USA 10007, 212 233-3434. Document filed by 546332 BC Ltd.. (Jakab, Peter) (Entered: 10/12/2006)
10/16/2006	95	ENDORSED LETTER addressed to Judge Leonard B. Sand from Anthony S. Cannatella dated 10/12/2006 re: requesting that defendants' motion to consolidate actions in this action returnable on Thursday 10/19/2006 be adjourned for a week until 10/26/2006. It is also respectfully requested that all the dates regarding answering papers and reply papers be extended a week. Answering papers will be due on 10/23/2006 and reply papers due on 10/25/2006. ENDORSEMENT: Granted on consent. So Ordered. (Signed by Judge Leonard B. Sand on 10/16/2006) (lb,) (Entered: 10/17/2006)
10/16/2006		Set/Reset Deadlines: Replies due by 10/25/2006. Responses due by 10/23/2006 (lb,) (Entered: 10/17/2006)
10/19/2006	96	ENDORSED LETTER addressed to Judge Leonard B. Sand from Claudia T. Bogdanos dated 10/19/06 re: Application GRANTED. Motion return date is 11/2/06. One week extension permitted - response papers due on 10/30/06. (Signed by Judge Leonard B. Sand on 10/19/06) (db,) Additional attachment(s) added on 10/20/2006 (db,). Modified on 10/23/2006 (db,). (Entered: 10/20/2006)
10/19/2006		Set/Reset Deadlines as to 88 MOTION to Consolidate Cases. Responses due by 11/2/2006 (db,) (Entered: 10/20/2006)
10/19/2006		Set/Reset Deadlines as to 88 MOTION to Consolidate Cases. Responses due by 10/30/2006 (db,) (Entered: 10/23/2006)
10/30/2006	97	RESPONSE to Motion re: 88 MOTION to Consolidate Cases. <i>By Non-Party Wal-Mart Stores, Inc</i> Document filed by Wal-mart Stores, Inc.. (Attachments: # 1 Text of Proposed Order [Proposed] Consolidation Order)(Raskopf, Robert) (Entered: 10/30/2006)

10/30/2006	98	MEMORANDUM OF LAW in Opposition re: 88 MOTION to Consolidate Cases.. Document filed by Fendi Adele S.R.L., Fendi S. R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 10/30/2006)
10/30/2006	99	DECLARATION of Anthony S. Cannatella in Opposition re: 88 MOTION to Consolidate Cases.. Document filed by Fendi Adele S.R. L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit Exhibits A to C to the Declaration of Anthony S. Cannatella# 2 Exhibit Exhibits D and E to the Declaration of Anthony S. Cannatella# 3 Exhibit Exhibit F to the Declaration of Anthony S. Cannatella# 4 Exhibit Exhibits G through O to the Declaration of Anthony S. Cannatella)(Cannatella, Anthony) (Entered: 10/30/2006)
10/30/2006	100	CERTIFICATE OF SERVICE of Response and Proposed Order served on All Parties to Putative Consolidation on 10/30/2006. Service was made by Federal Express. Document filed by Wal-mart Stores, Inc.. (Raskopf, Robert) (Entered: 10/30/2006)
10/30/2006	101	DECLARATION of Gerard F. Dunne in Support re: 88 MOTION to Consolidate Cases.. Document filed by Ashley Reed Trading, Inc.. (Dunne, Gerard) (Entered: 10/30/2006)
10/31/2006	102	CERTIFICATE OF SERVICE served on All Parties to Motion to Consolidate on 10/30/2006. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 10/31/2006)
10/31/2006	103	CERTIFICATE OF SERVICE of Plaintiffs' Memorandum of Law in Opposition to Burlington's Motion to Consolidate served on All Parties to Motion to Consolidate on 10/30/06. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Cannatella, Anthony) (Entered: 10/31/2006)
10/31/2006	104	DECLARATION of J. Joseph Bainton in Support re: 88 MOTION to Consolidate Cases.. Document filed by Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A# 2 Exhibit B) (Bainton, J.) (Entered: 10/31/2006)
11/01/2006	105	CERTIFICATE OF SERVICE of Reply Declaration of J. Joseph Bainton. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 11/01/2006)

11/02/2006		Minute Entry for proceedings held before Judge Leonard B. Sand : argument on motion to consolidate 06cv85 (LBS) with six other cases (06-243, 244 & 245(JES) + 06cv4370(JES), 06-7084(JGK) - all cases shall be consolidated for discovery only. All on-going discovery is stayed pending further order from Mag. Judge Dolinger. All (6) cases are consolidated for discovery purposes only before Mag. Dolinger.. filed by Burlington Coat Factory Warehouse Corporation,, Cohoes Fashions, Inc.,. (pl,) (Entered: 11/09/2006)
11/06/2006	106	ORDER: It is hereby ordered that the above captioned six actions shall be consolidated for purposes of discovery only. All pending motions in the six cases are denied without prejudice to renewal before Magistrate Judge Dolinger. All on-going discovery is stayed pending further order by Magistrate Judge Dolinger. (Signed by Judge Leonard B. Sand on 11/6/2006) (lb,) (Entered: 11/06/2006)
11/07/2006	107	NOTICE OF REASSIGNMENT OF A REFERRAL TO ANOTHER MAGISTRATE JUDGE. The referral in the above entitled action has been reassigned to Magistrate Judge Michael H. Dolinger, for Discovery. (jeh,) (Entered: 11/09/2006)
11/15/2006	108	ORDER; a conference has been scheduled in these actions on Tuesday, 11/28/2006 at 2:00 p.m. in Courtroom 17D, 500 Pearl Street. (Signed by Judge Michael H. Dolinger on 11/15/06) (kco,) (Entered: 11/17/2006)
11/28/2006	109	TRANSCRIPT of proceedings held on 11/2/06 before Judge Leonard B. Sand. (tro,) (Entered: 11/28/2006)
11/28/2006	110	ORDER Status Conference set for 1/15/2007 09:00 AM before Judge Michael H. Dolinger , in courtroom 17D, 500 Pearl Street. (Signed by Judge Michael H. Dolinger on 11/28/06) (jco,) Modified on 11/29/2006 (jco,). (Entered: 11/29/2006)
12/06/2006	111	TRANSCRIPT of proceedings held on 11/28/06 before Judge Michael H. Dolinger. (tro,) (Entered: 12/06/2006)
12/11/2006	112	ORDER; regarding the procedures that will govern the handling of confidential material. (Signed by Judge Michael H. Dolinger on 12/5/06) (pl,) (Entered: 12/12/2006)

12/12/2006	113	ENDORSED LETTER addressed to mag. Judge Michael H. Dolinger from Bruce D. Katz dated 12/1/06 re: parties 546332 BC Ltd. and Howard Colton write to the Court to express objections to the draft protective order submitted by Fendi's counsel and request that the Court separately address the issue of the source(s) of the allegedly counterfeit; So Ordered. The other parties are to respond specifically to these applications by 12/12/06. (Signed by Judge Michael H. Dolinger on 12/12/06) (pl,) (Entered: 12/13/2006)
12/13/2006	114	TRANSCRIPT of proceedings held on 11/28/06 before Judge Michael H. Dolinger. (mo,) (Entered: 12/13/2006)
12/14/2006	115	ORDER: the status conference is adjourned to 1/17/07 at 9:00 a. m. in courtroom 17D, 500 Pearl Street. (Signed by Judge Michael H. Dolinger on 12/14/06) Copies Mailed by Chambers.(db,) (Entered: 12/14/2006)
12/14/2006		Set/Reset Hearings: Status Conference set for 1/17/2007 09:00 AM before Magistrate Judge Michael H. Dolinger. (db,) (Entered: 12/14/2006)
12/14/2006	116	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Anthony Cannatella dated 12/12/06. ENDORSEMENT: For present purposes, we grant the Colton defendants' application to treat the identity of their sources of allegedly counterfeit goods as confidential-Attorney's eyes only when disclosed to plaintiff. If plaintiff encounters a compelling need for broader disclosure, it may make an appropriate application showing good cause for such relief. (Signed by Judge Michael H. Dolinger on 2/14/06) (js,) (Entered: 12/15/2006)
01/17/2007	118	ORDER; Status Conference set for 3/7/2007 10:00 AM before Magistrate Judge Michael H. Dolinger. (Signed by Judge Michael H. Dolinger on 1/17/07) "Copies Mailed By Chambers"(ae) (Entered: 01/25/2007)
01/22/2007	117	ORDER Status Conference set for 3/7/2007 10:00 AM before Magistrate Judge Michael H. Dolinger. (Signed by Judge Michael H. Dolinger on 1/17/07) "Copies Mailed by Chambers"(jco) (Entered: 01/23/2007)
02/07/2007	119	TRANSCRIPT of proceedings held on 1/17/07 before Judge Michael H. Dolinger. (jbe) (Entered: 02/07/2007)

03/07/2007	120	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Bruce D. Katz dated 3/7/07 re: this application is DENIED as untimely and meritless. Defendants are to produce all remaining discovery in two (2) weeks. (Signed by Judge Michael H. Dolinger on 3/7/07) (db) (Entered: 03/07/2007)
03/13/2007	121	ORDER: Defts are to respond to plt's letter brief regarding its Second Request for the Production of Documents, dated 3/12/2007, no later than 3/19/2007. Plt is to reply, if at all by 3/21/2007. SO ORDERED. (Signed by Judge Michael H. Dolinger on 3/13/2007) (jar) (Entered: 03/14/2007)
03/22/2007	122	ENDORSED LETTER addressed to Judge Dolinger from Victor Genecin dated 3/21/07 re request that defts should be required to produce the documents sought by plntfs or stipulate tha they will not introduce the issue of cross-elasticity with other brands at trial in any manner: plntf's application to compel production of documents....is denied without prejudice to renewal upon a showing by a retained expert's affidavit explaining exactly what is required to calculate lost profits and why. (Signed by Judge Michael H. Dolinger on 3/21/07) (cd). (Entered: 03/23/2007)
03/26/2007	123	TRANSCRIPT of proceedings held on 3/7/07 before Judge Michael H. Dolinger. (jbe) (Entered: 03/26/2007)
03/26/2007	124	ORDER; that Non-party Mintz-Levin will have until Monday, 3/26/07 to respond to dft. and Third-Part Plaintiff Burlington Coat Factory's 3/21/07 letter regarding subpoena responses. Burlington Coat Factory may reply, if at all, by 3/27/07. (Signed by Judge Michael H. Dolinger on 3/23/07) (pl) Modified on 3/27/2007 (Lancaster, Patricia). (Entered: 03/27/2007)
03/28/2007	125	TRANSCRIPT of proceedings held on 3/7/07 before Judge Michael H. Dolinger. (jbe) (Entered: 03/28/2007)
04/13/2007	126	MANDATE of USCA (Certified Copy) as to 35 Notice of Appeal filed by Burlington Coat Factory Warehouse Corporation USCA Case Number 06-1351. Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED. Thomas Asreen, Acting Clerk USCA. Issued As Mandate: 4/12/2007. (nd) (Entered: 04/13/2007)
04/13/2007		Transmission of USCA Mandate/Order to the District Judge re: 126 USCA Mandate,. (nd) (Entered: 04/13/2007)

04/20/2007	127	ORDER; dft's responses to plaintiffs renewed application to compel documents due by 5/3/2007, Plaintiffs' replies due by 5/10/2007. (Signed by Judge Michael H. Dolinger on 4/19/07) (pl) (Entered: 04/23/2007)
04/30/2007	128	ORDER: a conference is set for 5/2/07 at 10:00 a.m. beofre magistrate Judge Michael H. Dolinger in courtroom 17D, 500 Pearl Street. (Signed by Judge Michael H. Dolinger on 4/30/07) Copies Mailed by Chambers.(db) (Entered: 04/30/2007)
04/30/2007		Set/Reset Hearings: Pretrial Conference set for 5/2/2007 10:00 AM before Magistrate Judge Michael H. Dolinger. (db) (Entered: 04/30/2007)
05/14/2007	129	TRANSCRIPT of proceedings held on 5/2/07 before Judge Michael H. Dolinger. (tro) (Entered: 05/14/2007)
05/31/2007	130	MEMORANDUM AND ORDER: re: 122 Endorsed Letter. By Endorsed Letter dated 4/18/2007, Fendi has renewed its request, proffering the declaration of an economist, Dr. Jeffery A. Stec. His brief discussion addresses only three of the requests,, numbered 6-8, and hence we consider only those demands, which encompass weekly statistics reflecting unit sales for the non-Fendi high-end goods (#6), dollar sales(#7), and sales prices(#8). For the reasons noted, Fendi's application is denied. (Signed by Judge Michael H. Dolinger on 5/31/2007) (jar) (Entered: 06/01/2007)
06/05/2007		Minute Entry for proceedings held before Judge Leonard B. Sand : Interim Pretrial Conference held on 6/5/2007. Parties request that the Court decide partial summ. judg. Motion argued in April 2006 but deferred pending decision by USCA on question of amendment of the injunction. USCA having decided that question, Court reserves Decision on the summ. judg. motion. (tro) (Entered: 06/11/2007)
06/06/2007	131	ORDER plaintiff is to respond to defendants' letter to the court, dated 6/6/07, by no later than 6/8/07. Defendants are to reply, if at all, by 6/11/07. So Ordered. (Signed by Judge Michael H. Dolinger on 6/6/07) (jco) (Entered: 06/07/2007)

06/07/2007	132	ENDORSED LETTER addressed to Judge Dolinger from Susanna Buerger dated 6/7/07 re request for an extension of time until 6/13/07 to respond to Mr. Bainton's letter: Application granted. (Signed by Judge Michael H. Dolinger on 6/7/07) (cd). (Entered: 06/08/2007)
06/18/2007	133	MEMORANDUM & ORDER re deft Burlington Coat request for production from plaintiff Fendi Adele of a settlement agreement re seperate lawsuit with Loehmann's Inc together with other documents produced in that litigation by Loehmann's: accordingly, deft has shown no need for access to the unfiled settlement agreement and no further relief is warranted with regard to these matters. (Signed by Judge Michael H. Dolinger on 6/15/07) copies sent by chambers.(cd) (Entered: 06/19/2007)
07/02/2007	134	NOTICE OF APPEARANCE by Richard L. Mattiaccio on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc. (Mattiaccio, Richard) (Entered: 07/02/2007)
07/02/2007	135	NOTICE OF APPEARANCE by Victor Genecin on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc. (Genecin, Victor) (Entered: 07/02/2007)
07/02/2007	136	NOTICE OF APPEARANCE by Steven Skulnik on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc. (Skulnik, Steven) (Entered: 07/02/2007)
07/10/2007	138	ORDER; Pavia & Harcourt LLP's motion pursuant to Local Rule 1.4 for permission to withdraw as counsel for plaintiffs in this action is granted. (Signed by Judge Leonard B. Sand on 7/9/07) (kco) (Entered: 07/11/2007)
07/11/2007	137	TRANSCRIPT of proceedings held on June 5, 2007 before Judge Leonard B. Sand. (lca) (Entered: 07/11/2007)
07/11/2007	139	ENDORSED LETTER addressed to Judge Leonard B. Sand from J. Joseph Bainton dated 7/10/07 re: Counsel for defendants request that the parties be permitted to submit their supplemental papers by Wednesday, July 18, 2007.. ENDORSEMENT: GRANTED. So Ordered. (Signed by Judge Leonard B. Sand on 7/10/07) (js) (Entered: 07/12/2007)
07/16/2007	140	TRANSCRIPT of proceedings held on 5/2/2007 before Judge Michael H. Dolinger. (jp) (Entered: 07/16/2007)

07/18/2007

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DECLARATION of Richard L. Mattiaccio in Support re: [51](#) MOTION for Partial Summary Judgment *for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs*

*partial summary
judgment, (ii)
declaring
defendants in
contempt
pursuant to 28
U.S.C. 2201,
(iii) ordering
expedited
discovery and an
accou MOTION for
Partial Summary
Judgment for an
order pursuant
to Fed. Rule
Civ. Proc 56:
(i) granting
plaintiffs
partial summary
judgment, (ii)
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defendants in
contempt
pursuant to 28
U.S.C. 2201,
(iii) ordering
expedited
discovery and an
accou. Document
filed by Fendi
Adele S.R.L.,
Fendi S.R.L.,
Fendi North
America, Inc..
(Attachments: #
1 Supplemental
Statement of
Uncontested
Material Facts#
2 Exhibit 1#
Exhibit 2#
Exhibit 3#*

3

4

5

		<p><i>Exhibit 4#</i> <u>6</u></p> <p><i>Exhibit 5#</i> <u>7</u></p> <p><i>Exhibit 6#</i> <u>8</u></p> <p><i>Exhibit 7#</i> <u>9</u></p> <p><i>Exhibit 8#</i> <u>10</u></p> <p><i>Exhibit 9#</i> <u>11</u></p> <p><i>Exhibit 10#</i> <u>12</u></p> <p><i>Exhibit 11)</i> <i>(Mattiaccio,</i> <i>Richard)</i> <i>(Entered:</i> <i>07/18/2007)</i></p>
07/26/2007	142	ORDER: re: 138 Order granting Pavia & Harcourt LLP's motion for permission to withdraw as counsel for plts is vacated. Anthoney S. Cannatella, Esq. of Pavia & Harcourt LLP is no longer atty of record for the plts in this action and any atty representing the law firm of Pavia & Harcourt LLP is no longer atty of record for the plts in this action. Attorney Richard L. Mattiaccio, Steven Skulnik, Victor Genecin of Squire, Sanders & Dempsey are added and shall be attys of record for the plts. (Signed by Judge Leonard B. Sand on 7/26/2007) (jar) (Entered: 07/27/2007)
07/30/2007	143	TRANSCRIPT of proceedings held on 6/5/07 before Judge Leonard B. Sand. (jbe) (Entered: 07/30/2007)
08/27/2007	144	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Joseph Bainton dated 8/27/07 re: counsel for defendants Burlington Coat Factory in 06cv85 (LBS)(MHD) are seeking a response from Barneys that a search for responsive documents was performed, and a date certain as to when we can expect the documents. ENDORSEMENT: Non-party Barneys New York is to respond to this letter by no later than 8/31/07. (Signed by Judge Michael H. Dolinger on 8/27/07) (db) (Entered: 08/28/2007)
09/20/2007	145	ORDER: Status Conference set for 10/1/2007 at 02:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Judge Michael H. Dolinger on 9/20/07) (pl) (Entered: 09/21/2007)

09/26/2007	146	ORDER that a telephone conference has been scheduled in the above-captioned action on Friday, September 28, 2007 at 3:00 P. M. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. Plaintiffs counsel is to make the necessary arrangements for the conference call. SO ORDERED. Telephone Conference set for 9/28/2007 at 03:00 PM before Magistrate Judge Michael H. Dolinger. (Signed by Judge Michael H. Dolinger on 9/26/2007) (jmi) (Entered: 09/27/2007)
10/10/2007	147	MEMORANDUM AND ORDER: Plaintiff's motion for partial summary judgment finding defendants in contempt of the 1987 Consent Injunction is GRANTED. Plaintiffs' motion seeking an accounting is also GRANTED. This Court orders the Defendants to open their financial books and statements to a consultant chosen by Plaintiffs for the purpose of determining profits from unauthorized sales of Fendi brand merchandise and the date of such sales. As to costs and attorneys fees, plaintiffs are directed to submit to this Court a summary of the costs and fees associated with prosecuting this proceeding. The parties are to advise the Court in writing by November 1, 2007, of the timetable they have agreed upon for submission of the foregoing. So Ordered. (Signed by Judge Leonard B. Sand on 10/10/07) (js) (Entered: 10/10/2007)
10/15/2007	148	MOTION for Reconsideration re; 147 Order,,,,. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation.Return Date set for 10/25/2007 at 02:15 PM.(Bainton, J.) (Entered: 10/15/2007)
10/15/2007	149	MEMORANDUM OF LAW in Support re: 148 MOTION for Reconsideration re; 147 Order,,,,,. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 10/15/2007)
10/16/2007	150	TRANSCRIPT of proceedings held on 10/1/07 before Judge Michael H. Dolinger. (jbe) (Entered: 10/16/2007)
10/22/2007	151	MEMORANDUM OF LAW in Opposition re: 148 MOTION for Reconsideration re; 147 Order,,,,,. Document filed by Fendi Adele S. R.L., Fendi S.R.L., Fendi North America, Inc., Burlington Coat Factory Warehouse Corporation. (Mattiaccio, Richard) (Entered: 10/22/2007)

10/24/2007	152	REPLY MEMORANDUM OF LAW in Support re: 148 MOTION for Reconsideration re; 147 Order,,,,. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 10/24/2007)
11/05/2007		Minute Entry for proceedings held before Judge Leonard B. Sand: Oral Argument held on 11/5/2007 re: 148 MOTION for Reconsideration re; 147 Order,,,,. filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Motion to reconsider is granted & upon granting it accedes to its prior ruling. By 1/8/08, Parties submit all money damage claims in term of a proposed order. (ae) (Entered: 12/04/2007)
11/13/2007	153	ORDER; that a Status Conference is set for 11/16/2007 at 10:00 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. (Signed by Judge Michael H. Dolinger on 11/9/06) copies faxed by chambers. (pl) (Entered: 11/13/2007)
11/19/2007	154	ORDER: It is hereby ordered as follows: 1. All fact discovery is to be completed by January 31, 2008. 2. Expert discovery is to be completed by February 29, 2008. 3. Rebuttal expert testimony is to be completed by April 1, 2008. 4. All expert discovery is to be completed by April 30, 2008. (Signed by Judge Michael H. Dolinger on 11/16/07) (js) (Entered: 11/19/2007)
11/19/2007	155	MOTION for Attorney Fees. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Errata 1)(Mattiaccio, Richard) (Entered: 11/19/2007)
11/19/2007	156	DECLARATION of Richard L. Mattiaccio in Support re: 155 MOTION for Attorney Fees.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit 1-1# 2 Exhibit 1-2# 3 Exhibit 1-3# 4 Exhibit 2# 5 Exhibit 3)(Mattiaccio, Richard) (Entered: 11/19/2007)
11/29/2007	157	TRANSCRIPT of proceedings held on 11/16/07 before Judge Magistrate Judge Michael H. Dolinger. (jbe) (Entered: 11/29/2007)

12/14/2007	158	ORDER: a conference has been scheduled in this action for 12/17/2007 at 11:00 AM before Magistrate Judge Michael H. Dolinger in Courtroom 9A, 500 Pearl Street, New York, New York 10007. Counsel for Fendi, Big M, and Burlington Coat Factory are directed to appear. (Signed by Magistrate Judge Michael H. Dolinger on 12/13/07) (kco) (Entered: 12/14/2007)
12/14/2007	159	ENDORSED LETTER addressed to Judge Michael H. Dolinger from Richard L. Mattiaccio dated 12/12/07 re: a request that the time to move to amend the complaint be extended through and including two business days after the conference is held or a sealing order is entered, whichever is later. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 12/12/07) (kco) (Entered: 12/14/2007)
12/20/2007	160	ENDORSED LETTER addressed to Judge Leonard B. Sand from Richard L. Mattiaccio dated 12/19/2007 re: request the Court's permission to file the Parilla 12/18/2007 Declaration, as well as Mr. Parilla's earlier Declaration, dated 10/22/2007. ENDORSEMENT: Permission to file declaration granted. See order referred to Magistrate Judge Dolinger. (Signed by Judge Leonard B. Sand on 12/20/2007) (jar) (Entered: 12/20/2007)
12/20/2007	161	DECLARATION of JOSEPH R. PARILLA in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant</i>

*to Fed. Rule
Civ. Proc 56:
(i) granting
plaintiffs
partial summary
judgment, (ii)
declaring
defendants in
contempt
pursuant to 28
U.S.C. 2201,
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partial summary
judgment, (ii)
declaring*

defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 12/20/2007)

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DECLARATION of JOSEPH R. PARILLA in Support re: [51](#) MOTION for Partial Summary Judgment *for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs*

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to Fed. Rule
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partial summary
judgment, (ii)
declaring
defendants in
contempt
pursuant to 28
U.S.C. 2201,*

		<p><i>(iii) ordering expedited discovery and an accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard)</i> <i>(Entered: 12/20/2007)</i></p>
01/03/2008	163	<p>ENDORSED LETTER addressed to Judge Leonard B. Sand from Steven Skulnik dated 1/2/08 re: Request to adjourn the deadline for the parties to submit all money damage claims in term of a proposed order. ENDORSEMENT: Granted. (Signed by Judge Leonard B. Sand on 1/3/08) (cd) (Entered: 01/03/2008)</p>
01/10/2008	164	<p>ORDER directing that plaintiffs' counsel provide one more submission, defining what it is they seek and why that relief is appropriate at this stage. This is to be done by 1/15/08. If defendants have any further response, including the provision of testimony by way of affidavit or equivalent submission, they may provide it by 1/18/08. (Signed by Magistrate Judge Michael H. Dolinger on 1/10/08) copies sent by chambers(cd). (Entered: 01/10/2008)</p>
01/17/2008	165	<p>ENDORSED LETTER : addressed to Magistrate Judge Michael H. Dolinger from Victor Genecin dated 1/16/08 re: Counsel for plaintiffs request the Court's leave to re-depose plaintiffs witness Leonardo Minerva for the purpose of preserving his testimony for trial now that he is leaving Fendi's employ and will no longer be in Fendi's control. ENDORSEMENT: Any responses by defendants for this request are to be received by the Court by January 21, 2008. So Ordered. (Signed by Magistrate Judge Michael H. Dolinger on 1/16/08) (js) (Entered: 01/17/2008)</p>

01/17/2008	166	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 1/17/08 re: Counsel for Defendants and Third-Party Plaintiffs request an extension of time to respond to Fendi's application for additional sanctions, dated 1/15/08, and to Fendi's application requesting leave to take a preservation deposition of Leonardo Minerva, dated 1/16/08. Counsel requests that they be permitted to respond to both on Wednesday, 1/23/08 by 9:00 a.m.. ENDORSEMENT: Application granted. Fendi's replies will be due by Jan. 24, 2008. (Replies due by 1/24/2008.) (Signed by Magistrate Judge Michael H. Dolinger on 1/17/08) (tro) (Entered: 01/17/2008)
01/18/2008	167	TRANSCRIPT of proceedings held on 12/17/07 before Magistrate Judge Michael H. Dolinger. (tro)Filed in associated cases 06-cv-243, 06-cv-244, 06-cv-245 and 06-cv-7084. (Entered: 01/18/2008)
01/25/2008	168	ORDER: The deposition of Mr. Leonardo Minerva is to commence on 2/13/08 at 10:00 a.m. and is to continue until completed. (Deposition due by 2/13/2008.) (Signed by Magistrate Judge Michael H. Dolinger on 1/25/08) Copies Mailed by Chambers.(db) (Entered: 01/25/2008)
01/25/2008	169	ORDER: Status Conference set for 1/31/2008 at 10:00 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 1/25/08) Copies Faxed By Chambers.(tro) (Entered: 01/28/2008)
01/30/2008	170	ENDORSED LETTER addressed to Judge Leonard B. Sand from Steven Skulnik dated 1/30/08 re: Counsel for Plaintiffs request that the deadline for the parties to submit all money damage claims in term of a proposed order be extended until 2/29/08. ENDORSEMENT: Extension granted. (Signed by Judge Leonard B. Sand on 1/30/08) (tro) (Entered: 01/31/2008)

02/01/2008	171	ORDER that a conference has been scheduled in the above-captioned action on Friday, February 8, 2008 at 2:00 P.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. SO ORDERED. (Status Conference set for 2/8/2008 at 02:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 2/1/2008) Copies Faxed By Chambers.(jmi) (Entered: 02/04/2008)
02/05/2008	172	TRANSCRIPT of proceedings held on 11/5/07 before Judge Leonard B. Sand. (jbe) (Entered: 02/05/2008)
02/06/2008	173	TRANSCRIPT of proceedings held on 10/1/08 @ 2:15PM before Magistrate Judge Michael H. Dolinger. (pr) (Entered: 02/06/2008)
02/14/2008	174	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Richard L. Mattiaccio dated 2/14/08 re: Fendi requests a one (1) week extension until 2/22/08 to set forth its position regarding the requested deposition testimony of Marta Fontanesi. ENDORSEMENT: Application Granted.(Deposition due by 2/22/2008.) (Signed by Magistrate Judge Michael H. Dolinger on 2/14/08) (ae) (Entered: 02/15/2008)
02/19/2008	175	TRANSCRIPT of proceedings held on 1/31/08 before Magistrate Judge Michael H. Dolinger. (jbe) (Entered: 02/19/2008)
02/22/2008	176	MEMORANDUM OF LAW in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201,</i>

(iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant

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Civ. Proc 56:
(i) granting
plaintiffs
partial summary
judgment, (ii)
declaring
defendants in
contempt
pursuant to 28
U.S.C. 2201,
(iii) ordering
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discovery and an
accou. Document
filed by Fendi
Adele S.R.L.,
Fendi S.R.L.,
Fendi North
America, Inc..
(Mattiaccio,
Richard)
(Entered:
02/22/2008)

02/22/2008

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DECLARATION of James J. Donohue in Support re: [51](#) MOTION for
Partial Summary Judgment *for an*
order pursuant
to Fed. Rule
Civ. Proc 56:
(i) granting
plaintiffs
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Civ. Proc 56:
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plaintiffs*

		<p><i>partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit 1) (Mattiaccio, Richard) (Entered: 02/22/2008)</i></p>
02/26/2008	178	<p>ORDER (Status Conference set for 3/3/2008 at 02:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 2/26/08) Copies Faxed By Chambers. (jco) (Entered: 02/26/2008)</p>
02/26/2008	179	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 2/26/08 re: counsel for defendants request an extension of time for both Fendi and Burlington Coat Factory to submit their respective proposed contempt judgments. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 2/26/08) (dle) (Entered: 02/27/2008)</p>
03/05/2008	180	<p>MEMORANDUM OF LAW <i>re: Proposed Contempt Judgment</i> Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 03/05/2008)</p>

03/05/2008	181	<p>Exhibit List <i>Appendix to Memorandum of Law re: Proposed Contempt Judgment</i></p> <p>Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R)(Bainton, J.)</p> <p>(Entered: 03/05/2008)</p>
03/05/2008	182	<p>DECLARATION of James Donohue in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt</i></p>

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		<p><i>Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit Exhibits 1-15 to Donohue Declaration) (Skulnik, Steven) (Entered: 03/05/2008)</i></p>
03/05/2008	183	<p>DECLARATION of Richard L. Mattiaccio in Support re: 155 MOTION for Attorney Fees.. Document filed by Fendi Adele S.R.L., Fendi S.R. L., Fendi North America, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Skulnik, Steven) (Entered: 03/05/2008)</p>
03/05/2008	184	<p>MEMORANDUM OF LAW in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting</i></p>

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		<i>U.S.C. 2201, (iii) ordering expedited discovery and an accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Skulnik, Steven) (Entered: 03/05/2008)</i>
03/11/2008	185	NOTICE OF APPEARANCE by Carmine Joseph Castellano on behalf of Burlington Coat Factory Warehouse Corporation (Castellano, Carmine) (Entered: 03/11/2008)
03/13/2008	186	TRANSCRIPT of proceedings held on 02/08/2008 before Magistrate Judge Michael H. Dolinger. (ama) (Entered: 03/13/2008)
03/14/2008	187	ORDER: Settlement Conference set for 3/19/2008 at 10:00 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 3/12/08) Copies Mailed By Chambers.(tro) (Entered: 03/14/2008)
03/14/2008	188	MEMORANDUM OF LAW in Opposition to <i>Plaintiffs' Motion for Additional Contempt Remedies</i> Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 03/14/2008)
03/14/2008	189	DECLARATION of J. Joseph Bainton in Opposition. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Bainton, J.) (Entered: 03/14/2008)

03/14/2008	190	DECLARATION of Stacy J. Haigney in Opposition. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 03/14/2008)
03/18/2008	191	TRANSCRIPT of proceedings held on 3/3/2008 before Magistrate Judge Michael H. Dolinger. (jp) (Entered: 03/18/2008)
03/19/2008	192	MEMORANDUM & ORDER; that the defendants in the parallel counterfeiting cases 06cv0085, 06cv0243 et al have applied to the court for an order authorizing them to take the deposition of Ms. Marta Fontanesi. Plaintiff Opposes. Although the role of Ms. Fontanesi in the pertinent events may well be marginal, defendants may conduct a limited deposition of her in Italy in the manner that is set forth in this Order. (Signed by Magistrate Judge Michael H. Dolinger on 3/19/08) (pl) (Entered: 03/19/2008)
03/21/2008	193	REPLY MEMORANDUM OF LAW in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring</i>

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		<p><i>accou. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Skulnik, Steven) (Entered: 03/21/2008)</i></p>
03/27/2008	194	<p>ORDER: Status Conference set for Friday, 3/28/2008 at 10:30 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 3/27/08) Copies Mailed By Chambers.(tro) (Entered: 03/27/2008)</p>
04/01/2008	195	<p>SUPPLEMENTAL MEMORANDUM OF LAW <i>re: Profits</i> . Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/01/2008)</p>
04/01/2008	196	<p>DECLARATION of Robert W. Berliner. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/01/2008)</p>
04/03/2008	197	<p>ORDER: In response to a letter application from defendant's counsel dated April 2, 2008, we direct that documents filed by the parties as docket entries 180 and 188, which were originally filed publicly, now be deemed filed under seal and so treated by the Clerk of the Court. The balance of the arguments and suggestions made by counsel for both sides, as reflected in the cited letter and in a responding letter by plaintiff's counsel for both sides, as reflected in the cited letter and in a responding letter by plaintiff's counsel on April 3, 2008, are left to further discussion between them. In short, we take no further action at this time, and await some application by a party, if any feels moved to make one. (Signed by Magistrate Judge Michael H. Dolinger on 4/3/08) Copies Mailed By Chambers.(js) (Entered: 04/04/2008)</p>

04/04/2008	199	DECLARATION of Victor Genecin in Support re: 155 MOTION for Attorney Fees.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E)(Skulnik, Steven) (Entered: 04/04/2008)
04/07/2008	200	TRANSCRIPT of proceedings held on 3/19/08 before Magistrate Judge Michael H. Dolinger. (ja) (Entered: 04/07/2008)
04/08/2008	201	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Bruce D. Katz dated 4/8/08 re: Counsel for 546332 BC Ltd. request an extension of the deadline for making our letter application as discussed at the conference held on March 28, 2008. I request that the deadline be extended until April 11, 2008. ENDORSEMENT: The untimely application is denied for lack of any explanation a justification for the relief requested. So Ordered. (Signed by Magistrate Judge Michael H. Dolinger on 4/8/08) (js) (Entered: 04/08/2008)
04/10/2008	202	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Steven Skulnik dated 4/9/2008 re: Confirming the agreement and requesting an extension from the Court. ENDORSEMENT: OK. (Signed by Magistrate Judge Michael H. Dolinger on 4/9/2008) (jpo) (Entered: 04/10/2008)
04/11/2008	203	TRANSCRIPT of proceedings held on 3/28/08 before Magistrate Judge Michael H. Dolinger. (Transcript Conference) (ama) (Entered: 04/11/2008)
04/18/2008	204	MEMORANDUM OF LAW in Opposition to <i>Fendi's Allocation of Attorneys' Fees and Disbursmenets Attributable Specifically to the Contempt Proceedings</i> . Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 04/18/2008)

04/18/2008	205	DECLARATION of J. Joseph Bainton. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D-1, # 5 Exhibit D-2, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I)(Bainton, J.) (Entered: 04/18/2008)
04/18/2008	206	DECLARATION of James J. Donohue in Support re: 51 MOTION for Partial Summary Judgment <i>for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for Partial Summary Judgment for an order pursuant to Fed. Rule Civ. Proc 56: (i) granting plaintiffs partial summary judgment, (ii) declaring defendants in contempt pursuant to 28 U.S.C. 2201, (iii) ordering expedited discovery and an accou MOTION for</i>

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Adele S.R.L.,
Fendi S.R.L.,
Fendi North
America, Inc..
(Skulnik,
Steven)*

(Entered:
04/18/2008)

04/18/2008

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SUPPLEMENTAL MEMORANDUM OF LAW in Support re: [51](#)
MOTION for Partial Summary Judgment *for an*
order pursuant
to Fed. Rule
Civ. Proc 56:
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Adele S.R.L.,
Fendi S.R.L.,
Fendi North
America, Inc..
(Skulnik,
Steven)
(Entered:
04/18/2008)*

04/19/2008	208	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Bruce D. Katz dated 4/11/08 re: counsel for 546332 BC Ltd. (d/b/a Colton International) and Howard Colton in Fendi Consolidated Action No. 1 and 6 requests a two-week extension of time to produce documents reflecting my clients' purchase and sale of Fendi-branded goods. ENDORSEMENT: Notwithstanding defendants history of delay and disfunction in discovery, we extend the deadline for them to produce all responsive (.....) documents to plaintiffs' counsel in New York to 4/18/08. We note that we have never required defendants to redact their documents. (Signed by Magistrate Judge Michael H. Dolinger on 4/11/08) (pl) (Entered: 04/21/2008)
05/07/2008	209	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Geneein dated 5/6/08 re: Counsel writes on behalf of plaintiffs in response to the letter written to Magistrate Judge Michael H. Dolinger from counsel for defendants dated 5/5/08.. ENDORSEMENT: Fendi is to provide a responsive answer to defendant's interrogatories 3 and 7 by May 30,2008. To the extent that Fendi lacks information needed to respond to it to specify the gaps and the reasons for them. If Fendi unable to obtain discovery from defendant to which it is entitled, it will be expected to make prompt application to the Court for relief or be allowed to leave have waived the demand. (Signed by Magistrate Judge Michael H. Dolinger on 5/6/2008) (tve) (Entered: 05/07/2008)
05/09/2008	210	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Geneecin dated 5/8/08 re: Counsel for BCF seeks to make the same application that Mr. Katz was directed to make more than a month ago. The only reason offered by counsel for removal of the "Attorneys Eyes Only" designation from Fendi's authentication reports is that counsel intends to use them at trial. ENDORSEMENT: For completeness, plaintiffs are to address the merits of Burlington's application for production of code numbers. As for the "Attorney's eyes only" designation or authentication reports, absent any explanation of a need for lifting this designation, we decline to order their relief sought by defendant. Plaintiff's supplementation is to be made by May 12, 2008. So Ordered. (Signed by Magistrate Judge Michael H. Dolinger on 5/8/08) (js) (Entered: 05/12/2008)

05/13/2008	211	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 5/8/08 re: Two related issues addressing Fendi's "authenticity reports". ENDORSEMENT: Defendant's application for documents concerning code numbers is denied as both untimely and unnecessary. (Signed by Magistrate Judge Michael H. Dolinger on 5/13/08) (cd) (Entered: 05/13/2008)
05/14/2008	212	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 5/14/08 re: BCF would like to have the benefit of Mr. Ressler's complete testimony unfettered by the 5th Amendment considerations that completion of his Georgia trial later this year will alleviate. ENDORSEMENT: Defendants application - - apparently to extend the discovery in this case to exact the testimony of Mr. Ressler as some point in the future - - is denied. (Signed by Magistrate Judge Michael H. Dolinger on 5/14/08) (db) (Entered: 05/14/2008)
05/14/2008	214	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Genecin dated 5/12/08 re: Counsel for plaintiffs write to respond to the application of counsel for James Ressler dated May 7, 2008 for an Order postponing that defendants deposition until the completion of his criminal trial. Fendi respectfully submits that there is no basis for any further delay in the deposition of Mr. Ressler. ENDORSEMENT: The application of James Ressler either to preclude his deposition or to postpone it until his long-running criminal prosecution is completed is denied. He is of course free to invoke his rights under the Fifth Amendment if warranted. In view however of the fact that the deposition has already been delayed since September 2006 for this reason, and since there is no clear indication as to when the criminal case will end, and since discovery in this case is now scheduled to end this month, we conclude that the interests in bringing this litigation to a reasonably prompt close and the fact that doing so will not prejudice Mr. Ressler in his criminal case, we conclude that a further stay is unwarranted. So Ordered. (Signed by Magistrate Judge Michael H. Dolinger on 5/14/08) (js) (Entered: 05/19/2008)

05/16/2008	213	ORDER: That a conference has been scheduled in this action on Friday, May 23, 2008 at 1:00 p.m. in Courtroom 17D, 500 Pearl Street, New York, NY 10007. Any request for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. Copies Mailed By Chambers. (Signed by Magistrate Judge Michael H. Dolinger on 5/16/08) Copies Faxed by Chambers.(jfe) (Entered: 05/16/2008)
06/04/2008	215	TRANSCRIPT of proceedings held on 5/23/08 before Magistrate Judge Michael H. Dolinger. (ama) (Entered: 06/04/2008)
06/09/2008	216	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Gerard F. Dunne dated 6/5/2008 re: Counsel writes to request that Fendi not now be permitted to essentially re-open discovery on matters that could and should have been completed last year. ENDORSEMENT: Application to quash is denied. (Signed by Magistrate Judge Michael H. Dolinger on 6/6/2008) (tve) (Entered: 06/09/2008)
06/20/2008	217	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Gerard F. Dunne dated 6/20/08 re: Counsel for the defendants in Fendi et al. v. Ashley Reed, Inc. et al., 06cv0243 (JES) as well as the Third Party Defendant Ashley Reed Trading in Fendi et al. v. Burlington Coat Factory, et al., 06cv0085(LBS) write in reply to Mr. Genecin's letter of June 20th. Counsel requests that Your Honor require Squire Sanders obtain the information listed herein from Mr. Cannatella and provide it to defense counsel. ENDORSEMENT: Plaintiff is to provide any documents it has regarding Ms. Coradelli as well as the addresses of Ms. Lenderer, within two weeks. (Signed by Magistrate Judge Michael H. Dolinger on 6/20/08) (tro) (Entered: 06/23/2008)

06/20/2008	218	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 6/17/08 re: Counsel for the Defendants and Third-Part Plaintiffs Burlington Coat Factory Warehouse Corporation and Cohoes Fashions, Inc. in Case No. 06cv0085 write in response to Mr. Genecin's letter of 6/16/08 and to update Your Honor on the status of discovery from BCF. ENDORSEMENT: Defendant is to produce the requested Order Summary requests within two weeks. It is to make Messrs. Somerfeld and Liszewski available for deposition by no later than the last week of July. By one week prior to those depositions defendant is to produce the pertinent files of both of those witnesses. Defendant is to provide the requested store locations in one week. See when fact discovery in this case is deemed completed. (Signed by Magistrate Judge Michael H. Dolinger on 6/20/08) (tro) (Entered: 06/23/2008)</p>
06/20/2008	219	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Gerard F. Dunne dated 6/17/08 re: It is requested that Fendi be ordered to produce the following by a date certain: 1) Any documents indicating any of ARTI's suppliers of Fendi goods were the subjects of any Italian investigations into counterfeiting; 2) Any correspondence between Mr. Cannatella and the US Attorney's Office regarding ARTI or its officers, Jim and Scott Ressler, and Fendi products; and 4) the last known address of Ms. Barbara Lenderer. ENDORSEMENT: Defendant's is to produce Mr. Scott Ressler for a renewed deposition by no later that July 10, 2008. The deposition is to last no more than four hours. In view of that limitation, we will not restrict the scope of questioning. Plaintiff is to produce it's remaining Italian documents within two weeks. (Signed by Magistrate Judge Michael H. Dolinger on 6/20/08) (tro) (Entered: 06/23/2008)</p>
06/20/2008	220	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Bruce D. Katz dated 6/18/08 re: Counsel for 546332 BC Ltd. and Howard Colton write in response to the June 16 letter from Fendi's coounsel, Victor Genecin. ENDORSEMENT: Defendant is to produce the Austria bank records and the original letter and envelope within two weeks. A continued deposition of Mr. Colton maybe conducted by telephone within two weeks thereafter. The deposition is to last no more than four hours. (Signed by Magistrate Judge Michael H. Dolinger on 6/20/08) (tro) (Entered: 06/23/2008)</p>

07/16/2008	221	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Geneein dated 7/14/08 re: Production of Documents, Discovery and Depositions of Expert Witnesses. ENDORSEMENT: Colton is to produce the remaining documents by 7/18/08 and the deposition of Mr. Colton is to be completed this month. The depositions of Messrs Liszewski and Sommerfeld are to be completed this month. The deadline to complete discovery "Filene's Basement" is extended to 8/15/08. All other discovery in these cases are deemed closed. The parties various counsel are to submit to the Court proposed schedules to complete expert discovery. This is to be done by 7/25/08, with a specification of each party's plan for calling expert witnesses. (Signed by Magistrate Judge Michael H. Dolinger on 7/16/08) (db) (Entered: 07/16/2008)</p>
07/30/2008	222	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Geneein dated 7/25/08 re: Counsel for plaintiff proposes that all parties serve their initial expert report submissions by September 17, 2008; that all parties serve expert rebuttal reports by October 15, 2008; and that all depositions of experts be completed by November 14, 2008. Counsel also proposes that the date for service and filing of dispositive motions, in lieu of joint pretrial order, be December 5, 2008. ENDORSEMENT: The schedule proposed by plaintiff, to which no objection has been voiced, is reasonable and is adopted by the Court. (Signed by Magistrate Judge Michael H. Dolinger on 7/29/08) (js) (Entered: 07/31/2008)</p>
08/01/2008	223	<p>NOTICE OF CHANGE OF ADDRESS by Richard L. Mattiaccio on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. New Address: Squire, Sanders & Dempsey, LLP, 1095 Avenue of the Americas, 31st Floor, New York, NY, 10036,. (Mattiaccio, Richard) (Entered: 08/01/2008)</p>
08/01/2008	224	<p>NOTICE OF CHANGE OF ADDRESS by Victor Geneein on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. New Address: Squire, Sanders & Dempsey, LLP, 1095 Avenue of the Americas, 31st Floor, New York, NY, 10036,. (Geneein, Victor) (Entered: 08/01/2008)</p>

08/01/2008	225	NOTICE OF CHANGE OF ADDRESS by Steven Skulnik on behalf of all plaintiffs. New Address: 1095 Avenue of the Americas, New York, NY, New York 10036,. (Skulnik, Steven) (Entered: 08/01/2008)
08/01/2008	226	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Bruce D. Katz dated 7/30/08 For the reasons set forth in this letter, counsel requests that the deadline for completing Mr. Coltons deposition be extended until August 13, 2008. ENDORSEMENT: Application granted. (Deposition due by 8/13/2008.) (Signed by Magistrate Judge Michael H. Dolinger on 8/1/08) (mme) (Entered: 08/01/2008)
09/02/2008	227	ORDER that a telephone conference has been scheduled for Thursday, 9/4/08 at 10:00 am. (Telephone Conference set for 9/4/2008 at 10:00 AM before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 9/2/08) Copies sent by chambers(cd) (Entered: 09/02/2008)
10/03/2008	228	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 10/1/08 re: counsel requests that each party advance the fees and expenses of its own expert or experts, and, after expert discovery is completed, for parties whether to agree who owes what to whom, or to make appropriate motions. ENDORSEMENT: Application denied. Following the deposition of Mr. Stratford he may provide his billing for the parties, and if they cannot agree on the amount due from plaintiffs on this account, defendant may make an applicaiton for relief to the Court. (Signed by Magistrate Judge Michael H. Dolinger on 10/3/08) (djc) (Entered: 10/03/2008)
10/21/2008	229	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Gencein dated 10/17/2008 re: Counsel write to inform the Court that they wrote to counsel yesterday to request that the missing report be produced immediately, and he replied that BCF wound send and email with a very large data file attached dated 4/4/08, counsel has not received any such email, therefore counsel respectfully request that the Court direct BCF to do so. ENDORSEMENT: Plaintiff is entitled to an identification (and production if not previously produced) of all documents reviewed by defendants' expert. All "various other documents" are to be identified and if necessary produced by 10/27/08. (Signed by Magistrate Judge Michael H. Dolinger on 10/21/2008) (jfe) (Entered: 10/21/2008)

11/01/2008	230	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Carmine J. Castellano dated 10/24/08 re: Counsel for Defendants and third-party plaintiffs in this action request an extension of time until 11/3/08 for BCF to make its additional expert disclosures pursuant to Your Honor's Order dated, 10/20/08. Counsel further requests an extension of time to complete expert discovery. In all consolidated actions, expert depositions are to be completed "by the end of November 2008" or November 26, 2008, the day before Thanksgiving. See Endorsed Order, dated 9/4/08. Counsel requests that the parties in Action No. 1 be permitted to complete expert discovery by 12/15/08. ENDORSEMENT: The deposition of Mr. Berliner is to be conducted by no later than December 5, 2008. The balance of the expert witness schedule remains unchanged. (Signed by Magistrate Judge Michael H. Dolinger on 10/31/08) (tro) (Entered: 11/03/2008)
11/07/2008	231	STIPULATION AND ORDER: It is hereby Stipulated and agreed by and between the undersigned parties through their counsel that LEAH WILLERSDORF of Anglo-American Court Reporters LTD, or any other court reporter designated by that company to transcribe the deposition of Mark Stratford in connection with the above referenced cases, shall have the power to administer an oath to the witness and to take and report the sworn testimony of Mark Stratford. (Signed by Magistrate Judge Michael H. Dolinger on 11/6/2008) (jfe) (Entered: 11/07/2008)
12/02/2008	232	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Genecin dated 11/25/2008 re: Counsel for plaintiff Fendi writes to inform the Court that the parties have agreed on the following briefing schedule: Dispositive motions to be served, no later than 1/30/2009; Opposition papers are to be served 30 days after service of the moving papers; Reply papers are to be served two weeks after the filing of the opposition papers. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 12/2/2008) (tve) (Entered: 12/02/2008)
12/08/2008	233	NOTICE OF CHANGE OF ADDRESS by J. Joseph Bainton on behalf of Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell and Russell, LLP, 26 Broadway, Suite 2400, New York, New York, USA 10004, 212-480-2529. (Bainton, J.) (Entered: 12/08/2008)

12/08/2008	234	NOTICE OF CHANGE OF ADDRESS by John Jongmin Lee on behalf of Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell and Russell, LLP, 26 Broadway, Suite 2400, New York, New York, USA 10004, 212-480-9381. (Lee, John) (Entered: 12/08/2008)
12/08/2008	235	NOTICE OF CHANGE OF ADDRESS by Carmine Joseph Castellano on behalf of Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell and Russell, LLP, 26 Broadway, Suite 2400, New York, New York, USA 10004, 212-480-9529. (Castellano, Carmine) (Entered: 12/08/2008)
01/08/2009	236	ENDORSED LETTER: addressed to Judge Leonard B. Sand from Richard L. Mattiaccio dated 1/7/09 re: Counsel for plaintiff request that the Court grant the page limit extension. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Leonard B. Sand on 1/8/09) (js) (Entered: 01/08/2009)
01/21/2009	237	NOTICE OF CHANGE OF ADDRESS by J. Joseph Bainton on behalf of Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell & Russell, LLP, 250 Park Avenue, Suite 1900, New York, New York, USA 10177, 212-907-9700. (Bainton, J.) (Entered: 01/21/2009)
01/21/2009	238	NOTICE OF CHANGE OF ADDRESS by John Jongmin Lee on behalf of Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell & Russell, LLP, 250 Park Avenue, Suite 1900, New York, New York, USA 10177, 212-907-9700. (Lee, John) (Entered: 01/21/2009)
01/21/2009	239	NOTICE OF CHANGE OF ADDRESS by Carmine Joseph Castellano on behalf of Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. New Address: Smith, Gambrell & Russell, LLP, 250 Park Avenue, Suite 1900, New York, New York, USA 10177, 212-907-9700. (Castellano, Carmine) (Entered: 01/21/2009)

02/03/2009	240	ENDORSED LETTER addressed to Judge Leonard B. Sand from Richard L. Mattiaccio dated 1/29/2009 re: Counsel respectfully request that your Honor set the same schedule for dispositive motions in this case as set forth: February 27: Dispositive motions to be served and filed in lieu of pretrial Order. April 15: Answers to Dispositive Motions to be served and filed. May 6: Replies to Dispositive Motions to be served and filed. May 22: Sur-replies to Dispositive Motions to be served and filed. ENDORSEMENT: Granted. (after consultation with Magistrate Judge Dolinger). So Ordered. (Signed by Judge Leonard B. Sand on 2/3/2009) (jfe) Modified on 2/10/2009 (jfe). (Entered: 02/03/2009)
02/25/2009	241	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Victor Genecin dated 2/25/2009 re: Counsel writes to inform the Court that the parties have agreed that Fendi will serve but not file the motion on 2/27 and there will be a 1 week time period to agree on redactions and Fendi will file the redacted papers in the public record and unredacted pages under seal on 3/6/2009. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 2/25/2009) (tve) (Entered: 02/25/2009)
02/26/2009		***DELETED DOCUMENT. Deleted document number 242 ENDORSED LETTER. The document was incorrectly filed in this case. (jfe) (Entered: 03/23/2009)
02/27/2009	243	MOTION for Partial Summary Judgment. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Responses due by 4/15/2009(Bainton, J.) (Entered: 02/27/2009)
02/27/2009	244	MEMORANDUM OF LAW in Support re: 243 MOTION for Partial Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 02/27/2009)
02/27/2009	245	DECLARATION of Stacy J. Haigney in Support re: 243 MOTION for Partial Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A)(Bainton, J.) (Entered: 02/27/2009)
02/27/2009	246	RULE 56.1 STATEMENT. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 02/27/2009)

03/06/2009	247	MOTION for Summary Judgment. Document filed by Fendi Adele S. R.L., Fendi S.R.L., Fendi North America, Inc.. Responses due by 4/15/2009(Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	248	MEMORANDUM OF LAW in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	249	RULE 56.1 STATEMENT. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	250	DECLARATION of Alberto Fabbri in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	251	DECLARATION of James J. Donohue in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	252	DECLARATION of Joseph Parilla in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 03/06/2009)
03/06/2009	253	DECLARATION of Victor Genecin in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit 1-5, # 2 Exhibit 6-7, # 3 Exhibit 8-12, # 4 Exhibit 13-17, # 5 Exhibit 18-28, # 6 Exhibit 29-32, # 7 Exhibit 33-36, # 8 Exhibit 37-44) (Genecin, Victor) (Entered: 03/06/2009)
03/11/2009	254	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Richard L. Marriaccio dated 3/11/2009 re: Counsel request the Court's permission to file under seal un-redacted versions of the documents set forth within with the Clerk of the Court and that the Court "So Order" this letter for that purpose. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 3/10/2009) (jfe) (Entered: 03/11/2009)

03/11/2009		Transmission to Sealed Records Clerk. Transmitted re: 254 Endorsed Letter,, to the Sealed Records Clerk for the sealing or unsealing of document or case. (jfe) (Entered: 03/11/2009)
03/11/2009	255	SEALED DOCUMENT placed in vault.(rt) (Entered: 03/11/2009)
04/15/2009	256	ENDORSED LETTER addressed to Judge Leonard B. Sand from Lawrence Fechner dated 4/14/09 re: Counsel write on behalf of Summit Resource Imports, LLC, a third party defendant in this action to request an enlargement of time until 5/6/09 to oppose the motion for summary judgment. ENDORSEMENT: Granted. (Signed by Judge Leonard B. Sand on 4/15/09) (tro) (Entered: 04/15/2009)
04/15/2009	257	ENDORSED LETTER addressed to Judge Leonard B. Sand from J. Joseph Bainton dated 4/14/09 re: Counsel request that Your Honor enlarge BCF's time to respond to Fendi's motion for summary judgment from 4/15/09 to 5/6/09. ENDORSEMENT: Extension to 5/6/09 granted. (Signed by Judge Leonard B. Sand on 4/15/09) (tro) Modified on 4/22/2009 (tro). (Entered: 04/15/2009)
04/15/2009	258	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - CONSENT MOTION for Extension of Time to File Response/Reply to Burlington Coat Factory Warehouse Corp.'s Motion for Summary Judgment(LETTER). Document filed by 546332 BC Ltd..(Katz, Bruce) Modified on 4/16/2009 (KA). (Entered: 04/15/2009)
04/16/2009		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 258 HAS BEEN REJECTED. Note to Attorney Bruce D. Katz : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (KA) (Entered: 04/16/2009)
04/16/2009	259	ENDORSED LETTER addressed to Judge Leonard B. Sand from Gerard F. Dunne dated 4/14/09 re: counsel for 3rd Party defendant, Ashley Reed, Inc. request a Nine-day extension of time to file the responsive papers to the summary judgment proceedings in this matter. This will move the submission date from 4/15/2009 to 4/24/09. ENDORSEMENT: granted. (Signed by Judge Leonard B. Sand on 4/15/09) (pl) (Entered: 04/16/2009)

04/16/2009	260	ENDORSED LETTER addressed to Judge Leonard B. Sand from Bruce D. Katz dated 4/15/09 re: that third-party defendants, 546332 BC Ltd. and Howard Colton request a nine-day extension of the briefing schedule relating to the pending motion for summary judgment filed on February 27, 2009 by defendant, Burlington Coat Factory Warehouse Corp. The present request for extension would modify the briefing schedule relating to Burlington's summary judgment motion as follows: Opposition to Burlington's Motion to be served and filed: 4/24/2009, Burlington's Reply: 5/15/2009, Sur-reply (if appropriate): 6/6/09,. ENDORSEMENT: Granted. (Signed by Judge Leonard B. Sand on 4/16/09) (pl) (Entered: 04/16/2009)
04/16/2009	261	ENDORSED LETTER addressed to Judge Leonard B. Sand from John Smargiassi dated 2/15/09 re: Third party Defendants respectfully request that the time to respond to Burlington Coat Factory motion for summary judgment be enlarged to 5/6/2009. ENDORSEMENT: Granted. (Signed by Judge Leonard B. Sand on 4/16/09) (pl) (Entered: 04/16/2009)
04/24/2009	262	RESPONSE to Motion re: 243 MOTION for Partial Summary Judgment.. Document filed by Ashley Reed Trading, Inc.. (Dunne, Gerard) (Entered: 04/24/2009)
04/28/2009	263	REPORT AND RECOMMENDATION For the reasons set forth in this order, we recommend that the District Court award plaintiffs \$2,528,768.00 as disgorgement of Burlingtons profits from sales that violated the 1987 consent injunction, \$541,913.65 in attorneys fees and costs, and pre-judgment interest at the rate set under 26 U.S.C. 6621 (a)(2). We further recommend that the Court impose fines of \$1,000.00 per violation for any future sales by defendants in violation of the 1987 consent jurisdiction. Objections to R&R due by 5/15/2009 (Signed by Magistrate Judge Michael H. Dolinger on 4/27/09) Copies Mailed By Chambers.(mme) (ad). (tro). (Entered: 04/28/2009)
04/28/2009		***DELETED DOCUMENT. Deleted document number 265 Report and Recommendation. The document was incorrectly filed in this case as DUPLICATE of 263 . Document 263 had been modified with the correct pdf, of the Report and Recommendation. (tro) (Entered: 05/07/2009)

04/29/2009	264	ENDORSED LETTER addressed to Judge Leonard B. Sand from Richard I. Mattiaccio dated 4/29/2009 re: Counsel respectfully request that Your Honor enlarge the dates in which plaintiff's reply and defendant's surreply are due to May 29, 2009 and June 12, 2009. ENDORSEMENT: Granted on consent. So Ordered. (Signed by Judge Leonard B. Sand on 4/29/2009) (jfe) (Entered: 04/29/2009)
05/01/2009	266	MEMORANDUM & ORDER; that in our R&R we noted the potential complicating effect on the tax deduction if, as we recommended, the claimed "store expenses" were not credited to Burlington. (R&R at 31-32). We saw no reason, however, to rule on the nature or extent of the alteration of the tax figure that would follow, since the record did not reflect what precisely that alteration would be, and we anticipated that the question of the validity of the deductions for both store expenses and taxes would be pursued on appeal to Judge Sand. In any event, since the parties are plainly still in dispute as to which categories of expenses, if any, may be offset against defendants' gross profits, there remains no occasion at present to reopen the record to determine the precise effect of the elimination of the store-expense deduction on the calculation of taxes. In short, at present it will be more efficient for the parties to pursue their appeals to the District Court on the categories of expenses that may be allowed. In the event that our recommendation to disallow store expenses and permit a deduction for taxes is upheld, we assume that the parties will be able jointly to calculate the tax figure. Otherwise, they will be free to litigate it. (Signed by Magistrate Judge Michael H. Dolinger on 5/1/09) Copies Mailed By Chambers.(pl) (Entered: 05/01/2009)
05/04/2009	267	ENDORSED LETTER addressed to Judge Leonard B. Sand from Bruce D. Katz dated 5/1/2009 re: Requesting an extension of the briefing schedule such that; opposition to Burlington's motion to be served and filed 5/8/2009; Burlington's Reply 5/29/2009 and sur-reply 6/17/2009. ENDORSEMENT: SO ORDERED. (Signed by Judge Leonard B. Sand on 5/4/2009) (jpo) (Entered: 05/04/2009)
05/05/2009	268	RESPONSE in Opposition re: 243 MOTION for Partial Summary Judgment.. Document filed by Euro Moda, Inc.. (Smargiassi, John) (Entered: 05/05/2009)

05/05/2009	269	RESPONSE in Opposition re: 243 MOTION for Partial Summary Judgment.. Document filed by Moda Oggi, Inc.. (Smargiassi, John) (Entered: 05/05/2009)
05/05/2009	270	ENDORSED LETTER addressed to Judge Leonard B. Sand from J. Joseph Bainton dated 5/4/09 re: Counsel for Defendants write to request the following: 1) A 2-day enlargement of time to respond to Fendi's summary judgment motion and 2) A 30-day Enlargement of Time to Object to Magistrate Judge Dolinger's Report and Recommendation. ENDORSEMENT: A two-day adjournment sought in paragraph 1 is granted. A thirty-day adjournment sought in paragraph 2 is denied. (Signed by Judge Leonard B. Sand on 5/5/09) (tro) (Entered: 05/06/2009)
05/06/2009	271	DECLARATION of Lawrence Fechner in Opposition re: 243 MOTION for Partial Summary Judgment.. Document filed by Summit Resource Imports LLC. (Fechner, Lawrence) (Entered: 05/06/2009)
05/06/2009	272	REPLY AFFIRMATION of Lawrence Fechner in Opposition re: 243 MOTION for Partial Summary Judgment.. Document filed by Summit Resource Imports LLC. (Fechner, Lawrence) (Entered: 05/06/2009)
05/11/2009	273	OBJECTION to 263 Report and Recommendations Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 05/11/2009)
05/12/2009	274	OBJECTION to 263 Report and Recommendations Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/12/2009)
05/12/2009	275	DECLARATION of Stacy J. Haigney in Support re: 274 Objection to Report and Recommendations. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/12/2009)

05/22/2009	276	CROSS MOTION to Dismiss <i>Third-Party Complaint</i> or, in the alternative, for summary judgment dismissing <i>Third-Party Complaint</i> . Document filed by 546332 BC Ltd..(Katz, Bruce) (Entered: 05/22/2009)
05/22/2009	277	MEMORANDUM OF LAW in Opposition re: 243 MOTION for Partial Summary Judgment. <i>and in Support of Cross-Motion to Dismiss</i> or, in the alternative, for Summary Judgment dismissing the <i>Third-Party Complaint</i> . Document filed by 546332 BC Ltd.. (Katz, Bruce) (Entered: 05/22/2009)
05/22/2009	278	COUNTER STATEMENT TO 246 Rule 56.1 Statement. Document filed by 546332 BC Ltd.. (Katz, Bruce) (Entered: 05/22/2009)
05/26/2009	279	ENDORSED LETTER addressed to Judge Leonard B. Sand from J. Joseph Bainton dated 5/15/2009 re: Counsel for defendants that Your Honor consolidate the briefing schedule of this motion so that BCF's reply and third-party defendants' sur-replies are due on 5/29/2009 and 6/17/2009 respectively. ENDORSEMENT: Granted. (Signed by Judge Leonard B. Sand on 5/26/2009) (tve) (Entered: 05/26/2009)
05/26/2009	280	RESPONSE re: 274 Objection to Report and Recommendations, 263 Report and Recommendations,,. Document filed by Fendi Adele S.R. L., Fendi S.R.L., Fendi North America, Inc.. (Skulnik, Steven) (Entered: 05/26/2009)
05/26/2009	281	RESPONSE re: 273 Objection to Report and Recommendations. Document filed by Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/26/2009)

05/29/2009	282	REPLY MEMORANDUM OF LAW in Support re: 243 MOTION for Partial Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/29/2009)
05/29/2009	283	REPLY MEMORANDUM OF LAW in Opposition re: 276 CROSS MOTION to Dismiss <i>Third-Party Complaint or, in the alternative, for summary judgment dismissing Third-Party Complaint</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/29/2009)
05/29/2009	284	COUNTER STATEMENT TO Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 05/29/2009)
06/11/2009	285	MEMORANDUM OF LAW re: 247 MOTION for Summary Judgment. <i>(1) IN OPPOSITION TO DEFENDANTS as yet unfiled CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT AND TO STRIKE dated May 8, 2009; (2) IN FURTHER SUPPORT OF PLAINTIFFS MOTION FOR SUMMARY JUDGMENT</i> . Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 06/11/2009)
06/11/2009	286	DECLARATION of Victor Genecin in Support re: 247 MOTION for Summary Judgment.. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Attachments: # 1 Exhibit 45-54) (Mattiaccio, Richard) (Entered: 06/11/2009)

06/11/2009	287	<p>RESPONSE <i>TO DEFENDANTS</i> <i>as yet unfiled</i> STATEMENT OF UNDISPUTED MATERIAL FACTS, SUPPORTING DEFENDANTS CROSS- MOTION FOR SUMMARY JUDGMENT DISMISSING PLAINTIFFS REMAINING CLAIMS dated May 8, 2009 . Document filed by Fendi Adele S.R.L., Fendi S.R. L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 06/11/2009)</p>
06/11/2009	288	<p>ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from Richard L. Mattiaccio dated 6/11/09 re: counsel requests the Court's permission to file under seal un-redacted versions of the above-referenced documents with the Clerk of the Court and that the Court "So Order" this letter for that purpose. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 6/11/09) (djc) (Entered: 06/11/2009)</p>
06/12/2009	289	<p>SEALED DOCUMENT placed in vault.(jri) (Entered: 06/12/2009)</p>
07/24/2009	290	<p>NOTICE OF CHANGE OF ADDRESS by Steven Skulnik on behalf of Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. New Address: 30 Rockefeller Plaza, New York, NY, 10112,. (Skulnik, Steven) (Entered: 07/24/2009)</p>
07/30/2009	291	<p>NOTICE OF CHANGE OF ADDRESS by Richard L. Mattiaccio on behalf of all plaintiffs. New Address: 30 Rockefeller Plaza, New York, NY, 10112,. (Mattiaccio, Richard) (Entered: 07/30/2009)</p>
07/30/2009	292	<p>NOTICE OF CHANGE OF ADDRESS by Victor Genecin on behalf of all plaintiffs. New Address: 30 Rockefeller Plaza, New York, NY, 10112,. (Genecin, Victor) (Entered: 07/30/2009)</p>

08/10/2009	293	MEMORANDUM ORDER/ORDER ADOPTING REPORT AND RECOMMENDATIONS for 263 Report and Recommendations, with the exception of Defendants' claim that the R&R did not address the question of whether the appropriate interest rate should be based on the federal statutory benchmark for non-payment of federal taxes or for analogous causes of action under state law. We adopt the remainder of the recommendations set forth in the R&R. (Signed by Judge Leonard B. Sand on 8/10/09) (cd) (Entered: 08/10/2009)
08/11/2009	294	ORDER, 1. The parties are to serve and file memoranda of law addressing whether the calculation of pre-judgment interest should be based on federal or state statutory benchmarks in the instant action by no later than MONDAY, AUGUST 24, 2009. 2. Replies are to be served and filed by no later than MONDAY, AUGUST 31, 2009. (Signed by Magistrate Judge Michael H. Dolinger on 8/11/09) Copies Mailed By Chambers.(pl) (Entered: 08/11/2009)
08/24/2009	295	CROSS MOTION for Summary Judgment <i>and to Strike</i> . Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	296	MEMORANDUM OF LAW in Opposition re: 247 MOTION for Summary Judgment. <i>and in Supprot of BCF's Cross-Motion for Summary Judgment</i> . Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	297	RULE 56.1 STATEMENT. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	298	DECLARATION of Stacy J. Haigney in Opposition re: 247 MOTION for Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	299	COUNTER STATEMENT TO 249 Rule 56.1 Statement. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)

08/24/2009	300	DECLARATION of Carmine J. Castellano in Opposition re: 247 MOTION for Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 25) (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	301	MEMORANDUM OF LAW in Opposition re: 247 MOTION for Summary Judgment. (<i>SUR REPLY</i>) Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/24/2009	302	DECLARATION of J. Joseph Bainton in Support re: 295 CROSS MOTION for Summary Judgment <i>and to Strike</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Bainton, J.) (Entered: 08/24/2009)
08/24/2009	303	DECLARATION of Carmine J. Castellano in Opposition re: 247 MOTION for Summary Judgment.. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit 26, # 2 Exhibit 27, # 3 Exhibit 28, # 4 Exhibit 29, # 5 Exhibit 30, # 6 Exhibit 31)(Bainton, J.) (Entered: 08/24/2009)
08/24/2009	304	MEMORANDUM OF LAW re: 293 Order Adopting Report and Recommendations, 294 Order, Set Deadlines,, <i>Memorandum Of Law Concerning Calculation Of Pre-Judgment Interest On Sanctions To Be Paid By Defendants For Their Contempt Of The Permanent</i>

		<p><i>Injunction Entered By This Court On May 19, 1987</i> . Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 08/24/2009)</p>
08/24/2009	305	MEMORANDUM OF LAW re: 293 Order Adopting Report and Recommendations,. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/24/2009)
08/31/2009	306	SEALED DOCUMENT placed in vault.(jri) (Entered: 08/31/2009)
08/31/2009	307	REPLY re: 304 Memorandum of Law,. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 08/31/2009)
08/31/2009	308	DECLARATION of J. Joseph Bainton in Support re: 295 CROSS MOTION for Summary Judgment <i>and to Strike</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Bainton, J.) (Entered: 08/31/2009)
08/31/2009	309	REPLY MEMORANDUM OF LAW re: 305 Memorandum of Law <i>CONCERNING PRE-JUDGMENT INTEREST</i> . Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 08/31/2009)
08/31/2009	310	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 8/26/2009 re: Counsel writes respectfully requesting Your Honor's permission to file under seal un-redacted versions of the within-referenced documents with the Clerk of the Court. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 8/31/2009) (tve) Modified on 9/3/2009 (tve). (Entered: 08/31/2009)
09/03/2009	311	ORDER: The oral argument previously scheduled for September 30, 2008 is adjourned, on consent of the parties, to October 15, 2009. (Signed by Judge Leonard B. Sand on 9/3/09) (db) (Entered: 09/03/2009)

09/08/2009	312	MOTION to Amend/Correct <i>Answer</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Return Date set for 9/24/2009 at 02:15 PM. (Attachments: # 1 Exhibit Proposed Amended Answer and Demand for Trial By Jury)(Bainton, J.) (Entered: 09/08/2009)
09/08/2009	313	MEMORANDUM OF LAW in Support re: 312 MOTION to Amend/Correct <i>Answer</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 09/08/2009)
09/08/2009	314	DECLARATION of Stacy J. Haigney in Support re: 312 MOTION to Amend/Correct <i>Answer</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 09/08/2009)
09/21/2009	315	MEMORANDUM OF LAW in Opposition re: 312 MOTION to Amend/Correct <i>Answer</i> .. Document filed by Fendi Adele S.R. L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 09/21/2009)
09/23/2009	316	REPLY MEMORANDUM OF LAW in Support re: 312 MOTION to Amend/Correct <i>Answer</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 09/23/2009)
09/23/2009	317	DECLARATION of Stacy J. Haigney in Support re: 312 MOTION to Amend/Correct <i>Answer</i> .. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Bainton, J.) (Entered: 09/23/2009)
11/17/2009		Minute Entry for proceedings held before Judge Leonard B. Sand: Oral Argument held on 11/17/2009 re: Plaintiff & Defts. cross-motion for summary judgment; deft. Burlington motion to amend answer against plttff Fendi; and Deft. Burlington's motion for summary judgment against all 3rd party defts', and 3rd party deft. Colton Int'l motion to dismiss 3rd party complaint. - Decision Reserved. Deft. Burlington cross motion for summary judgment against plaintiff Fendi is "withdrawn" by defts. attorney. Decision reserved on all other motions. (tro) Modified on 11/19/2009 (tro). (Entered: 11/19/2009)

12/02/2009	318	REPORT AND RECOMMENDATIONS: We recommend that the Court assess prejudgment interest on defendants net profits at the underpayment rates embodied in 26USC § 6621(a)(2), as we recommended in our previous report and recommendation, and as urged by defendants. We further recommend that the Court calculate interest based on the net profits and time periods laid out in Appendices A and B, using the average underpayment rate for each period and assessing simple interest for each period from the first day of the period through December 14,2009. By our calculations, this yields a total of \$1,556,953.55. See Appendix B. Objections to R&R due by 12/11/2009 (Signed by Magistrate Judge Michael H. Dolinger on 12/1/09) Copies Mailed by Chambers.(db) Modified on 12/3/2009 (ae). (Entered: 12/02/2009)
12/04/2009	319	ENDORSED LETTER addressed to Magistrate Judge Michael H. Dolinger from J. Joseph Bainton dated 12/3/2009 re: Counsel for defendant writes requesting that Your Honor withdraw the most recent Report and Recommendation because its calculation of interest is arithmetically flawed. ENDORSEMENT: Application for reconsideration denied. The proper route for defendant to reargue the tax issue (or to contest resultant calculation of interest) is by filing an objection with the District Court. (Signed by Magistrate Judge Michael H. Dolinger on 12/4/2009) (tve) (Entered: 12/04/2009)
12/08/2009	320	TRANSCRIPT of proceedings held on 11/17/2009 before Judge Leonard B. Sand. (tve) (Entered: 12/10/2009)
12/16/2009	321	OBJECTION to 318 Report and Recommendations Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 12/16/2009)
12/16/2009	322	DECLARATION of Robert W. Berliner in Support re: 321 Objection to Report and Recommendations. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (Bainton, J.) (Entered: 12/16/2009)
12/18/2009	323	RESPONSE re: 321 Objection to Report and Recommendations. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Mattiaccio, Richard) (Entered: 12/18/2009)

02/08/2010	324	MEMORANDUM AND ORDER: Fendi's motion for summary judgment is granted, and we refer the matter to Magistrate Judge Dolinger for a report on the appropriate amount of damages, attorney's fees, prejudgment interest and costs. Within sixty (60) days of this Order, Burlington is directed to submit a compliance plan to the Court. Six months after that date and every six months thereafter for the ensuing five years, Burlington is to submit a compliance report to the Court. Colton's cross-motion to dismiss the third-party complaint is granted. Burlington's motion for partial summary judgment against Ashley Reed, Euro Moda, Moda Oggi and Summit is granted. The December 1, 2009 Report and Recommendation is adopted in its entirety. (Signed by Judge Leonard B. Sand on 2/8/2010) (jpo) (Entered: 02/08/2010)
02/08/2010		Transmission to Judgments and Orders Clerk. Transmitted re: 324 Terminate Motions, Order Adopting Report and Recommendations, to the Judgments and Orders Clerk. (jpo) (Entered: 02/08/2010)
02/11/2010	325	JUDGMENT in favor of Fendi Adele S.R.L., Fendi North America, Inc., Fendi S.R.L. against Burlington Coat Factory Warehouse Corporation, Cohoes Fashions, Inc. that Fendi's motion for summary judgment is granted, as to the matter of damages and attorneys' fees it will go to inquest before Magistrate Judge Dolinger, within sixty days Burlington will submit a compliance plan and within six months, a compliance report, Colton's motion for partial summary judgment is granted. (Signed by J. Michael McMahon, Clerk on 2/11/10) (jf) (Additional attachment(s) added on 2/11/2010: # 1 notice of right to appeal) (jf). (Entered: 02/11/2010)
02/16/2010	326	AMENDED JUDGMENT # 10,0239 (amending judgment dtd: 2/11/10, in favor of Fendi Adele S.R.L., Fendi North America, Inc., Fendi S.R.L. against Burlington Coat Factory Warehouse Corporation, Cohoes Fashions, Inc. in the amount of \$ 4,657,148.64. (Signed by J. Michael McMahon, Clerk on 2/16/10) (jf) (Additional attachment(s) added on 2/17/2010: # 1 notice of right to appeal) (jf). (Entered: 02/17/2010)
02/17/2010	327	ORDER: A conference has been scheduled Tuesday, 2/23/2010 at 10:00 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 2/17/2010) Copies Faxed By Chambers.(tro) (Entered: 02/17/2010)

02/22/2010	328	NOTICE of Motion for Partial Reconsideration or Reargument re: 324 Terminate Motions, Order Adopting Report and Recommendations,,,,,,. Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 02/22/2010)
02/22/2010	329	MEMORANDUM OF LAW in Support re: 328 Notice (Other) <i>of Motion for Partial Reconsideration or Reargument</i> . Document filed by Fendi Adele S.R.L., Fendi S.R.L., Fendi North America, Inc.. (Genecin, Victor) (Entered: 02/22/2010)
02/24/2010	330	ORDER: On February 22,2010, Plaintiffs filed a Motion for Partial Reconsideration or Reargument with a return date of March 16, 2010. Defendants' response in opposition is due March 6, 2010. Plaintiffs' reply (if any) is due March 12, 2010. No oral argument will be held and the motion will be considered fully submitted as of March 12,2010. (Signed by Judge Leonard B. Sand on 2/24/2010) (jpo) (Entered: 02/24/2010)
03/01/2010	337	TRANSCRIPT of proceedings held on February 23, 2010 at 10:40 a. m. before Magistrate Judge Michael H. Dolinger. (js) (Entered: 03/08/2010)
03/02/2010	331	STIPULATION AND ORDER APPROVING SUPERSEDEAS BOND, the appropriate amount of the supersedeas bond is \$5,000,000.00. The form and bond of surety (copy attached hereto as Exhibit A) is acceptable. The Surety is appropriate and sufficient. The Clerk shall receive and file the supersedeas bond immediately. (Signed by Judge Leonard B. Sand on 3/2/10) (cd) (Entered: 03/02/2010)
03/02/2010	332	Supersedeas BOND # CGB8936571 in the amount of \$ 5,000,000.00 posted by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. (ml) (Entered: 03/03/2010)
03/02/2010	333	NOTICE OF APPEAL from 325 Judgment, 326 Amended Judgment. Document filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation. Filing fee \$ 455.00, receipt number E 895715. (tp) (Entered: 03/03/2010)

03/03/2010		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 333 Notice of Appeal. (tp) (Entered: 03/03/2010)
03/03/2010		Transmission of Notice of Appeal to the District Judge re: 333 Notice of Appeal. (tp) (Entered: 03/03/2010)
03/03/2010		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 22 Answer to Counterclaim, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 1 Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 9 Amended Complaint, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 19 Answer to Amended Complaint, Counterclaim, filed by Cohoes Fashions, Inc., 33 Answer to Complaint filed by Colton International, 4 Notice of Appearance filed by Burlington Coat Factory Warehouse Corporation, 2 Rule 7.1 Disclosure Statement filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 7 Certificate of Service Other filed by Burlington Coat Factory Warehouse Corporation, 16 Rule 7.1 Disclosure Statement filed by Burlington Coat Factory Warehouse Corporation, 21 Third Party Complaint, filed by Burlington Coat Factory Warehouse Corporation, Cohoes Fashions, Inc., 23 Affidavit of Service Other filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 11 Affidavit of Service Complaints, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 24 Summons Returned Executed filed by Burlington Coat Factory Warehouse Corporation, 32 Stipulation and Order, 26 Affidavit of Service Other, filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L., 3 Notice of Appearance filed by Burlington Coat Factory Warehouse Corporation, 27 Memo Endorsement, 29 Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation, 5 MOTION for Order to Show Cause. filed by Burlington Coat Factory Warehouse Corporation,, 31 Acknowledgment of Service Complaints filed by Burlington Coat Factory Warehouse Corporation, 18 Answer to Amended Complaint, Counterclaim,, filed by Burlington Coat Factory Warehouse Corporation, 35 Notice of Appeal filed by Burlington Coat Factory Warehouse Corporation, 10 Affidavit of Service Complaints filed by Fendi S.R.L., Fendi North America, Inc., Fendi Adele S.R.L.,, 20 Rule 7.1 Disclosure Statement filed by Fendi S.R.</p>

L., Fendi North America, Inc., Fendi Adele S.R.L., [13](#) Notice of Case Assignment/Reassignment, [30](#) Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation,, [8](#) Order to Show Cause filed by Burlington Coat Factory Warehouse Corporation,, [28](#) Summons Returned Executed, filed by Burlington Coat Factory Warehouse Corporation,, [6](#) Declaration in Support of Motion,, filed by Burlington Coat Factory Warehouse Corporation,, [17](#) Rule 7.1 Disclosure Statement filed by Cohoes Fashions, Inc.,, [25](#) Request for Production of Documents filed by Fendi S.R.L.,, Fendi North America, Inc.,, Fendi Adele S.R.L.,, [12](#) Affidavit of Service Complaints filed by Fendi S.R.L.,, Fendi North America, Inc.,, Fendi Adele S.R.L., [318](#) Report and Recommendations, [128](#) Order, [82](#) Affidavit of Service Other, filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [74](#) Notice to Take Deposition filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [300](#) Declaration in Opposition to Motion, filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation, [260](#) Endorsed Letter, Set Scheduling Order Deadlines, [153](#) Order, Set Scheduling Order Deadlines, [55](#) Memorandum of Law in Opposition to Motion, filed by Burlington Coat Factory Warehouse Corporation, [135](#) Notice of Appearance filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [97](#) Response to Motion filed by Wal-mart Stores, Inc., [101](#) Declaration in Support of Motion filed by Ashley Reed Trading, Inc., [248](#) Memorandum of Law in Support of Motion filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [106](#) Order, [213](#) Order, Set Deadlines/Hearings,, [99](#) Declaration in Opposition to Motion, filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [239](#) Notice of Change of Address, filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation, [115](#) Order, [107](#) Notice of Reassignment of Referral to Magistrate Judge, [120](#) Endorsed Letter, [292](#) Notice of Change of Address filed by Fendi North America, Inc., Fendi Adele S.R.L., Fendi S.R.L., [284](#) Counter Statement to Rule 56.1 filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation, [332](#) Bond filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation, [245](#) Declaration in Support of Motion filed by Cohoes Fashions, Inc., Burlington Coat Factory Warehouse Corporation, [54](#) Rule 56.1 Statement filed by Burlington Coat Factory Warehouse Corporation, [162](#) Declaration in Support of Motion,,,,, filed by Fendi North America, Inc., Fendi Adele S.R.L.,

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