

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF GEORGIA

2211 UNITED STATES COURTHOUSE  
75 SPRING STREET, SW  
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN  
DISTRICT COURT EXECUTIVE  
AND CLERK OF COURT

DOCKETING SECTION  
404-215-1655

August 16, 2011

United States Court of Appeals  
11th Circuit  
56 Forsyth Street, NW  
Atlanta, Georgia 30303

**USDC Civil Action No. 1:08-cv-0421-TWT**

**USCA No. 11-12922-DD**

**Re: *Maureen Toffoloni v. LFP Publishing Group, LLC.***

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### CERTIFICATE OF READINESS OF RECORD ON APPEAL

Pursuant to Fed.R.App.P. 11(c), the Clerk of the District Court for the Northern District of Georgia hereby certifies that, as shown on the enclosed index, the record is complete for the purposes of this appeal. The record (including the transcript or parts thereof designated for inclusion and all necessary exhibits) consists of:

- 9 **Volume(s) of pleadings-1 FILED UNDER SEAL**
- 9 **Volume(s) of depositions-5 FILED UNDER SEAL**
- 8 **Volume(s) of transcripts**
- Volume(s) of exhibits**
- X **Other: 5 Envelopes of Sealed Exhibits w/ pldg nos. 5, 124, 125, 146, 151**

Sincerely,

James N. Hatten  
District Court Executive  
and Clerk of Court

By: /s/ Kimberly Carter  
Deputy Clerk

Enclosures

4months, APPEAL, CLOSED, EXH, PROTO, TRO

**U.S. District Court  
Northern District of Georgia (Atlanta)  
CIVIL DOCKET FOR CASE #: 1:08-cv-00421-TWT  
Internal Use Only**

**ATTEST: A TRUE COPY  
CERTIFIED THIS**

AUG 16 2011

James N. Hatten, Clerk  
By:  Deputy Clerk

Toffoloni v. LFP Publishing Group, LLC  
Assigned to: Judge Thomas W. Thrash, Jr  
Case in other court: USCA - 11th Circuit, 08-16148  
USCA - 11th Circuit., 11-12922-D  
USCA - 11th Circuit., 11-12922-DD  
Superior Court of Fayette County,  
2008V-0185

Date Filed: 02/06/2008  
Date Terminated: 06/17/2011  
Jury Demand: None  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

Cause: 28:1441 Petition for Removal- Personal Injury

**Plaintiff**

**Maureen Toffoloni**  
*as Administrator and Personal  
Representative of the Estate of Nance  
E. Benoit*

represented by **Richard Paul Decker**  
Hallman & Wingate, LLC  
Suite 210  
166 Anderson Street, S.E.  
Marietta, GA 30060  
404-588-2530  
Fax: 404-588-2535  
Email: rdecker@hallmanwingate.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Francis Edwin Hallman, Jr.**  
Hallman & Wingate, LLC  
Suite 210  
166 Anderson Street, S.E.  
Marietta, GA 30060  
404-588-2530  
Fax: 404-588-2535  
Email: ehallman@hallmanwingate.com  
**ATTORNEY TO BE NOTICED**

**Richard A. Wingate**  
Hallman & Wingate, LLC  
Suite 210  
166 Anderson Street, S.E.  
Marietta, GA 30060  
404-588-2530  
Fax: 404-588-2535  
Email: rwingate@hallmanwingate.com

*ATTORNEY TO BE NOTICED*

**Zachary McCree Wilson , III**  
Hallman & Wingate, LLC  
Suite 210  
166 Anderson Street, S.E.  
Marietta, GA 30060  
404-588-2530  
Fax: 404-588-2535  
Email: [zwilson@hallmanwingate.com](mailto:zwilson@hallmanwingate.com)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**LFP Publishing Group, LLC**  
*doing business as*  
Hustler Magazine

represented by **Barry J. Armstrong**  
McKenna Long & Aldridge-GA  
303 Peachtree Street, N.E.  
One Peachtree Center, Suite 5300  
Atlanta, GA 30308  
404-527-4000  
Email: [barmstrong@mckennalong.com](mailto:barmstrong@mckennalong.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James Clifton Rawls**  
McKenna Long & Aldridge-GA  
303 Peachtree Street, N.E.  
One Peachtree Center, Suite 5300  
Atlanta, GA 30308  
404-527-4000  
Fax: 404-527-4198  
Email: [jrawls@mckennalong.com](mailto:jrawls@mckennalong.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jeffrey F. Reina**  
Lipsitz, Green, Fahringer, Roll,  
Salisbury & Cambria, LLP  
Suite 300  
42 Delaware Avenue  
Buffalo, NY 14202  
716-849-1333  
Email: [jreina@lglaw.com](mailto:jreina@lglaw.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Paul J. Cambria**

Lipsitz, Green, Fahringer, Roll,  
Salisbury & Cambria, LLP  
Suite 300  
42 Delaware Avenue  
Buffalo, NY 14202  
716-849-1333  
Email: [pcambria@lglaw.com](mailto:pcambria@lglaw.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**S. Derek Bauer**

McKenna Long & Aldridge-GA  
303 Peachtree Street, N.E.  
One Peachtree Center, Suite 5300  
Atlanta, GA 30308  
404-572-4195  
Fax: 404-527-4198  
Email: [dbauer@mckennalong.com](mailto:dbauer@mckennalong.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William M. Feigenbaum**

Lipsitz Green Scime Cambria LLP  
Suite 120  
42 Delaware Avenue  
Buffalo, NY 14202  
716-849-1333  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Darrell Jay Solomon**

McKenna Long & Aldridge-GA  
303 Peachtree Street, N.E.  
One Peachtree Center, Suite 5300  
Atlanta, GA 30308  
404-527-4988  
Email: [dsolomon@mckennalong.com](mailto:dsolomon@mckennalong.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Mark Samansky**

*an individual*

*TERMINATED: 03/28/2011*

**Defendant**

**Defendants X, Y, and Z**  
*other distributors and sellers of*  
*Hustler Magazine*

Date Filed	#	Docket Text
02/06/2008 <i>Byg. Vol. 1</i>	<u>1</u>	NOTICE OF REMOVAL with COMPLAINT filed by LFP Publishing Group, LLC. (Filing fee \$350 receipt number 574099) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet)(dr) Please visit our website at <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain Pretrial Instructions. (Additional attachment(s) added on 2/7/2008: # <u>3</u> Memorandum continued) (dr). (Entered: 02/07/2008)
02/07/2008	<u>2</u>	NOTICE of Hearing on Motion. TRO Motion Hearing set for 2/8/2008 09:30 AM in Courtroom 2108 before Judge Thomas W. Thrash Jr.. (ss) (Entered: 02/07/2008)
02/07/2008	<u>3</u>	RESPONSE <i>in Opposition to Plaintiff's Motion for TRO</i> filed by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Affidavit Exhibit A to Defendant's Opposition to Plaintiff's Motion for TRO)(Bauer, S.) (Entered: 02/07/2008)
02/08/2008	<u>4</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Evidentiary Hearing held on 2/8/2008, Attorney S. Derek Bauer for LFP Publishing Group, LLC added. The Court heard from counsel on Motion for TRO, and denied the motion; the Court ordered the Clerk to place Plaintiff's Exhibit 1 UNDER SEAL. (Court Reporter Susan Baker.)(dr) (Entered: 02/08/2008)
02/08/2008 <i>Esq. 2/8/08 Exhibit 5</i>	<u>5</u>	FILED UNDER SEAL - EXHIBITS received from Courtroom Deputy and placed in Sealed Documents room. (dr) (Entered: 02/08/2008)
02/20/2008	<u>6</u>	WAIVER OF SERVICE Returned Executed by Maureen Toffoloni. LFP Publishing Group, LLC waiver mailed on 2/11/2008, answer due 4/11/2008. (Decker, Richard) (Entered: 02/20/2008)
02/25/2008 <i>Vol. 10</i>	<u>7</u>	TRANSCRIPT of Proceedings held on 2/8/08 before Judge Thomas W. Thrash, Jr.. Court Reporter: Susan Baker. (dr) (Entered: 02/26/2008)
03/07/2008	<u>8</u>	APPLICATION for Admission of William M. Feigenbaum Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001558106)by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 03/07/2008)
03/10/2008		APPROVAL by Clerks Office re: <u>8</u> APPLICATION for Admission of William M. Feigenbaum Pro Hac Vice (Application fee \$ 150, receipt number 113E0000000001558106). Attorney William M. Feigenbaum for LFP Publishing Group, LLC added. (pb) (Entered: 03/10/2008)
03/10/2008	<u>9</u>	ORDER granting <u>8</u> Application for Admission Pro Hac Vice for William Feigenbaum. Signed by Judge Thomas W. Thrash, Jr on

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		3/10/08. (dr) (Entered: 03/11/2008)
04/08/2008	<u>10</u>	MOTION to Dismiss with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief in Support of Motion to Dismiss) (Armstrong, Barry) (Entered: 04/08/2008)
04/15/2008	<u>11</u>	RESPONSE in Opposition re <u>10</u> MOTION to Dismiss filed by Maureen Toffoloni. (Decker, Richard) (Entered: 04/15/2008)
05/01/2008	<u>12</u>	REPLY BRIEF re <u>10</u> MOTION to Dismiss filed by LFP Publishing Group, LLC. (Armstrong, Barry) (Entered: 05/01/2008)
05/06/2008		Submission of <u>10</u> MOTION to Dismiss, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 05/06/2008)
10/06/2008	<u>13</u>	ORDER granting <u>10</u> Motion to Dismiss. Signed by Judge Thomas W. Thrash, Jr on 10/3/08. (dr) (Entered: 10/07/2008)
10/06/2008		Civil Case Terminated. (dr) (Entered: 10/07/2008)
10/07/2008	<u>14</u>	CLERK'S JUDGMENT dismissing case. (dr)--Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist-- (Entered: 10/07/2008)
10/27/2008	<u>15</u>	NOTICE OF APPEAL as to <u>14</u> Clerk's Judgment and <u>13</u> Order on Motion to Dismiss by Maureen Toffoloni. Filing fee \$455; Receipt Number 113E000000001877518. Transcript Order Form due on 11/10/2008 (Decker, Richard) Modified on 10/28/2008 to modify document relationship (kac). (Entered: 10/27/2008)
10/28/2008	<u>16</u>	Transmission of Certified Copy of Notice of Appeal, Judgment, Order and Docket Sheet to US Court of Appeals re: <u>15</u> Notice of Appeal. (kac) (Entered: 10/28/2008)
10/29/2008	<u>17</u>	BILL OF COSTS by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Affidavit in Support of Defendant's Bill of Costs)(Bauer, S.) (Entered: 10/29/2008)
10/30/2008	<u>18</u>	Costs Taxed in amount of \$760.15 against Plaintiff (dr) (Entered: 10/30/2008)
10/31/2008	<u>19</u>	USCA Acknowledgment of <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 11/03/2008)
11/26/2008		CERTIFICATE OF READINESS of Record on Appeal re: <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 11/26/2008)
11/26/2008	<u>20</u>	Certified copy of CERTIFICATE OF READINESS of Record on Appeal transmitted to USCA re: <u>15</u> Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 11/26/2008)

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12/03/2008	<u>21</u>	USCA Acknowledgment of COR re: <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 12/04/2008)
02/11/2009	<u>22</u>	FORTHWITH LETTER from USCA re: <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. Appeal Record due by 2/25/2009. (kac) (Entered: 02/13/2009)
02/13/2009	<u>23</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re: <u>15</u> Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 02/13/2009)
02/20/2009	<u>24</u>	NOTICE of Docketing Record on Appeal from USCA re: <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 02/24/2009)
04/09/2009	<u>25</u>	Forwarded sealed exhibit (docket entry no. 5) to USCA re: <u>15</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148-GG. (kac) (Entered: 04/10/2009)
07/02/2009	<u>26</u>	NOTICE of Change of Address for Richard Paul Decker, counsel for Maureen Toffoloni (Decker, Richard) (Entered: 07/02/2009)
09/08/2009		Appeal Record Returned re: <u>15</u> Notice of Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 08-16148. (kac) (Entered: 09/10/2009)
09/08/2009	<u>27</u>	Certified copy of JUDGMENT of USCA REVERSING and REMANDING to the District Court for further action re: <u>15</u> Notice of Appeal, filed by Maureen Toffoloni Case Appealed to USCA Case Number 08-16148. (dr) (Entered: 09/11/2009)
09/11/2009		Submission of <u>27</u> USCA Judgment, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 09/11/2009)
09/15/2009	<u>28</u>	ORDER making the USCA mandate the judgment of this Court re <u>15</u> Notice of Appeal, Case Appealed to USCA - 11th Circuit Case Number 08-16148. Signed by Judge Thomas W. Thrash, Jr on 09/14/09. (fap) (Entered: 09/15/2009)
09/17/2009	<u>29</u>	MOTION to Stay <i>and Notice of Intent to Petition for Certiorari</i> with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief Memorandum of Law in Support of Motion to Stay, # <u>2</u> Exhibit Exhibit A to Memorandum of Law in Support of Motion to Stay)(Bauer, S.) (Entered: 09/17/2009)
09/18/2009	<u>30</u>	NOTICE of Hearing on Motion re: <u>29</u> MOTION to Stay <i>and Notice of Intent to Petition for Certiorari</i> . Motion Hearing set for 10/2/2009 at 10:00 AM before Judge Thomas W. Thrash Jr., in Chambers 2188. (ss)

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		Modified on 9/21/2009 (ss). (Entered: 09/18/2009)
09/18/2009		Remark re <u>30</u> Notice of Hearing on Motion, mailed to non-registered counsel and advised by letter that no further paper orders/notices will be mailed to non-registered counsel by the Court. Pro Hac Vice counsel may make arrangements with the Clerks Office to receive electronic notices or arrange to have your local counsel forward electronic notices and/or orders. (ss) (Entered: 09/18/2009)
09/21/2009		NOTICE of docket entry correction re <u>30</u> Notice of Hearing on Motion. EDITED TO REFLECT 10/2/09 AS THE CORRECT HEARING DATE. (ss) (Entered: 09/21/2009)
09/22/2009	<u>31</u>	MOTION for Attorney Fees by Maureen Toffoloni. (Attachments: # <u>1</u> Affidavit Affidavit of Richard P. Decker)(Decker, Richard) (Entered: 09/22/2009)
09/22/2009	<u>32</u>	RESPONSE in Opposition re <u>29</u> MOTION to Stay <i>and Notice of Intent to Petition for Certiorari</i> filed by Maureen Toffoloni. (Decker, Richard) (Entered: 09/22/2009)
09/28/2009	<u>33</u>	ANSWER to COMPLAINT by LFP Publishing Group, LLC. Discovery ends on 2/25/2010.(Bauer, S.) Please visit our website at <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain Pretrial Instructions. (Entered: 09/28/2009)
09/28/2009	<u>34</u>	Certificate of Interested Persons and Corporate Disclosure Statement by LFP Publishing Group, LLC identifying Corporate Parent LFP, Inc., Corporate Parent LFP Publishing Advisors, LLC for LFP Publishing Group, LLC. (Bauer, S.) (Entered: 09/28/2009)
09/29/2009	<u>35</u>	NOTICE of Appearance by Darrell Jay Solomon on behalf of LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 09/29/2009)
09/29/2009	<u>36</u>	APPLICATION for Admission of Paul J. Cambria, Jr. Pro Hac Vice (Application fee \$ 150, receipt number 113E000000002366750)by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 09/29/2009)
09/29/2009	<u>37</u>	APPLICATION for Admission of Jeffrey F. Reina Pro Hac Vice (Application fee \$ 150, receipt number 113E000000002366796)by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 09/29/2009)
09/30/2009		Clerks Notation re <u>34</u> Certificate of Interested Persons, OK per TWT. (ss) (Entered: 09/30/2009)
10/01/2009	<u>38</u>	RESPONSE in Opposition re <u>31</u> MOTION for Attorney Fees filed by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 10/01/2009)
10/01/2009		RETURN of <u>36</u> APPLICATION for Admission of Paul J. Cambria, Jr. Pro Hac Vice (Application fee \$ 150, receipt number 113E000000002366750), <u>37</u> APPLICATION for Admission of Jeffrey F. Reina Pro Hac Vice (Application fee \$ 150, receipt number 113E000000002366796) to attorney for correction. (cdg) (Entered: 10/01/2009)

End Vol. 1

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		10/01/2009)
10/01/2009	<u>39</u>	APPLICATION for Admission of Paul J. Cambria, Jr. Pro Hac Vice by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 10/01/2009)
10/01/2009	<u>40</u>	APPLICATION for Admission of Jeffrey F. Reina Pro Hac Vice by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 10/01/2009)
10/02/2009	<u>41</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Motion Hearing held on 10/2/2009 denying <u>29</u> MOTION to Stay <i>and Notice of Intent to Petition for Certiorari</i> filed by LFP Publishing Group, LLC; Mr. Decker inquired about his motion for attorney fees relating to this motion. The Court advised he would look at that and defendant's response and if he needed to hear further from anyone he would advise. (Court Reporter Susan Baker)(dr) (Entered: 10/02/2009)
10/06/2009		APPROVAL by Clerks Office re: <u>40</u> APPLICATION for Admission of Jeffrey F. Reina Pro Hac Vice, <u>39</u> APPLICATION for Admission of Paul J. Cambria, Jr. Pro Hac Vice. Attorney Paul J. Cambria, Jeffrey F. Reina added appearing on behalf of LFP Publishing Group, LLC (cdg) (Entered: 10/06/2009)
10/09/2009	<u>42</u>	PROPOSED ORDER Denying Motion to Stay Proceedings re: <u>41</u> Order on Motion to Stay, Motion Hearing,.. (Decker, Richard) (Entered: 10/09/2009)
10/09/2009	<u>43</u>	NOTICE of Appearance by Francis Edwin Hallman, Jr on behalf of Maureen Toffoloni (Hallman, Francis) (Entered: 10/09/2009)
10/09/2009	<u>44</u>	NOTICE of Appearance by Richard A. Wingate on behalf of Maureen Toffoloni (Wingate, Richard) (Entered: 10/09/2009)
10/09/2009	<u>45</u>	NOTICE of Appearance by Zachary McCree Wilson, III on behalf of Maureen Toffoloni (Wilson, Zachary) (Entered: 10/09/2009)
10/12/2009	<u>46</u>	Initial Disclosures by Maureen Toffoloni.(Decker, Richard) (Entered: 10/12/2009)
10/14/2009	<u>47</u>	ORDER denying <u>29</u> MOTION to Stay filed by LFP Publishing Group, LLC Signed by Judge Thomas W. Thrash, Jr on 10/14/09. (dr) (Entered: 10/15/2009)
10/15/2009	<u>48</u>	ORDER granting <u>40</u> Application for Admission Pro Hac Vice for Jeffrey Reina. Signed by Judge Thomas W. Thrash, Jr on 10/15/09. (dr) (Entered: 10/16/2009)
10/15/2009	<u>49</u>	ORDER granting <u>39</u> Application for Admission Pro Hac Vice for Paul Cambria. Signed by Judge Thomas W. Thrash, Jr on 10/15/09. (dr) (Entered: 10/16/2009)
10/16/2009	<u>50</u>	MOTION for Partial Summary Judgment <i>as to Liability</i> with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief, # <u>2</u> Statement of Material Facts)(Decker, Richard) --Please refer to

Vol. 2 CONT.

		<a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 10/16/2009)
10/16/2009	<u>51</u>	CERTIFICATE OF SERVICE filed by Maureen Toffoloni <i>regarding service of Discovery Requests</i> (Decker, Richard) (Entered: 10/16/2009)
10/22/2009		Submission of <u>31</u> MOTION for Attorney Fees, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 10/22/2009)
10/28/2009	<u>52</u>	Initial Disclosures by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 10/28/2009)
10/28/2009	<u>53</u>	Joint PRELIMINARY REPORT AND DISCOVERY PLAN filed by Maureen Toffoloni, LFP Publishing Group, LLC. (Bauer, S.) (Entered: 10/28/2009)
11/05/2009	<u>54</u>	CERTIFICATE OF SERVICE of <i>First Interrogatories and Request for Production of Documents to Plaintiff</i> by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 11/05/2009)
11/05/2009	<u>55</u>	Response to Statement of Material Facts re <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> filed by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 11/05/2009)
11/05/2009	<u>56</u>	RESPONSE in Opposition re <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability and Rule 56(f) Request for Relief</i> filed by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Exhibit Rule 56(f) Affidavit of S. Derek Bauer, Esq.)(Bauer, S.) (Entered: 11/05/2009)
11/05/2009	<u>57</u>	MOTION for Extension of Time to respond to <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> by LFP Publishing Group, LLC. (dr) (Entered: 11/06/2009)
11/13/2009	<u>58</u>	SCHEDULING ORDER approving <u>53</u> Preliminary Report and Discovery Plan; Discovery ends on 2/25/2010, Summary Judgment Motions due by 3/17/2010, Proposed Pretrial Order due by 3/29/2010. Signed by Judge Thomas W. Thrash, Jr on 11/12/09. (dr) (Entered: 11/13/2009)
11/17/2009	<u>59</u>	REPLY to Response to Motion re <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> filed by Maureen Toffoloni. (Decker, Richard) (Entered: 11/17/2009)
11/17/2009	<u>60</u>	RESPONSE to Statement of Material Facts re <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> filed by Maureen Toffoloni. (Decker, Richard) Modified event/text on 11/18/2009 (dr). (Entered: 11/17/2009)
11/18/2009	<u>61</u>	ORDER denying Plaintiff's <u>31</u> Motion for Attorney Fees. Signed by Judge Thomas W. Thrash, Jr. on 11/18/09. (dfb) (Entered: 11/18/2009)

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11/30/2009		Submission of <u>57</u> MOTION for Extension of Time to respond to <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> , submitted to District Judge Thomas W. Thrash. (dr) (Entered: 11/30/2009)
11/30/2009	<u>62</u>	CERTIFICATE OF SERVICE re <u>51</u> Certificate of Service by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 11/30/2009)
12/07/2009	<u>63</u>	CERTIFICATE OF SERVICE of <i>Plaintiff's Responses to Defendant's First Interrogatories and First Request for Production of Documents</i> by Maureen Toffoloni.(Decker, Richard) (Entered: 12/07/2009)
12/10/2009		Submission of <u>50</u> MOTION for Partial Summary Judgment <i>as to Liability</i> , submitted to District Judge Thomas W. Thrash. (dr) (Entered: 12/10/2009)
12/14/2009	<u>68</u>	TRANSCRIPT of Motions Hearing Proceedings held on October 2, 2009, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/4/2010. Redacted Transcript Deadline set for 1/14/2010. Release of Transcript Restriction set for 3/15/2010. (Attachments: # <u>1</u> Notice of Filing Transcript) (kac) (Entered: 12/21/2009)
12/16/2009	<u>64</u>	CERTIFICATE OF SERVICE of <i>First Supplemental Responses to Plaintiff's First Interrogatories</i> by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 12/16/2009)
12/16/2009	<u>65</u>	Amended Initial Disclosures by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 12/16/2009)
12/18/2009	<u>66</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 12/18/2009)
12/18/2009	<u>67</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 12/18/2009)
12/21/2009	<u>69</u>	Joint MOTION for Protective Order by Maureen Toffoloni, LFP Publishing Group, LLC. (Attachments: # <u>1</u> Exhibit A)(Bauer, S.) (Entered: 12/21/2009)
12/23/2009	<u>70</u>	STIPULATED PROTECTIVE ORDER Governing Confidential Material and Inadvertent Production of Privileged Information. Signed by Judge Thomas W. Thrash, Jr on 12/22/09. (dr) (Entered: 12/23/2009)
12/29/2009	<u>71</u>	NOTICE of TELECONFERENCE Hearing: Re discovery dispute. Hearing set for 1/8/2010 at 10:00 AM before Judge Thomas W. Thrash Jr.. (ss) (Entered: 12/29/2009)

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01/04/2010	72	CERTIFICATE OF SERVICE of <i>Response and Objections to Plaintiff's Notice of Rule 30(b)(6) Deposition</i> by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 01/04/2010)
End Vol. 2		
01/07/2010	73	MOTION for Protective Order <i>Regarding Plaintiff's "Punitive Damages" Discovery</i> with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief in Support of Motion for Protective Order, # <u>2</u> Exhibit A to Brief in Support of Motion, # <u>3</u> Exhibit B to Brief in Support of Motion, # <u>4</u> Exhibit C to Brief in Support of Motion, # <u>5</u> Exhibit D to Brief in Support of Motion, # <u>6</u> Exhibit E to Brief in Support of Motion, # <u>7</u> Exhibit F to Brief in Support of Motion, # <u>8</u> Exhibit G to Brief in Support of Motion, # <u>9</u> Exhibit H to Brief in Support of Motion, # <u>10</u> Exhibit I to Brief in Support of Motion, # <u>11</u> Exhibit J to Brief in Support of Motion, # <u>12</u> Exhibit K to Brief in Support of Motion, # <u>13</u> Text of Proposed Order, # <u>14</u> Certification of Good Faith Conference)(Bauer, S.) (Entered: 01/07/2010)
Beg. Vol. 3		
01/07/2010		NOTICE OF CANCELLATION of Hearing re: <u>71</u> NOTICE of TELECONFERENCE Hearing: Re discovery dispute. Due to a conflict with Judge Thrash's schedule the hearing set for 1/8/2010 at 10:00 AM before Judge Thomas W. Thrash Jr. is cancelled. A new date will be set in the near future. (ss) (ss) (Entered: 01/07/2010)
01/12/2010	74	NOTICE of TELECONFERENCE Hearing: Discovery Dispute Hearing set for 1/15/2010 at 09:30 AM before Judge Thomas W. Thrash Jr., counsel for plaintiff to make call arrangements. (ss) (Entered: 01/12/2010)
01/12/2010	75	MOTION to Compel Discovery Response with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Certificate of Counsel)(Decker, Richard) (Entered: 01/12/2010)
01/13/2010	76	ORDER denying <u>50</u> Motion for Partial Summary Judgment. Signed by Judge Thomas W. Thrash, Jr on 1/12/10. (dr) (Entered: 01/13/2010)
01/15/2010	77	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Motion Hearing held on 1/15/2010. The Court heard from counsel on Mr. Bauer's letter to the Court re the location of the 30(b)(6) deposition of defendant LFP Publishing, which the Court treated as a motion for protective order. The Court granted the motion on the condition that the Corporation pay cost of the plaintiff to attend the deposition - economy round trip airfare to Los Angeles and one night's hotel expense at a reasonable rate. (Court Reporter Susan Baker)(dr) (Entered: 01/19/2010)
01/21/2010	78	Joint MOTION for Extension of Time to Complete Discovery by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Solomon, Darrell) (Entered: 01/21/2010)
01/21/2010	79	PROPOSED ORDER re: <u>77</u> Motion Hearing,., (Solomon, Darrell) (Entered: 01/21/2010)

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01/21/2010	<u>80</u>	STIPULATION <i>for Extension of Time to Respond</i> by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 01/21/2010)
01/22/2010	<u>81</u>	ORDER extending time for Discovery. Discovery ends on 4/26/2010. (Summary Judgment Motions due by 5/26/2010. If no summary judgment motions filed the Proposed Pretrial Order due by 5/26/2010. However, if a Motion for Summary Judgment is filed, the Proposed Consolidated Pretrial Order will be due within 30 days of the Court's ruling on the Motion for Summary Judgment. The Clerk is directed to submit this action on 5/27/10 if the parties have not filed a Motion for Summary Judgment or Proposed Pretrial Order.) Signed by Judge Thomas W. Thrash, Jr on 1/22/10. (ss) (Entered: 01/22/2010)
01/22/2010	<u>82</u>	ORDER that Plaintiff's Rule 30(b)(6) Notice of Deposition of LFP Publishing Group, LLC will occur at the offices of McKenna Long & Aldridge LLP in Los Angeles, CA; and that Defendant pay for one economy class round trip airfare for Plaintiff's travel to Los Angeles, and one night's hotel accommodation at a reasonable rate. Signed by Judge Thomas W. Thrash, Jr on 1/22/10. (dr) Modified related doc on 2/10/2010 (dr). (Entered: 01/25/2010)
01/26/2010	<u>83</u>	RESPONSE in Opposition re <u>75</u> MOTION to Compel Discovery Response filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 01/26/2010)
01/26/2010	<u>84</u>	CERTIFICATE OF SERVICE of <i>Second Supplemental Responses to Plaintiff's First Interrogatories</i> by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 01/26/2010)
02/04/2010	<u>85</u>	REPLY to Response to Motion re <u>75</u> MOTION to Compel Discovery Response filed by Maureen Toffoloni. (Wilson, Zachary) (Entered: 02/04/2010)
02/04/2010	<u>86</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 02/04/2010)
02/05/2010		Submission of <u>75</u> MOTION to Compel Discovery Response, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 02/05/2010)
02/08/2010	<u>87</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 02/08/2010)
02/08/2010	<u>88</u>	CERTIFICATE OF SERVICE of <i>Discovery Responses</i> by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 02/08/2010)
02/10/2010		NOTICE of Hearing on Motion re: <u>73</u> MOTION for Protective Order Regarding Plaintiff's " <i>Punitive Damages</i> " Discovery, <u>75</u> MOTION to Compel Discovery Response. Motion Hearing set for 2/12/2010 at 02:00 PM before Judge Thomas W. Thrash Jr., in Chambers 2188. (ss) (Entered: 02/10/2010)

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02/12/2010		NOTICE OF CANCELLATION of Hearing re: NOTICE of Hearing on Motion re: <u>73</u> MOTION for Protective Order <i>Regarding Plaintiff's "Punitive Damages" Discovery</i> , <u>75</u> MOTION to Compel Discovery Response. Motion Hearing set for 2/12/2010 at 02:00 PM before Judge Thomas W. Thrash Jr. A new hearing date to be determined.(ss) (Entered: 02/12/2010)
02/12/2010		NOTICE of Hearing on Motion re: <u>73</u> MOTION for Protective Order <i>Regarding Plaintiff's "Punitive Damages" Discovery</i> , <u>75</u> MOTION to Compel Discovery Response Motion Hearing set for 2/17/2010 at 10:00 AM before Judge Thomas W. Thrash Jr., in Chambers 2188. (ss) (Entered: 02/12/2010)
02/17/2010	<u>89</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Motion Hearing held on 2/17/2010; granting in part and denying in part <u>73</u> Motion for Protective Order, granting in part and denying in part <u>75</u> MOTION to Compel Discovery Response. (Court Reporter Susan Baker)(dr) (Entered: 02/17/2010)
02/19/2010	<u>90</u>	PROPOSED ORDER Proposed Order on Plaintiff's Motion to Compel and Defendant's Motion for Protective Order re: <u>89</u> Order on Motion for Protective Order, Order on Motion to Compel, Motion Hearing,,,. (Bauer, S.) (Entered: 02/19/2010)
02/22/2010	<u>91</u>	ORDER granting in part and denying in part <u>75</u> MOTION to Compel Discovery Response filed by Maureen Toffoloni, granting in part and denying in part <u>73</u> MOTION for Protective Order <i>Regarding Plaintiff's "Punitive Damages" Discovery</i> filed by LFP Publishing Group, LLC. Motion for Protective Order is GRANTED and Motion to Compel is DENIED with respect to the discovery directed to the Non-Parties; and the Motion for Protective is DENIED and Motion to Compel is GRANTED with respect to the discovery directed to LFP. Signed by Judge Thomas W. Thrash, Jr on 2/22/10. (dr) (Entered: 02/22/2010)
02/24/2010	<u>92</u>	CERTIFICATE OF SERVICE of <i>Plaintiff's Third Interrogatories and Requests for Production to LFP Publishing Group</i> by Maureen Toffoloni.(Decker, Richard) (Entered: 02/24/2010)
02/25/2010	<u>93</u>	CERTIFICATE OF SERVICE of <i>Discovery Responses</i> by LFP Publishing Group, LLC.(Bauer, S.) (Entered: 02/25/2010)
03/03/2010	<u>94</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 03/03/2010)
03/03/2010	<u>95</u>	NOTICE to Take Deposition of Maureen Toffoloni filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 03/03/2010)
03/04/2010	<u>96</u>	NOTICE by LFP Publishing Group, LLC of <i>Service of Subpoena</i> (Solomon, Darrell) (Entered: 03/04/2010)
03/05/2010	<u>97</u>	NOTICE Of Filing Acknowledgment of Service of Subpoena and Waiver by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 03/05/2010)

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		03/05/2010)
03/10/2010	<u>98</u>	Amended NOTICE to Take Deposition of LFP Publishing Group, d/b/a Hustler Magazine filed by Maureen Toffoloni (Decker, Richard) (Entered: 03/10/2010)
03/10/2010	<u>99</u>	NOTICE to Take Deposition of Mark Anderson filed by Maureen Toffoloni (Decker, Richard) (Entered: 03/10/2010)
03/10/2010	<u>100</u>	NOTICE to Take Deposition of Larry Flint filed by Maureen Toffoloni (Decker, Richard) (Entered: 03/10/2010)
03/11/2010	<u>101</u>	Emergency MOTION to Compel Discovery Response with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief in Support of Motion)(Decker, Richard) (Entered: 03/11/2010)
03/11/2010	<u>102</u>	TRANSCRIPT of Motions Proceedings held on February 17, 2010, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/1/2010. Redacted Transcript Deadline set for 4/12/2010. Release of Transcript Restriction set for 6/9/2010. (Attachments: # <u>1</u> Notice of Filing Transcript) (kac) (Entered: 03/15/2010)
03/22/2010	<u>103</u>	NOTICE Of Filing Acknowledgment of Service of Subpoena and Waiver by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 03/22/2010)
03/22/2010	<u>104</u>	NOTICE by LFP Publishing Group, LLC of Service of Subpoena (Solomon, Darrell) (Entered: 03/22/2010)
03/29/2010	<u>105</u>	CERTIFICATE OF SERVICE of Discovery Responses by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 03/29/2010)
03/29/2010	<u>106</u>	RESPONSE in Opposition re <u>101</u> Emergency MOTION to Compel Discovery Response filed by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Exhibit A to LFP Opposition to Emergency Motion to Compel)(Bauer, S.) (Entered: 03/29/2010)
03/30/2010	<u>107</u>	Joint MOTION to Amend <u>81</u> Order to Extend Time for Discovery and <u>58</u> by Maureen Toffoloni, LFP Publishing Group, LLC. (Attachments: # <u>1</u> Proposed Order)(Bauer, S.) Modified on 3/31/2010 to remove unnecessary text(pdw). (Entered: 03/30/2010)
03/31/2010	<u>108</u>	ORDER granting <u>107</u> Motion to Amend Scheduling Order. Signed by Judge Thomas W. Thrash, Jr on 3/31/2010. Discovery ends 4/26/2010; expert reports to be exchanged on or before 5/28/2010; rebuttal reports to be exchanged on or before 6/11/2010; depositions of expert witnesses to be conducted on or before 6/30/2010; dispositive motions

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		to be filed on or before 7/30/2010, with any oppositions to be filed on or before 8/31/2010. (pdw) (Entered: 04/01/2010)
04/07/2010	<u>109</u>	Amended NOTICE to Take Deposition of Mark Johnson filed by Maureen Toffoloni (Decker, Richard) (Entered: 04/07/2010)
04/07/2010	<u>111</u>	Appeal notice from USCA notifying the United States District Court, Clerk of Court, that the United States Supreme Court has DENIED the Petitioner's Writ of Certiorari re: <u>15</u> Notice of Appeal. USCA Case No. 08-16148-GG. (kac) (Entered: 04/08/2010)
04/08/2010	<u>110</u>	CERTIFICATE OF SERVICE of <i>Response to Plaintiff's Amended Notice of Rule 30(b)(6) Deposition</i> by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 04/08/2010)
04/14/2010	<u>112</u>	NOTICE to Take Deposition of Mark Samansky filed by Maureen Toffoloni (Hallman, Francis) (Entered: 04/14/2010)
04/21/2010		Submission of <u>101</u> Emergency MOTION to Compel Discovery Response, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 04/21/2010)
04/30/2010	<u>113</u>	ORDER denying <u>101</u> Motion to Compel. Signed by Judge Thomas W. Thrash, Jr on 4/30/10. (dr) (Entered: 04/30/2010)
05/28/2010	<u>114</u>	CERTIFICATE OF SERVICE of <i>Expert Report</i> by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 05/28/2010)
05/28/2010	<u>115</u>	Supplemental Initial Disclosures by Maureen Toffoloni. (Attachments: # <u>1</u> Exhibit A - Expert Report, # <u>2</u> Exhibit B - Legal Services Agreement, # <u>3</u> Exhibit C - Billing Records, # <u>4</u> Placed under Seal Exhibit D - Expert Report)(Decker, Richard) Modified on 8/19/2010 to place exhibit D under seal. (cem) (Entered: 05/28/2010)
06/10/2010	<u>116</u>	NOTICE to Take Deposition of Usha Nair-Reichert, Ph.D. filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 06/10/2010)
07/07/2010	<u>117</u>	Expert Report of F. Edwin Hallman, Jr. by Maureen Toffoloni.(Decker, Richard) (Entered: 07/07/2010)
07/22/2010	<u>118</u>	Request to File Original Discovery <i>Under Seal</i> by LFP Publishing Group, LLC.(Solomon, Darrell) (Entered: 07/22/2010)
07/27/2010	<u>119</u>	MOTION to Strike <i>Testimony of Gregory C. Lisby</i> , or in the alternative, MOTION to Disqualify expert with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief)(Decker, Richard) . Added MOTION to Disqualify expert on 7/28/2010 (cem). (Entered: 07/27/2010)
07/27/2010	<u>120</u>	MOTION for Partial Summary Judgment with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief (with specific exhibits filed separately under seal))(Decker, Richard) --Please refer to <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to



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		Summary Judgment Motion form contained on the Court's website.-- (Entered: 07/27/2010)
07/27/2010	<u>121</u>	NOTICE Of Filing Original Depositions Under Seal by Maureen Toffoloni (Decker, Richard) (Entered: 07/27/2010)
07/29/2010 Solely Filed Exhibits	<u>122</u>	FILED UNDER SEAL - DEPOSITION of Mark Johnson taken on 4/13/10 by Maureen Toffoloni.(dr) (Entered: 07/30/2010)
07/29/2010 Solely Filed Exhibits	<u>123</u>	FILED UNDER SEAL - DEPOSITION of Donna Mahner taken on 4/13/10 by Maureen Toffoloni.(dr) (Entered: 07/30/2010)
07/30/2010	<u>124</u>	MOTION for Summary Judgment with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief, # <u>2</u> Appendix MANUALLY FILED UNDER SEAL, # <u>3</u> Statement of Material Facts MANUALLY FILED UNDER SEAL)(Bauer, S.) --Please refer to <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 07/30/2010)
07/30/2010	<u>125</u>	MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert with Brief In Support by LFP Publishing Group, LLC. (Bauer, S.) (Additional attachment(s) added and Filed Under Seal on 8/4/2010: # <u>2</u> Brief in Support, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C) (dr). (Entered: 07/30/2010)
07/30/2010	<u>126</u>	NOTICE Of Filing Manual Filing of Pleadings Under Seal and Original Deposition Transcripts and Affidavits by LFP Publishing Group, LLC (Bauer, S.) (Entered: 07/30/2010)
07/30/2010	<u>127</u>	NOTICE by LFP Publishing Group, LLC <i>Requesting Electronic Filing of Original Discovery Material by Plaintiff</i> (Bauer, S.) (Entered: 07/30/2010)
07/30/2010	<u>128</u>	NOTICE by LFP Publishing Group, LLC <i>Requesting Manual Filing of Original Discovery Material Under Seal by Plaintiff</i> (Bauer, S.) (Entered: 07/30/2010)
07/30/2010	<u>129</u>	AFFIDAVIT of Gregory C. Lisby by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
07/30/2010	<u>130</u>	AFFIDAVIT of S. Derek Bauer by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
07/30/2010	<u>131</u>	AFFIDAVIT of Charles Bruce David by LFP Publishing Group, LLC. (dr) (Attachment modified on 8/2/2010: # <u>1</u> Main Document) (dr). (Entered: 08/02/2010)
07/30/2010	<u>132</u>	AFFIDAVIT of Larry Flynt by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
07/30/2010	<u>133</u>	AFFIDAVIT of Tyler Downey by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)

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07/30/2010	<u>134</u>	AFFIDAVIT of Mark Samansky by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
07/30/2010	<u>135</u>	AFFIDAVIT of Christopher Lee Helton by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
07/30/2010	<u>136</u>	NOTICE of Filing Deposition of Kevin Sullivan by LFP Publishing Group, LLC (dr) (Entered: 08/02/2010)
07/30/2010	<u>137</u>	NOTICE of Filing Deposition of Maureen Toffoloni by LFP Publishing Group, LLC (dr) (Entered: 08/02/2010)
07/30/2010 Exhibits	<u>138</u>	DEPOSITION of Kevin Sullivan taken on 3/1/10 by LFP Publishing Group, LLC.(dr) (Entered: 08/02/2010)
07/30/2010 Exhibits	<u>139</u>	DEPOSITION of Maureen R. Toffoloni taken on 4/2/10 by LFP Publishing Group, LLC.(dr) (Entered: 08/02/2010)
07/30/2010 Sealed Exhibits	<u>140</u>	FILED UNDER SEAL - DEPOSITION of James Michael Daus taken on 4/2/10 by LFP Publishing Group, LLC.(dr) (Entered: 08/02/2010)
07/30/2010 Sealed Exhibits	<u>142</u>	FILED UNDER SEAL - DEPOSITION of William Otten taken on 4/1/10 by LFP Publishing Group, LLC.(dr) (Entered: 08/02/2010)
07/30/2010 Sealed Vol. 9	<u>143</u>	FILED UNDER SEAL - Statement of Undisputed Material Facts re <u>124</u> MOTION for Summary Judgment filed by LFP Publishing Group, LLC. (dr) (Additional attachment(s) added/verified by bse on 8/2/2010: # <u>2</u> Exhibit A) (dr). (Entered: 08/02/2010)
07/30/2010 Sealed Vol. 9	<u>144</u>	FILED UNDER SEAL - AFFIDAVIT of Donna Hahner by LFP Publishing Group, LLC. (dr) (Entered: 08/02/2010)
08/02/2010	<u>141</u>	MOTION to Seal <i>Expert Report of Usha Nair-Reichert, Ph.D</i> by Maureen Toffoloni. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Decker, Richard) (Entered: 08/02/2010)
08/02/2010	<u>145</u>	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to S. Derek Bauer re <u>137</u> Notice of Filing, <u>131</u> Affidavit, <u>136</u> Notice of Filing, <u>129</u> Affidavit, <u>134</u> Affidavit, <u>133</u> Affidavit, <u>135</u> Affidavit, <u>130</u> Affidavit, <u>132</u> Affidavit. (dr) (Entered: 08/02/2010)
08/13/2010 Beg. Vol. 5	<u>146</u>	NOTICE Of Filing Manual Filing of Discovery Material by LFP Publishing Group, LLC (Attachments: # <u>1</u> Notice of Filing of Discovery Material Under Seal)(Solomon, Darrell) (Entered: 08/13/2010)
08/13/2010	<u>147</u>	RESPONSE in Opposition re <u>119</u> MOTION to Strike <i>Testimony of Gregory C. Lisby</i> filed by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Exhibit Tab A to Brief in Opposition to Plaintiff's Motion to Strike Testimony of Gregory C. Lisby)(Bauer, S.) (Entered: 08/13/2010)

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08/13/2010 <i>sealed Exhibits</i>	<u>263</u>	FILED UNDER SEAL - DEPOSITION of Usha Nair-Reichert, Ph.D. taken on 6/28/10 by LFP Publishing Group, LLC.(dr) (dr). (Entered: 08/04/2011)
08/16/2010	<u>148</u>	RESPONSE re <u>125</u> MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert filed by Maureen Toffoloni. (Attachments: # <u>1</u> Affidavit of Richard P. Decker)(Decker, Richard) (Entered: 08/16/2010)
08/16/2010	<u>149</u>	RESPONSE re <u>125</u> MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert ( <i>Amended to include Exhibit A</i> ) filed by Maureen Toffoloni. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Affidavit of Richard P. Decker)(Decker, Richard) (Entered: 08/16/2010)
08/18/2010	<u>150</u>	ORDER granting <u>141</u> Plaintiff's Motion to remove the expert report of Usha Nair-Reichert, Ph.D., originally filed on 5/28/10 as exhibit D to plaintiff's supplemental disclosures. Signed by Judge Thomas W. Thrash, Jr on 8/17/10. (cem) (Entered: 08/19/2010)
08/19/2010		Clerks Certificate of Mailing as to William M. Feigenbaum re <u>150</u> Order. (cem) (Entered: 08/19/2010)
08/25/2010		Submission of <u>124</u> MOTION for Summary Judgment, <u>120</u> MOTION for Partial Summary Judgment, submitted to District Judge Thomas W. Thrash. (cem) (Entered: 08/25/2010)
08/26/2010	<u>151</u>	NOTICE Of Filing Original Discovery Material by LFP Publishing Group, LLC (Attachments: # <u>1</u> Notice of Filing of Original Discovery Material Under Seal)(Solomon, Darrell) (Attachment Filed Under Seal on 8/27/2010: # <u>2</u> Exhibit A) (dr). (Entered: 08/26/2010)
08/27/2010	<u>152</u>	REPLY to Response to Motion re <u>119</u> MOTION to Strike <i>Testimony of Gregory C. Lisby</i> filed by Maureen Toffoloni. (Decker, Richard) (Entered: 08/27/2010)
08/31/2010	<u>153</u>	RESPONSE in Opposition re <u>120</u> MOTION for Partial Summary Judgment <i>as to Liability</i> filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 08/31/2010)
08/31/2010	<u>154</u>	Response to Statement of Material Facts re <u>120</u> MOTION for Partial Summary Judgment <i>as to Liability</i> filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 08/31/2010)
08/31/2010	<u>155</u>	REPLY to Response to Motion re <u>125</u> MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 08/31/2010)
08/31/2010		Submission of <u>119</u> MOTION to Strike <i>Testimony of Gregory C. Lisby</i> , submitted to District Judge Thomas W. Thrash. (cem) (Entered: 08/31/2010)

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08/31/2010	<u>156</u>	MOTION for Oral Argument re <u>125</u> MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert, <u>124</u> MOTION for Summary Judgment, <u>119</u> MOTION to Strike <i>Testimony of Gregory C. Lisby</i> , <u>120</u> MOTION for Partial Summary Judgment by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 08/31/2010)
08/31/2010	<u>157</u>	Consent MOTION for Leave to File Excess Pages ( <i>Plaintiff's Response to Defendant's Motion for Summary Judgment</i> ) by Maureen Toffoloni. (Decker, Richard) (Entered: 08/31/2010)
08/31/2010	<u>158</u>	RESPONSE re <u>124</u> MOTION for Summary Judgment filed by Maureen Toffoloni. (Decker, Richard) (Entered: 08/31/2010)
08/31/2010	<u>159</u>	Response to Statement of Material Facts re <u>124</u> MOTION for Summary Judgment filed by Maureen Toffoloni. (Decker, Richard) (Entered: 08/31/2010)
08/31/2010	<u>160</u>	Statement of Material Facts re <u>124</u> MOTION for Summary Judgment ( <i>Statement of Additional Material Facts</i> ) filed by Maureen Toffoloni. (Decker, Richard) (Entered: 08/31/2010)
08/31/2010	<u>161</u>	AFFIDAVIT of <i>Richard P. Decker</i> by Maureen Toffoloni. (Decker, Richard) (Entered: 08/31/2010)
08/31/2010	<u>162</u>	NOTICE Of Filing Original Affidavit to include Exhibit C by Maureen Toffoloni re <u>161</u> Affidavit of <i>Richard P. Decker</i> (Decker, Richard) (Entered: 08/31/2010)
09/01/2010	<u>163</u>	CONSENT ORDER granting <u>157</u> Motion to extend the page limitation for filing Plaintiff's Response to Defendant's Motion for Summary Judgment from twenty-five (25) pages to thirty (30) pages, pursuant to Local Rule 7.1(D) of the Northern District of Georgia. Signed by Judge Thomas W. Thrash, Jr on 9/1/10. (cem) (Entered: 09/02/2010)
09/02/2010		Clerks Certificate of Mailing as to William M. Feigenbaum attorney for LFP Publishing Group, LLC re <u>163</u> Order. (cem) (Entered: 09/02/2010)
09/02/2010 Signed Vol. 9	<u>164</u>	AFFIDAVIT of Counsel by Maureen Toffoloni. FILED UNDER SEAL by Oral Order of the Court. (dr) (Entered: 09/03/2010)
09/07/2010		Submission of <u>125</u> MOTION in Limine To Exclude The Report and Opinion Testimony of Dr. Nair-Reichert, submitted to District Judge Thomas W. Thrash. (cem) (Entered: 09/07/2010)
09/07/2010	<u>165</u>	Request for Leave of Absence for the following date(s): 9/14-28, 10/4-29, by Richard Paul Decker. (Decker, Richard) (Entered: 09/07/2010)
09/15/2010	<u>166</u>	ORDER granting <u>165</u> Plaintiff's counsel Richard Decker's Motion for extended leave of absence during the dates of September 14, 2010 through September 28, 2010 and October 4, 2010 through October 29, 2010. Signed by Judge Thomas W. Thrash, Jr on 9/15/10. (cem)

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		(Entered: 09/16/2010)
09/16/2010		Clerks Certificate of Mailing as to William M. Feigenbaum attorney for LFP Publishing Group, LLC re <u>166</u> Order. (cem) (Entered: 09/16/2010)
09/17/2010	<u>167</u>	REPLY to Response to Motion re <u>120</u> MOTION for Partial Summary Judgment filed by Maureen Toffoloni. (Decker, Richard) (Entered: 09/17/2010)
09/17/2010	<u>168</u>	RESPONSE re <u>160</u> Statement of Material Facts filed by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 09/17/2010)
09/17/2010	<u>169</u>	OBJECTIONS re <u>159</u> Response to Statement of Material Facts filed by LFP Publishing Group, LLC. (Bauer, S.) Modified on 9/20/2010 to correct docket entry to reflect e-filed pleading. (cem) (Entered: 09/17/2010)
09/17/2010	<u>170</u>	REPLY to Response to Motion re <u>124</u> MOTION for Summary Judgment filed by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 09/17/2010)
09/21/2010		Submission of <u>124</u> MOTION for Summary Judgment, <u>120</u> MOTION for Partial Summary Judgment, <u>156</u> MOTION for Oral Argument, submitted to District Judge Thomas W. Thrash. (cem) (Entered: 09/21/2010)
09/27/2010	<u>171</u>	NOTICE of Manual Filing the original DVD containing the videotaped deposition of Kevin Sullivan by LFP Publishing Group, LLC (DVD attached) (Solomon, Darrell) Modified text on 9/28/2010 (dr). (Entered: 09/27/2010)
10/01/2010	<u>172</u>	RESPONSE re <u>169</u> Defendant's Objections to Plaintiff's Response to Defendant's Statement of Undisputed Material Facts filed by Maureen Toffoloni. (Decker, Richard) (Entered: 10/01/2010)
11/23/2010	<u>173</u>	ORDER granting <u>119</u> Plaintiff's Motion to Exclude the Testimony of Gregory C. Lisby; granting <u>120</u> Plaintiff's Motion for Partial Summary Judgment; denying <u>124</u> Defendant's Motion for Summary Judgment; and granting <u>125</u> Defendant's Motion to Exclude the Testimony of Dr. Usha Nair-Reichert. Signed by Judge Thomas W. Thrash, Jr on 11/23/10. (cem) (Entered: 11/24/2010)
11/24/2010		Clerks Certificate of Mailing as to William M. Feigenbaum attorney for LFP Publishing Group, LLC re <u>173</u> Order. (cem) (Entered: 11/24/2010)
12/19/2010	<u>174</u>	Consent MOTION for Extension of Time Submit Consolidated Pre-Trial Order by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Bauer, S.) (Entered: 12/19/2010)
12/20/2010	<u>175</u>	ORDER granting the <u>174</u> Consent Motion for Extension of Time. The deadline for filing the parties' consolidated pretrial order is extended

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		until January 3, 2011. Signed by Judge Thomas W. Thrash, Jr. on 12/20/2010. (dfb) (Entered: 12/20/2010)
01/03/2011	<u>176</u>	Proposed Pretrial Order by LFP Publishing Group, LLC, Maureen Toffoloni. (Attachments: # <u>1</u> Exhibit A)(Bauer, S.) (Entered: 01/03/2011)
01/05/2011		NOTICE of Hearing: Final Pretrial Conference set for 2/23/2011 at 02:00 PM before Judge Thomas W. Thrash Jr., in Chambers 2188. (ss) (Entered: 01/05/2011)
01/18/2011	<u>177</u>	NOTICE to Take Deposition of Tyler Downey filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 01/18/2011)
01/21/2011	<u>178</u>	NOTICE to Take Deposition of Mark Samansky filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 01/21/2011)
01/26/2011	<u>179</u>	NOTICE to Take Deposition of Christopher Lee Helton filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 01/26/2011)
01/27/2011	<u>180</u>	MOTION for Protective Order <i>for Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief in Support of Motion, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Certificate of Good Faith, # <u>6</u> Exhibit A (to Certificate of Good Faith))(Decker, Richard) (Entered: 01/27/2011)
01/31/2011	<u>181</u>	RESPONSE in Opposition re <u>180</u> MOTION for Protective Order <i>for Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 01/31/2011)
02/02/2011	<u>182</u>	NOTICE Of Filing Acknowledgment of Service of Subpoena and Waiver by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 02/02/2011)
02/03/2011	<u>183</u>	ORDER that the trial is postponed indefinitely while the Court has under advisement the <u>180</u> MOTION for Protective Order <i>for Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> filed by Maureen Toffoloni. Signed by Judge Thomas W. Thrash, Jr on 2/2/11. (dr) (Entered: 02/03/2011)
02/04/2011		NOTICE OF CANCELLATION of Final Pretrial Conference set for 2/23/2011 at 02:00 PM before Judge Thomas W. Thrash Jr., until further order and setting of new trial date. (ss) (Entered: 02/04/2011)
02/07/2011	<u>184</u>	ACKNOWLEDGMENT OF SERVICE by LFP Publishing Group, LLC <i>of Subpoena and Waiver</i> (Solomon, Darrell) Modified on 2/8/2011 (dr). (Entered: 02/07/2011)
02/18/2011		NOTICE of Hearing: Final Pretrial Conference set for 3/28/2011 at 10:00 AM before Judge Thomas W. Thrash Jr., in Chambers 2188. (ss) (Entered: 02/18/2011)

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02/24/2011	<u>185</u>	Request for Leave of Absence for the following date(s): 5/2-22/11, 11/2-9/11, by Richard Paul Decker. (ss) (Entered: 02/24/2011)
02/24/2011		Clerks Notation re <u>185</u> Leave of Absence 5/2-22/11, 11/2-9/11, by Richard Paul Decker. The Court will not require an appearance by R. Decker on these dates. (ss) (Entered: 02/24/2011)
02/25/2011		Submission of <u>180</u> MOTION for Protective Order for <i>Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> , submitted to District Judge Thomas W. Thrash. (dr) (Entered: 02/25/2011)
02/28/2011		NOTICE of Hearing on Motion re: <u>180</u> MOTION for Protective Order for <i>Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> . Motion Hearing set for 3/28/2011 at 10:00 AM during the previously scheduled pretrial conference on this date, before Judge Thomas W. Thrash Jr., in chambers 2188.(ss) (Entered: 02/28/2011)
03/28/2011	<u>186</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Pretrial Conference, Motion Hearing held on 3/28/2011 denying <u>180</u> MOTION for Protective Order for <i>Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> filed by Maureen Toffoloni. The Court advised counsel that he would bifurcate the trial: Phase 1 will determine the amount of compensatory damages and if punitive damages are to be awarded. Phase 2 will determine the amount of punitive damages (if determination that any are due) and if attorney fees and expenses, if any should be awarded. The Court then advised counsel of the voir dire procedure that will be followed. 12 Jurors will be selected. After jurors have answered the court's questions, if counsel have any follow up as to a particular juror that question should be written down and handed to Ms. Sewell for the Court's consideration. The Court will conduct the voir dire based on the questions submitted by counsel. The question(s) regarding certain reading materials will be given to the jurors in written form for a written response and distribution to counsel, again any follow up question should be submitted in written form and given to Ms. Sewell for the Court's consideration. Counsel to confer in an attempt to agree on the questions and submit no later than April 11, 2011. If counsel are unable to agree separate proposed questions may be submitted by that same date. The Court inquired about named defendant Mark Samansky, plaintiff's counsel advised that this defendant had been in Bankruptcy at the beginning of the case, and the Bankruptcy had been terminated. The Court DISMISSED Mark Samansky. The Court will allow each side 7 1/2 hours for presentation of their case, this included both phases and other details as explained by the court. (Court Reporter Susan Baker)(dr) (Entered: 03/28/2011)
03/28/2011	<u>187</u>	PRETRIAL ORDER Signed by Judge Thomas W. Thrash, Jr on 3/28/11. (dr) (Entered: 03/28/2011)

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03/28/2011	(188)	PROPOSED ORDER Proposed Order Denying Plaintiff's Emergency Motion for Protective Order (DI 180) re: <u>181</u> Response in Opposition to Motion. (Bauer, S.) (Entered: 03/28/2011)
03/29/2011	(189)	ORDER denying <u>180</u> MOTION for Protective Order <i>for Depositions of Tyler Downey, Mark Samansky and Christopher Helton</i> filed by Maureen Toffoloni. Signed by Judge Thomas W. Thrash, Jr on 3/29/11. (dr) (Entered: 03/30/2011)
04/12/2011	(190)	Proposed Voir Dire by Maureen Toffoloni. (Decker, Richard) (Entered: 04/12/2011)
04/20/2011	(191)	NOTICE to Take Deposition of Tyler Downey filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 04/20/2011)
04/20/2011	(192)	NOTICE to Take Deposition of Christopher Lee Helton filed by LFP Publishing Group, LLC (Solomon, Darrell) (Entered: 04/20/2011)
04/20/2011	(193)	Proposed Voir Dire by Maureen Toffoloni. (Decker, Richard) (Entered: 04/20/2011)
05/04/2011	(194)	NOTICE setting Trial: Jury Trial set for 6/6/2011 at 09:30 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr.. (ss) (Entered: 05/04/2011)
05/05/2011	(195)	CORRECTED NOTICE setting Trial: (Corrected PDF attached) Jury Trial set for 6/6/2011 at 09:30 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr.. (ss) (Entered: 05/05/2011)
05/06/2011	(196)	NOTICE Of Filing Video Depositions of Tyler Downey and Christopher Lee Helton by LFP Publishing Group, LLC (Manually filed CD/DVDs attached and placed in file) (Solomon, Darrell) Modified on 5/9/2011 (dr). (Entered: 05/06/2011)
05/20/2011	(197)	MOTION to Amend <u>187</u> Pretrial Order by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 05/20/2011)
05/20/2011	(198)	MOTION in Limine <i>to Exclude the Testimony of Plaintiff's Witnesses</i> with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief re Exclusion of Testimony of Plaintiff's Witnesses)(Solomon, Darrell) (Entered: 05/20/2011)
05/23/2011	(199)	MOTION in Limine <i>to Exclude Evidence</i> with Brief In Support by LFP Publishing Group, LLC. (Attachments: # <u>1</u> Brief in Support)(Solomon, Darrell) (Entered: 05/23/2011)
05/23/2011	(200)	MOTION for Hearing re <u>199</u> MOTION in Limine <i>to Exclude Evidence</i> , <u>198</u> MOTION in Limine <i>to Exclude the Testimony of Plaintiff's Witnesses</i> by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 05/23/2011)
05/23/2011	(201)	MOTION in Limine to Exclude Evidence and Testimony with Brief In Support by Maureen Toffoloni. (Attachments: # <u>1</u> Brief)(Decker,

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		Richard) (Entered: 05/23/2011)
05/23/2011	<u>202</u>	MOTION for Hearing re <u>201</u> MOTION in Limine to Exclude Evidence and Testimony by Maureen Toffoloni. (Decker, Richard) (Entered: 05/23/2011)
05/23/2011	<u>203</u>	ORDER granting <u>197</u> Motion to Amend the Pretrial Order.. Signed by Judge Thomas W. Thrash, Jr on 4/23/11. (dr) (Entered: 05/23/2011)
05/26/2011	<u>204</u>	ORDER ALLOWING AUDIO/VISUAL, COMPUTER & OTHER EQUIPMENT IN THE COURTROOM for training purposed on June 2, 2011. Signed by Judge Thomas W. Thrash, Jr on 5/26/11. (ss) (Entered: 05/26/2011)
05/26/2011	<u>205</u>	ORDER ALLOWING AUDIO/VISUAL, COMPUTER & OTHER EQUIPMENT IN THE COURTROOM for the purposes of trial during the June trial calendar beginning 6/6/11 through trial. Signed by Judge Thomas W. Thrash, Jr on 5/26/11. (ss) (Entered: 05/26/2011)
05/27/2011	<u>206</u>	RESPONSE re <u>199</u> MOTION in Limine to <i>Exclude Evidence</i> filed by Maureen Toffoloni. (Decker, Richard) (Entered: 05/27/2011)
05/31/2011	<u>207</u>	RESPONSE re <u>201</u> MOTION in Limine to Exclude Evidence and Testimony filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 05/31/2011)
05/31/2011	<u>208</u>	REPLY BRIEF re <u>199</u> MOTION in Limine to <i>Exclude Evidence</i> filed by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 05/31/2011)
05/31/2011	<u>209</u>	Joint MOTION for Order <i>Specially Setting Trial</i> by LFP Publishing Group, LLC, Maureen Toffoloni. (Bauer, S.) (Entered: 05/31/2011)
05/31/2011	<u>210</u>	MOTION to Amend <u>187</u> Pretrial Order by Maureen Toffoloni. (Decker, Richard) (Entered: 05/31/2011)
05/31/2011	<u>211</u>	Second MOTION to Amend <u>187</u> Pretrial Order by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 05/31/2011)
06/01/2011	<u>212</u>	ORDER granting <u>209</u> Motion for Special Trial Setting; trial shall commence at 9:30am on 6/13/11. Signed by Judge Thomas W. Thrash, Jr on 6/1/11. (dr) (Entered: 06/01/2011)
06/01/2011		Trial set for 6/13/2011 at 09:30 AM before Judge Thomas W. Thrash Jr. (dr) (Entered: 06/01/2011)
06/03/2011	<u>213</u>	NOTICE Of Filing by LFP Publishing Group, LLC of <i>Original Transcript of Deposition of Christopher Lee Helton</i> (Solomon, Darrell) (Entered: 06/03/2011)
06/03/2011	<u>214</u>	DEPOSITION of Christopher Lee Helton taken on 4/22/11 by LFP Publishing Group, LLC.(dr) (Entered: 06/06/2011)

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06/06/2011	<u>215</u>	RESPONSE re <u>211</u> Second MOTION to Amend <u>187</u> Pretrial Order filed by Maureen Toffoloni. (Decker, Richard) (Entered: 06/06/2011)
06/06/2011	<u>216</u>	NOTICE Of Filing by LFP Publishing Group, LLC of <i>Original Transcript of Deposition of Tyler Downey</i> (Solomon, Darrell) (Entered: 06/06/2011)
06/06/2011	<u>217</u>	DEPOSITION of TYLER DOWNEY taken on 4/21/11 by LFP Publishing Group, LLC. (bse) (Entered: 06/07/2011)
06/07/2011	<u>218</u>	ORDER ALLOWING AUDIO/VISUAL and OTHER ELECTRONIC EQUIPMENT IN THE COURTROOM for trial beginning June 13, 2011. Signed by Judge Thomas W. Thrash, Jr on 6/7/11. (ss) (Entered: 06/07/2011)
06/08/2011	<u>219</u>	ORDER ALLOWING AUDIO/VISUAL and OTHER ELECTRONIC EQUIPMENT IN THE COURTROOM on Friday, June 10, 2011. Signed by Judge Thomas W. Thrash, Jr on 6/8/11. (ss) (Entered: 06/08/2011)
06/08/2011		NOTICE of Hearing on Motion: Motion Hearing set for 6/10/2011 at 11:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. Re: ALL PENDING MOTIONS: <u>199</u> MOTION in Limine to Exclude Evidence, <u>210</u> MOTION to Amend <u>187</u> Pretrial Order, <u>202</u> MOTION for Hearing re <u>201</u> MOTION in Limine to Exclude Evidence and Testimony, <u>211</u> Second MOTION to Amend <u>187</u> Pretrial Order, <u>198</u> MOTION in Limine to Exclude the Testimony of Plaintiff's Witnesses, <u>200</u> MOTION for Hearing re <u>199</u> MOTION in Limine to Exclude Evidence, <u>198</u> MOTION in Limine to Exclude the Testimony of Plaintiff's Witnesses, <u>201</u> MOTION in Limine to Exclude Evidence and Testimony. (ss) (Entered: 06/08/2011)
06/09/2011	<u>220</u>	ORDER ALLOWING AUDIO/VISUAL AND OTHER ELECTRONIC EQUIPMENT IN THE COURTROOM on June 10, 2011. Signed by Judge Thomas W. Thrash, Jr on 6/8/11. (ss) (Entered: 06/09/2011)
06/09/2011	<u>221</u>	ORDER ALLOWING AUDIO/VISUAL AND OTHER ELECTRONIC EQUIPMENT IN THE COURTROOM. This order replaces order filed 6/7/11 for LFP Publishing's counsel and paralegal. Signed by Judge Thomas W. Thrash, Jr on 6/9/11. (ss) (Entered: 06/09/2011)
06/10/2011	<u>222</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Motion Hearing held on 6/10/2011; denying as moot <u>198</u> Motion in Limine, granting in part and denying in part <u>199</u> Motion in Limine, granting <u>200</u> Motion for Hearing, granting in part and denying in part <u>201</u> Motion in Limine, granting <u>202</u> Motion for Hearing, granting <u>210</u> Motion to Amend, granting <u>211</u> Motion to Amend. (Court Reporter Susan Baker)(dr) (Entered: 06/10/2011)
06/10/2011	<u>223</u>	ORDER that the <u>187</u> Pretrial Order is amended to reflect the changes to Defendant's exhibit list described in Attachment A. Signed by Judge

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		Thomas W. Thrash, Jr on 6/10/11. (dr) (Entered: 06/10/2011)
06/10/2011	<u>224</u>	ORDER that the Pretrial Order is amended to reflect the removal of Paul Toffoloni and Sandra Toffoloni from Plaintiff's "will call" witness list. Plaintiff may call these witnesses for rebuttal testimony, should the need rise. Signed by Judge Thomas W. Thrash, Jr on 6/10/11. (dr) (Entered: 06/10/2011)
06/10/2011	<u>225</u>	Proposed Voir Dire by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 06/10/2011)
06/10/2011	<u>226</u>	Proposed Jury Instructions by Maureen Toffoloni. (Decker, Richard) (Entered: 06/10/2011)
06/12/2011	<u>227</u>	Requests to Charge by LFP Publishing Group, LLC. (Bauer, S.) (Entered: 06/12/2011)
06/13/2011	<u>228</u>	OBJECTION by LFP Publishing Group, LLC to the Exhibit List RE: <u>176</u> Proposed Pretrial Order (Bauer, S.) Modified on 6/14/2011 to edit event text. (aaq). (Entered: 06/13/2011)
06/13/2011	<u>229</u>	Amended Exhibit List by LFP Publishing Group, LLC.. (Solomon, Darrell) (Entered: 06/13/2011)
06/13/2011	<u>230</u>	Witness List by LFP Publishing Group, LLC. (Solomon, Darrell) (Entered: 06/13/2011)
06/13/2011	<u>231</u>	RESPONSE to the <u>228</u> OBJECTION: Defendant's Supplemental Objection to Plaintiff's Exhibit List filed by Maureen Toffoloni. (Decker, Richard) Modified on 6/14/2011 to edit text. (aaq). (Entered: 06/13/2011)
06/13/2011	<u>232</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Jury Trial began and Voir Dire held on 6/13/2011. Voir Dire and jury selection. Preliminary instructions to jury by the Court. Opening statements by counsel. Initial jury instructions to the jurors by the Court. Plaintiff called the following witnesses: Donna Hahner for cross examination, Maureen Toffoloni. EXHIBITS ADMITTED. Exhibits retained by the Court to be forwarded to the Clerks Office. (Court Reporter Susan Baker)(ank) (Entered: 06/14/2011)
06/14/2011	<u>233</u>	Minute Entry Jury Trial continued on 6/14/2011 before Judge Thomas W. Thrash, Jr. Pff called the witnesses: Mark Johnson by video depo for cross-exam; James Daus; Larry Flynt by video depo. Plaintiff rests. Dft moved for Judgment as a Matter of Law, the Court will hear argument at the break. Dft called the following witnesses: Christopher Helton by video depo; Donna Downey by video depo; William Otten by video depo; Donna Hahner. Defendant rests. The Dft renewed its Motion for Judgment as a Matter of Law. Jury released for the evening. Charge conf. The Court will allow each side 45 minutes for closing arguments. The Court heard from cnsl on dft's Motion for Judgment as a Matter of Law as to Punative Damages. The Court took the motion

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		under advisement. Exhs retained by the Court to be forwarded to the Clerks Office. (Court Reporter Susan Baker)(kt) (Entered: 06/15/2011)
06/15/2011	<u>234</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Jury Trial continued on 6/15/2011. Closing Argument & Charge by the Court. Note from jury filed. The Court conferred with counsel as to the response to be given. Recharge to the jury. Juror release for evening. (Court Reporter Susan Baker)(hfm) (Additional attachment(s) added on 6/17/2011: # <u>1</u> Jury Note) (rvb). (Entered: 06/16/2011)
06/16/2011	<u>235</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Jury Trial continued on 6/16/2011. Jury note filed. The Court conferred with counsel for response to jury. Objection to response as stated by plaintiff. Verdict filed and published. Defendant renewed motion for judgment as a Matter of Law, Court considered it renewed. Proceeded with Punitive Damages phase. Plaintiff called Donna Hahner, EXHIBITS ADMITTED. Evidence Closed. Charge conference held. (Court Reporter Susan Baker)(hfm) (Additional attachment(s) added on 6/17/2011: # <u>1</u> Jury Note 2) (rvb). (Entered: 06/17/2011)
06/16/2011	<u>236</u>	JURY VERDICT for Plaintiff in the amount of \$125,000. (rvb) (Entered: 06/17/2011)
06/17/2011	<u>237</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Jury Trial concluded on 6/17/2011. Defense counsel requested reconsideration as to Punitive Damages charge. The Court will leave as is. Closing argument by counsel. Charge by the Court on Punitive Damages. Verdict filed and published. Jury released. The Court heard argument from counsel on defendant's Motion for Judgment as a Matter of Law on Punitive Damages that was taken under advisement. The Court GRANTED the defendant's motion for Judgment as a Matter of Law on Punitive Damages as to specific intent to harm plaintiff as detailed on the record and that the \$250,000.00 cap applies. The Court directed the Clerk to enter judgment for the plaintiff and against the defendant for \$125,000 compensatory damages and \$250,000 punitive damages. Plaintiff objected to the Court's ruling. Exhibits retained by the Court to be forwarded to the Clerks Office. (Court Reporter Susan Baker)(rvb) (Entered: 06/17/2011)
06/17/2011	<u>238</u>	JURY VERDICT in the amount of \$19,603,600 as punitive damages. (rvb) (Entered: 06/17/2011)
06/17/2011	<u>239</u>	Witness List, by Maureen Toffoloni. (rvb) (Entered: 06/17/2011)
06/17/2011	<u>240</u>	Witness List, by LFP Publishing Group, LLC. (rvb) (Entered: 06/17/2011)
06/17/2011	<u>241</u>	Exhibit List, by Maureen Toffoloni. (rvb) (Entered: 06/17/2011)
06/17/2011	<u>242</u>	Exhibit List, by LFP Publishing Group, LLC.(rvb) (Entered: 06/17/2011)

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06/17/2011 Exhibits	<u>243</u>	EXHIBITS received from Courtroom Deputy re the Jury Trial from 06/13/2011 until 06/17/2011 held before Judge Thomas W. Thrash, Jr. and placed in Exhibit room. (rvb) (Entered: 06/17/2011)
06/17/2011 End Vol. 7	<u>244</u>	CLERK'S JUDGMENT in favor of Plaintiff against Defendant. It is Ordered and Adjudged that Plaintiff Maureen Toffoloni, as Administrator and Personal Representative of the Estate of Nance E. Benoit, recover of defendant LFP PUBLISHING GROUP, LLC \$375,000.00 plus interest and her costs of action. (rvb)--Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist-- (Entered: 06/17/2011)
06/17/2011		Civil Case Terminated. (rvb) (Entered: 06/17/2011)
06/22/2011 Beg. Vol. 8	<u>245</u>	NOTICE OF APPEAL as to <u>244</u> Clerk's Judgment, by Maureen Toffoloni. Transcript Order Form due on 7/6/2011 (Decker, Richard) (Entered: 06/22/2011)
06/23/2011	<u>246</u>	Transmission of Certified Copy of Notice of Appeal, Judgment and Docket Sheet to US Court of Appeals re: <u>245</u> Notice of Appeal. (kac) (Entered: 06/23/2011)
06/24/2011	<u>247</u>	USCA Appeal Fees received \$455.00; Receipt Number GAN100036591 re: <u>245</u> Notice of Appeal filed by Maureen Toffoloni. (kac) (Entered: 06/27/2011)
06/27/2011	<u>248</u>	Forwarded certified copy of docket sheets reflecting payment of appeal filing and docketing fees to USCA re: <u>245</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 00-00000-00. (kac) (Entered: 06/27/2011)
06/30/2011	<u>249</u>	TRANSCRIPT ORDER FORM for proceedings held on June 13, 2011 through June 17, 2011 before Judge Thomas W. Thrash, Jr., re: <u>245</u> Notice of Appeal. Court Reporter: Susan C. Baker. Financial Arrangements due on 7/14/2011. (kac) (Entered: 06/30/2011)
07/01/2011	<u>250</u>	USCA Acknowledgment of <u>245</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-D. (kac) (Entered: 07/06/2011)
07/07/2011 Vol. 13	<u>251</u>	TRANSCRIPT of Jury Trial Proceedings (Volume I) held on June 13, 2011, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2011. Redacted Transcript Deadline set for 8/8/2011. Release of Transcript Restriction set for 10/5/2011. (Attachments: # <u>1</u> Notification of Filing of Official Transcript) (kac) (Entered: 07/08/2011)

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07/07/2011  Vol 14	(252)	TRANSCRIPT of Jury Trial Proceedings (Volume II) held on June 14, 2011, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2011. Redacted Transcript Deadline set for 8/8/2011. Release of Transcript Restriction set for 10/5/2011. (Attachments: # <u>1</u> Notification of Filing of Official Transcript) (kac) (Entered: 07/08/2011)
07/07/2011  Vol. 15	(253)	TRANSCRIPT of Jury Trial Proceedings (Volume III) held on June 15, 2011, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2011. Redacted Transcript Deadline set for 8/8/2011. Release of Transcript Restriction set for 10/5/2011. (Attachments: # <u>1</u> Notification of Filing of Official Transcript) (kac) (Entered: 07/08/2011)
07/07/2011  Vol. 16	(254)	TRANSCRIPT of Jury Trial Proceedings (Volume IV) held on June 16, 2011, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2011. Redacted Transcript Deadline set for 8/8/2011. Release of Transcript Restriction set for 10/5/2011. (Attachments: # <u>1</u> Notification of Filing of Official Transcript) (kac) (Entered: 07/08/2011)
07/07/2011  Vol. 17	(255)	TRANSCRIPT of Jury Trial Proceedings (Volume V) held on June 17, 2011, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2011. Redacted Transcript Deadline set for 8/8/2011. Release of Transcript Restriction set for 10/5/2011. (Attachments: # <u>1</u> Notification of Filing of Official Transcript) (kac) (Entered: 07/08/2011)
07/07/2011		Set Certificate of Readiness deadline. Certificate of Readiness due on 7/18/2011.(kac) (Entered: 07/08/2011)
07/08/2011	(256)	NOTICE Of Filing Notification that <u>253</u> , <u>255</u> , <u>252</u> , <u>251</u> , and <u>254</u> Transcripts Have Been filed in District Court by Maureen Toffoloni.(kac) (Entered: 07/13/2011)

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07/12/2011	<u>257</u>	USCA Acknowledgment of certified copy of docket sheets reflecting payment of appeal filing and docketing fees re: <u>245</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-D. (kac) (Entered: 07/13/2011)
07/12/2011	<u>258</u>	USCA Acknowledgment of certified copy of docket sheets reflecting payment of appeal filing and docketing fees re: <u>245</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-D. (kac) (Entered: 07/14/2011)
07/18/2011	<u>259</u>	NOTICE OF CROSS APPEAL as to <u>244</u> Clerk's Judgment, <u>173</u> Order on Motion to Strike, Order on Motion for Partial Summary Judgment, Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment, Order on Motion in Limine, Order on Motion for Oral Argument, <u>236</u> Jury Verdict and <u>237</u> Minute Sheet by LFP Publishing Group, LLC. Filing fee \$455.00; Receipt Number 113E-3410650. Transcript Order Form due on 7/28/2011 (Solomon, Darrell) Modified on 7/18/2011 to include document relationship (kac). (Entered: 07/18/2011)
07/18/2011	<u>260</u>	Transmission of Certified Copy of Notice of Appeal, Judgment, Verdict, Minute Sheets, Order and Docket Sheet to US Court of Appeals re: <u>259</u> Notice of Cross Appeal. (kac) (Entered: 07/18/2011)
07/18/2011	<u>261</u>	TRANSCRIPT ORDER FORM for proceedings held on June 13, 2011 through June 17, 2011 before Judge Thomas W. Thrash, Jr., re: <u>259</u> Notice of Cross Appeal. Court Reporter: Susan C. Baker. Certificate of Readiness due on 8/1/2011. (All necessary transcripts on file.)(kac) (Entered: 07/20/2011)
07/20/2011	<u>262</u>	NOTICE Of Filing Notification that <u>253</u> , <u>255</u> , <u>252</u> , <u>251</u> and <u>254</u> Transcripts have been filed in District Court by LFP Publishing Group, LLC. (kac) (Entered: 07/20/2011)
08/03/2011	<u>264</u>	Appeal notice from USCA sent to counsel of record re: <u>259</u> Notice of Cross Appeal. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-DD. (kac) (Entered: 08/05/2011)
08/04/2011	<u>265</u>	USCA Acknowledgment of <u>259</u> Notice of Cross Appeal filed by LFP Publishing Group, LLC. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-DD. (kac) (Entered: 08/09/2011)
08/15/2011 Exhibits	<u>266</u>	DEPOSITION of Tyler Downey taken on April 21, 2011 by LFP Publishing Group, LLC.(kac) (Entered: 08/16/2011)
08/15/2011 Exhibits	<u>267</u>	DEPOSITION of Christopher Lee Helton taken on April 22, 2011 by LFP Publishing Group, LLC.(kac) (Entered: 08/16/2011)
08/16/2011		CERTIFICATE OF READINESS of Record on Appeal re: <u>259</u> Notice of Cross Appeal filed by LFP Publishing Group, LLC, and <u>245</u> Notice of Appeal filed by Maureen Toffoloni. Case Appealed to USCA - 11th Circuit. USCA Case Number 11-12922-DD. (kac) (Entered: 08/16/2011)

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