

CHRONOLOGY OF EVENTS RELEVANT TO
MARQUIS YACHTS, LLC'S SUMMARY JUDGMENT MOTION
LYONS V. RIENZI & SONS, 09-CV-4253

YEAR	PRE-LAWSUIT ACTIVITY	NEW YORK LITIGATION	MINN. BANKR. PROCEEDINGS
2006	<ul style="list-style-type: none"> • February: <i>Brianna</i> built in Wisconsin by Genmar Yachts, LLC. See Marquis 56.1 Stmt. ¶¶ 9-10. • May: After the <i>Brianna</i> was purchased from Genmar by Staten Island Yacht Sales, she was delivered to Rienzi. See M. Rienzi Dep. 13-14; Marquis 56.1 Stmt. ¶ 12. • June: <i>Brianna's</i> limited warranty registered by Rienzi with Staten Island Yacht Sales. 		
2007			
2008	<ul style="list-style-type: none"> • August: Plaintiff Lyons allegedly injured aboard the <i>Brianna</i> while working for Rienzi. See Complaint ¶ 12. 		
2009		<ul style="list-style-type: none"> • October: Complaint filed against Rienzi by plaintiff Kelly Lyons. See Complaint. • November: Complaint answered by Rienzi. See CM/ECF No. 3. 	<ul style="list-style-type: none"> • June: Genmar bankruptcy petition filed. See Marquis 56.1 Stmt. ¶ 16; Rienzi 56.1 Counter-Stmt. ¶ 2. • November: Motion filed seeking permission to sell substantially all of Genmar's assets at a competitive auction. See Rienzi 56.1 Counter-Stmt. ¶ 5. • November: Irwin Jacobs resigns as CEO, chairman, and director of Genmar parent. See Rienzi 56.1 Counter-Stmt. ¶ 7; Apr. 10 Hr'g Tr. • December: Motion to sell

			<p>Genmar's assets granted. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 6.</p> <ul style="list-style-type: none"> • December: Notice of auction published in newspapers. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 7.
2010			<ul style="list-style-type: none"> • January: Auction of Genmar's assets held. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 7. • January: J&D Acquisitions declared winner of auction for Genmar's assets. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 8. • January: Sale of Genmar's assets to J&D Acquisitions approved by bankruptcy court. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 9. • January: Asset purchase agreement executed by Genmar and J&D Acquisitions. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 10. • March: Motion filed by Genmar to reject executory and warranty contracts. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 11. • March: Genmar motion approved. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 11. • November: Genmar's Chapter 11 reorganization converted into a Chapter 7 liquidation. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 12. • December: Genmar files final report as debtor in possession. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 13.
2011		<ul style="list-style-type: none"> • January: Third-party complaint filed by Rienzi against Staten Island, Genmar, Carver Boat, Marquis, Donald L. Blount & Associates, Nuvolari-Lenard, and Does 1-5. <i>See</i> CM/ECF No. 14. 	<ul style="list-style-type: none"> • April: Proof of claim filed in Genmar Yacht bankruptcy proceedings by Rienzi. • August: Motion filed by Rienzi seeking relief from court-ordered stay so that it could proceed with litigation in the U.S. District Court for the Eastern District of New York.

		<ul style="list-style-type: none"> • <u>March:</u> Third-party complaint answered by Marquis. <i>See</i> CM/ECF No. 23. • <u>March:</u> First motion for summary judgment filed by Marquis. <i>See</i> CM/ECF Nos. 27-29. • <u>May:</u> Marquis motion for summary judgment denied with leave to renew. Case referred to magistrate judge for expedited discovery. <i>See</i> CM/ECF No. 41. • <u>June:</u> Claims asserted by Lyons against third-party defendants. <i>See</i> CM/ECF No. 42. • <u>July:</u> Answer filed by Marquis in response to Lyons' claims. <i>See</i> CM/ECF No. 50. • <u>July:</u> Notice of automatic stay pursuant to bankruptcy petition filed by Genmar. <i>See</i> CM/ECF No. 52. • <u>December:</u> Bankruptcy court order certified by this court. <i>See</i> CM/ECF No. 90. 	<p><i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 16.</p> <ul style="list-style-type: none"> • <u>September:</u> Order entered by bankruptcy court authorizing Lyons and Rienzi to continue litigation in the U.S. District Court for the Eastern District of New York. <i>See</i> Rienzi 56.1 Counter-Stmt. ¶ 17.
2012		<ul style="list-style-type: none"> • <u>February:</u> Renewed motion for summary judgment filed by Marquis. <i>See</i> CM/ECF No. 101. • <u>March:</u> Response in opposition to renewed motion for summary judgment filed by Rienzi. <i>See</i> CM/ECF Nos. 111, 114-15. • <u>March:</u> Response in opposition to renewed motion for summary 	

		<p>judgment filed by Lyons. <i>See</i> CM/ECF No. 118.</p> <ul style="list-style-type: none">• <u>March:</u> Reply in support of renewed summary judgment motion filed by Marquis. <i>See</i> CM/ECF Nos. 124-25.• <u>April:</u> Hearing held on Marquis' motion for summary judgment.	
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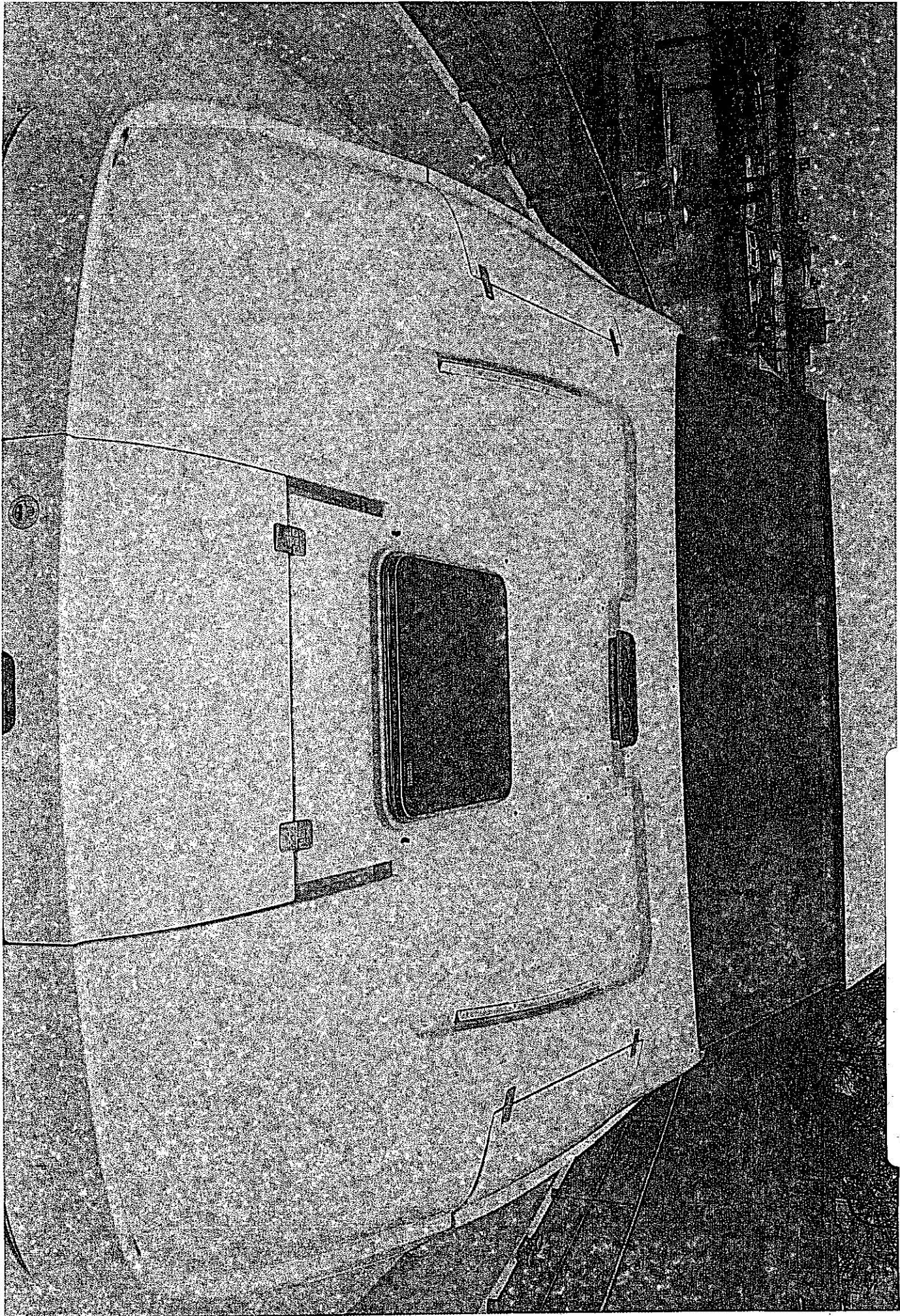


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