

ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-02875-HB**

New York Jets LLC et al v. Cablevision Systems
Corporation et al
Assigned to: Judge Harold Baer
Cause: 15:2 Antitrust Litigation

Date Filed: 03/16/2005
Jury Demand: Plaintiff
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

New York Jets LLC

represented by **Alanna Cyreeta Rutherford**
Boies, Schiller & Flexner, LLP
570 Lexington Avenue
New York, NY 10022
(212) 446-2300
Fax: (212) 446-2350
Email: arutherford@bsflp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel R. Benson
Kasowitz, Benson, Torres &
Friedman, LLP(NYC)
1633 Broadway
New York, NY 10019
(212) 506-1700
Fax: (212)-506-1849
Email: dbenson@kasowitz.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel J. Fetterman
Kasowitz, benson, Torres &

Friedman LLP
1633 Broadway
New York, NY 10019
212 506-1700
Fax: 212 506-1800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Boies
Boies, Schiller & Fexner LLP
333 Main Street
Armonk, NY 10504
917 749-8200
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan D. Schiller
Boies, Schiller & Flexner L.L.P.
5301 Wisconsin Avenue, N.W.
Suite 570
Washington, DC 20015
(202) 237-2727
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc E. Kasowitz
Kasowitz, Benson, Torres &
Friedman, LLP(NYC)
1633 Broadway
New York, NY 10019
212-506-1710
Fax: 212-506-1800
Email: mkasowitz@kasowitz.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul R. Verkuil
Boies, Schiller & Flexner, LLP
570 Lexington Avenue
New York, NY 10022
(212) 446-2300
Fax: (212) 446-2360

Plaintiff

Jets Development LLC

represented by **Alanna Cyreeta Rutherford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel R. Benson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel J. Fetterman
Kasowitz, Benson, Torres &
Friedman LLP
1633 Broadway
New York, NY 10019
212 506-1700
Fax: 212 506-1800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Boies
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan D. Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc E. Kasowitz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul R. Verkuil
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**Cablevision Systems
Corporation**

represented by **Randy M. Mastro**
Gibson, Dunn & Crutcher LLP
(NYC)
200 Park Avenue, 48th Floor
New York, NY 10166
212-351-3825
Fax: 212-351-5219
Email:
rmastro@gibsondunn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CSC Holdings, Inc.

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

Defendant

Madison Square Garden LP

represented by **Randy M. Mastro**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

**Cablevision Systems
Corporation**

Counter Claimant

CSC Holdings, Inc.

Counter Claimant

Madison Square Garden LP

V.

Counter Defendant

New York Jets LLC

represented by **Alanna Cyreeta Rutherford**
(See above for address)
ATTORNEY TO BE NOTICED

Counter Defendant

Jets Development LLC

represented by **Alanna Cyreeta Rutherford**
(See above for address)

Counter Claimant

**Cablevision Systems
Corporation**

Counter Claimant

CSC Holdings, Inc.

Counter Claimant

Madison Square Garden LP

V.

Counter Defendant

New York Jets LLC

Counter Defendant

Jets Development LLC

Date F i l e d	#	Docket Text
03/16/2005	<u>1</u>	COMPLAINT against Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Filing Fee \$ 250.00, Receipt Number 537629)Document filed by New York Jets LLC, Jets Development LLC.(es,) Additional attachment(s) added on 3/17/2005 (gf,). (Entered: 03/16/2005)
03/16/2005		SUMMONS ISSUED as to Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (es,) (Entered: 03/16/2005)
03/16/2005		Magistrate Judge Debra C. Freeman is so designated. (es,) (Entered: 03/16/2005)
03/16/2005		Case Designated ECF. (es,) (Entered: 03/16/2005)
03/16/2005	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by New York Jets LLC, Jets Development LLC.(es,) Additional attachment(s) added on 3/17/2005 (gf,). (Entered: 03/16/2005)
03/16/2005	<u>3</u>	NOTICE of Appearance by Marc E. Kasowitz on behalf of New York Jets LLC, Jets Development LLC (es,) Additional attachment(s) added on 3/17/2005 (gf,). (Entered: 03/16/2005)

03/16/2005	<u>4</u>	NOTICE of Appearance by Daniel R. Benson on behalf of New York Jets LLC, Jets Development LLC (es,) Additional attachment(s) added on 3/17/2005 (gf,). (Entered: 03/16/2005)
03/16/2005	<u>5</u>	NOTICE of Appearance by Daniel J. Fetterman on behalf of New York Jets LLC, Jets Development LLC (es,) Additional attachment(s) added on 3/17/2005 (gf,). (Entered: 03/16/2005)
03/23/2005	<u>6</u>	AFFIDAVIT OF SERVICE. CSC Holdings, Inc. served on 3/16/2005, answer due 4/5/2005. Document filed by New York Jets LLC; Jets Development LLC. (Attachments: # <u>1</u>)(Kasowitz, Marc) (Entered: 03/23/2005)
03/23/2005	<u>7</u>	AFFIDAVIT OF SERVICE. Madison Square Garden LP served on 3/16/2005, answer due 4/5/2005. Document filed by New York Jets LLC; Jets Development LLC. (Attachments: # <u>1</u>)(Kasowitz, Marc) (Entered: 03/23/2005)
03/23/2005	<u>8</u>	AFFIDAVIT OF SERVICE. Cablevision Systems Corporation served on 3/16/2005, answer due 4/5/2005. Document filed by New York Jets LLC; Jets Development LLC. (Attachments: # <u>1</u>)(Kasowitz, Marc) (Entered: 03/23/2005)
04/05/2005	<u>9</u>	MOTION to Dismiss <i>w/ Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden I.P. (Mastro. Randy)

04/05/2005	<u>10</u>	MEMORANDUM OF LAW in Support re: <u>9</u> MOTION to Dismiss <i>w/ Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Attachments: # <u>1</u> Attachment 1# <u>2</u> Attachment 2# <u>3</u> Attachment 3# <u>4</u> Attachment 4A# <u>5</u> Attachment 4B# <u>6</u> Attachment 5)(Mastro, Randy) (Entered: 04/05/2005)
04/05/2005	<u>11</u>	MEMORANDUM OF LAW in Support re: <u>9</u> MOTION to Dismiss <i>w/ Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> APPENDIX OF UNREPORTED OPINIONS. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 04/05/2005)
04/12/2005	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice <i>by Theodore B. Olsen.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Attachments: # <u>1</u> Text of Proposed Order)(Mastro, Randy) (Entered: 04/12/2005)
04/12/2005	<u>13</u>	AFFIDAVIT of Randy M. Mastro in Support re: <u>12</u> MOTION for Leave to Appear Pro Hac Vice <i>by Theodore B. Olsen.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc.. Madison Square

			Garden LP. (Mastro, Randy) (Entered: 04/12/2005)
04/12/2005	<u>14</u>	AFFIDAVIT of Theodore B. Olsen in Support re: <u>12</u> MOTION for Leave to Appear Pro Hac Vice <i>by Theodore B. Olsen.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Attachments: # <u>1</u> Exhibit 1 - Certificates of Good Standing)(Mastro, Randy) (Entered: 04/12/2005)	
04/12/2005	<u>15</u>	CERTIFICATE OF SERVICE of Motion for Leave to Appear Pro Hac Vice by Theodore B. Olsen served on Kasowitz, Benson, Torres & Friedman LLP and Boies, Schiller & Flexner LLP, attorneys for Plaintiffs on 04/12/2005. Service was made by mail. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 04/12/2005)	
04/19/2005	<u>16</u>	MEMORANDUM OF LAW in Opposition re: <u>9</u> MOTION to Dismiss <i>w/ Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> Document filed by New York Jets LLC, Jets Development LLC. (Rutherford, Alanna) (Entered: 04/19/2005)	
04/20/2005	<u>17</u>	MEMORANDUM OF LAW in Opposition re: <u>9</u> MOTION to Dismiss <i>w/ Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> CORRECTED. Document filed by New York	

		Jets LLC, Jets Development LLC. (Attachments: # <u>1</u> Cover Letter)(Rutherford, Alanna) (Entered: 04/20/2005)
04/20/2005	<u>18</u>	CERTIFICATE OF SERVICE of Memorandum in Opposition to Motion to Dismiss served on Cablevision Systems Corp. et al. on 4/20/05. Service was made by Mail. Document filed by New York Jets LLC, Jets Development LLC. (Rutherford, Alanna) (Entered: 04/20/2005)
04/21/2005	<u>19</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP.(Mastro, Randy) (Entered: 04/21/2005)
04/29/2005	<u>20</u>	REPLY MEMORANDUM OF LAW in Support re: <u>9</u> MOTION to Dismiss w/ <i>Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Attachments: # <u>1</u> Exhibit 1 - WFAN Transcript# <u>2</u> Exhibit 2 - Verified Amended Petition# <u>3</u> Exhibit 3 - Emergency Affirmation# <u>4</u> Exhibit 4 - Notice of Petition# <u>5</u> Exhibit 5 - Brief of Amici Curiae)(Mastro, Randy) (Entered: 04/29/2005)
04/29/2005	<u>21</u>	CERTIFICATE OF SERVICE of Rely Memorandum of Law w/ Exhibits in Support of Defendants' Motion to Dismiss served on counsel for plaintiffs on 04/29/05. Service was made by hand delivery. Document filed by Cablevision

		Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 04/29/2005)
05/12/2005	<u>22</u>	ENDORSED LETTER addressed to Judge Harold Baer from Daniel Fetterman dated 5/9/05 re: counsel for plaintiffs request an adjournment of the pretrial conference to 6/30/05. I am glad to have oral assignment but hardly that far out lets either agree on Tuesday 6/14/05 or call chambers the following week we will schedule PTC at your convenience. (Signed by Judge Harold Baer on 5/9/05) (dle,) (Entered: 05/13/2005)
06/15/2005	<u>23</u>	PRETRIAL SCHEDULING ORDER: Parties do not consent to proceed before a United States Magistrate for all purposes, purs to 28 U.S.C. section 636(c) and FRCP 73; a joint pretrial order shall, unless waived by the court, be submitted by May 26, 2005; No party may make a dispositive motion returnable after March 15, 2006. (Signed by Judge Harold Baer on 6/15/05) (djc,) (Entered: 06/17/2005)
06/15/2005		MEMORANDUM TO THE DOCKET CLERK: hearing begun on 6/15/05 regarding oral argument on dfts motion to dismiss the complaint. (dle,) (Entered: 06/20/2005)
06/27/2005	24	TRANSCRIPT of proceedings held on 6/15/2005 @2:10pm before Judge Harold Baer. (lb,) (Entered: 06/27/2005)
07/27/2005	<u>25</u>	ORDER that the parties have 30 day for discovery of whatever sort they think helpful, as further set forth in this document. Assuming there is a continuing

		interest to pursue this matter at all with its attended expense, simultaneous briefs of no more than 15 pages, not including exhibits, will be due on 8/30, and should either party request oral argument, let me know and it will take place at 2 pm on 9/26/05. (Signed by Judge Harold Baer on 7/27/05) (cd,) (Entered: 07/28/2005)
08/25/2005	<u>26</u>	ORDER. That discovery "with respect to the issue of political versus commercial speech" shall be extended and concluded on or before 9/15/2005. Simultaneous briefs of no more than 15 pages, not including exhibits, are due on 9/20/05. Oral argument, if requested, will take place on 9/27/2005 at 10:00 AM (Signed by Judge Harold Baer on 8/25/05) (yv,) (Entered: 08/26/2005)
09/27/2005		Minute Entry for proceedings held before Judge Harold Baer : Motion Hearing held on 9/27/2005 re: <u>9</u> MOTION to Dismiss w/ <i>Certificate of Service of the Motion to Dismiss and supporting Memorandum of Law and Appendix of Unreported Opinions on Plaintiffs' Counsel, by hand, attached.</i> filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. Judge's Decision: Reserved. (jco,) (Entered: 10/04/2005)
10/11/2005	27	TRANSCRIPT of proceedings held on 9/27/2005 before Judge Harold Baer. Court Reporter: Southern District Reports, P.C.. (jmi,) (Entered: 10/11/2005)
10/18/2005	<u>28</u>	MEMORANDUM AND OPINION # 92314 granting (with respect to Cablevision's alleged "public misrepresentations" and denying in all other respects <u>9</u> MOTION to

		Dismiss, filed by Cablevision Systems Corporation,, CSC Holdings, Inc.,, Madison Square Garden LP,. All discovery shall be completed by 3/31/06; no dispositive motions shall be made returnable after 5/15/06; the joint pretrial order is due 7/17/06; and this matter is added to the 8/06 trailing trial calendar. (Signed by Judge Harold Baer on 10/17/05) (cd,) Modified on 10/25/2005 (sao,). (Entered: 10/18/2005)
10/27/2005	<u>29</u>	MOTION to Amend/Correct <i>Order On Motion to Dismiss, To Include Certification Under Section 1292(b) And To Stay Proceedings Pending Appeal</i> . Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 10/27/2005)
10/27/2005	<u>30</u>	BRIEF <i>In Support Of Defendants' Motion to Amend Order On Motion To Dismiss, To Include Certification Under Section 1292(b) And To Stay Proceedings Pending Appeal</i> . Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP.(Mastro, Randy) (Entered: 10/27/2005)
10/27/2005	<u>31</u>	CERTIFICATE OF SERVICE. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 10/27/2005)
11/09/2005	<u>32</u>	STIPULATION AND ORDER, Cablevision Systems Corporation answer due 11/15/2005; CSC Holdings, Inc. answer due 11/15/2005; Madison Square Garden I.P answer due 11/15/2005. (Signed by

11/10/2005	<u>33</u>	MEMORANDUM OF LAW in Opposition re: <u>29</u> MOTION to Amend/Correct <i>Order On Motion to Dismiss, To Include Certification Under Section 1292(b) And To Stay Proceedings Pending Appeal.</i> Document filed by New York Jets LLC, Jets Development LLC. (Rutherford, Alanna) (Entered: 11/10/2005)
11/14/2005	<u>34</u>	REPLY MEMORANDUM OF LAW in Support re: <u>29</u> MOTION to Amend/Correct <i>Order On Motion to Dismiss, To Include Certification Under Section 1292(b) And To Stay Proceedings Pending Appeal.</i> Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 11/14/2005)
11/15/2005	<u>35</u>	CERTIFICATE OF SERVICE of Defendants' Reply Memorandum in Further Support of Motion to Amend Order on Motion to Dismiss to Include Certification under Sect. 1292(b) and to Stay Proceedings Pending Appeal served on New York Jets LLC and Jets Development LLC on 11/14/2005. Service was made by hand delivery. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 11/15/2005)
11/15/2005	<u>36</u>	ANSWER to Complaint., COUNTERCLAIM against all plaintiffs. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP.(Mastro, Randy) (Entered: 11/15/2005)

<p>11/16/2005</p>	<p>37</p>	<p>CERTIFICATE OF SERVICE of Defendants' Answer and Counterclaims served on New York Jets LLC and Jets Development LLC on 11/15/2005. Service was made by hand delivery. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 11/16/2005)</p>
<p>12/02/2005</p>	<p>38</p>	<p>AMENDED ANSWER to 1 Complaint,.. COUNTERCLAIM against all plaintiffs. Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 12/02/2005)</p>
<p>12/02/2005</p>	<p>39</p>	<p>CERTIFICATE OF SERVICE of Amended Answer and Counterclaims served on New York Jets LLC and Jets Development LLC on 12/02/2005. Service was made by electronic notice (via ECF). Document filed by Cablevision Systems Corporation, CSC Holdings, Inc., Madison Square Garden LP. (Mastro, Randy) (Entered: 12/02/2005)</p>
<p>12/19/2005</p>	<p>40</p>	<p>MEMORANDUM AND OPINION 92536 re: For the reasons set forth, defendants' motion 29 to certify this Court's October 17 Order for interlocutory appeal is DENIED. The Clerk of the Court is directed to close this motion. The discovery and trial schedule set forth in my 10/17 order remains in effect. (Signed by Judge Harold Baer on 12/19/2005) (lb,) Modified on 12/21/2005 (ns,). (Entered: 12/19/2005)</p>
<p>12/20/2005</p>	<p>41</p>	<p>MOTION for Extension of Time to File Answer <i>Defendants' Amended</i></p>

		<i>Counterclaims</i> . Document filed by New York Jets LLC, Jets Development LLC, New York Jets LLC, Jets Development LLC. (Rutherford, Alanna) (Entered: 12/20/2005)
12/22/2005	<u>42</u>	MOTION to Dismiss <i>Defendants' Counterclaims</i> . Document filed by New York Jets LLC, Jets Development LLC. (Attachments: # <u>1</u>)(Rutherford, Alanna) (Entered: 12/22/2005)
12/22/2005	<u>43</u>	ANSWER to Counterclaim. Document filed by New York Jets LLC, Jets Development LLC. (Attachments: # <u>1</u> Certificate of Service)(Rutherford, Alanna) (Entered: 12/22/2005)

PACER Service Center			
Transaction Receipt			
12/27/2005 23:30:21			
PACER Login:	gd0158	Client Code:	19730-00007
Description:	Docket Report	Search Criteria:	1:05-cv-02875-HB
Billable Pages:	5	Cost:	0.40