

APPEAL, CLOSED, JURYDEMAND, PROTO

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:06-cv-00204-JCC
Internal Use Only

Gordon v. Virtumundo Inc et al
Assigned to: John C Coughenour
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 02/09/2006
Date Terminated: 06/05/2007
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: Federal Question

Plaintiff

James S Gordon, Jr
*a married individual
doing business as
gordonworks.com*

represented by **Robert J. Siegel**
i.Justice Law PC
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Fax: 206-624-0717
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Omni Innovations LLC
*a Washington Limited Liability
Corporation*

represented by **Robert J. Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Virtumundo Inc
*a Delaware corporation
doing business as
adknowledgemail.com*

represented by **Derek Alan Newman**
NEWMAN & NEWMAN
505 5TH AVE S
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 Email: roger@newmanlaw.com
ATTORNEY TO BE NOTICED

Defendant

Adknowledge Inc
a Delaware corporation
doing business as
 adknowledgemail.com

represented by **Derek Alan Newman**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roger M Townsend
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Scott Lynn
an individual

represented by **Derek Alan Newman**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roger M Townsend
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Does
I-X

Date Filed	#	Docket Text
02/09/2006	1	COMPLAINT and JURY DEMAND against defendant(s) John Does, Virtumundo Inc, Adknowledge Inc, Scott Lynn (Summons(es) issued) (Receipt # 413781) , filed by James S Gordon, Jr. (Attachments: # 1 Civil Cover Sheet)(PM,) (Entered: 02/10/2006)

02/13/2006	2	PRAECIPE TO ISSUE SUMMONS. Sms issued in blank. (CL,) (Entered: 02/14/2006)
03/08/2006	3	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Adknowledge Inc on 2/24/2006 (CL,) (Entered: 03/09/2006)
03/10/2006	4	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Virtumundo Inc on 2/28/2006 (CL,) (Entered: 03/13/2006)
03/10/2006	5	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Scott Lynn on 2/28/2006 (CL,) (Entered: 03/13/2006)
03/16/2006	6	<p>MINUTE ENTRY setting status conference:</p> <p>The attorney who will be responsible for trying the case should attend the conference and be prepared to discuss the following matters at the conference: 1. The nature of the case, 2. The status of matters which are presently set before the Court, e.g., hearings, motions, etc., 3. The status of discovery and a time schedule for its completion, 4. A statement of any legal issues about which motions are contemplated and a possible briefing schedule, 5. An estimate of the number of days needed for trial, 6. Whether the case is jury or non-jury, 7. The date by which the case will be ready for trial, and 8. Settlement probabilities. Counsel for all parties are required to appear at the conference. If counsel office is outside of Seattle, arrangements can be made for telephonic participation in the conference. If counsel wish to make such arrangements, they should contact Julie Mahnke, Deputy Clerk at 206-370-8805. COUNSEL FOR THE PLAINTIFF IS DIRECTED TO NOTIFY ALL PARTIES OF THE DATE AND TIME OF THE SCHEDULED CONFERENCE. Status Conference set for 6/13/2006 at 09:00 AM before John C Coughenour. (JM,) (Entered: 03/16/2006)</p>
03/16/2006	7	ORDER REGARDING DISCOVERY AND DEPOSITIONS by Judge John C Coughenour. (JM,) (Entered: 03/16/2006)
03/16/2006	8	MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 4/7/2006. (Attachments: # 1 Proposed Order)(Newman, Derek) (Entered: 03/16/2006)
03/16/2006	9	DECLARATION of Michael Geroe filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Newman, Derek) (Entered: 03/16/2006)
03/16/2006	10	DECLARATION of Allen Brandt filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Newman, Derek) (Entered: 03/16/2006)
04/03/2006	11	RESPONSE, by Plaintiff James S Gordon, Jr, to 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> . (Attachments: # 1 Supplement Plaintiff's Response Pt. 2 of 2)(Siegel, Robert) (Entered: 04/03/2006)
04/03/2006	12	Per filer, incorrect document posted; to be refiled DECLARATION of James S. Gordon, Jr filed by Plaintiff James S Gordon, Jr re 8 MOTION to Dismiss <i>For</i>

		<i>Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Attachments: # 1 Exhibit Email Source Code# 2 Exhibit "You Have Already Won" email# 3 Exhibit email confirmation# 4 Exhibit Letter / Contract# 5 Exhibit Feb 2006 email)(Siegel, Robert) Modified on 4/4/2006 (DM,). (Entered: 04/03/2006)
04/03/2006	13	DECLARATION of Robert J. Siegel filed by Plaintiff James S Gordon, Jr re 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Attachments: # 1 Exhibit Order denying Motion to Dismiss# 2 Exhibit Eastern District Decisions pt 1# 3 Exhibit Eastern District Decisions pt 2# 4 Exhibit Hodgell v. Virtumundo order# 5 Exhibit Marycle v First Choice pt 1# 6 Exhibit Marycle v First Choice pt 2# 7 Exhibit Marycle v First Choice pt 3# 8 Exhibit Plaintiff's First Amended Complaint)(Siegel, Robert) (Entered: 04/03/2006)
04/04/2006	14	PRAECIPE re 13 Declaration,, <i>Correction to caption on pg 120 of document 13</i> by Plaintiff James S Gordon, Jr. (Siegel, Robert) (Entered: 04/04/2006)
04/04/2006	15	AMENDED COMPLAINT against defendant(s) all defendants with JURY DEMAND, filed by James S Gordon, Jr.(Siegel, Robert) (Entered: 04/04/2006)
04/04/2006		NOTICE of Docket Text Modification re 12 Declaration of James S. Gordon, Jr: Per filer, incorrect document filed. To be refiled. (DM,) (Entered: 04/04/2006)
04/04/2006	16	DECLARATION of James S. Gordon, Jr filed by Plaintiff James S Gordon, Jr re 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Attachments: # 1 Exhibit Email Source Code# 2 Exhibit "You Have Already Won" email# 3 Exhibit email confirmation from Virtumundo# 4 Exhibit Letter / Contract# 5 Exhibit Feb 2006 email# 6 Exhibit Omni email)(Siegel, Robert) (Entered: 04/04/2006)
04/07/2006	17	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 8 MOTION to Dismiss <i>For Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)</i> (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 04/07/2006)
04/11/2006	18	PRAECIPE TO ISSUE SUMMONS by Plaintiff James S Gordon, Jr. (Siegel, Robert) (Entered: 04/11/2006)
04/11/2006	19	PRAECIPE TO ISSUE SUMMONS by Plaintiff James S Gordon, Jr. (Siegel, Robert) (Entered: 04/11/2006)
04/11/2006	20	PRAECIPE TO ISSUE SUMMONS by Plaintiff James S Gordon, Jr. (Siegel, Robert) (Entered: 04/11/2006)
04/12/2006		Summons Issued as per request docket nos. 18 , 19 and 20 , mailed toatty R. Siegel.(CL,) (Entered: 04/12/2006)
05/01/2006	21	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Virtumundo Inc on 4/19/2006; Adknowledge Inc on 4/19/2006; Scott Lynn on 4/19/2006 (CL,) (Entered: 05/02/2006)
05/02/2006	23	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Virtumundo Inc on 4/20/2006 (CL,) (Entered: 05/03/2006)

05/03/2006	22	DECLARATION OF SERVICE OF SUMMONS and Complaint upon defendant Adknowledge Inc on 4/20/2006; Scott Lynn on 4/20/2006 (CL,) (Entered: 05/03/2006)
05/24/2006	24	ORDER denying 8 Motion to Dismiss by Judge John C Coughenour.(GO) (Entered: 05/24/2006)
06/05/2006	25	INITIAL DISCLOSURES by Plaintiff James S Gordon, Jr.(Siegel, Robert) (Entered: 06/05/2006)
06/06/2006	26	NOTICE of Unavailability of counsel Robert J. Siegel for Plaintiff James S Gordon, Jr from July 3, 2006 to July 14, 2006 (Siegel, Robert) (Entered: 06/06/2006)
06/13/2006	27	<p>MINUTES OF STATUS CONFERENCE: JCC; Dep Clerk: JM; CR: Roth; Counsel: Newman/Siegel; Called, counsel advises the Court of status. Court directs counsel to be guided by Local Civil Rule 16 in completing discovery and filing dispositive motions. Note that <u>all</u> depositions, discovery and perpetuation, must be completed before the discovery completion date.</p> <p>Jury instructions, if any, are to be filed with the Clerk and shall include an original version and two copies thereof, each numbered sequentially and with citations, and one copy on plain white paper without numbering or citations. Counsel are advised that the Court will rely primarily upon the Manual of Model Jury Instructions for the Ninth Circuit in preparation of final instructions for submission to the jury.</p> <p>Counsel are advised that this case is one of several cases set for the week described below. Counsel must be prepared to commence trial as scheduled, but it must be understood that the trial may have to be continued. The Clerk should be contacted as the trial date approaches for further information regarding the calendar.</p> <p>Pretrial and trial schedule are set as follows: Jury Trial is set for 4/16/2007 at 09:30 AM before John C Coughenour. Pretrial Order due by 4/6/2007; Pleading amendment/3rd pty action due by 9/22/2006; 39.1 mediation to be completed by 2/24/2007; Trial briefs to be submitted by 4/12/2007; Proposed voir dire/jury instructions due by 4/12/2007; Dispositive motions filing deadline 12/22/2006.(JM,) (Entered: 06/13/2006)</p>
06/13/2006	28	AMENDMENT to 25 Initial Disclosures <i>Amended Computation of Damages</i> by Plaintiff James S Gordon, Jr. (Siegel, Robert) (Entered: 06/13/2006)
08/24/2006	29	PROPOSED ORDER (Unsigned) -- <i>[PROPOSED] PROTECTIVE ORDER.</i> (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 08/24/2006)
08/24/2006	30	MOTION to Dismiss by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 9/15/2006. (Attachments: # 1 Proposed Order # 2 Certificate of Service)(Townsend, Roger) (Entered: 08/24/2006)
08/29/2006	31	ANSWER to Amended Complaint by Virtumundo Inc, Adknowledge Inc, Scott Lynn. (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 08/29/2006)

09/11/2006	32	RESPONSE, by Plaintiff James S Gordon, Jr, to 30 MOTION to Dismiss. (Siegel, Robert) (Entered: 09/11/2006)
09/11/2006	33	DECLARATION of James S. Gordon, Jr. filed by Plaintiff James S Gordon, Jr re 30 MOTION to Dismiss (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Siegel, Robert) (Entered: 09/11/2006)
09/15/2006	34	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 30 MOTION to Dismiss (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 09/15/2006)
09/21/2006	35	MINUTE ORDER re 29 Proposed Stipulated Protective Order (Unsigned) by Judge John C Coughenour. (GO) (Entered: 09/21/2006)
10/18/2006	36	PROPOSED ORDER (Unsigned) -- <i>[PROPOSED] PROTECTIVE ORDER</i> . (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 10/18/2006)
10/26/2006	37	PROTECTIVE ORDER, by Judge John C Coughenour. (CL,) (Entered: 10/26/2006)
11/02/2006	38	MOTION for Bond <i>for An Undertaking Pursuant to 15 U.S.C. Section 7706 (g)(4)</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 11/17/2006. (Attachments: # 1 Proposed Order # 2 Certificate of Service)(Newman, Derek) (Entered: 11/02/2006)
11/02/2006	39	DECLARATION of Michael R. Geroe filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 38 MOTION for Bond <i>for An Undertaking Pursuant to 15 U.S.C. Section 7706 (g)(4)</i> (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D)(Newman, Derek) (Entered: 11/02/2006)
11/02/2006	40	DECLARATION of Michael Shopmaker filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 38 MOTION for Bond <i>for An Undertaking Pursuant to 15 U.S.C. Section 7706 (g)(4)</i> (Attachments: # 1 Exhibit A# 2 Exhibit B)(Newman, Derek) (Entered: 11/02/2006)
11/02/2006	41	DECLARATION of Roger Townsend filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 38 MOTION for Bond <i>for An Undertaking Pursuant to 15 U.S.C. Section 7706 (g)(4)</i> (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Exhibit J# 11 Exhibit K# 12 Exhibit L# 13 Exhibit M# 14 Exhibit N# 15 Exhibit O# 16 Exhibit P# 17 Exhibit Q# 18 Exhibit R# 19 Exhibit S# 20 Exhibit T# 21 Exhibit U# 22 Exhibit V)(Newman, Derek) (Entered: 11/02/2006)
11/03/2006	42	MOTION for Relief by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. Noting Date 11/14/2006. (Attachments: # 1 Proposed Order # 2 Certificate of Service)(Siegel, Robert) (Entered: 11/03/2006)
11/07/2006	43	MINUTE ORDER 42 MOTION for Relief filed by James S Gordon, Jr, Omni Innovations LLC: New Noting Date 11/15/2006; Defendants' Response, if any, is due by 12:00 noon on 11/9/2006. by Judge John C Coughenour. (GO) (Entered: 11/07/2006)

11/09/2006	44	RESPONSE, by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, to 42 MOTION for Relief. (Newman, Derek) (Entered: 11/09/2006)
11/09/2006	45	DECLARATION of Roger Townsend in Support of Defendants' Response to Plaintiffs' 42 MOTION for Relief (Newman, Derek) Modified duplicative text on 11/13/2006 (ECS,). (Entered: 11/09/2006)
11/09/2006	46	MINUTE ORDER is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge. The Court GRANTS 42 Pltfs' Motion for Relief from Deadline. Pltfs' ddl to file motion for summary judgment set for 12/18/06, noting date shall be 1/12/07. Dfts' Motion and Undertaking, docket no. 38 is RENOTED for consideration on 1/12/07.(CL,) (Entered: 11/09/2006)
11/09/2006	47	MOTION for Reconsideration re 46 Order on Motion for Relief, <i>of Date by Which Plaintiffs must File Their Summary Judgment Motion</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 11/9/2006. (Attachments: # 1 Proposed Order Granting Defendants' Motion for Reconsideration of Date by Which Plaintiffs must File Their Summary Judgment Motion)(Newman, Derek) (Entered: 11/09/2006)
11/13/2006	48	MINUTE ORDER denying 47 Motion for Reconsideration by Judge John C Coughenour.(GO) (Entered: 11/13/2006)
11/20/2006	49	STIPULATION AND PROPOSED ORDER <i>MODIFYING DISCOVERY CUTOFF AND OTHER DATES</i> by parties. (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 11/20/2006)
11/27/2006	50	ORDER re 49 Stipulation filed by Virtumundo Inc., Adknowledge Inc., Scott Lynn, Discovery completed by 1/16/2007; Dispositive motions due by 1/22/2007; by Judge John C Coughenour. (GO) (Entered: 11/27/2006)
12/08/2006	51	ORDER granting in part and denying in part 30 Motion to Dismiss; Plaintiffs are GRANTED leave to amend their Complaint as to all invalid dismissed claims. by Judge John C Coughenour.(GO) (Entered: 12/08/2006)
12/15/2006	52	STIPULATION AND PROPOSED ORDER <i>MODIFYING CUTOFF FOR DISCOVERY MOTIONS</i> by parties. (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 12/15/2006)
12/18/2006	53	MOTION for Partial Summary Judgment by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. Noting Date 1/12/2007. (Attachments: # 1 Proposed Order)(Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	54	APPENDIX re 53 MOTION for Partial Summary Judgment by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	55	APPENDIX re 53 MOTION for Partial Summary Judgment by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	56	DECLARATION of Anthony Potts filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	57	DECLARATION of Bonnie Gordon filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert)

		(Entered: 12/18/2006)
12/18/2006	58	DECLARATION of Emily Abbey filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	59	DECLARATION of Jamila Gordon filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	60	DECLARATION of Jay Gordon filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	61	DECLARATION of Jonathan Gordon filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	62	DECLARATION of Russell Flye filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	63	DECLARATION of James S. Gordon, Jr. filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit B# 2 Exhibit C-1# 3 Exhibit C-2# 4 Exhibit C-3# 5 Exhibit C-4# 6 Exhibit C-5# 7 Exhibit C-6# 8 Exhibit D# 9 Exhibit E# 10 Exhibit F# 11 Exhibit G# 12 Exhibit H# 13 Exhibit I# 14 Exhibit J# 15 Exhibit K# 16 Exhibit L# 17 Exhibit M)(Siegel, Robert) (Entered: 12/18/2006)
12/18/2006	64	EXHIBIT A1-A15 re 63 Declaration, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Attachments: # 1 Exhibit A-2# 2 Exhibit A-3# 3 Exhibit A-4# 4 Exhibit A-5# 5 Exhibit A-6# 6 Exhibit A-7# 7 Exhibit A-8# 8 Exhibit A-9# 9 Exhibit A-10# 10 Exhibit A-11# 11 Exhibit A-12# 12 Exhibit A-13# 13 Exhibit A-14# 14 Exhibit A-15)(Siegel, Robert) Modified links on 12/19/2006 (ECS,). (Entered: 12/18/2006)
12/18/2006	65	EXHIBIT A16-A30 re 63 Declaration, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Attachments: # 1 Exhibit A-17# 2 Exhibit A-18# 3 Exhibit A-19# 4 Exhibit A-20# 5 Exhibit A-21# 6 Exhibit A-22# 7 Exhibit A-23# 8 Exhibit A-24# 9 Exhibit A-25# 10 Exhibit A-26# 11 Exhibit A-27# 12 Exhibit A-28# 13 Exhibit A-29# 14 Exhibit A-30)(Siegel, Robert) Modified links on 12/19/2006 (ECS,). (Entered: 12/18/2006)
12/18/2006	66	EXHIBIT A31-A47 re 63 Declaration, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Attachments: # 1 Exhibit A-32# 2 Exhibit A-33# 3 Exhibit A-34# 4 Exhibit A-35# 5 Exhibit A-36# 6 Exhibit A-37# 7 Exhibit A-38# 8 Exhibit A-39# 9 Exhibit A-40# 10 Exhibit A-41# 11 Exhibit A-42# 12 Exhibit A-43# 13 Exhibit A-44# 14 Exhibit A-45# 15 Exhibit A-46# 16 Exhibit A-47)(Siegel, Robert) Modified links on 12/19/2006 (ECS,). (Entered: 12/18/2006)
12/19/2006	67	ORDER re 52 Stipulation: Pls.' responses to Defs. due by 12/20/2006; Discovery completed and discovery motions filed by 12/22/2006; by Judge John C Coughenour. (GO) Modified text on 12/19/2006 (CL,). (Entered: 12/19/2006)

12/19/2006	68	MINUTE ORDER re Voluminous Documents by Judge John C Coughenour. (GO) (Entered: 12/19/2006)
12/21/2006	69	MOTION to Compel <i>Discovery</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 1/5/2007. (Attachments: # 1 Proposed Order Granting Motion to Compel)(Newman, Derek) (Entered: 12/21/2006)
12/21/2006	70	DECLARATION of Roger Townsend filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 69 MOTION to Compel <i>Discovery</i> (Attachments: # 1 Exhibit A1 - Lynns First Interrogatories to Gordon# 2 Exhibit A2 - Lynns First Interrogatories to Omni# 3 Exhibit B - Discovery Responses# 4 Exhibit C - Letter from Plaintiff re First Supp Discovery Respnses# 5 Exhibit D - Virtumundo's First set of Interrogatires and Requests for Production to Gordon# 6 Exhibit E - Plaintiff's Purported Email Analysis# 7 Exhibit F - Purported Legend re Email Analysis# 8 Exhibit G - Letter to Plaintiff's Counsel re "Meet and Confer"# 9 Exhibit H - Transcript of "Meet and Confer" at Deposition)(Newman, Derek) (Entered: 12/21/2006)
12/21/2006	71	MOTION to Compel <i>Segregation of Emails</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 1/5/2007. (Attachments: # 1 Proposed Order Granting Motion to Segregate Emails)(Newman, Derek) (Entered: 12/21/2006)
12/21/2006	72	DECLARATION of Derek A. Newman filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 71 MOTION to Compel <i>Segregation of Emails</i> (Attachments: # 1 Exhibit A - Transcript of "Meet and Confer")(Newman, Derek) (Entered: 12/21/2006)
12/21/2006	73	DECLARATION of Derek Linke filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 71 MOTION to Compel <i>Segregation of Emails</i> (Attachments: # 1 Exhibit A - Feb 2, 2006 Letter from Plaintiff's Counsel# 2 Exhibit B - Nov. 14, 2006 Letter from Plaintiff's Counsel# 3 Exhibit C - Gordon's Discovery Explanation# 4 Exhibit D - Nov. 29, 2006 Letter to Plaintiff's Counsel# 5 Exhibit E - Dec. 5, 2006 Email from Plaintiff's Counsel# 6 Exhibit F- Dec. 20, 2006 Letter from Plaintiffs' Counsel# 7 Exhibit G - Dec. 21, 2006 Letter to Plaintiffs' Counsel)(Newman, Derek) (Entered: 12/21/2006)
12/29/2006	74	PRAECIPE re 53 MOTION for Partial Summary Judgment <i>Corrected calculation of damages on pages 23-24 of Motion</i> by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. (Siegel, Robert) (Entered: 12/29/2006)
01/02/2007	75	RESPONSE, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC, to 69 MOTION to Compel <i>Discovery</i> . (Siegel, Robert) (Entered: 01/02/2007)
01/02/2007	76	DECLARATION of James S. Gordon, Jr. filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 69 MOTION to Compel <i>Discovery</i> (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C, part 1# 4 Exhibit C, part 2# 5 Exhibit D# 6 Exhibit E# 7 Exhibit F)(Siegel, Robert) (Entered: 01/02/2007)
01/02/2007	77	RESPONSE, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC, to 71 MOTION to Compel <i>Segregation of Emails</i> . (Siegel, Robert) (Entered: 01/02/2007)

01/02/2007	78	DECLARATION of James S. Gordon filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 71 MOTION to Compel <i>Segregation of Emails</i> (Siegel, Robert) (Entered: 01/02/2007)
01/02/2007	79	DECLARATION of Robert J. Siegel filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 71 MOTION to Compel <i>Segregation of Emails</i> (Attachments: # 1 Exhibit A# 2 Exhibit B)(Siegel, Robert) (Entered: 01/02/2007)
01/05/2007	80	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 69 MOTION to Compel <i>Discovery</i> (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 01/05/2007)
01/05/2007	81	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 71 MOTION to Compel <i>Segregation of Emails</i> (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 01/05/2007)
01/08/2007	82	RESPONSE, by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, to 53 MOTION for Partial Summary Judgment. (Attachments: # 1 Exhibit A - Objections to Evidence)(Newman, Derek) (Entered: 01/08/2007)
01/08/2007	83	DECLARATION of Michael Shopmaker filed by Defendant Virtumundo Inc re 53 MOTION for Partial Summary Judgment (Newman, Derek) (Entered: 01/08/2007)
01/08/2007	84	DECLARATION of Derek A. Newman filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 53 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit A - Email Exchange Between Counsel# 2 Exhibit B - Requests for admissions that Defendant Virtumundo propounded on Plaintiffs# 3 Exhibit C - Omni's Responses to Virtumundo's First Requests for Admission)(Newman, Derek) (Entered: 01/08/2007)
01/08/2007	85	APPLICATION by Defendant Virtumundo Inc AND ORDER admitting Michael R Geroe for Virtumundo Inc pro hac vice. Receipt # SEA6423. (cm-ecf application mailed) (CL,) (Entered: 01/09/2007)
01/11/2007	86	MOTION for Leave to File Under Seal a Motion to Compel Discovery by Defendants Virtumundo Inc, Adknowledge Inc. Noting Date 1/26/2007. (Attachments: # 1 Proposed Order Granting Leave to File Motion and Declaration Under Seal)(Newman, Derek) (Entered: 01/11/2007)
01/11/2007	87	SEALED MOTION TO COMPEL FURTHER TESTIMONY OF JAMES GORDON RE PRIOR SETTLEMENTS re 86 MOTION for Leave to File Under Seal a Motion to Compel Discovery by Defendants Virtumundo Inc, Adknowledge Inc. Noting Date 1/26/2007. (Attachments: # 1 Proposed Order Granting Motion to Compel Deposition Testimony from James Gordon re Prior Settlements)(Newman, Derek) Modified text on 5/15/2007 (CL,). (Unsealed as per Order, docket no. 121 . (Entered: 01/11/2007)
01/11/2007	88	SEALED DOCUMENT —. Declaration of Derek A. Newman in Support of Motion to Compel by Defendants Virtumundo Inc, Adknowledge Inc re 86 MOTION for Leave to File Under Seal a Motion to Compel Discovery. (Attachments: # 1 Exhibit A - Deposition Transcript Excerpt)(Newman, Derek) Modified text on 5/15/2007 (CL,). (Document unsealed per Order, docket no. 121 . (Entered: 01/11/2007)

01/12/2007	89	REPLY, filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC, TO RESPONSE to 53 MOTION for Partial Summary Judgment (Siegel, Robert) (Entered: 01/12/2007)
01/12/2007	90	DECLARATION of Robert J. Siegel filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 53 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit A)(Siegel, Robert) (Entered: 01/12/2007)
01/12/2007	91	MOTION to Seal <i>Reply in Support of Motion for Undertaking (Dkt. No. 92)</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 2/2/2007. (Attachments: # 1 Proposed Order Granting Leave to File Under Seal Defendants' Reply re Motion for Undertaking)(Newman, Derek) (Entered: 01/12/2007)
01/12/2007	92	SEALED DOCUMENT -- <i>Reply in Support of Motion for Undertaking</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 91 MOTION to Seal <i>Reply in Support of Motion for Undertaking (Dkt. No. 92)</i> . (Newman, Derek) Modified on 5/15/2007 (CL,). (Document unsealed per Order, docket no. 121 . (Entered: 01/12/2007)
01/12/2007	93	SEALED DOCUMENT -- <i>Declaration of Derek A. Newman re Reply in Support of Motion for Undertaking</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 91 MOTION to Seal <i>Reply in Support of Motion for Undertaking (Dkt. No. 92)</i> . (Attachments: # 1 Exhibit A - Gordon Deposition Transcript Excerpts)(Newman, Derek) Modified text on 5/15/2007 (CL,). (Unsealed as per Order, docket no. 121 . (Entered: 01/12/2007)
01/16/2007	94	SURREPLY filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC re 38 MOTION for Bond <i>for An Undertaking Pursuant to 15 U.S.C. Section 7706 (g)(4)</i> (Siegel, Robert) (Entered: 01/16/2007)
01/17/2007	95	NOTICE of Association of Attorney by Robert J. Siegel on behalf of Plaintiffs James S Gordon, Jr, Omni Innovations LLC (Siegel, Robert) (Entered: 01/17/2007)
01/22/2007	96	RESPONSE, by Plaintiff James S Gordon, Jr, to 87 SEALED MOTION TO COMPEL FURTHER TESTIMONY OF JAMES GORDON RE PRIOR SETTLEMENTS re 86 MOTION for Leave to File Under Seal a Motion to Compel Discovery. (Siegel, Robert) (Entered: 01/22/2007)
01/22/2007	97	MOTION for Leave to File <i>Overlength Brief in Support of Motion for Summary Judgment</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 1/22/2007. (Attachments: # 1 Proposed Order)(Newman, Derek) Modified duplicative text on 1/23/2007 (ECS,). (Entered: 01/22/2007)
01/22/2007	98	MOTION for Summary Judgment by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. Noting Date 2/16/2007.Oral Argument Requested. (Attachments: # 1 Proposed Order)(Newman, Derek) Modified duplicative text on 1/23/2007 (ECS,). (Entered: 01/22/2007)
01/22/2007	99	DECLARATION of Neal Krawetz, Ph.D. filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 98 MOTION for Summary Judgment (Newman, Derek) (Entered: 01/22/2007)

01/22/2007	100	DECLARATION of Michael Geroe filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 98 MOTION for Summary Judgment (Newman, Derek) (Entered: 01/22/2007)
01/22/2007	101	DECLARATION of Derek A. Newman filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 98 MOTION for Summary Judgment (Newman, Derek) (Entered: 01/22/2007)
01/23/2007	102	DECLARATION of Derek Linke filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 98 MOTION for Summary Judgment (Attachments: # 1 Exhibit A - Linke Log Part I# 2 Exhibit B - Linke Log Part II# 3 Exhibit C - Linke Log Part III# 4 Exhibit D - Linke Log Part IV# 5 Exhibit E - Linke Log Part V# 6 Exhibit F - Plaintiff Gordon's Answers and Responses to Defendant Adknowledge's First Interrogatories and Requests for Production of Documents to Gordon, pp. 1, 4# 7 Exhibit G - Plaintiff Omni's Answers and Responses to Defendant Virtumundo's First Interrogatories and Requests for Production of Documents to Omni, p. 1# 8 Exhibit H - Defendant Virtumundo, Inc.'s First Set of Interrogatories and Requests for Production to Plaintiff Omni Innovations, LLC# 9 Exhibit I - Plaintiff Omni's Answers and Responses to Defendant Virtumundo's First Interrogatories and Requests for Production of Documents to Omni, pp. 1, 4# 10 Exhibit J- Defendant Virtumundo, Inc.'s First Set of Interrogatories and Requests for Production to Plaintiff Gordon# 11 Exhibit K- Plaintiff Gordon's Answers and Responses to Defendant Virtumundo's First Interrogatories and Requests for Production of Documents to Gordon, pp. 1, 4# 12 Exhibit L - MSN website offering internet access service# 13 Exhibit M - EarthLink website offering internet access service# 14 Exhibit N - AOL website offering internet access service# 15 Exhibit O- Yahoo website offering internet access service)(Newman, Derek) (Entered: 01/23/2007)
01/26/2007	103	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 87 SEALED MOTION TO COMPEL FURTHER TESTIMONY OF JAMES GORDON RE PRIOR SETTLEMENTS re 86 MOTION for Leave to File Under Seal a Motion to Compel Discovery (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 01/26/2007)
02/12/2007	104	RESPONSE, by Plaintiff James S Gordon, Jr, to 98 MOTION for Summary Judgment. (Siegel, Robert) (Entered: 02/12/2007)
02/12/2007	105	DECLARATION of Peter W. Resinick filed by Plaintiff James S Gordon, Jr re 98 MOTION for Summary Judgment (Siegel, Robert) (Entered: 02/12/2007)
02/12/2007	106	Second DECLARATION of Robert J. Siegel filed by Plaintiff James S Gordon, Jr re 98 MOTION for Summary Judgment (Attachments: # 1)(Siegel, Robert) (Entered: 02/12/2007)
02/12/2007	107	Third DECLARATION of James S. Gordon, Jr. filed by Plaintiff James S Gordon, Jr re 98 MOTION for Summary Judgment (Attachments: # 1)(Siegel, Robert) (Entered: 02/12/2007)
02/16/2007	108	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 98 MOTION for Summary Judgment (Attachments: # 1 Certificate of Service)(Newman, Derek) (Entered: 02/16/2007)

02/16/2007	109	DECLARATION of Derek Linke filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 98 MOTION for Summary Judgment (Newman, Derek) (Entered: 02/16/2007)
02/21/2007	110	STIPULATION AND PROPOSED ORDER <i>Re Mediation Deadline</i> by parties. (Siegel, Robert) (Entered: 02/21/2007)
02/27/2007	111	MINUTE ORDER denying 110 Stipulation filed by James S Gordon, Jr; 39.1 mediation to be completed by 3/6/2007 by Judge John C Coughenour. (GO) (Entered: 02/27/2007)
03/12/2007	112	STIPULATION AND PROPOSED ORDER <i>For Trial Continuance</i> by parties. (Siegel, Robert) (Entered: 03/12/2007)
03/13/2007	113	REPORT from Mediator Philip E. Cutler regarding failure of mediation on March 5, 2007. (Cutler, Philip) (Entered: 03/13/2007)
03/15/2007	114	ORDER re 112 Stipulation filed by James S Gordon, Jr: Continuance Granted with modifications shown in this Order. (Jury Trial is set for 6/18/2007 at 09:30 AM in Courtroom 16206 before John C Coughenour.)Pretrial Order due by 6/7/2007, Trial briefs to be submitted by 6/14/2007, Proposed voir dire/jury instructions due by 6/14/2007 by Judge John C Coughenour. (GO) (Entered: 03/15/2007)
03/15/2007	115	CORRECTED ORDER re 114 Order continuing trial date and related deadlines, by Judge John C Coughenour. (CL,) (Entered: 03/15/2007)
03/15/2007	116	MOTION to Exclude <i>Testimony from Lately Disclosed Witnesses or to Compel Their Depositions</i> by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn. (Attachments: # 1 Proposed Order Excluding Witness Testimony or Compelling Their Depositions)Noting Date 3/30/2007.(Newman, Derek) (Entered: 03/15/2007)
03/15/2007	117	DECLARATION of Roger Townsend filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn re 116 MOTION to Exclude <i>Testimony from Lately Disclosed Witnesses or to Compel Their Depositions</i> (Attachments: # 1 Exhibit A - Letter Dated December 20, 2006 To Plaintiffs' Counsel From Defendants' Counsel# 2 Exhibit B - Email Communication Dated 12/27/2006# 3 Exhibit C - Email Communication Dated 12/28/2006# 4 Exhibit D - Email Communication Dated 2/21/2007# 5 Exhibit E - Letter Dated March 13, 2007 To Plaintiffs' Counsel From Defendants' Counsel# 6 Exhibit F- Email Communication Dated 3/14/2007)(Newman, Derek) (Entered: 03/15/2007)
03/26/2007	118	RESPONSE, by Plaintiff James S Gordon, Jr, to 116 MOTION to Exclude <i>Testimony from Lately Disclosed Witnesses or to Compel Their Depositions</i> . (Siegel, Robert) (Entered: 03/26/2007)
03/30/2007	119	REPLY, filed by Defendants Virtumundo Inc, Adknowledge Inc, Scott Lynn, TO RESPONSE to 116 MOTION to Exclude <i>Testimony from Lately Disclosed Witnesses or to Compel Their Depositions</i> (Attachments: # 1 Certificate of Service)(Townsend, Roger) (Entered: 03/30/2007)
04/13/2007	120	MOTION to Seal <i>Portions of Declaration of Derek A. Newman</i> by Plaintiff Omni Innovations LLC. Noting Date 5/4/2007.(Siegel, Robert) (Entered: 04/13/2007)

05/15/2007	121	ORDER by Judge John C Coughenour. The Court STRIKES AS MOOT 38 Motion for Bond; DENIES 53 Motion for Partial Summary Judgment; DENIES 86 Motion for Leave; STRIKES AS MOOT 87 Motion to Compel; DENIES 91 Motion to Seal; GRANTS 97 Motion for Leave to File; GRANTS 98 Motion for Summary Judgment; STRIKES AS MOOT 116 Motion to Exclude; STRIKES AS MOOT 69 Motion to Compel, STRIKES AS MOOT 71 Motion to Compel, DENIES 120 Motion to Seal. The June 18, 2007 trial date and all associated deadlines are STRICKEN.(CL,) Modified on 5/15/2007 (CL,). Modified text on 5/16/2007 (CL,). (Entered: 05/15/2007)
06/05/2007	122	JUDGMENT IN A CIVIL CASE/DECISION BY COURT. IT IS ORDERED AND ADJUDGED; Pursuant to the Court's May 15, 2007 Order docket no. 121 , summary judgment has been GRANTED to defendants. (CL,) (Entered: 06/06/2007)
06/14/2007	123	MOTION to Seal <i>And File Redacted Documents</i> by Plaintiff James S Gordon, Jr. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C(1)# 4 Exhibit C(2)# 5 Exhibit C(3)# 6 Exhibit # 7 Proposed Order)Noting Date 6/29/2007.(Siegel, Robert) (Entered: 06/14/2007)
06/15/2007	124	NOTICE OF APPEAL as to 122 Judgment by Court, 121 Order on Motion for Summary Judgment, filed by Plaintiffs James S Gordon, Jr, Omni Innovations LLC. Filing Fee \$455 (SA,) (Entered: 06/18/2007)
06/15/2007	125	Civil Appeals Docketing Statement, by Plaintiffs James S Gordon, Jr, Omni Innovations LLC, to be transmitted by Clerk to Circuit Court of Appeals. (SA,) (Entered: 06/18/2007)
06/15/2007	126	Appeal Fees received: fee in the amount of \$ 455.00 (receipt # SEA10097) re 124 Notice of Appeal filed by James S Gordon, Jr, Omni Innovations LLC (SA,) (Entered: 06/18/2007)