

CLOSED, CONSOLIDATED, MAG, NPROSE

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:96-cv-05238-JG-RLM**

Wal-Mart Stores, Inc, et al v. Visa USA, Inc., et al  
Assigned to: Judge John Gleeson  
Referred to: Magistrate Roanne L. Mann  
Demand: \$0

Date Filed: 08/01/2002  
Jury Demand: Plaintiff  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: Federal Question

Lead case: [1:96-cv-05238-JG-RLM](#) ([View Member Cases](#))

Related Cases: [1:05-cv-03925-JG-RLM](#)  
[1:03-cv-02334-JG-RLM](#)  
[1:05-cv-03924-JG-RLM](#)  
[1:05-cv-03800-JG-RLM](#)  
[1:05-cv-04131-JG-RLM](#)

Cause: 15:25 Clayton Act

**Movant**

**Lead Counsel Constantine &  
Partners**

represented by **Stacey Anne Mahoney**  
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**ATTORNEY TO BE NOTICED**

**Special Master**

**Robin Wilcox**

represented by **Robin M. Wilcox**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Wal-Mart Stores, Inc.**

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**LEAD ATTORNEY**

		cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Mahoney, Stacey) (Entered: 06/14/2005)
06/20/2005	<u>1165</u>	Letter from Plaintiff Class to Court Regarding Bennett v. Wal Mart Stores, Inc., Case No. 24139 (Tenn. Cir. Ct. filed Feb. 17, 2005) ("Bennett II"). (Attachments: # <u>1</u> )Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Kapoor, Ankur) (Entered: 06/20/2005)
06/20/2005	<u>1166</u>	Letter from John W. Rasmussen to Special Master Robin Wilcox Regarding response to Class Counsel's sur-reply. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Rasmussen, John) (Entered: 06/20/2005)
06/28/2005	<u>1167</u>	Letter from Lead Counsel to Court Regarding Proposal to Amend the Plan of Allocation. (Attachments: # <u>1</u> Exhibit A part 1 of 2# <u>2</u> Exhibit A Part 2 of 2# <u>3</u> Exhibit B# <u>4</u> Exhibit C)Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 06/28/2005)
06/28/2005	<u>1168</u>	Letter from Lead Counsel to Court Regarding Request for Interim Order Pending Court Decision on Proposal to Amend Plan of Allocation. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM (Peters, Michelle) (Entered: 06/28/2005)
06/29/2005	<u>1169</u>	ORDER re <u>1124</u> granting request of plaintiff class to withdraw its motion to enjoin Bennett II. Lead Counsel is directed to serve copies of this order to counsel for plaintiffs in Bennett II and Ratner. Ordered by Judge John Gleeson on June 29, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Gleeson, John) (Entered: 06/29/2005)
06/30/2005	<u>1170</u>	ORDER re Lead Counsel's requests to amend the Plan of Allocation. Lead Counsel is directed to respond to inquiries in this order by July 8, 2005. Ordered by Judge John Gleeson on June 30, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Gleeson, John) (Entered: 06/30/2005)

07/08/2005	<u>1171</u>	Letter from Lead Counsel to Court Regarding responding to questions raised in the Court's June 30, 2005 Order. (Attachments: # 1 Exhibit #1) Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM (Peters, Michelle) (Entered: 07/08/2005)
07/11/2005	<u>1172</u>	Letter from Lead Counsel to Court Regarding Confirming remittance of payment in full to Counsel for certain objectors. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 07/11/2005)
07/28/2005	<u>1173</u>	Letter from Lead Counsel to Court Regarding request for expedited order on application to modify Plan of Allocation. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 07/28/2005)
07/28/2005	<u>1174</u>	Letter from Stacey Anne Mahoney to Special Master Wilcox Regarding July 20, 2005 Report and Recommendation on attorneys' fee petition by counsel for Armenta's et al.. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Mahoney, Stacey) (Entered: 07/28/2005)
08/02/2005	<u>1175</u>	ORDER granting in part plaintiffs' request to amend Plan of Allocation. (See <u>1167</u> Letter and <u>1170</u> Order.) Lead Counsel is directed to file an Amended Plan of Allocation on or before August 16, 2005. Ordered by Judge John Gleeson on August 2, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Gleeson, John) (Entered: 08/02/2005)
08/02/2005	<u>1176</u>	AMENDED ORDER OF REFERRAL TO SPECIAL MASTER WILCOX including discretion to refer to the Special Master any disputes relating to the Plan of Allocation, subject to requests from Lead Counsel for direct review. Ordered by Judge John Gleeson on August 2, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM (Gleeson, John) (Entered: 08/02/2005)
08/16/2005	<u>1177</u>	AMENDED PLAN OF ALLOCATION by Lead Counsel Constantine &

		Partners. <i>Now Constantine Cannon, Amended Plan of Allocation.</i> Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM (Peters, Michelle) Modified to indicate title of amended document on 8/16/2005 (Lee, Tiffeny). (Entered: 08/16/2005)
08/19/2005	<u>1178</u>	NOTICE by Lead Counsel Constantine & Partners <i>Plaintiff Class's Objections to Declaration of J.W.Rasmussen, Armenta's et al. in support of attorneys' fees petition for Spanish language component</i> Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Mahoney, Stacey) (Entered: 08/19/2005)
08/23/2005	<u>1179</u>	Letter from Lead Counsel to Court Regarding Notification of Imminent Disbursement of Funds to Claims Administrator, The Garden City Group, Inc. for Administrative Expenses. (Attachments: # <u>1</u> Affidavit Affidavit of Andrew Sommer)Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 08/23/2005)
08/25/2005	<u>1180</u>	REPORT AND RECOMMENDATIONS of Special Master re <u>1117</u> MOTION for Attorney Fees filed by Armenta's Mexican Food, Inc., Lupita Llamas Martinez.. Recommending that the court deny on the ground of untimeliness, Applicant's Fee Petition to the extent that it seeks reimbursement for fees and expenses. Parties have ten business days, following service, to file objections to the Special Master's report and recommendation. (Ordered by Robin Wilcox, Special Master on 7/20/05) Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Piper, Francine) Modified on 8/25/2005 (Piper, Francine). (Entered: 08/25/2005)
08/25/2005	<u>1181</u>	REPORT AND RECOMMENDATIONS of Special Master re [1] Complaint - Miscellaneous filed by Visa U.S.A., Inc.. Recommending that the court approve Lead Counsel's proposed plan for Spanish-Language publication. The parties have ten business days, following service, to file objections to the Special Masters's report and recommendation. (Ordered by Robin Wilcox, Special Master on 7/25/05) Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Piper, Francine) (Entered: 08/25/2005)

08/29/2005	<u>1182</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS <u>1180</u> dated July 20, 2005. Special Master is directed to issue an R&R regarding the amount of fees and expenses due to Applicants withing 30 days and the portion of the Special Master's fee that was paid by Applicants shall not be reimbursed by the Class. Ordered by Judge John Gleeson on August 29, 2005. (Gleeson, John) (Entered: 08/29/2005)
08/29/2005	<u>1183</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS <u>1181</u> of Special Master dated July 25, 2005 regarding plan for Spanish language notice. Ordered by Judge John Gleeson on August 29, 2005. (Gleeson, John) (Entered: 08/29/2005)
08/29/2005	<u>1184</u>	RESPONSE in Support re <u>1117</u> MOTION for Attorney Fees <i>Reply in Support of Supplmental Declaration of John W. Rasmussen</i> filed by Lupita Llamas Martinez, Armenta's Mexican Food, Inc.. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Rasmussen, John) (Entered: 08/29/2005)
08/31/2005	<u>1185</u>	Letter dated 6/22/05 from Gordon Ball to Judge Gleeson, objecting to Mr. Kapoor's letter attempting to withdraw the pending motion. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Piper, Francine) (Entered: 08/31/2005)
08/31/2005	<u>1186</u>	MEMORANDUM AND OPINION denying <u>1135</u> motion to enjoin Ratner pursuant to the All Writs Act. The plaintiff class is directed to inform the Ohio state court of this decision. Ordered by Judge John Gleeson on August 31, 2005. (Gleeson, John) (Entered: 08/31/2005)
09/09/2005	<u>1187</u>	Unsigned Order to Show Cause by <i>Lead Counsel Constantine Cannon (formerly Constantine &amp; Partners)</i> by Lead Counsel Constantine & Partners. (Attachments: # <u>1</u> Affidavit Declaration of Lloyd Constantine# <u>2</u> Exhibit Exhibit A to Constantine Declaration# <u>3</u> Exhibit Exhibit B to Constantine Declaration# <u>4</u> Exhibit Exhibit C to Constantine Declaration# <u>5</u> Exhibit Exhibit D to Constantine Declaration# <u>6</u> Exhibit Exhibit E to Constantine Declaration# <u>7</u> Exhibit Exhibit F to Constantine Declaration# <u>8</u> Exhibit Exhibit G to Constantine Declaration# <u>9</u> Exhibit Exhibit H to Constantine Declaration# <u>10</u> Text of Proposed Order Proposed Order to Show Cause# <u>11</u> Affidavit Certificate of Service# <u>12</u> Affidavit Affidavit of Neil L. Zola)Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 09/09/2005)
09/09/2005	<u>1188</u>	Letter from Stacey Anne Mahoney to Special Master Wilcox Regarding Surreply to Supplemental Declaration of counsel for Armenta's et al..

		Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM (Mahoney, Stacey) (Entered: 09/09/2005)
09/12/2005	<u>1189</u>	ORDER referring Lead Counsel's application for an order to show cause why declaratory and injunctive relief should not be granted against Spectrum Recovery Settlement to Special Master Robin Wilcox. Ordered by Judge John Gleeson on September 12, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Gleeson, John) (Entered: 09/12/2005)
09/15/2005	<u>1190</u>	Letter from Wendy H. Schwartz to Judge Gleeson Regarding Spectrum Settlement Recovery, LLC. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5)Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Schwartz, Wendy) (Entered: 09/15/2005)
09/16/2005		ORDER Spectrum Settlement Recovery LLC's request for injunctive relief directed at lead counsel for the class, which is set forth in Ms. Schwartz's letter dated September 15, 2005, is denied. Ordered by Judge John Gleeson on September 16, 2005. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Gleeson, John) (Entered: 09/16/2005)
09/16/2005	<u>1191</u>	Letter from Jeffrey I. Shinder to Special Master Wilcox Regarding serving and posting of motion papers concerning Lead Counsel's motion for an Order to Show Cause. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Peters, Michelle) (Entered: 09/16/2005)
09/19/2005	<u>1192</u>	NOTICE of Appearance by Wendy H. Schwartz on behalf of Spectrum Settlement Recovery, LLC Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Schwartz, Wendy) (Entered: 09/19/2005)
09/21/2005	<u>1193</u>	Letter from John W. Davis to Hon. John Gleeson Regarding Fee Award to Class Members Rent Tech, Inc. and Rental Solutions, Inc.. Associated Cases: 1:96-cv-05238-JG-RLM,1:97-cv-01488-JG-RLM,1:97-cv-01542-JG-RLM,1:97-cv-02741-JG-RLM,1:97-cv-02799-JG-RLM,1:97-cv-

03000-JG-RLM,1:97-cv-03027-JG-RLM,1:97-cv-03409-JG-RLM,1:97-cv-03410-JG-RLM,1:97-cv-03605-JG-RLM(Davis, John) (Entered: 09/21/2005)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
09/22/2005 16:08:54			
<b>PACER Login:</b>	bg0044	<b>Client Code:</b>	8375-001
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:96-cv-05238-JG-RLM
<b>Billable Pages:</b>	30	<b>Cost:</b>	2.40