

**1:08-cv-00347-JTC** Hoyle v. Dimond et al

John T. Curtin, presiding

**Date filed:** 05/09/2008**Date of last filing:** 10/28/2011**History**

<b>Doc. No.</b>	<b>Dates</b>	<b>Description</b>
<a href="#">85</a>	<i>Filed &amp; Entered:</i> 10/28/2011	Order
	<i>Docket Text:</i> ORDER directing motions for summary judgment to be filed by 12/21/2011. Responses shall be filed by 1/23/2012; and replies, if desired, shall be filed by 2/6/2012. The court will then determine if oral argument is necessary. Signed by Hon. John T. Curtin on 10/27/2011. (JEC)	
	<i>Filed &amp; Entered:</i> 10/05/2011	Set/Reset Hearings
	<i>Docket Text:</i> Set/Reset Hearings: Conference set for 10/27/2011 11:00 AM before Hon. John T. Curtin. (JEC)	
<a href="#">84</a>	<i>Filed &amp; Entered:</i> 10/05/2011	Order on Sealed Motion
	<i>Docket Text:</i> ORDER granting in part and denying in part [81] Sealed Motion. Signed by Hon. John T. Curtin on 10/3/2011. A conference shall be held in chambers on 10/27/2011 at 11 a.m. (JEC)	
<a href="#">83</a>	<i>Filed &amp; Entered:</i> 08/25/2011	Response in Support of Motion
	<i>Docket Text:</i> RESPONSE in Support re [75] MOTION to Compel <i>and for partial vacatur of preliminary injunction</i> , [81] SEALED MOTION <i>as stated</i> filed by Eric E. Hoyle. (Attachments: # (1) Certificate of Service of Hoyle Affidavit)(Eaton, K. Wade)	
<a href="#">82</a>	<i>Filed &amp; Entered:</i> 08/12/2011	Declaration
	<i>Docket Text:</i> DECLARATION re [81] SEALED MOTION filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Exhibit Exhibit A, # (2) Exhibit Exhibit B, # (3) Exhibit Exhibit C, # (4) Exhibit Exhibit D.Part 1, # (5) Exhibit Exhibit D.Part 2, # (6) Exhibit Exhibit E, # (7) Certificate of Service)(Ritter, Charles)	
<a href="#">77</a>	<i>Filed &amp; Entered:</i> 07/28/2011	Letter
	<i>Docket Text:</i> Letter from Charles C. Ritter, Jr., Esq., dated 7/22/2011, to Hon. John T. Curtin requesting that Plaintiff's recently filed Motion to Compel be placed under seal. (A copy of Item 49 was attached to this Letter.) (JEC)	
<a href="#">78</a>	<i>Filed &amp; Entered:</i> 07/28/2011	Letter
	<i>Docket Text:</i> Letter from K. Wade Eaton, Esq., dated 7/25/2011, to Hon. John T. Curtin in response to [77] Letter of Charles J. Ritter, Jr., Esq. (JEC)	
<a href="#">79</a>	<i>Filed &amp; Entered:</i> 07/28/2011	Letter
	<i>Docket Text:</i> Letter from Elizabeth A. Kraengel, Esq., dated 7/26/2011, to Hon. John T. Curtin in response to [78] Letter of K. Wade Eaton, Esq. (Attachments: # (1) Transcript) (JEC)	
<a href="#">80</a>	<i>Filed &amp; Entered:</i> 07/28/2011	Order
	<i>Docket Text:</i> ORDER granting Defense Counsel's request to seal Item 75, Plaintiff's Motion to Compel. Therefore, the Clerk is directed to file Item 75 under seal. Defense Counsel shall file a response to Plaintiff's [75] Motion by 8/12/2011. Plaintiff may file a reply, if desired, by 8/22/2011 Signed by Hon. John T. Curtin on 7/27/2011. (JEC)	
76	<i>Filed:</i> 07/25/2011 <i>Entered:</i> 07/27/2011	Status Conference
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Status Telephone Conference held on 7/25/2011 Status telephone conference held with counsel. Defense counsel stated that her office is preparing a response to Plaintiff's [75] Motion to Compel. Plaintiff's counsel indicated that with respect to the documents it seeks relative to bylaws, Plaintiff's Counsel will accept a statement from Defense Counsel stating that there are no such further documents. Plaintiff's Counsel also seeks the amendment of the preliminary injunction, and Defense Counsel requested the scheduling of dispositive motions. The court stated that it will issue an order forthwith. Appearances: K. Wade Eaton for Plaintiff; Elizabeth Kraengel for Defendant. Court time: 2:00 - 2:30 p.m. (JEC)	
75	<i>Filed &amp; Entered:</i> 07/08/2011 <i>Terminated:</i> 07/29/2011	Motion to Compel
	<i>Docket Text:</i> DOCUMENT SEALED AND REFILED AS [81] SEALED DOCUMENT MOTION to Compel <i>and for partial vacatur of preliminary injunction</i> by Eric E. Hoyle. (Attachments: # (1) Affidavit of K. Wade Eaton, Esq. in support of motion, # (2) Exhibit A, # (3) Exhibit B, # (4) Exhibit C, # (5) Exhibit D, # (6) Exhibit E, # (7) Exhibit F, # (8) Certificate of Service)(Eaton, K. Wade)	

	Modified on 7/29/2011 (SG).	
<a href="#">81</a>	<i>Filed:</i> <i>Entered:</i> <i>Terminated:</i>	07/08/2011 07/29/2011 10/05/2011
	<i>Docket Text:</i> SEALED MOTION by Eric E. Hoyle.(SG)	
	<i>Filed &amp; Entered:</i>	06/23/2011
	Set/Reset Deadlines	
	<i>Docket Text:</i> Set/Reset Deadlines: Plaintiff's Motion to Compel due by 7/8/2011. (JEC)	
<a href="#">73</a>	<i>Filed &amp; Entered:</i>	06/23/2011
	Letter	
	<i>Docket Text:</i> Letter from K. Wade Eaton, Esq., dated 6/22/2011, to Hon. John T. Curtin requesting that the court amend the court's [72] Decision and Order, which directed that Plaintiff's Counsel shall file a Motion to Compel by 6/21/2011 if necessary, to direct that Plaintiff's Counsel shall file such motion by 7/8/2011 if necessary. (JEC)	
<a href="#">74</a>	<i>Filed &amp; Entered:</i>	06/23/2011
	Notice (Other)	
	<i>Docket Text:</i> TAKE NOTICE THAT Plaintiff's [73] Letter Request extending the time for Plaintiff's Counsel to file a Motion to Compel, if necessary, from 6/21/2011 until 7/8/2011 is granted. (JEC)	
	<i>Filed &amp; Entered:</i>	06/02/2011
	Set Deadlines/Hearings	
	<i>Docket Text:</i> Set Deadlines/Hearings: Telephone Conference set for 7/25/2011 02:00 PM before Hon. John T. Curtin. (SG)	
	<i>Filed &amp; Entered:</i>	06/01/2011
	E-Filing Notification	
	<i>Docket Text:</i> E-Filing Notification: [72] Docket entry modified on 6/1/2011, attaching amended Decision and Order with 7/25/2011 telephone conference date included. (JEC) (JEC)	
<a href="#">72</a>	<i>Filed &amp; Entered:</i>	06/01/2011
	Decision and Order	
	<i>Docket Text:</i> DECISION AND ORDER directing plaintiff's counsel to disclose the most recent volume of plaintiff's journal to defense counsel. The court declines to order disclosure of the earlier volumes. The court will conduct a telephone conference with counsel on 7/25/2011 at 2 p.m. to establish a further schedule for the filing of dispositive motions or to set a date for trial. Signed by Hon. John T. Curtin on 6/1/2011. (Modified on 6/1/2011, attaching amended Decision and Order with 7/25/2011 telephone conference date included) (JEC).	
<a href="#">71</a>	<i>Filed:</i> <i>Entered:</i>	05/18/2011 05/20/2011
	Status Conference	
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Status Conference held on 5/18/2011. Status telephone conference held with counsel. Counsel reported to the court that they were unable to settle their dispute regarding the production of all of plaintiff's journals. Defense counsel stated that the tax return issue has been resolved for the present. Plaintiff's counsel stated that he has requested certain documents but has not received them, and defense counsel said that he will look into this matter. The court directed plaintiff's counsel file a motion to compel within 20 days if defense counsel is unable to provide the documents to him. The court also stated that it will issue a decision with regard to production of the journals. Appearances: K. Wade Eaton for Plaintiff; Charles C. Ritter, Jr., for Defendant. Court time: 2:00 - 2:30 p.m. (JEC)	
<a href="#">70</a>	<i>Filed &amp; Entered:</i>	05/09/2011
	Letter	
	<i>Docket Text:</i> Letter from K. Wade Eaton, Esq., dated 5/5/2011, to Hon. John T. Curtin in response to [69] Letter of Charles C. Ritter, Jr. (JEC)	
<a href="#">69</a>	<i>Filed &amp; Entered:</i>	05/03/2011
	Letter	
	<i>Docket Text:</i> Letter from Charles C. Ritter, Jr., Esq., dated 4/29/2011, to Hon. John T. Curtin re production of Plaintiff's Journal. (JEC)	
<a href="#">68</a>	<i>Filed &amp; Entered:</i>	04/19/2011
	Order	
	<i>Docket Text:</i> ORDER directing plaintiff's counsel to provide the plaintiff's journal to the court for in camera review by 4/29/2011. It appears to the court at this time that defendants' request for plaintiff's full tax returns should be denied. The court will conduct a status telephone conference with counsel on 5/18/2011 at 2 p.m., at which time defense counsel may further explain their need for plaintiff's full tax return, and any other further outstanding discovery issues will be resolved. The court will also set a date for the completion of discovery. Signed by Hon. John T. Curtin on 4/18/2011. (JEC)	
<a href="#">67</a>	<i>Filed &amp; Entered:</i>	04/15/2011
	Declaration	
	<i>Docket Text:</i> DECLARATION signed by Charles C. Ritter, Jr. re [64] MOTION to Compel <i>Motion for Order Compelling Discovery</i> filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Ritter, Charles)	
<a href="#">66</a>	<i>Filed &amp; Entered:</i>	03/22/2011
	Declaration	

	<i>Docket Text:</i> DECLARATION signed by K. Wade Eaton, Esq. re [64] MOTION to Compel <i>Motion for Order Compelling Discovery</i> filed by Eric E. Hoyle filed by Eric E. Hoyle. (Attachments: # (1) Certificate of Service)(Eaton, K. Wade)
	<i>Filed &amp; Entered:</i> 03/03/2011 Set Deadlines/Hearings
	<i>Docket Text:</i> Set Deadlines/Hearings: re [64] Motion to Compel Responses due by 3/25/2011. Replies due by 4/15/2011. (SG)
65	<i>Filed &amp; Entered:</i> 03/02/2011 Notice (Other)
	<i>Docket Text:</i> TAKE NOTICE THAT Plaintiff's Counsel shall file a Response to Defendant's [64] MOTION to Compel on or before 3/25/2011. Defense counsel may file a Reply on or before 4/15/2011. The court will then consider the Motion submitted. The Telephone Conference currently scheduled for 3/28/2011 is canceled. (JEC)
64	<i>Filed &amp; Entered:</i> 03/01/2011 Motion to Compel
	<i>Terminated:</i> 06/01/2011
	<i>Docket Text:</i> MOTION to Compel <i>Motion for Order Compelling Discovery</i> by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Declaration of Charles C. Ritter, Jr., # (2) Exhibit A, # (3) Exhibit B, # (4) Exhibit C, # (5) Exhibit D, # (6) Exhibit E, # (7) Exhibit F, # (8) Exhibit G, # (9) Exhibit H, # (10) Exhibit I, # (11) Exhibit J, # (12) Certificate of Service)(Ritter, Charles)
	<i>Filed &amp; Entered:</i> 02/16/2011 Notice of Hearing
	<i>Docket Text:</i> NOTICE of Hearing: Status Telephone Conference set for 3/28/2011 at 2:30 p.m. before Hon. John T. Curtin, adjourned from 3/14/2011. The court will initiate the call.(JEC)
63	<i>Filed &amp; Entered:</i> 11/24/2010 Order
	<i>Docket Text:</i> ORDER dismissing Plaintiff's [50] Motion to Compel. Defendants will provide a written acknowledgment of its position that there are no responsive documents in existence re Plaintiff's request for documents relating to an agreement of defendants' obligation to return monetary or other assets upon plaintiff's departure. Additionally, the court directs plaintiff to provide a supplemental response to defendants' interrogatories as stated in the order within two weeks of the filing of this order. Discovery shall terminate on 3/14/2011. The court will conduct a telephone conference with counsel on 3/14/2011 at 2 p.m. to set a further schedule. Signed by Hon. John T. Curtin on 11/22/2010. (JEC)
	<i>Filed &amp; Entered:</i> 11/15/2010 Notice of Hearing
	<i>Docket Text:</i> NOTICE of Hearing: Status Telephone Conference set for 3/14/2011 at 2 p.m. before Hon. John T. Curtin. The court will initiate the call.(JEC)
62	<i>Filed &amp; Entered:</i> 11/15/2010 Status Conference
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Status Telephone Conference held on 11/15/2010 with counsel. Counsel jointly requested a four-month extension for the completion of discovery. Defense counsel stated that she has received most of the information sought in defendant's [55] Motion to Compel, with the exception of plaintiff's answers to interrogatories regarding plaintiff's religious beliefs, and plaintiff's tax returns from 2003 to 2008. Plaintiff's counsel stated that he will supply defense counsel with partial tax returns indicating the tax treatment of gifts, but he objects to answering interrogatories regarding plaintiff's religious beliefs as irrelevant. The court stated that perhaps the depositions will be helpful in this regard; however, it will review the record to determine if a further order is necessary. Plaintiff's counsel stated that he has received all of the documentation that he sought in his [50] motion, with the exception of any documents that defense counsel may have reflecting an agreement or acknowledgement of the defendants' obligation to return plaintiff's money upon his departure from the monastery. Defense counsel stated that there are no such responsive documents, and will provide a letter to that effect. The court approved the four-month extension and set a further status telephone conference for 3/14/2011 at 2 p.m. Appearances: K. Wade Eaton for Plaintiff; Elizabeth Crangle for Defendant. Court time: 2:00 - 2:20 p.m. (JEC)
61	<i>Filed &amp; Entered:</i> 11/12/2010 Letter
	<i>Docket Text:</i> Letter from Charles C. Ritter, Jr., Esq., dated 11/10/2010, to Hon. John T. Curtin re Motion to Compel. (JEC)
60	<i>Filed &amp; Entered:</i> 10/25/2010 Reply/Response
	<i>Docket Text:</i> REPLY/RESPONSE to re [59] Declaration filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery(a New York Not-for-Profit Corporation). (Attachments: # (1) Exhibit A, # (2) Exhibit B, # (3) Exhibit C, # (4) Certificate of Service)(Ritter, Charles)
	<i>Filed &amp; Entered:</i> 10/18/2010 E-Filing Notification No Proof Of Service
	<i>Docket Text:</i> E-Filing Notification: No proof of service. Action required: File proof of service [59] DECLARATION signed by K. Wade Eaton re [57] Order, Set Deadlines/Hearings,,,,, filed by Eric E. Hoyle , <i>Plaintiff</i> filed by Eric E. Hoyle. (Eaton, K. Wade) (SG)
59	<i>Filed &amp; Entered:</i> 10/15/2010 Declaration
	<i>Docket Text:</i> DECLARATION signed by K. Wade Eaton re [57] Order, Set Deadlines/Hearings,,,,, filed by Eric E. Hoyle , <i>Plaintiff</i> filed by Eric E. Hoyle. (Eaton, K. Wade)
58	<i>Filed &amp; Entered:</i> 10/13/2010 Letter

	<i>Docket Text:</i> Letter from K. Wade Eaton, Esq., dated 10/13/2010, to Hon. John T. Curtin in response to the court's [57] Order directing Plaintiff's Counsel to respond to the status of Plaintiff's [50] Motion to Compel. (JEC)	
<a href="#">57</a>	<i>Filed &amp; Entered:</i>	09/30/2010   Order
	<i>Docket Text:</i> ORDER directing Plaintiff's Counsel to promptly notify the court as to whether he intends to withdraw his [50] Motion to Compel or whether he seeks a Response to the Motion from Defense Counsel. Plaintiff is directed to file a Response to the Defendants' [55] Motion to Compel by 10/15/2010. Defendants may file a Reply, if desired, by 10/25/2010. Plaintiff's Counsel is directed to prepare and serve a privilege log as part of the response to the Motion to Compel for all documents which have been withheld on the basis of privilege in accordance with Fed. R. Civ. P. 26(b)(5)(A). The discovery deadline of 11/10/2010 may not be met. The court will conduct a Telephone Conference on 11/15/2010 (at 2 p.m.) as previously scheduled. Signed by Hon. John T. Curtin on 9/30/2010. (JEC) Modified on 10/13/2010 to include the directive relative to Plaintiff's [50] Motion to Compel (JEC).	
<a href="#">56</a>	<i>Filed &amp; Entered:</i>	08/20/2010   Notice of Appearance
	<i>Docket Text:</i> NOTICE of Appearance by Elizabeth A. Kraengel on behalf of all defendants (Attachments: # (1) Certificate of Service)(Kraengel, Elizabeth)	
<a href="#">55</a>	<i>Filed &amp; Entered:</i>	08/19/2010   Motion to Compel
	<i>Terminated:</i>	12/20/2010
	<i>Docket Text:</i> MOTION to Compel <i>Motion for Order Compelling Discovery</i> by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Declaration, # (2) Exhibit A to Declaration, # (3) Exhibit B to Declaration, # (4) Exhibit C to Declaration, # (5) Exhibit D to Declaration, # (6) Exhibit E to Declaration, # (7) Exhibit F to Declaration, # (8) Certificate of Service)(Ritter, Charles)	
<a href="#">54</a>	<i>Filed &amp; Entered:</i>	06/25/2010   RICO Statement
	<i>Docket Text:</i> RICO STATEMENT <i>re Amended Complaint</i> by Eric E. Hoyle. (Attachments: # (1) Certificate of Service of RICO Case Statement)(Eaton, K. Wade)	
<a href="#">53</a>	<i>Filed &amp; Entered:</i>	05/20/2010   Stipulation
	<i>Docket Text:</i> STIPULATION <i>Substitution of Counsel</i> by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Ritter, Charles)	
51	<i>Filed &amp; Entered:</i>	05/10/2010   Notice (Other)
	<i>Docket Text:</i> NOTICE OF STATUS TELEPHONE CONFERENCE HELD: Status Telephone Conference held with counsel on 5/10/2010. Plaintiff's counsel stated that defense counsel has agreed to provide him with the documents he has requested in his Motion to Compel within 30 days. Defense counsel indicated that she may file a Cross-Motion to Compel. Both counsel request a six-month extension of time for the completion of discovery, and they request that the court refer this matter to a Magistrate Judge for the completion of discovery. Appearances. K. Wade Eaton for Plaintiff; Lisa Coppola for Defendant. Time: 11:00 - 11:15 a.m. (JEC)	
52	<i>Filed &amp; Entered:</i>	05/10/2010   Text Order
	<i>Docket Text:</i> TEXT ORDER: A telephone conference was held with counsel for the parties on May 10, 2010. At this time, the court declines to refer the case to a Magistrate Judge for supervision of discovery. The deadline for completion of discovery is extended until November 10, 2010. Additionally, plaintiff has filed a motion to compel, and defendants have indicated that they expect to be able to provide the requested documents within 30 days. Plaintiff has advised the court that he shall withdraw the motion if and when he receives the requested documents. A telephone conference will be conducted on 11/15/2010 at 2 p.m. to set a further schedule. Signed by Hon. John T. Curtin on 5/10/2010. (JEC)	
<a href="#">50</a>	<i>Filed &amp; Entered:</i>	05/06/2010   Motion to Compel
	<i>Terminated:</i>	11/24/2010
	<i>Docket Text:</i> MOTION to Compel <i>Production of Documents</i> by Eric E. Hoyle. (Attachments: # (1) Affidavit in Support of Motion to Compel, # (2) Exhibit A to Eaton Declaration, # (3) Exhibit B to Eaton Declaration, # (4) Exhibit C to Eaton Declaration, # (5) Exhibit D to Eaton Declaration, # (6) Exhibit E to Eaton Declaration, # (7) Exhibit F to Eaton Declaration, # (8) Memorandum in Support of Motion to Compel, # (9) Certificate of Service)(Eaton, K. Wade)	
<a href="#">49</a>	<i>Filed:</i>	02/11/2010   Stipulation and Order
	<i>Entered:</i>	02/12/2010
	<i>Docket Text:</i> AMENDED FIRST STIPULATION AND ORDER OF CONFIDENTIALITY. Signed by Hon. John T. Curtin on 2/8/10. (SG)	
	<i>Filed &amp; Entered:</i>	11/04/2009   Notice of Hearing
	<i>Docket Text:</i> NOTICE of Hearing: Status Telephone Conference set for 5/10/2010 at 10:45 a.m. before Hon. John T. Curtin, adjourned from 11/9/2009. The court will initiate the call.(JEC)	
<a href="#">47</a>	<i>Filed &amp; Entered:</i>	11/04/2009   Order

	<i>Docket Text:</i> ORDER extending the completion of all discovery for six months (until 5/3/2010). Signed by Hon. John T. Curtin on 11/3/2009. (JEC)	
<a href="#">48</a>	<i>Filed:</i> <i>Entered:</i>	11/02/2009 11/04/2009
	Stipulation and Order	
	<i>Docket Text:</i> STIPULATION AND ORDER of CONFIDENTIALITY. Signed by Hon. John T. Curtin on 10/26/09. (SG)	
<a href="#">46</a>	<i>Filed &amp; Entered:</i>	05/13/2009
	Order	
	<i>Docket Text:</i> ORDER directing that Discovery be completed by 11/1/2009 and setting Status Telephone Conference for 11/9/2009 at 10:30 a.m. before Hon. John T. Curtin.(JEC)	
<a href="#">45</a>	<i>Filed:</i> <i>Entered:</i>	05/11/2009 05/12/2009
	Status Conference	
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Status Telephone Conference held on 5/11/2009 with counsel. The court directed counsel to complete discovery by 11/1/2009, and set a further telephone conference with counsel on 11/9/2009 at 10:30 a.m. Order to follow. Appearances: K. Wade Eaton for Plaintiff; Lisa Coppola for Defendant. Court time: 10:45 - 11:00 a.m. (JEC)	
<a href="#">44</a>	<i>Filed &amp; Entered:</i>	04/09/2009
	Answer to Counterclaim	
	<i>Docket Text:</i> Plaintiff's Reply or ANSWER to [43] Answer to Amended Complaint, Counterclaim against Counterclaim Defendant by Eric E. Hoyle. (Attachments: # (1) Certificate of Service of Plaintiff's Reply to Counterclaims)(Eaton, K. Wade)	
<a href="#">43</a>	<i>Filed &amp; Entered:</i>	03/20/2009
	Answer to Amended Complaint	
	<i>Docket Text:</i> ANSWER to [42] Amended Complaint, COUNTERCLAIM against Eric E. Hoyle by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Coppola, Lisa)	
<a href="#">42</a>	<i>Filed &amp; Entered:</i>	03/10/2009
	Amended Complaint	
	<i>Docket Text:</i> AMENDED COMPLAINT against all defendants, filed by Eric E. Hoyle. (Attachments: # (1) Exhibit A to Amended Complaint, # (2) Certificate of Service)(Eaton, K. Wade)	
<a href="#">41</a>	<i>Filed &amp; Entered:</i>	03/09/2009
	Memorandum & Opinion	
	<i>Docket Text:</i> MEMORANDUM AND OPINION denying [6] Defendants' Motion to Dismiss, granting [20] Plaintiff's Motion to amend the Complaint, denying both [34] Defendant's Motion for Contempt and Plaintiff's [40] Motion for Sanctions. Plaintiff shall file his Amended Complaint by 3/27/2009, and Defense Counsel shall answer accordingly. A Scheduling Telephone Conference will then be held on 5/11/2009 at 11:15 a.m. The court will initiate the call. Signed by Hon. John T. Curtin on 3/5/2009. (JEC)	
<a href="#">40</a>	<i>Filed &amp; Entered:</i> <i>Terminated:</i>	12/05/2008 03/09/2009
	Motion for Sanctions	
	<i>Docket Text:</i> MOTION for Sanctions under Rule 11 by Eric E. Hoyle. (Attachments: # (1) Affidavit in support of motion, # (2) Memorandum in Support, # (3) Certificate of Service)(Eaton, K. Wade)	
<a href="#">39</a>	<i>Filed &amp; Entered:</i>	10/29/2008
	Reply to Response to Motion	
	<i>Docket Text:</i> REPLY to Response to Motion re [34] MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Coppola, Lisa)	
	<i>Filed &amp; Entered:</i>	10/16/2008
	E-Filing Notification	
	<i>Docket Text:</i> E-Filing Notification: the document is not in compliance with the signature requirements, no "s/" conformed signature; document to be refiled [38] MEMORANDUM in Opposition filed by Eric E. Hoyle. (Eaton, K. Wade) (SG)	
<a href="#">38</a>	<i>Filed &amp; Entered:</i>	10/16/2008
	Memorandum in Opposition to Motion	
	<i>Docket Text:</i> MEMORANDUM in Opposition re [34] MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, signed and with Certificate of Service, filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">37</a>	<i>Filed &amp; Entered:</i>	10/15/2008
	Memorandum in Opposition to Motion	
	<i>Docket Text:</i> MEMORANDUM in Opposition re [34] MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, with Certificate of Service filed by Eric E. Hoyle. (Eaton, K. Wade)	

	<i>Filed &amp; Entered:</i>	09/24/2008	Set/Reset Deadlines
	<i>Docket Text:</i> Set/Reset Deadlines: Responses due by 10/15/2008; Replies due by 10/29/2008. (JEC)		
36	<i>Filed &amp; Entered:</i>	09/24/2008	Notice (Other)
	<i>Docket Text:</i> NOTICE re [34] MOTION Contempt - violation of injunction order, etc. Plaintiff's Counsel is directed to file a Response to Defendant's Motion on or before 10/15/2008. If Defense Counsel desires, a Reply may be filed by 10/29/2008. The court will then consider the Motion submitted or set a date for Oral Argument. (JEC)		
34	<i>Filed &amp; Entered:</i>	09/12/2008	Motion for Miscellaneous Relief
	<i>Terminated:</i>	03/09/2009	
	<i>Docket Text:</i> MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Exhibit A to Motion for Contempt, # (2) Memorandum in Support, # (3) Certificate of Service)(Coppola, Lisa)		
35	<i>Filed &amp; Entered:</i>	09/12/2008	Continuation of Exhibits
	<i>Docket Text:</i> CONTINUATION OF EXHIBITS by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. to [34] MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, MOTION Contempt - violation of injunction order (Dkt. 23) re [23] Order on Motion for Preliminary Injunction,, Order on Motion for TRO,, Order on Motion for Permanent Injunction,, Order on Motion to Expedite, <i>Continuation of Exhibit A to Motion for Contempt</i> filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Coppola, Lisa)		
33	<i>Filed &amp; Entered:</i>	08/26/2008	Certificate of Service
	<i>Docket Text:</i> CERTIFICATE OF SERVICE by Eric E. Hoyle re [30] Affidavit <i>Report of Compliance</i> (Eaton, K. Wade)		
32	<i>Filed:</i>	08/18/2008	Motion Hearing
	<i>Entered:</i>	08/21/2008	
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Motion Hearing held on 8/18/2008 re [6] MOTION to Dismiss filed by Most Holy Family Monastery, Frederick Dimond, Robert Dimond; and [20] MOTION to Amend/Correct Complaint filed by Eric E. Hoyle. Decision reserved. Appearances: K. Wade Eaton for Plaintiff; Lisa Coppola for Defendants. Court time: 12:00 - 12:40 p.m. (JEC)		
31	<i>Filed &amp; Entered:</i>	08/15/2008	Reply to Response to Motion
	<i>Docket Text:</i> REPLY to Response to Motion re [6] MOTION to Dismiss filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Exhibit A (Part 1 of 3), # (2) Exhibit A (Part 2 of 3), # (3) Exhibit A (Part 3 of 3), # (4) Certificate of Service to Reply Memorandum of Law)(Coppola, Lisa)		
	<i>Filed &amp; Entered:</i>	08/11/2008	E-Filing Notification
	<i>Docket Text:</i> No Proof of Service provided re [30] AFFIDAVIT re [24] Order, Set Deadlines/Hearings <i>Report of Compliance with Order issued July 23, 2008</i> ; by Eric E. Hoyle filed by Eric E. Hoyle. (Eaton, K. Wade) (SG)		
30	<i>Filed &amp; Entered:</i>	08/08/2008	Affidavit
	<i>Docket Text:</i> AFFIDAVIT re [24] Order, Set Deadlines/Hearings <i>Report of Compliance with Order issued July 23, 2008</i> ; by Eric E. Hoyle filed by Eric E. Hoyle. (Eaton, K. Wade)		
27	<i>Filed &amp; Entered:</i>	08/06/2008	Order
	<i>Docket Text:</i> ORDER granting Defense Counsel's request to file Reply Papers by 8/15/2008. Signed by Hon. John T. Curtin on 8/5/2008. (JEC)		
28	<i>Filed &amp; Entered:</i>	08/06/2008	Letter
	<i>Docket Text:</i> Letter from K. Wade Eaton, Esq., dated 8/5/2008, to Hon. John T. Curtin re request of Defense Counsel to file Reply Papers, and similar request to file Reply Papers. (JEC)		
29	<i>Filed &amp; Entered:</i>	08/06/2008	Text Order
	<i>Docket Text:</i> TEXT ORDER: Pursuant to the Letter of K. Wade Eaton of 8/5/2008 (Item 28), Plaintiff's Counsel is similarly granted an opportunity to file Reply Papers by 8/15/2008. Signed by Hon. John T. Curtin on 8/5/2008. (JEC)		
25	<i>Filed &amp; Entered:</i>	07/31/2008	Response in Opposition to Motion
	<i>Docket Text:</i> RESPONSE in Opposition re [20] MOTION to Amend/Correct <i>Complaint</i> filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Memorandum in Support of affirmation in opposition, # (2) Certificate of Service)(Coppola, Lisa)		
26	<i>Filed &amp; Entered:</i>	07/31/2008	Memorandum in Opposition to Motion

	<i>Docket Text:</i> MEMORANDUM in Opposition re [6] MOTION to Dismiss <i>with Certificate of Service</i> filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">24</a>	<i>Filed &amp; Entered:</i> 07/30/2008	Order
	<i>Docket Text:</i> ORDER extending the time for full compliance with the Court's Order [23] until 8/8/2008. Signed by Hon. John T. Curtin on 7/30/2008. (JEC)	
	<i>Filed &amp; Entered:</i> 07/23/2008	Set/Reset Deadlines
	<i>Docket Text:</i> Set/Reset Deadlines: Responses due by 7/31/2008, Report due by 8/2/2008, Motion Hearing set for 8/18/2008 11:00 a.m. before Hon. John T. Curtin. (JEC)	
<a href="#">23</a>	<i>Filed &amp; Entered:</i> 07/23/2008	Order on Motion for Preliminary Injunction
	<i>Docket Text:</i> ORDER granting Motion for Preliminary Injunction with conditions detailed in this Order. Plaintiff shall report to the court that he has complied with these conditions within 20 days. Plaintiff shall also immediately cease and desist from engaging in any communication as set forth in this Order. The parties are directed to file responses to the Motions pending by 7/31/2008, and Oral Argument shall be held on 8/18/2008 at 11 a.m. Signed by Hon. John T. Curtin on 7/21/2008. (JEC)	
	<i>Filed &amp; Entered:</i> 07/18/2008	Notice of Hearing
	<i>Docket Text:</i> NOTICE of Hearing: Pretrial Conference set for 8/11/2008 at 11:00 a.m. before Hon. John T. Curtin re pending motions.(JEC)	
	<i>Filed &amp; Entered:</i> 07/18/2008	Notice of Hearing
	<i>Docket Text:</i> NOTICE of Hearing: Pretrial Conference set for 8/18/2008 at 11:00 a.m. before Hon. John T. Curtin re pending motions. Please disregard previous notice, where incorrect date was listed.(JEC)	
	<i>Filed &amp; Entered:</i> 07/18/2008	E-Filing Notification
	<i>Docket Text:</i> E-Filing Notification: PLEASE NOTE CORRECTION IN MINUTE ENTRY [22]: (The Court directed Plaintiff's Counsel to file a Response to Defendants' Motion to Dismiss, and not a Reply to Plaintiff's Motion to Amend) (JEC). (JEC)	
<a href="#">22</a>	<i>Filed:</i> 07/17/2008 <i>Entered:</i> 07/18/2008	Motion Hearing
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Motion Hearing held on 7/17/2008 on Defendants' Motion for Temporary Restraining Order, Permanent Injunction, and Motion to Expedite. The court gave Defense Counsel two weeks to file a Response to Plaintiff's Motion to Amend the Complaint, and also gave Plaintiff's Counsel two weeks to file a Response to Defendants' Motion to Dismiss. Appearances: K. Wade Eaton for Plaintiff; Lisa Coppola for Defendants. Court time: 10:45 - 11:30 a.m. (Court Reporter Electronic Court Recording.) (JEC) Modified on 7/18/2008 to indicate that the court directed Plaintiff's Counsel to file a Response to Defendants' Motion to Dismiss, and not a Reply to Plaintiff's Motion to Amend (JEC).	
<a href="#">20</a>	<i>Filed &amp; Entered:</i> 07/16/2008 <i>Terminated:</i> 03/09/2009	Motion to Amend/Correct
	<i>Docket Text:</i> MOTION to Amend/Correct <i>Complaint</i> by Eric E. Hoyle. (Attachments: # (1) Affidavit in support of motion to amend, # (2) Exhibit A to Eaton Declaration, # (3) Exhibit A to proposed Amended Complaint)(Eaton, K. Wade)	
<a href="#">21</a>	<i>Filed &amp; Entered:</i> 07/16/2008	Memorandum in Support
	<i>Docket Text:</i> MEMORANDUM IN SUPPORT re [20] MOTION to Amend/Correct <i>Complaint</i> by Eric E. Hoyle. (Attachments: # (1) Appendix A, # (2) Certificate of Service of Motion, Declaration of K. Wade Eaton, Esq. and Memorandum of Law)(Eaton, K. Wade)	
	<i>Filed &amp; Entered:</i> 07/08/2008	Notice of Hearing on Motion
	<i>Docket Text:</i> NOTICE of Hearing on Motion: ORAL ARGUMENT ON [7] MOTION for Preliminary Injunction, for Temporary Restraining Order, and for Permanent Injunction shall be held on 7/17/2008 at 10:45 a.m. before Hon. John T. Curtin. (JEC)	
<a href="#">18</a>	<i>Filed &amp; Entered:</i> 07/07/2008	Reply/Response
	<i>Docket Text:</i> REPLY/RESPONSE to re [7] MOTION for Preliminary Injunction MOTION for Temporary Restraining Order MOTION for Permanent Injunction filed by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Exhibit Proposed Order)(Coppola, Lisa)	
<a href="#">19</a>	<i>Filed &amp; Entered:</i> 07/07/2008	Certificate of Service
	<i>Docket Text:</i> CERTIFICATE OF SERVICE by Frederick Dimond, Robert Dimond, Most Holy Family Monastery re [18] Reply/Response, (Coppola, Lisa)	
<a href="#">17</a>	<i>Filed &amp; Entered:</i> 07/02/2008	Declaration
	<i>Docket Text:</i> DECLARATION re [16] Declaration, filed by Eric E. Hoyle [ <i>revised Exhibit A to Declaration</i> ] filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">16</a>	<i>Filed &amp; Entered:</i> 07/01/2008	Declaration

	<i>Docket Text:</i> DECLARATION re [7] MOTION for Preliminary Injunction MOTION for Temporary Restraining Order MOTION for Permanent Injunction filed by Eric E. Hoyle filed by Eric E. Hoyle. (Attachments: # (1) Exhibit A Proposed Order, # (2) Exhibit B Coppola letter of June 10, 2008, # (3) Certificate of Service)(Eaton, K. Wade)	
<a href="#">15</a>	<i>Filed &amp; Entered:</i>	06/30/2008 Reply/Response
	<i>Docket Text:</i> REPLY/RESPONSE to re [5] Answer to Complaint, Counterclaim <i>and Certificate of Service</i> , filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">13</a>	<i>Filed &amp; Entered:</i>	06/23/2008 Letter
	<i>Docket Text:</i> E-Mail Letter from K. Wade Eaton, Esq., dated 6/23/2008, to Hon. John T. Curtin re extension of time. (JEC)	
<a href="#">14</a>	<i>Filed &amp; Entered:</i>	06/23/2008 Order
	<i>Docket Text:</i> ORDER granting the request of K. Wade Eaton, Esq., for an extension of time to respond to Defense Counsel's Motions [7 & 8] until 7/1/2008. Defense Counsel may file a Reply by 7/15/2008. The court will then consider the Motions submitted or set a date for Oral Argument. Signed by Hon. John T. Curtin on 6/23/2008. (JEC)	
<a href="#">9</a>	<i>Filed &amp; Entered:</i>	06/12/2008 Corporate Disclosure Statement
	<i>Docket Text:</i> Corporate Disclosure Statement by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Coppola, Lisa)	
<a href="#">12</a>	<i>Filed &amp; Entered:</i>	06/12/2008 Text Order
	<i>Docket Text:</i> TEXT ORDER re [7 & 8] DEFENDANTS' MOTIONS FOR EXPEDITED RELIEF. Plaintiff's Counsel is directed to file a Response to Defense Counsel's Motions for Expedited Relief (Items 7 and 8) by 6/24/2008, and shall also file a Motion for Constructive Trust Fund by 6/24/2008. Defense Counsel shall then file a Reply to the Motions for Expedited Relief and a Response to the Motion for Constructive Trust Fund by 7/8/2008. The court will then set a further schedule. Signed by Hon. John T. Curtin on 6/10/2008. (JEC)	
<a href="#">11</a>	<i>Filed:</i>	06/11/2008 Scheduling Conference
	<i>Entered:</i>	06/12/2008
	<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Scheduling Telephone Conference held on 6/11/2008 with Counsel. The court directed Plaintiff's Counsel to file a Response to Defense Counsel's Motions for expedited relief (Items 7 and 8) by 6/24/2008, and also file a Motion for Constructive Trust Fund by 6/24/2008; Defense Counsel shall then file a Reply to Motions for expedited relief and a Response to Motion for Constructive Trust Fund by 7/8/2008. The court will then set a further schedule. Text Order to follow. Appearances: K. Wade Eaton for Plaintiff; Stephanie Elliott for Defendants. Court time: 11:00 - 11:30 a.m. (JEC)	
	<i>Filed &amp; Entered:</i>	06/10/2008 E-Filing Notification
	<i>Docket Text:</i> PLEASE DISREGARD THIS E-Filing Notification (entered by mistake on this case): [7] MOTION for Preliminary Injunction MOTION for Temporary Restraining Order MOTION for Permanent Injunction, <i>Motion do not have a complete signature block and the complete document must be re-filed. Modified on 6/10/2008 (DLC).</i>	
	<i>Filed &amp; Entered:</i>	06/10/2008 E-Filing Notification
	<i>Docket Text:</i> PLEASE DISREGARD THIS E-Filing Notification (entered by mistake on this case): [7] MOTION for Preliminary Injunction MOTION for Temporary Restraining Order MOTION for Permanent Injunction, <i>Motion do not have a complete signature block and the complete document must be re-filed. Modified on 6/10/2008 (DLC).</i>	
<a href="#">5</a>	<i>Filed &amp; Entered:</i>	06/09/2008 Answer to Complaint
	<i>Docket Text:</i> ANSWER to [1] Complaint, COUNTERCLAIM against Frederick Dimond, Robert Dimond, Most Holy Family Monastery by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Coppola, Lisa)	
<a href="#">6</a>	<i>Filed &amp; Entered:</i>	06/09/2008 Motion to Dismiss
	<i>Terminated:</i>	03/09/2009
	<i>Docket Text:</i> MOTION to Dismiss by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Memorandum in Support, # (2) Certificate of Service)(Coppola, Lisa)	
<a href="#">7</a>	<i>Filed &amp; Entered:</i>	06/09/2008 Motion for Preliminary Injunction
	<i>Terminated:</i>	07/23/2008
	<i>Docket Text:</i> MOTION for Preliminary Injunction, MOTION for Temporary Restraining Order, MOTION for Permanent Injunction by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Affidavit Frederick Dimond, # (2) Exhibit A to Dimond Aff, # (3) Exhibit B to Dimond Aff, # (4) Exhibit C (part 1) Dimond Aff, # (5) Exhibit C (part 2) Dimond Aff, # (6) Exhibit D Dimond Aff, # (7) Exhibit E Dimond Aff, # (8) Exhibit F Dimond Aff, # (9) Memorandum in Support, # (10) Affidavit Gary Craft, # (11) Affidavit Gary Muehlbauer, # (12) Affidavit Keith McKay, # (13) Affidavit Peter de Niese, # (14) Affidavit Stephen Hand, # (15) Affidavit Steven Margala, # (16) Witness & Exhibit List, # (17) Text of Proposed Order Proposed Order, # (18)	



	Certificate of Service)(Coppola, Lisa)	
<a href="#">8</a>	<i>Filed &amp; Entered:</i>	06/09/2008
	<i>Terminated:</i>	07/23/2008
<i>Docket Text:</i> MOTION to Expedite by Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (Attachments: # (1) Certificate of Service)(Coppola, Lisa)		
10	<i>Filed:</i>	06/09/2008
	<i>Entered:</i>	06/12/2008
<i>Docket Text:</i> Minute Entry for proceedings held before Hon. John T. Curtin: Telephone Conference/Meeting held on 6/9/2008 with counsel relative to Defendants' Motion for Preliminary Injunction, etc. Plaintiff's counsel reported to the court that he had not yet received the motion papers electronically. The court directed counsel to confer after receipt of the papers. The court set a further Telephone Conference for 6/12/2008 at 11:00 a.m. Appearances: K. Wade Eaton for Plaintiff; Lisa Coppola for Defendants. (JEC)		
<a href="#">4</a>	<i>Filed &amp; Entered:</i>	06/02/2008
	<i>Docket Text:</i> AFFIDAVIT of Service for Summons and Complaint <i>on Most Holy Family Monastery</i> served on Secretary of State on May 16, 2008, filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">2</a>	<i>Filed &amp; Entered:</i>	05/21/2008
	<i>Docket Text:</i> AFFIDAVIT of Service for Summons and Complaint <i>by Geoffrey K. Resnick</i> served on Frederick Dimond on May 20, 2008, filed by Eric E. Hoyle. (Eaton, K. Wade)	
<a href="#">3</a>	<i>Filed &amp; Entered:</i>	05/21/2008
	<i>Docket Text:</i> AFFIDAVIT of Service for Summons and Complaint <i>by Geoffrey K. Resnick</i> served on Robert Dimond on May 20, 2008, filed by Eric E. Hoyle. (Eaton, K. Wade)	
	<i>Filed:</i>	05/09/2008
	<i>Entered:</i>	05/14/2008
<i>Docket Text:</i> Complaint could not be entered, document is not in compliance with Administrative Guidelines, document is not in pdf format. Awaiting new disk from attorney. (SG)		
	<i>Filed:</i>	05/09/2008
	<i>Entered:</i>	05/19/2008
<i>Docket Text:</i> Summons Issued as to Frederick Dimond, Robert Dimond, Most Holy Family Monastery. (SG)		
<a href="#">1</a>	<i>Filed:</i>	05/09/2008
	<i>Entered:</i>	05/19/2008
<i>Docket Text:</i> COMPLAINT against Frederick Dimond, Robert Dimond, Most Holy Family Monastery ( Filing fee \$ 350 receipt number 1891.), filed by Eric E. Hoyle.(SG)		

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
11/08/2011 09:54:59			
<b>PACER Login:</b>	eh1657	<b>Client Code:</b>	
<b>Description:</b>	History/Documents	<b>Search Criteria:</b>	1:08-cv-00347-JTC
<b>Billable Pages:</b>	9	<b>Cost:</b>	0.72