

**U.S. District Court**  
**United States District Court for the District of Connecticut (New Haven)**  
**CIVIL DOCKET FOR CASE #: 3:09-cv-00644-WWE**

Peterson v. MTD Prod Inc, et al  
Assigned to: Judge Warren W. Eginton  
Cause: 28:1332 Diversity-Notice of Removal

Date Filed: 04/17/2009  
Date Terminated: 09/08/2011  
Jury Demand: Plaintiff  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Diversity

**Plaintiff**

**Neal Peterson**

represented by **Glenn L. Formica**  
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V.

**Defendant**

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**Defendant**

**Sears Roebuck & Co**

represented by **Courtney Wagner Morrell**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Eric W. F. Niederer**  
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**Stephen P. Brown**  
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Date Filed	#	Docket Text
04/17/2009	<u>1</u>	NOTICE OF REMOVAL from Judicial District of Middletown, along with Statement in Removed Cases and attached Superior Court Complaint; Filing fee \$350 receipt number N027311, filed by MTD Prod Inc. (Kelsey, N.) (Entered: 04/22/2009)

04/17/2009	<u>2</u>	NOTICE of Appearance by Eric W. F. Niederer on behalf of MTD Prod Inc, Sears Roebuck & Co (Kelsey, N.) (Entered: 04/22/2009)
04/17/2009	<u>3</u>	Order on Pretrial Deadlines: Motions to Dismiss due on 7/17/2009. Amended Pleadings due by 6/16/2009; Discovery due by 10/17/2009; Dispositive Motions due by 11/16/2009. Signed by Judge Vanessa L. Bryant on 4/17/2009. (Kelsey, N.) (Entered: 04/22/2009)
04/17/2009	<u>4</u>	ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Vanessa L. Bryant on 4/17/2009. (Attachments: # <u>1</u> Part 2 of Order)(Kelsey, N.) (Entered: 04/22/2009)
04/17/2009	<u>5</u>	DEMAND for Trial by Jury by MTD Prod Inc. (Kelsey, N.) (Entered: 04/22/2009)
04/17/2009	<u>6</u>	NOTICE of No Pending Motions by MTD Prod Inc (Kelsey, N.) (Entered: 04/22/2009)
04/23/2009	<u>7</u>	ORDER RE: Judges Chambers Practices and Standing Orders. Counsel/Parties please see attached order. Signed by Judge Vanessa L. Bryant on 4/23/09. (Wood, R.) (Entered: 04/23/2009)
04/28/2009	<u>8</u>	MOTION TO PRESERVE EVIDENCE by MTD Prod Inc, Sears Roebuck & Co.Responses due by 5/19/2009 (Niederer, Eric) Modified on 4/29/2009 to correct text(Montgomery, A.). (Entered: 04/28/2009)
05/06/2009	<u>9</u>	NOTICE of Appearance by Glenn L. Formica on behalf of Neal Peterson (Formica, Glenn) (Entered: 05/06/2009)
05/08/2009	<u>10</u>	ANSWER to Complaint (Notice of Removal) <i>AFFIRMATIVE DEFENSES AND DEMAND FOR JURY TRIAL</i> by MTD Prod Inc, Sears Roebuck & Co.(Niederer, Eric) (Entered: 05/08/2009)
05/08/2009	<u>11</u>	ANSWER to Complaint (Notice of Removal) <i>AFFIRMATIVE DEFENSES AND DEMAND FOR JURY TRIAL</i> by MTD Prod Inc.(Niederer, Eric) (Entered: 05/08/2009)
05/08/2009	<u>12</u>	Corporate Disclosure Statement by MTD Prod Inc identifying Corporate Parent MTD Holdings, Inc. for MTD Prod Inc. (Niederer, Eric) (Entered: 05/08/2009)
05/08/2009	<u>13</u>	Corporate Disclosure Statement by Sears Roebuck & Co identifying Corporate Parent Sears Holdings Corporation for Sears Roebuck & Co. (Niederer, Eric) (Entered: 05/08/2009)
05/18/2009	<u>14</u>	NOTICE of Preservation with regard to <u>8</u> Motion to Preserve Evidence by Neal Peterson (Gallagher, William) Modified on 5/19/2009 to link to Motion(Montgomery, A.). (Entered: 05/18/2009)
05/19/2009	<u>15</u>	ORDER terminating <u>8</u> Motion to Preserve Evidence as moot, as it appears from plaintiff's <u>14</u> notice that the plaintiff will comply with the defendant's request to preserve all of the remains of the snow-thrower at issue throughout the litigation. Signed by Judge Vanessa L. Bryant on 5/19/2009. (Fontaine, L.) (Entered: 05/19/2009)
05/19/2009	<u>16</u>	NOTICE of Appearance by Stephen P. Brown on behalf of MTD Prod Inc, Sears Roebuck & Co (Brown, Stephen) (Entered: 05/19/2009)
05/20/2009	<u>17</u>	REPORT of Rule 26(f) Planning Meeting. (Niederer, Eric) (Entered: 05/20/2009)
05/20/2009	<u>18</u>	NOTICE of Appearance by Michael L. Oh on behalf of Neal Peterson (Montgomery, A.) (Entered: 05/21/2009)
05/26/2009	<u>19</u>	ORDER: the parties' Rule 26(f) report is approved as filed. Discovery due 7/1/2010, dispositive motions due 8/1/2010, joint trial memorandum due 9/15/2010. Signed by Judge Vanessa L. Bryant on 5/26/2009. (Fontaine, L.) (Entered: 05/26/2009)
05/26/2009		Set Deadlines/Hearings: Discovery due by 7/1/2010 Dispositive Motions due by 8/1/2010 Trial Brief due by 9/15/2010 (Montgomery, A.) (Entered: 05/27/2009)

06/23/2009	<u>20</u>	AMENDED COMPLAINT against all defendants, filed by Neal Peterson.(Gallagher, William) (Entered: 06/23/2009)
08/20/2009	<u>21</u>	MOTION to Compel by Neal Peterson.Responses due by 9/10/2009 (Gallagher, William) (Entered: 08/20/2009)
08/21/2009	22	ORDER granting in part and denying in part the Plaintiff's <u>21</u> Motion to Compel. The Defendants shall provide the requested information, but the Defendants' assessment of confidentiality shall be respected. The Plaintiff shall maintain the confidentiality of the documents until and unless there is a contrary order by the Court. Signed by Judge Vanessa L. Bryant on 8/21/09. (Johnson, J.) (Entered: 08/21/2009)
11/20/2009	<u>23</u>	MOTION for Extension of Time until January 31, 2010 Enlargement of Time by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 11/20/2009)
11/23/2009	24	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephone Status Conference regarding the Defendant's Motion for Extension of Time [doc.#23] set for December 1, 2009 at 4:00 PM before Judge Vanessa L. Bryant. Atty. E. Niederer shall initiate the conference call to chambers at (860)240-3123 with all the parties on the line. (Wood, R.) (Entered: 11/23/2009)
12/01/2009	<u>25</u>	MOTION for Extension of Time until 90 days all remaining deadlines by Neal Peterson. (Gallagher, William) (Entered: 12/01/2009)
12/01/2009	<u>26</u>	Minute Entry for proceedings held before Judge Vanessa L. Bryant: Telephone motion hearing held on 12/1/2009 re <u>25</u> MOTION for Extension of Time until 90 days all remaining deadlines filed by Neal Peterson, <u>23</u> MOTION for Extension of Time until January 31, 2010 Enlargement of Time filed by Sears Roebuck & Co, MTD Prod Inc. Oral order taking under advisement <u>23</u> Motion for Extension of Time ; taking under advisement <u>25</u> Motion for Extension of Time. Telephone Motion Hearing continued to 1/4/2010 at 10:00 AM before Judge Vanessa L. Bryant. (35 minutes) (Walker, J.) (Entered: 12/02/2009)
12/02/2009	27	NOTICE OF E-FILED CALENDAR. THIS IS THE ONLY NOTICE THE COURT SHALL ISSUE. Telephone Motion Hearing as to <u>25</u> MOTION for Extension of Time until 90 days all remaining deadlines, <u>23</u> MOTION for Extension of Time until January 31, 2010 continued to 1/4/2010 at 10:00 AM before Judge Vanessa L. Bryant. Atty. Neiderer shall initiate the conference call to chambers at 860-240-3123 with all parties on the line. (Walker, J.) (Entered: 12/02/2009)
12/04/2009	<u>28</u>	MOTION for Preservation of Evidence Order by Neal Peterson. (Gallagher, William) (Entered: 12/04/2009)
12/14/2009	<u>29</u>	First MOTION for Glenn L. Formica to Withdraw as Attorney by Neal Peterson. (Formica, Glenn) (Entered: 12/14/2009)
12/31/2009	<u>30</u>	MOTION for Extension of Time until January 18, 2010 for an enlargement of time regarding the plaintiff's interrogatory dated December 4, 2009 by MTD Prod Inc. (Niederer, Eric) (Entered: 12/31/2009)
12/31/2009	<u>31</u>	OBJECTION re <u>30</u> MOTION for Extension of Time until January 18, 2010 for an enlargement of time regarding the plaintiff's interrogatory dated December 4, 2009 filed by Neal Peterson. (Oh, Michael) (Entered: 12/31/2009)
01/04/2010	<u>32</u>	Minute Entry for proceedings held before Judge Vanessa L. Bryant: Telephone Discovery Conference held on 1/4/2010. Telephone Discovery Conference continued to 1/11/2010 at 03:00 PM before Judge Vanessa L. Bryant. Total Time: 1 hours and 5 minutes (Walker, J.) (Entered: 01/04/2010)
01/04/2010	33	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephone Discovery Conference set for 1/11/2010 at 03:00 PM before Judge Vanessa L. Bryant. Atty. Neiderer shall initiate the conference call to chambers at 860-240-3123 with all parties on the line. (Walker, J.) (Entered: 01/04/2010)
01/04/2010	34	ORDER granting the Plaintiff's <u>28</u> Motion to Preserve Evidence. While there is no evidence of spoliation, the Court issues a precautionary order that the Defendant preserve all information relevant to this case without prejudice to the Defendant's

		assertion of rights pursuant to the rules that govern inadvertent disclosure. Signed by Judge Vanessa L. Bryant on 1/4/10. (Johnson, J.) (Entered: 01/04/2010)
01/08/2010	<u>35</u>	MOTION to Withdraw <u>29</u> First MOTION for Glenn L. Formica to Withdraw as Attorney by Neal Peterson. (Attachments: # <u>1</u> Affidavit Neal Peterson)(Oh, Michael) (Entered: 01/08/2010)
01/11/2010	<u>36</u>	Minute Entry for proceedings held before Judge Vanessa L. Bryant: Telephone Motion Hearing held on 1/11/10. Order granting <u>35</u> Motion to Withdraw ; denying as moot <u>23</u> Motion for Extension of Time ; denying as moot <u>25</u> Motion for Extension of Time ; granting <u>29</u> Motion to Withdraw as Attorney; granting <u>30</u> Motion for Extension of Time. Attorney Glenn L. Formica terminated. The Court sets the following new deadlines: Fact Discovery due by 6/30/10; Expert Discovery due by 8/31/2010, Dispositive Motions due by 10/15/2010. If no dispositive motion is filed, Joint Trial Memorandum due by 11/30/2010 and Jury Selection set for 1/4/2011 09:30 AM before Judge Vanessa L. Bryant. If a dispositive motion is filed, Joint Trial Memorandum will be due on 6/15/11 and jury selection will be held on 8/2/11. Total Time: 1 hours and 10 minutes (Walker, J.) (Walker, J.). (Entered: 01/11/2010)
01/11/2010	<u>37</u>	Docket Entry Annotation re <u>36</u> – minute form added. (Walker, J.) (Entered: 01/12/2010)
01/12/2010	<u>39</u>	MOTION for Leave for Attorney Patrick J. Quallich to Appear Pro Hac Vice. Filing Fee \$25.00. Receipt Number H029935. by MTD Prod Inc. (Montgomery, A.) (Entered: 01/14/2010)
01/14/2010	<u>38</u>	NOTICE by Neal Peterson <i>Filing of Offer of Compromise as to the Defendant Sears only</i> (Oh, Michael) (Entered: 01/14/2010)
01/14/2010	40	ORDER granting <u>39</u> Motion for Attorney Patrick J. Quallich to Appear Pro Hac Vice for MTD Prod Inc added.. Signed by Clerk on 1/14/2010. (Montgomery, A.) (Entered: 01/14/2010)
01/15/2010	<u>41</u>	MOTION for Leave to Appear Pro Hac Vice Attorney Scott J. Robinson. Filing Fee \$25.00. Receipt Number H029977. by MTD Prod Inc. (Montgomery, A.) (Entered: 01/20/2010)
01/20/2010	42	ORDER granting <u>41</u> Motion for Attorney Scott J. Robinson to Appear Pro Hac Vice. Signed by Clerk on 1/20/2010. (Montgomery, A.) (Entered: 01/20/2010)
01/28/2010	<u>43</u>	NOTICE of Appearance by Scott J. Robinson on behalf of MTD Prod Inc (Robinson, Scott) (Entered: 01/28/2010)
02/01/2010	<u>44</u>	NOTICE of Appearance by Patrick J. Quallich on behalf of MTD Prod Inc (Quallich, Patrick) (Entered: 02/01/2010)
05/21/2010	<u>45</u>	MOTION for modifying the current scheduling order Order by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 05/21/2010)
05/26/2010	46	ORDER granting <u>45</u> Motion for modification of scheduling order. The expert disclosure deadlines on page 4 of defendants' motion are approved. Dispositive motions are still due on or before 10/15/10. If no dispositive motions are filed, the jury selection date is extended from 1/4/11 to 2/1/11 and the joint trial memorandum will be due 12/30/10. If dispositive motions are filed, the jury selection date of 8/2/11 remains in effect. So ordered.Signed by Judge Vanessa L. Bryant on 5/26/10. (Walker, J.) (Entered: 05/26/2010)
05/26/2010		Set Deadlines/Hearings: Trial Brief due by 12/30/2010 Jury Selection set for 2/1/2011 09:30AM before Judge Vanessa L. Bryant (Walker, J.) (Entered: 05/26/2010)
06/18/2010	<u>47</u>	MOTION for Extension of Time until July 30, 2010 To take fact depositions by Neal Peterson. (Gallagher, William) (Entered: 06/18/2010)
07/01/2010	48	ORDER granting the Plaintiff's <u>47</u> Motion for Extension of Time for the parties to take fact depositions. Depositions shall be conducted by 7/30/10. Dispositive motions are still due on or before 10/15/10. Signed by Judge Vanessa L. Bryant on 7/1/10. (Johnson, J.) (Entered: 07/01/2010)

08/30/2010	<u>49</u>	ENTERED IN ERROR . . . MOTION for Disclosure of <i>Experts</i> by Neal Peterson. (Attachments: # <u>1</u> expert statement)(Gallagher, William) Modified on 8/31/2010 (Grady, B.). (Entered: 08/30/2010)
08/31/2010		Docket Entry Correction: Document <u>49</u> MOTION for Disclosure of Experts entered in error – Per the local rules, discovery is not to be filed. (Grady, B.) (Entered: 08/31/2010)
09/10/2010	<u>50</u>	MOTION to Preclude Expert Testimony by MTD Prod Inc, Sears Roebuck & Co.Responses due by 10/1/2010 (Attachments: # <u>1</u> Exhibit Photos, # <u>2</u> Exhibit Exhibit 1 only, # <u>3</u> Exhibit Exhibit 2–6 only)(Niederer, Eric) (Entered: 09/10/2010)
09/10/2010	<u>51</u>	OBJECTION to <u>50</u> Motion to Preclude Expert filed by Neal Peterson. (Gallagher, William) Modified on 9/13/2010 to link to motion (Grady, B.). (Entered: 09/10/2010)
09/30/2010	<u>52</u>	Consent MOTION for Extension of Time until October 30, 2010 expert discovery by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 09/30/2010)
10/01/2010	<u>53</u>	ORDER denying without prejudice to refileing <u>52</u> Motion for Extension of Time. Counsel are directed to comply with the electronic filing requirement included in Court's current version of the Chambers Practices, which are available on the District of Connecticut website. See <a href="http://www.ctd.uscourts.gov/vlb.html">http://www.ctd.uscourts.gov/vlb.html</a> . Pursuant to the electronic filing requirement, pleadings and motions must be typewritten using Arial Bold 12 point font, double spaced, and comply with all applicable provisions of D. Conn. L. Civ. R. 10(a). All documents filed electronically should be published in PDF and filed in this format rather than scanned manually. Signed by Judge Vanessa L. Bryant on 10/1/10. (LaLone, L.) (Entered: 10/01/2010)
10/04/2010	<u>54</u>	Consent MOTION for Extension of Time until October 30, 2010 expert discovery by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 10/04/2010)
10/04/2010	<u>55</u>	ORDER re <u>54</u> Defendants' Motion for Extension of Time for Expert Discovery. The Defendants are directed to confirm that they will not be seeking an extension of the 10/15/10 dispositive motions deadline. If the Defendants intend to seek an extension of the dispositive motions deadline, they are directed to confer with opposing counsel and to file, by 10/7/10, a request for modification of the scheduling order that proposes a new dispositive motions deadline, joint trial memorandum deadline, and jury selection date. Signed by Judge Vanessa L. Bryant on 10/4/10. (Engel, J.) (Entered: 10/04/2010)
10/13/2010	<u>56</u>	ORDER granting <u>54</u> Defendants' Motion for Extension of Time until October 30, 2010 for Expert Discovery. The Defendants having failed to respond to the Court's October 4, 2010 Order 55 , all other deadlines remain in effect. Signed by Judge Vanessa L. Bryant on 10/13/10. (Engel, J.) (Entered: 10/13/2010)
10/14/2010	<u>57</u>	MOTION to Seal Defendants' Local Rule 56(a)(1) Statement, Memorandum of Law and corresponding exhibits in support of Motions for Summary Judgment by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 10/14/2010)
10/14/2010	<u>58</u>	MOTION for Summary Judgment by MTD Prod Inc.Responses due by 11/4/2010 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts)(Niederer, Eric) (Entered: 10/14/2010)
10/14/2010	<u>59</u>	MOTION for Summary Judgment by Sears Roebuck & Co.Responses due by 11/4/2010 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts)(Niederer, Eric) (Entered: 10/14/2010)
10/19/2010	<u>60</u>	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Trial Brief due by 6/15/2011 and Jury Selection is set for 8/2/2011 at 09:30 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Vanessa L. Bryant (LaLone, L.) (Entered: 10/19/2010)
10/28/2010	<u>61</u>	MOTION for Extension of Time to File Response/Reply <i>Summary Judgment</i> as to <u>58</u> MOTION for Summary Judgment, <u>59</u> MOTION for Summary Judgment until 11/24/10 by Neal Peterson. (Gallagher, William) (Entered: 10/28/2010)

10/29/2010	<u>62</u>	ORDER granting the Plaintiff's <u>61</u> Motion for Extension of Time to File a Response to the Defendants' motions for summary judgment. The Response is now due by November 22, 2010. Signed by Judge Vanessa L. Bryant on 10/29/10. (Johnson, J.) (Entered: 10/29/2010)
10/29/2010		Set/Reset Deadlines as to <u>59</u> MOTION for Summary Judgment, <u>58</u> MOTION for Summary Judgment. Responses due by 11/22/2010 (LaLone, L.) (Entered: 11/01/2010)
11/09/2010	<u>64</u>	Docket Entry Correction re 63 Supplemental MOTION for Disclosure of Experts Entered in Error– Per local rules, discovery is not to be filed. (LaLone, L.) (Entered: 11/09/2010)
11/22/2010	<u>65</u>	OBJECTION re <u>57</u> MOTION to Seal Defendants' Local Rule 56(a)(1) Statement, Memorandum of Law and corresponding exhibits in support of Motions for Summary Judgment filed by Neal Peterson. (Oh, Michael) (Entered: 11/22/2010)
11/22/2010	<u>66</u>	OBJECTION re <u>58</u> MOTION for Summary Judgment filed by Neal Peterson. (Attachments: # <u>1</u> Statement of Material Facts Local Rule 56 Statement)(Oh, Michael) (Entered: 11/22/2010)
11/22/2010	<u>67</u>	OBJECTION re <u>59</u> MOTION for Summary Judgment <i>Sears</i> filed by Neal Peterson. (Attachments: # <u>1</u> Statement of Material Facts Local Rule 56 Statement)(Oh, Michael) (Entered: 11/22/2010)
11/22/2010	<u>68</u>	EXHIBIT <i>Part 1</i> by Neal Peterson re <u>67</u> Objection, <u>66</u> Objection, re: <u>58</u> , <u>59</u> Motions for Summary Judgment. (Attachments: # <u>1</u> Exhibit Notice of Manual Filing Exhibit B, # <u>2</u> Exhibit Notice of Manual Filing Exhibit C)(Oh, Michael) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 11/22/2010)
11/22/2010	<u>69</u>	EXHIBIT <i>Part 2</i> by Neal Peterson re <u>68</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, re: <u>58</u> , <u>59</u> Motions for Summary Judgment. (Oh, Michael) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 11/22/2010)
12/07/2010	<u>70</u>	REPLY to Response to <u>58</u> MOTION for Summary Judgment, <u>59</u> MOTION for Summary Judgment filed by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 12/07/2010)
12/07/2010	<u>71</u>	MOTION to Strike <u>67</u> Objection, <u>66</u> Objection to <u>58</u> , <u>59</u> Motions for Summary Judgment by MTD Prod Inc, Sears Roebuck & Co. Responses due by 12/28/2010 (Niederer, Eric) Modified on 12/8/2010 to link to motions (Grady, B.). (Entered: 12/07/2010)
12/07/2010	<u>72</u>	REPLY to Response to <u>57</u> MOTION to Seal Defendants' Local Rule 56(a)(1) Statement, Memorandum of Law and corresponding exhibits in support of <u>58</u> , <u>59</u> Motions for Summary Judgment filed by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (aprt 1 of 2) Modified on 12/13/2010 to efile the motion to show cause (Grady, B.). (Entered: 12/07/2010)
12/07/2010	<u>74</u>	REPLY to objection to <u>57</u> MOTION to Seal Defendants' Local Rule 56(a)(1) Statement, Memorandum of Law and corresponding exhibits in support of <u>58</u> , <u>59</u> Motions for Summary Judgment and Motion to Show Cause by MTD Prod Inc, Sears Roebuck & Co. (part 2 of 2) (Grady, B.) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 12/13/2010)
12/09/2010	<u>73</u>	OBJECTION to <u>72</u> Reply to Response to <u>57</u> Motion to seal and Objection to <u>74</u> motion to show cause filed by Neal Peterson. (Oh, Michael) Modified on 12/13/2010 to link to motions (Grady, B.). (Entered: 12/09/2010)
12/13/2010	<u>75</u>	AFFIDAVIT re <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection for <i>Plaintiff's Summary Judgment Exhibits</i> Signed By Michael Oh filed by Neal Peterson. (Oh, Michael) (Entered: 12/13/2010)
12/15/2010	<u>76</u>	OBJECTION re <u>71</u> MOTION to Strike <u>67</u> Objection, <u>66</u> Objection to <u>58</u> , <u>59</u> Motions for Summary Judgment, <u>75</u> Affidavit, <u>70</u> Reply to Response to Motion to Strike <i>Summary Judgment Papers</i> filed by Neal Peterson. (Oh, Michael) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 12/15/2010)

12/16/2010	<u>77</u>	REPLY to Response to <u>57</u> MOTION to Seal Defendants' Local Rule 56(a)(1) Statement, Memorandum of Law and corresponding exhibits in support of <u>58</u> , <u>59</u> Motions for Summary Judgment filed by MTD Prod Inc. (Niederer, Eric) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 12/16/2010)
12/17/2010	<u>78</u>	RESPONSE to <u>77</u> Reply to Response to <u>57</u> MOTION to Seal filed by Neal Peterson. (Oh, Michael) Modified on 12/20/2010 to link to motion (Grady, B.). (Entered: 12/17/2010)
12/22/2010	<u>79</u>	MOTION to Strike <u>76</u> Objection, <u>78</u> Response, <u>75</u> Affidavit, re: <u>58</u> , <u>59</u> Motions for Summary Judgment by MTD Prod Inc, Sears Roebuck & Co.Responses due by 1/12/2011 (Niederer, Eric) Modified on 12/30/2010 to link to motions (Grady, B.). (Entered: 12/22/2010)
12/29/2010	<u>80</u>	OBJECTION re <u>79</u> MOTION to Strike <u>76</u> Objection, <u>78</u> Response, <u>75</u> Affidavit to <i>second Motion to Strike and Motion for Protective Order</i> filed by Neal Peterson. (Oh, Michael) (Entered: 12/29/2010)
01/03/2011	<u>81</u>	Memorandum in Opposition re <u>50</u> MOTION to Preclude Expert Testimony filed by Neal Peterson. (Oh, Michael) (Entered: 01/03/2011)
01/03/2011	82	ORDER denying <u>58</u> Motion for Summary Judgment by MTD Prod Inc. and denying <u>59</u> Motion for Summary Judgment by Sears Roebuck & Co. Both motion for summary judgment was filed with only the face page of a supporting memorandum of law. Signed by Judge Vanessa L. Bryant on 1/3/11.(Basile, F.) (Entered: 01/03/2011)
01/03/2011	83	ORDER denying the Defendants' <u>57</u> Motion to Seal. The Court's Order [Docket Entry Number 22] was unambiguously intended to facilitate discovery. Local Rule 30(b) does not relate to sealing and the Defendants have conclusory assertions contained in their motion that do not approach a basis for the Court to make the findings required by Local Rule 5(e). Signed by Judge Vanessa L. Bryant on 1/3/11. (Johnson, J.) (Entered: 01/03/2011)
01/04/2011	84	ORDER finding as moot the <u>50</u> Motion to Preclude pursuant to Docket Entry 56. Signed by Judge Vanessa L. Bryant on 1/4/11. (Johnson, J.) (Entered: 01/04/2011)
01/11/2011	85	SCHEDULING ORDER: Status Conference set for 1/31/11 at 10:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Vanessa L. Bryant regarding the parties' dispositive motion briefing. Signed by Judge Vanessa L. Bryant on 1/11/11. (Johnson, J.) (Entered: 01/11/2011)
01/11/2011	86	ORDER denying the Defendants' <u>71</u> Motion to Strike the Plaintiff's Objections; denying the Defendants' <u>79</u> Motion to Strike the Plaintiff's Sur-Replies, Affidavit and Requests for Admissions; finding as moot the Defendants' <u>74</u> Motion for Order to Show Cause as the Court has scheduled a status conference for 1/31/11 to discuss briefing for dispositive motions. The parties are instructed to file supplemental statements of authority regarding leave for a party to file a request to admit after discovery has concluded, by 1/18/11, for the purposes of determining the Defendants' Motion for Protective order. As clarification, the Court's 1/3/11 denial of the Defendants' Motions for Summary Judgment were issued without prejudice to re-filing and the schedule and logistics for such re-filing will be discussed during the status conference that is being held on 1/31/11. Signed by Judge Vanessa L. Bryant on 1/11/11. (Johnson, J.) (Entered: 01/11/2011)
01/14/2011	87	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 1/31/2011 at 10:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Vanessa L. Bryant (LaLone, L.) (Entered: 01/14/2011)
01/18/2011	<u>88</u>	RESPONSE re 86 Order on Motion to Strike, Order on Motion for Order to Show Cause,,,,,,,,, by Neal Peterson <i>Supplemental brief re: requests to admit per court order.</i> (Oh, Michael) (Entered: 01/18/2011)
01/18/2011	<u>89</u>	Supplemental MOTION for Protective Order <i>with supplemental authority per Court's January 11, 2011 Order (Doc#86)</i> by MTD Prod Inc, Sears Roebuck & Co.Responses due by 2/8/2011 (Attachments: # <u>1</u> Case Law)(Niederer, Eric) (Entered: 01/18/2011)



01/21/2011	<u>90</u>	RESPONSE re <u>89</u> Supplemental MOTION for Protective Order <i>with supplemental authority per Court's January 11, 2011 Order (Doc#86)</i> Plaintiff's Sur-Reply filed by Neal Peterson. (Oh, Michael) (Entered: 01/21/2011)
01/24/2011	<u>91</u>	REPLY to Response to <u>89</u> Supplemental MOTION for Protective Order <i>with supplemental authority per Court's January 11, 2011 Order (Doc#86)</i> SUR-REPLY BRIEF IN SUPPORT filed by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 01/24/2011)
01/27/2011	<u>92</u>	ORDER instructing the parties to review the discussion of the sufficiency of supplemental declarations submitted for the authentication of documents submitted in connection with summary judgment filings in Commercial Data Servers, Inc. v. International Business Machines, 262 F. Supp. 50 (S.D.N.Y., 2003) as preparation for the status conference scheduled for 1/31/11. Signed by Judge Vanessa L. Bryant on 1/27/11. (Johnson, J.) (Entered: 01/27/2011)
01/31/2011	<u>93</u>	Minute Entry for proceedings held before Judge Vanessa L. Bryant: Status Conference held on 1/31/2011. Total Time: 1 hours and 32 minutes(Court Reporter D.SMITH (ECRO).) (LaLone, L.) (Entered: 02/01/2011)
02/01/2011	<u>94</u>	MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection by MTD Prod Inc, Sears Roebuck & Co.Responses due by 2/22/2011 (Attachments: # <u>1</u> Exhibit Confidentiality Agreement)(Niederer, Eric) (Entered: 02/01/2011)
02/01/2011	<u>95</u>	Supplemental MOTION to Strike <u>94</u> MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection by MTD Prod Inc, Sears Roebuck & Co.Responses due by 2/22/2011 (Niederer, Eric) (Entered: 02/01/2011)
02/02/2011	<u>96</u>	Second MOTION to Seal Plaintiff's Objection to Defendants' Motion for Summary Judgment, Exhibits by MTD Prod Inc, Sears Roebuck & Co. (Attachments: # <u>1</u> Exhibit Email and Confidentiality Agreement)(Niederer, Eric) (Entered: 02/02/2011)
02/03/2011	<u>97</u>	RESPONSE re <u>94</u> MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, <u>93</u> Status Conference filed by Neal Peterson. (Oh, Michael) (Entered: 02/03/2011)
02/03/2011	<u>98</u>	RESPONSE re <u>93</u> Status Conference, <u>95</u> Supplemental MOTION to Strike <u>94</u> MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection filed by Neal Peterson. (Oh, Michael) (Entered: 02/03/2011)
02/04/2011	<u>99</u>	RESPONSE re <u>96</u> Second MOTION to Seal Plaintiff's Objection to Defendants' Motion for Summary Judgment, Exhibits filed by Neal Peterson. (Oh, Michael) (Entered: 02/04/2011)
02/14/2011	<u>100</u>	REPLY to Response to <u>94</u> MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, <u>96</u> Second MOTION to Seal Plaintiff's Objection to Defendants' Motion for Summary Judgment, Exhibits, <u>95</u> Supplemental MOTION to Strike <u>94</u> MOTION to Strike <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection, <u>68</u> Exhibit, <u>69</u> Exhibit, <u>67</u> Objection, <u>66</u> Objection filed by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Main Document 100 replaced on 2/15/2011) (Grady, B.). (Entered: 02/14/2011)
02/16/2011	<u>101</u>	RESPONSE to <u>100</u> Reply to Response to <u>94</u> MOTION to Strike, <u>95</u> Supplemental MOTION to Strike, <u>96</u> Second MOTION to Seal filed by Neal Peterson. (Oh, Michael) Modified on 2/17/2011 to link to motions (Grady, B.). (Entered: 02/16/2011)
02/17/2011	<u>102</u>	TRANSCRIPT of Proceedings: Held on 1/31/11 (Status Conference) before Judge Vanessa L. Bryant. Court Reporter: Steve Bowles. <b>IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS:</b> To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at

		www.ctd.uscourts.gov. Redaction Request due 3/10/2011. Redacted Transcript Deadline set for 3/20/2011. Release of Transcript Restriction set for 5/18/2011. (Bowles, S.) (Entered: 02/17/2011)
02/22/2011	<u>104</u>	NOTICE CONCERNING WAIVER OF JUDICIAL DISQUALIFICATION (Grady, B.) (Entered: 02/23/2011)
02/23/2011	<u>103</u>	MOTION Modify protective order re 22 Order on Motion to Compel, by Neal Peterson.Responses due by 3/16/2011 (Oh, Michael) (Entered: 02/23/2011)
02/24/2011	<u>105</u>	EXHIBIT re <u>104</u> Notice. (Attachments: # <u>1</u> Exhibit)(LaLone, L.) (Entered: 02/24/2011)
02/24/2011	106	ORDER: This case is ordered administratively closed to avoid inadvertent violation of the Code. The Court will entertain unopposed motions during the closure period. Notwithstanding the administrative closure of the case, any scheduling order in effect on the date of this notice remains in effect and the parties are ordered to proceed with preparation of the case for trial or other disposition in accordance with such operative scheduling order. Signed by Judge Vanessa L. Bryant on 2/24/11. (LaLone, L.) (Entered: 02/24/2011)
02/24/2011		JUDICIAL PROCEEDINGS SURVEY: The following link to the survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Upon entering the survey, all responses are completely anonymous.  <a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (LaLone, L.) (Entered: 02/25/2011)
04/11/2011		Case reassigned to Judge Warren W. Eginton. Judge Vanessa L. Bryant no longer assigned to the case. (Sunbury, B.) (Entered: 04/11/2011)
05/31/2011	107	ORDER instructing counsel to file a status report that includes dates that counsel agree upon as proposed trial dates within twenty days of this order. Signed by Judge Warren W. Eginton on 5/31/11. (Welles, T.) (Entered: 05/31/2011)
06/20/2011	<u>108</u>	STATUS REPORT <i>dated June 20, 2011</i> by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Entered: 06/20/2011)
06/28/2011	<u>109</u>	NOTICE of Appearance by Courtney Shanaman Wagner on behalf of MTD Prod Inc, Sears Roebuck & Co (Wagner, Courtney) (Entered: 06/28/2011)
09/07/2011	<u>110</u>	STIPULATION of Dismissal <i>of action</i> by MTD Prod Inc, Sears Roebuck & Co. (Niederer, Eric) (Main Document 110 replaced on 9/7/2011) (Lewis, D). (Entered: 09/07/2011)
09/07/2011	<u>111</u>	Docket Entry Correction re <u>110</u> Stipulation of Dismissal, modified to correct pdf. (Lewis, D) (Entered: 09/07/2011)
09/08/2011	112	ORDER granting <u>110</u> Stipulation of Dismissal of case filed by Sears Roebuck & Co, MTD Prod Inc. Signed by Clerk on 9/8/2011. (Candee, D.) (Entered: 09/08/2011)
09/08/2011		JUDICIAL PROCEEDINGS SURVEY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link:  <a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (Candee, D.) (Entered: 09/08/2011)