

SCHEDO

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:16-cv-04636-JMV-JBC**

CANFIELD SCIENTIFIC, INC. v. DR. RHETT DRUGGE
et al

Assigned to: Judge John Michael Vazquez
Referred to: Magistrate Judge James B. Clark
Cause: 15:1126 Patent Infringement

Date Filed: 08/01/2016
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

CANFIELD SCIENTIFIC, INC.

represented by **DAVID NICHOLAS PATARIU**
MARSHALL, GERSTEIN & BORUN
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6300 WILLIS TOWER
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ATTORNEY TO BE NOTICED

V.

Defendant

DR. RHETT DRUGGE
An individual

represented by **JONATHAN M.H. SHORT**
MCCARTER & ENGLISH, LLP
FOUR GATEWAY CENTER
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TERMINATED: 12/07/2017
LEAD ATTORNEY

Canfield Scientific, Inc. - Exhibit 1019 Canfield Scientific, Inc. v. Melanoscan, LLC IPR2017-02125

ATTORNEY TO BE NOTICED

JURA C. ZIBAS

Wilson Elser

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LEAD ATTORNEY

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Defendant

MELANOSCAN LLC

*A Connecticut limited liability
corporation*

represented by **JONATHAN M.H. SHORT**

(See above for address)

TERMINATED: 12/07/2017

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

JURA C. ZIBAS

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Counter Claimant

MELANOSCAN LLC

*A Connecticut limited liability
corporation*

represented by **MELANOSCAN LLC**

PRO SE

JONATHAN M.H. SHORT

(See above for address)

TERMINATED: 12/07/2017

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Counter Claimant

DR. RHETT DRUGGE

An individual

represented by **RHETT DRUGGE**

PRO SE

JONATHAN M.H. SHORT

(See above for address)

TERMINATED: 12/07/2017

LEAD ATTORNEY

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V.

Counter Defendant

CANFIELD SCIENTIFIC, INC.

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DAVID C. STANZIALE

(See above for address)

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TERMINATED: 12/07/2017

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ATTORNEY TO BE NOTICED

JURA C. ZIBAS

(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

MELANOSCAN LLC
*A Connecticut limited liability
corporation*

represented by **JONATHAN M.H. SHORT**
(See above for address)
TERMINATED: 12/07/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

JURA C. ZIBAS
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/22/2018	54	ORDER granting 53 Motion for Leave to Appear Pro Hac Vice as to STEPHEN J. BARRETT, ESQ. Signed by Magistrate Judge James B. Clark on 1/22/18. (DD,) (Entered: 01/22/2018)
01/19/2018		Set/Reset Deadlines as to 53 MOTION for Leave to Appear Pro Hac Vice . Motion set for 2/20/2018 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 01/19/2018)
01/19/2018	53	MOTION for Leave to Appear Pro Hac Vice by RHETT DRUGGE, MELANOSCAN LLC. (Attachments: # 1 Certification of Jura C. Zibas, # 2 Affidavit of Stephen J. Barrett, # 3 Exhibit (Exhibit A to Stephen J. Barrett's Affidavit), # 4 Text of Proposed Order)(ZIBAS, JURA) (Entered: 01/19/2018)
01/12/2018	52	<i>First Amended</i> ANSWER to Counterclaim of Defendant Melanoscan, COUNTERCLAIM against All Defendants by CANFIELD SCIENTIFIC, INC.. (PATARIU, DAVID) (Entered: 01/12/2018)
01/12/2018		Set/Reset Deadlines as to 51 Joint MOTION for Extension of Time to Complete Discovery <i>Objections</i> . Motion set for 2/5/2018 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 01/12/2018)
01/12/2018	51	Joint MOTION for Extension of Time to Complete Discovery <i>Objections</i> by CANFIELD SCIENTIFIC, INC.. (Attachments: # 1 Text of Proposed Order Proposed Order)(PATARIU, DAVID) (Entered: 01/12/2018)
01/05/2018	50	ORDER granting re 47 Extension of Time to Complete Discovery <i>Objections</i> filed by CANFIELD SCIENTIFIC, INC. until 1/6/18, (Telephone/Status Conference reset for 2/13/2018 10:30 AM before Magistrate Judge James B.

		Clark.). Signed by Magistrate Judge James B. Clark on 1/3/18. (DD,) (Entered: 01/05/2018)
12/29/2017	49	ORDER terminating 31 Motion for Leave to File Surreply by All Plaintiffs; denying 27 Motion to Strike as moot; Plaintiff's request to amend its Answer to remove the Third Affirmative Defense [Dkt. No. 29] is GRANTED and Plaintiff shall file and serve its amended pleading within fourteen (14) days from the date of this Order. Signed by Magistrate Judge James B. Clark on 12/29/2017. (ld,) (Entered: 12/29/2017)
12/29/2017	48	MOTION for Extension of Time to Complete Discovery <i>Proposed Order</i> by CANFIELD SCIENTIFIC, INC.. (PATARIU, DAVID) (Entered: 12/29/2017)
12/29/2017	47	Joint MOTION for Extension of Time to Complete Discovery <i>Objections</i> by CANFIELD SCIENTIFIC, INC.. (PATARIU, DAVID) (Entered: 12/29/2017)
12/27/2017	46	NOTICE of Appearance by DAVID NICHOLAS PATARIU on behalf of CANFIELD SCIENTIFIC, INC. (PATARIU, DAVID) (Entered: 12/27/2017)
12/11/2017	45	REPLY BRIEF to Opposition to Motion filed by CANFIELD SCIENTIFIC, INC. re 34 MOTION to Stay (Attachments: # 1 Declaration of Thomas Duston Esq., # 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 Exhibit K, # 13 Exhibit L)(STANZIALE, DAVID) (Entered: 12/11/2017)
12/11/2017	44	Discovery Confidentiality Order. Signed by Magistrate Judge James B. Clark on 12/11/17. (cm,) (Entered: 12/11/2017)
12/08/2017	43	APPLICATION/PETITION for Court to So-Order Proposed Discovery Confidentiality Order for by RHETT DRUGGE, MELANOSCAN LLC. (Attachments: # 1 Text of Proposed Order)(ZIBAS, JURA) (Entered: 12/08/2017)
12/07/2017	42	ORDER granting Deft's re 39 Letter Request for the substitution of our firm, McCarter & English LLP, with Jura C. Zibas of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, as lead counsel for Defendants in this action Attorney JONATHAN M.H. SHORT terminated; granting the withdrawal of Mark Giarratana and Kevin Reiner of McCarter & English, LLP, as pro hac vice counsel for Defendants in this action. Signed by Magistrate Judge James B. Clark on 12/7/17. (DD,) (Entered: 12/07/2017)
12/07/2017	41	ORDER granting re 40 Application/Petition filed by MELANOSCAN LLC, RHETT DRUGGE seeking an extension of the due date to submit the proposed confidentiality order to the Court, to Friday, Dec. 8, 2017. Signed by Magistrate Judge James B. Clark on 12/7/17. (DD,) (Entered: 12/07/2017)
12/07/2017	40	APPLICATION/PETITION for extension of the due date to submit the proposed confidentiality order to the Court, to Friday, Dec. 8, 2017 for by RHETT DRUGGE, MELANOSCAN LLC. (Attachments: # 1 Text of Proposed Order) (ZIBAS, JURA) (Entered: 12/07/2017)
12/06/2017	39	Letter from Jonathan Short to the Hon. James B. Clark III, U.S.M.J. (SHORT, JONATHAN) (Entered: 12/06/2017)

12/06/2017	38	ORDER re 37 Letter - Pltf's request to amend the discovery deadlines previously set by the Court in light of the pending motion to stay is DENIED. If and when the motion to stay is granted, the court will discuss staying and/or extending the current discovery schedule. Signed by Magistrate Judge James B. Clark on 12/6/17. (DD,) (Entered: 12/06/2017)
12/05/2017	37	Letter from Thomas L. Duston Esq.. (Attachments: # 1 Exhibit)(STANZIALE, DAVID) (Entered: 12/05/2017)
12/04/2017	36	BRIEF in Opposition filed by RHETT DRUGGE, MELANOSCAN LLC re 34 MOTION to Stay (Attachments: # 1 Declaration of Rhett Drugge, M.D., # 2 Declaration of Kevin L. Reiner, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I)(SHORT, JONATHAN) (Entered: 12/04/2017)
12/01/2017	35	NOTICE of Appearance by JURA C. ZIBAS on behalf of RHETT DRUGGE, MELANOSCAN LLC (ZIBAS, JURA) (Entered: 12/01/2017)
11/16/2017		Minute Entry for proceedings held before Magistrate Judge James B. Clark: Settlement Conference held on 11/16/2017. (seb) (Entered: 11/17/2017)
11/13/2017		Set/Reset Deadlines as to 34 MOTION to Stay . Motion set for 12/18/2017 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 11/13/2017)
11/09/2017	34	MOTION to Stay by CANFIELD SCIENTIFIC, INC.. (Attachments: # 1 Text of Proposed Order, # 2 Brief, # 3 Declaration of Thomas L. Duston, Esq., # 4 Exhibit 1, # 5 Exhibit 2, # 6 Exhibit 3, # 7 Exhibit 4, # 8 Exhibit 5, # 9 Exhibit 6, # 10 Exhibit 7, # 11 Exhibit 8, # 12 Exhibit 9, # 13 Exhibit 10, # 14 Exhibit 11, # 15 Exhibit 12, # 16 Exhibit 13)(STANZIALE, DAVID) (Entered: 11/09/2017)
09/29/2017	33	PRETRIAL SCHEDULING ORDER: Fact Discovery is to remain open through 180 days after the Markman ruling; Settlement Conference set for 11/16/2017 02:00 PM before Magistrate Judge James B. Clark. Telephone/Status Conference set for 1/9/2018 10:00 AM before Magistrate Judge James B. Clark. Amended Pleadings due by 1/12/2018, returnable on 2/5/18. Joinder of Parties due by 1/12/2018, returnable on 2/5/18; etc. Signed by Magistrate Judge James B. Clark on 9/29/17. (DD,) (Entered: 09/29/2017)
09/21/2017		Minute Entry for proceedings held before Magistrate Judge James B. Clark: Scheduling Conference held on 9/21/2017. (seb) (Entered: 09/22/2017)
09/05/2017	32	MEMORANDUM in Opposition filed by MELANOSCAN LLC re 31 MOTION for Leave to File <i>to File Surreply</i> (SHORT, JONATHAN) (Entered: 09/05/2017)
08/18/2017		Set/Reset Deadlines as to 31 MOTION for Leave to File <i>to File Surreply</i> . Motion set for 9/18/2017 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no

		appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 08/18/2017)
08/17/2017	31	MOTION for Leave to File <i>to File Surreply</i> by All Plaintiffs. (Attachments: # 1 Declaration of Julianne M. Hartzell Esq., # 2 Exhibit 1 to the Declaration of Julianne M. Hartzell Esq, # 3 Brief in support of Motion for leave to file Surreply, # 4 Exhibit A to Brief for Leaveto File Surreply, # 5 Text of Proposed Order)(STANZIALE, DAVID) (Entered: 08/17/2017)
08/14/2017	30	REPLY to Response to Motion filed by MELANOSCAN LLC re 27 MOTION to Strike 25 Answer to Counterclaim, <i>Third Affirmative Defense</i> (SHORT, JONATHAN) (Entered: 08/14/2017)
08/07/2017	29	RESPONSE in Opposition filed by CANFIELD SCIENTIFIC, INC. re 27 MOTION to Strike 25 Answer to Counterclaim, <i>Third Affirmative Defense</i> (Attachments: # 1 First Amended Reply, # 2 Declaration of Julianne M. Hartzell Esq.,)(STANZIALE, DAVID) (Entered: 08/07/2017)
08/02/2017	28	LETTER ORDER that the Initial Conference scheduled in this matter for August 23, 2017 at 11:00 AM is adjourned to September 21, 2017 at 11:00 AM.. Signed by Magistrate Judge James B. Clark on 8/2/2017. (ld,) (Entered: 08/02/2017)
07/24/2017		Set/Reset Deadlines as to 27 MOTION to Strike 25 Answer to Counterclaim, <i>Third Affirmative Defense</i> . Motion set for 8/21/2017 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 07/24/2017)
07/21/2017	27	MOTION to Strike 25 Answer to Counterclaim, <i>Third Affirmative Defense</i> by MELANOSCAN LLC. Responses due by 8/7/2017 (Attachments: # 1 Brief, # 2 Text of Proposed Order)(SHORT, JONATHAN) (Entered: 07/21/2017)
07/21/2017	26	<i>Defendant Melanoscan, LLC's</i> ANSWER to Counterclaim by Plaintiff Canfield Scientific, Inc. by MELANOSCAN LLC.(SHORT, JONATHAN) (Entered: 07/21/2017)
06/30/2017	25	<i>Canfield Scientific, Inc.</i> ANSWER to Counterclaim , COUNTERCLAIM against MELANOSCAN LLC by CANFIELD SCIENTIFIC, INC.. (STANZIALE, DAVID) (Entered: 06/30/2017)
06/23/2017	24	LETTER ORDER - Scheduling an Initial Conference for 8/23/2017 at 11:00 AM before Magistrate Judge James B. Clark. Signed by Magistrate Judge James B. Clark on 6/23/2017. (mw,) (Entered: 06/23/2017)
06/09/2017	23	<i>MELANOSCAN, LLC and DR. RHETT DRUGGE'S</i> ANSWER to Complaint with JURY DEMAND , COUNTERCLAIM (<i>only by MELANOSCAN, LLC</i>) against CANFIELD SCIENTIFIC, INC. by MELANOSCAN LLC, RHETT DRUGGE. (Attachments: # 1 Exhibit A)(SHORT, JONATHAN) (Entered: 06/09/2017)
06/09/2017	22	

		Corporate Disclosure Statement by MELANOSCAN LLC. (SHORT, JONATHAN) (Entered: 06/09/2017)
05/25/2017	21	ORDER granting in part and denying in part 15 Motion to Dismiss; that Plaintiff has thirty (30) days to file an amended complaint, if it so chooses, consistent with the accompanying Opinion and in accordance with Local Civil Rule 15.1. Signed by Judge John Michael Vazquez on 5/25/17. (DD,) (Entered: 05/26/2017)
05/25/2017	20	OPINION. Signed by Judge John Michael Vazquez on 5/25/17. (DD,) (Entered: 05/26/2017)
10/11/2016	19	REPLY to Response to Motion filed by RHETT DRUGGE, MELANOSCAN LLC re 15 MOTION to Dismiss <i>Counts II-V of Plaintiff's Complaint</i> (SHORT, JONATHAN) (Entered: 10/11/2016)
10/07/2016	18	CONSENT ORDER granting re 17 Application/Petition for pro hac vice admission as to MARK GIARRATANA, ESQ. & KEVIN REINER, ESQ. Signed by Magistrate Judge James B. Clark on 10/7/16. (DD,) (Entered: 10/07/2016)
10/06/2016	17	APPLICATION/PETITION for Pro Hac Vice Admissions of Mark Giarratana & Kevin Reiner for by RHETT DRUGGE, MELANOSCAN LLC. (Attachments: # 1 Certification of Jonathan Short, # 2 Certification of Mark Giarratana, # 3 Certification of Kevin Reiner, # 4 Text of Proposed Order)(SHORT, JONATHAN) (Entered: 10/06/2016)
10/03/2016	16	BRIEF in Opposition filed by CANFIELD SCIENTIFIC, INC. re 15 MOTION to Dismiss <i>Counts II-V of Plaintiff's Complaint</i> (Attachments: # 1 Declaration of Thomas L. Duston, Esq., # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D)(STANZIALE, DAVID) (Entered: 10/03/2016)
09/15/2016		Set/Reset Deadlines as to 15 MOTION to Dismiss <i>Counts II-V of Plaintiff's Complaint</i> . Motion set for 10/17/2016 before Judge John Michael Vazquez. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (DD,) (Entered: 09/15/2016)
09/14/2016	15	MOTION to Dismiss <i>Counts II-V of Plaintiff's Complaint</i> by RHETT DRUGGE, MELANOSCAN LLC. Responses due by 10/3/2016 (Attachments: # 1 Brief, # 2 Text of Proposed Order, # 3 Declaration, # 4 Exhibit 1, # 5 Exhibit 2, # 6 Exhibit 3, # 7 Exhibit 4)(SHORT, JONATHAN) (Entered: 09/14/2016)
08/30/2016		Clerk's Text Order - The document 14 Application for Clerk's Order to Ext Answer/Proposed Order submitted by RHETT DRUGGE has been GRANTED. The answer due date has been set for 9/14/16. (DD,) (Entered: 08/30/2016)
08/30/2016		Clerk's Text Order - The document 13 Application for Clerk's Order to Ext Answer/Proposed Order submitted by MELANOSCAN LLC has been GRANTED. The answer due date has been set for 9/14/16. (DD,) (Entered: 08/30/2016)
08/29/2016	14	

		Application and Proposed Order for Clerk's Order to extend time to answer as to Dr. Rhett Drugge.. (SHORT, JONATHAN) (Entered: 08/29/2016)
08/29/2016	<u>13</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to Melanoscan LLC.. (SHORT, JONATHAN) (Entered: 08/29/2016)
08/29/2016	<u>12</u>	NOTICE of Appearance by JONATHAN M.H. SHORT on behalf of RHETT DRUGGE, MELANOSCAN LLC (SHORT, JONATHAN) (Entered: 08/29/2016)
08/24/2016	<u>11</u>	SUMMONS Returned Executed by CANFIELD SCIENTIFIC, INC.. RHETT DRUGGE served on 8/10/2016, answer due 8/31/2016. (STANZIALE, DAVID) (Entered: 08/24/2016)
08/24/2016	<u>10</u>	SUMMONS Returned Executed by CANFIELD SCIENTIFIC, INC.. MELANOSCAN LLC served on 8/10/2016, answer due 8/31/2016. (STANZIALE, DAVID) (Entered: 08/24/2016)
08/11/2016		Pro Hac Vice counsel, JULIANNE M. HARTZELL and THOMAS L. DUSTON, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (DD,) (Entered: 08/11/2016)
08/10/2016	<u>9</u>	NOTICE of Appearance by DAVID C. STANZIALE on behalf of CANFIELD SCIENTIFIC, INC. (STANZIALE, DAVID) (Entered: 08/10/2016)
08/10/2016	<u>8</u>	NOTICE of Appearance by DAVID C. STANZIALE on behalf of CANFIELD SCIENTIFIC, INC. (STANZIALE, DAVID) (Entered: 08/10/2016)
08/10/2016		Pro Hac Vice fee as to THOMAS L. DUSTON, ESQ. & JULIANNE M. HARTZELL, ESQ.: \$ 300., receipt number NEW030506 (DD,) (Entered: 08/10/2016)
08/09/2016	<u>7</u>	ORDER granting <u>6</u> Motion for Leave to Appear Pro Hac Vice as to THOMAS L. DUSTON, ESQ. & JULIANNE M. HARTZELL, ESQ. Signed by Magistrate Judge James B. Clark on 8/9/16. (DD,) (Entered: 08/10/2016)
08/06/2016	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice by CANFIELD SCIENTIFIC, INC.. (Attachments: # <u>1</u> Certification of Thomas L Duston, # <u>2</u> Certification of Julianne Marie Hartzell, # <u>3</u> Text of Proposed Order)(STANZIALE, DAVID) (Entered: 08/06/2016)
08/04/2016	<u>5</u>	SUMMONS ISSUED as to RHETT DRUGGE, MELANOSCAN LLC Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. Issued By *CHRISTINE MELILLO* (cm) (Entered: 08/04/2016)
08/03/2016	<u>4</u>	Request for Summons to be Issued by CANFIELD SCIENTIFIC, INC. as to RHETT DRUGGE. (STANZIALE, DAVID) (Entered: 08/03/2016)
08/03/2016	<u>3</u>	Request for Summons to be Issued by CANFIELD SCIENTIFIC, INC. as to MELANOSCAN LLC. (STANZIALE, DAVID) (Entered: 08/03/2016)
08/02/2016	<u>2</u>	AO120 Patent/Trademark Form filed. (dam) (Entered: 08/02/2016)

08/02/2016		Case Assigned to Judge John Michael Vazquez and Magistrate Judge James B. Clark. (ak,) (Entered: 08/02/2016)
08/01/2016	<u>1</u>	COMPLAINT against All Defendants (Filing and Admin fee \$ 400 receipt number 0312-7263175) with JURY DEMAND, filed by CANFIELD SCIENTIFIC, INC..(STANZIALE, DAVID) (Main Document 1 replaced on 8/2/2016) (dam,). (Additional attachment(s) added on 8/2/2016: # <u>1</u> Civil Cover Sheet) (dam,). (Entered: 08/01/2016)

PACER Service Center			
Transaction Receipt			
01/22/2018 20:45:40			
PACER Login:	marshallip:2600677:5417248	Client Code:	32090-10004
Description:	Docket Report	Search Criteria:	2:16-cv-04636-JMV-JBC Start date: 1/1/1970 End date: 1/22/2018
Billable Pages:	8	Cost:	0.80