

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:00-cv-01528-JDW**

Heller v. Caberta
Assigned to: Judge James D. Whittemore
Demand: \$75,000

Case in other court : 01-10092-I

02-12887-A

02-12887-A

Cause: 28:1332 Diversity-Tort/Non-Motor Vehicle

Plaintiff

Hubert Heller
an individual

represented by **F. Wallace Pope , Jr.**
Johnson, Pope, Bokor, Ruppel & Burns,
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V.

Defendant

Ursula Caberta
an individual

represented by **John Matthew Merrett**
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Movant

Robert S. Minton

represented by **Daniel A. Leipold**
 Leipold, Donohue & Shipe, LLP
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 Santa Ana , CA 92706
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Movant

The Lisa McPherson Trust

represented by **Daniel A. Leipold**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	clear	Docket Text
07/27/2000	1	<input type="checkbox"/> 304.5 KB	COMPLAINT filed; jury demand Filing fee \$ 150.00 Receipt # T005463 (jlg) (Entered: 07/27/2000)
07/27/2000			MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Elizabeth A. Jenkins (jlg) (Entered: 07/27/2000)
07/27/2000			**ARBITRATION candidate. (jlg) (Entered: 07/27/2000)
07/27/2000			SUMMONS(ES) issued for Ursula Caberta . Consent(s) issued. (jlg) (Entered: 07/27/2000)
07/28/2000	2	<input type="checkbox"/> 64.1 KB	RETURN of service executed as to Ursula Caberta on 7/27/00; Answer due on 8/16/00 for Ursula Caberta (jnb) (Entered: 07/31/2000)
07/31/2000	3	<input type="checkbox"/> 65.8 KB	RETURN of service executed as to Ursula Caberta on 7/27/00; Answer due on 8/16/00 for Ursula Caberta (jnb) (Entered: 08/01/2000)
08/07/2000	4	<input type="checkbox"/> 30.3 KB	NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (jnb) (Entered: 08/07/2000)

08/15/2000	5	<input type="checkbox"/> 492.1 KB	MOTION by Ursula Caberta with memorandum in support to dismiss complaint (jnb) (Entered: 08/16/2000)
08/22/2000	6	<input type="checkbox"/> 59.7 KB	MOTION by Hubert Heller with memorandum in support for enlargement of time until 9/15/00 to respond to motion to dismiss (jnb) (Entered: 08/23/2000)
08/22/2000	7	<input type="checkbox"/> 101.5 KB	MOTION by Hubert Heller for Kendrick L. Moxon to appear pro hac vice (jnb) (Entered: 08/23/2000)
08/22/2000	7		APPEARANCE of non-resident counsel and designation of local counsel as to Hubert Heller. Local counsel: F. Wallace Pope. Non-resident counsel: Kendrick L. Moxon. (jnb) (Entered: 08/23/2000)
08/25/2000	8	<input type="checkbox"/> 23.0 KB	ORDER granting [6-1] motion for enlargement of time until 9/15/00 to respond to motion to dismiss, response to motion set to 9/15/00 for [5-1] motion to dismiss complaint by defendant (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 08/28/2000)
08/25/2000			ENDORSED ORDER granting [7-1] motion for Kendrick L. Moxon to appear pro hac vice (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 08/28/2000)
08/25/2000	9	<input type="checkbox"/> 145.7 KB	RESPONSE by Ursula Caberta to [6-1] motion for enlargement of time until 9/15/00 to respond to motion to dismiss (jnb) (Entered: 08/28/2000)
09/06/2000			RETURNED copies of endorsed order [7-1] and order [8-1] from Kendrick Moxon; marked: return to sender, addressee unknown. (jnb) (Entered: 09/06/2000)
09/06/2000			COPIES of endorsed order [7-1] and order [8-1] resent to Kendrick L. Moxon (jnb) (Entered: 09/06/2000)
09/13/2000	10	<input type="checkbox"/> 67.4 KB	RETURN of service executed as to Ursula Caberta on 7/27/00 Answer due on 8/16/00 for Ursula Caberta (jnb) (Entered: 09/14/2000)
09/22/2000	11	<input type="checkbox"/> 24.3 KB	ORDER denying [5-1] motion to dismiss complaint as moot. The first amended complaint received by the clerk on 9/15/00 is deemed filed and defendant shall file a response to said amended complaint within 20 days of the date of this order. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 09/25/2000)
09/22/2000	12	<input type="checkbox"/> 0.6 MB	FIRST AMENDED COMPLAINT by Hubert Heller amending [1-1] complaint (Answer due 10/16/00 for Ursula Caberta); jury demand (jnb) (Entered: 09/25/2000)
10/05/2000	13	<input type="checkbox"/> 105.6 KB	CASE MANAGEMENT REPORT (jnb) (Entered: 10/06/2000)
10/06/2000	14	<input type="checkbox"/> 0.7 MB	MOTION by Ursula Caberta with memorandum in support to dismiss amended complaint (jnb) (Entered: 10/10/2000)

10/06/2000	15	<input type="checkbox"/> 170.4 KB	MOTION by Ursula Caberta with memorandum in support to dismiss amended complaint for prolixity , to strike jurisdictional amendments contained in the [12-1] amended complaint (jnb) (Entered: 10/10/2000)
10/06/2000	16	<input type="checkbox"/> 0.6 MB	MOTION by Ursula Caberta with memorandum in support to suspend or restrict discovery pending resolution of the issues of sovereign immunity and personal jurisdiction (jnb) (Entered: 10/10/2000)
10/11/2000	17	<input type="checkbox"/> 137.2 KB	NOTICE of filing affidavit of Ursula Caberta by Ursula Caberta; attached. (jnb) (Entered: 10/11/2000)
10/12/2000	18	<input type="checkbox"/> 1.4 MB	AFFIDAVIT of Stacy Brooks by Ursula Caberta Re: [15-1] motion to dismiss amended complaint for prolixity, [15-2] motion to strike jurisdictional amendments contained in the [12-1] amended complaint, [14-1] motion to dismiss amended complaint (jnb) (Entered: 10/13/2000)
10/12/2000	19	<input type="checkbox"/> 0.6 MB	RESPONSE by Hubert Heller in opposition to [16-1] motion to suspend or restrict discovery pending resolution of the issues of sovereign immunity and personal jurisdiction (jnb) (Entered: 10/13/2000)
10/12/2000	19		MOTION by Hubert Heller with memorandum in support to stay response to defendant's motion to dismiss pending completion of jurisdictional discovery , to strike prejudices toward scientology and inflammatory assertions (jnb) (Entered: 10/13/2000)
10/12/2000	20	<input type="checkbox"/> 108.8 KB	CASE MANAGEMENT REPORT (jnb) (Entered: 10/13/2000)
10/13/2000	21	<input type="checkbox"/> 24.0 KB	ORDER. All discovery is stayed pending the court's determination of subject matter jurisdiction; denying as moot [16-1] motion to suspend or restrict discovery pending resolution of the issues of sovereign immunity and personal jurisdiction (Signed by Judge James D. Whittemore) etc (jnb) (Entered: 10/16/2000)
10/13/2000	22	<input type="checkbox"/> 28.1 KB	ORDER TO SHOW cause for why this case should not be dismissed for lack of subject matter jurisdiction: Response due on 10/30/00 for Hubert Heller (Signed by Judge James D. Whittemore) etc (jnb) (Entered: 10/16/2000)
10/13/2000	23	<input type="checkbox"/> 177.4 KB	MOTION by Hubert Heller with memorandum in support to stay response to defendant's motion to dismiss pending completion of jurisdictional discovery (jnb) (Entered: 10/16/2000)
10/18/2000	24	<input type="checkbox"/> 170.6 KB	RESPONSE by Ursula Caberta to [19-1] motion to stay response to defendant's motion to dismiss pending of jurisdictional discovery, [19-2] motion to strike prejudices toward scientology and inflammatory assertions (jnb) (Entered: 10/18/2000)
10/20/2000	25	<input type="checkbox"/> 27.7 KB	ORDER denying [23-1] motion to stay response to defendant's motion to dismiss pending completion of jurisdictional discovery, response to

			motion set to 11/9/00 for [15-1] motion to dismiss amended complaint for prolixity by defendant (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 10/23/2000)
10/20/2000	26	<input type="checkbox"/> 0.5 MB	RESPONSE to show cause order filed by plaintiff Hubert Heller (jnb) Modified on 10/25/2000 (Entered: 10/23/2000)
11/01/2000	27	<input type="checkbox"/> 57.4 KB	CASE MANAGEMENT AND SCHEDULING ORDER setting non-expert witness disclosure deadline 30 days prior to expert witness disclosure deadline; Expert witness disclosure deadline 11/6/01; Discovery cutoff 11/21/01; dispositive motion filing deadline for 9/12/01; Pretrial conference for 9:00 12/21/01; Jury trial set for 2/4/02; Scheduled for Judge James D. Whittemore (signed by Judge James D. Whittemore) ctc (jnb) (Entered: 11/02/2000)
11/06/2000	28	<input type="checkbox"/> 59.3 KB	MOTION by Hubert Heller with memorandum in support for leave to file memorandum exceeding 20 pages in response to defendant's motion to dismiss (jnb) (Entered: 11/07/2000)
11/09/2000	29	<input type="checkbox"/> 128.3 KB	RESPONSE by Hubert Heller in opposition to [15-1] motion to dismiss amended complaint for prolixity, [15-2] motion to strike jurisdictional amendments contained in the [12-1] amended complaint (jnb) (Entered: 11/14/2000)
11/09/2000	30	<input type="checkbox"/> 1.9 MB	MEMORANDUM by Hubert Heller in opposition to [14-1] motion to dismiss amended complaint. DOCUMENT STRICKEN AND RETURNED TO COUNSEL PURSUANT TO ORDER #33. (jnb) Modified on 11/24/2000 (Entered: 11/14/2000)
11/17/2000	31	<input type="checkbox"/> 22.2 KB	ORDER denying [28-1] motion for leave to file memorandum exceeding 20 pages in response to defendant's motion to dismiss (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 11/20/2000)
11/20/2000	32	<input type="checkbox"/> 64.8 KB	MOTION by Hubert Heller for leave to file opposition to motion to dismiss out of time . (Proposed, signed memorandum in opposition attached.) (sak) (Entered: 11/21/2000)
11/22/2000	33	<input type="checkbox"/> 24.4 KB	ORDER striking plaintiff's memorandum in opposition to motion to dismiss amended complaint and return to counsel. (Signed by Judge James D. Whittemore) ctc (rjc) (Entered: 11/24/2000)
12/06/2000	34	<input type="checkbox"/> 22.1 KB	ORDER granting [32-1] motion for leave to file opposition to motion to dismiss out of time (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 12/06/2000)
12/06/2000	35	<input type="checkbox"/> 1.5 MB	MEMORANDUM by Hubert Heller in opposition to [15-1] motion to dismiss amended complaint for prolixity (jnb) (Entered: 12/06/2000)
12/18/2000	36	<input type="checkbox"/> 307.8 KB	ORDER granting in part, denying in part [14-1] motion to dismiss amended complaint. Counts 1 and 2 are dismissed without prejudicei. Plaintiff is granted leave to file an amended complaint within 20 days

			of the date of this order, 1/10/01 amended complaint deadline at 1/10/01 for Hubert Heller . The motion is denied in all other respects. Denying motion [15-1] to dismiss amended complaint for prolixity; denying [15-2] motion to strike jurisdictional amendments contained in the [12-1] amended complaint denying [16-1] motion to suspend or restrict discovery pending resolution of the issues of sovereign immunity and personal jurisdiction (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 12/19/2000)
12/18/2000	37	<input type="checkbox"/> 18.5 KB	ORDER discharging [22-1] order to show cause. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 12/19/2000)
12/29/2000	38	<input type="checkbox"/> 30.9 KB	NOTICE of interlocutory appeal of [36-1] order by Ursula Caberta. Filing fee unpaid. Transcript information form due on 1/12/01 (jlg) Modified on 01/09/2001 (Entered: 01/02/2001)
01/02/2001			NOTICE of requirements when appeal filing fee not paid. Address appeal filing fee by 1/23/01 [38-1] appeal (jlg) (Entered: 01/02/2001)
01/02/2001			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [38-1] appeal. Transcript information form sent. (jlg) (Entered: 01/02/2001)
01/08/2001	39	<input type="checkbox"/> 54.9 KB	AMENDED NOTICE of interlocutory appeal of [37-1] order, [36-1] order by Ursula Caberta. Filing fee unpaid. Transcript information form due on 1/22/01 (jlg) Modified on 01/09/2001 (Entered: 01/09/2001)
01/08/2001	40	<input type="checkbox"/> 0.7 MB	SECOND AMENDED COMPLAINT by Hubert Heller amending [12-1] amended complaint (Answer due 1/26/01 for Ursula Caberta); jury demand (jnb) (Entered: 01/09/2001)
01/08/2001	41	<input type="checkbox"/> 30.0 KB	Certificate regarding transcript by Hubert Heller re: [39-1] appeal. No transcript will be ordered. Per conversation with John M. Merrett, Esq. a transcript information order form will be forthcoming. (crs) (Entered: 01/10/2001)
01/09/2001			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [39-1] appeal. Transcript information form sent. (jlg) (Entered: 01/09/2001)
01/09/2001			APPEAL FEES received \$105.00. Receipt # T008105 re: [39-1] appeal. USCA notified. (crs) (Entered: 01/10/2001)
01/10/2001			ACKNOWLEDGMENT by USCA of receiving initial appeal package on 1/5/01 re: [39-1] appeal. USCA # not yet assigned (crs) (Entered: 01/11/2001)
01/16/2001			NOTICE assigning 11th Circuit case number re: [39-1] appeal the initial appeal package was received by the USCA on 1/11/01. USCA case #: 01-10092-I (dlg) (Entered: 01/17/2001)

01/19/2001			ACKNOWLEDGMENT by USCA of receiving certified copy of paid appeal payment receipt on 1/12/01 re: [39-1] appeal (dlg) (Entered: 01/19/2001)
01/23/2001	42	<input type="checkbox"/> 330.6 KB	MOTION by Ursula Caberta with memorandum in support (second) to dismiss action for lack of personal jurisdiction under the Federal Sovereign Immunities Act (jnb) (Entered: 01/24/2001)
01/23/2001	43	<input type="checkbox"/> 236.0 KB	MOTION by Ursula Caberta with memorandum in support to suspend discovery pending resolution of second motion to dismiss [42-1] (jnb) (Entered: 01/24/2001)
02/01/2001	44	<input type="checkbox"/> 330.2 KB	RESPONSE by Hubert Heller in opposition to [43-1] motion to suspend discovery pending resolution of second motion to dismiss [42-1] (jnb) (Entered: 02/02/2001)
02/01/2001	44		MOTION by Hubert Heller to compel discovery referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 02/02/2001)
02/08/2001	45	<input type="checkbox"/> 0.9 MB	RESPONSE by Hubert Heller in opposition to [42-1] motion (second) to dismiss action for lack of personal jurisdiction under the Federal Sovereign Immunities Act (jlh) (Entered: 02/09/2001)
02/16/2001	46	<input type="checkbox"/> 194.5 KB	ORDER denying without prejudice [42-1] motion to dismiss action for lack of personal jurisdiction under the Federal Sovereign Immunities Act, denying [43-1] motion to suspend discovery pending resolution of second motion to dismiss [42-1]. See order for details. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 02/20/2001)
02/21/2001	47	<input type="checkbox"/> 30.9 KB	ORDER denying as moot [44-1] motion to compel discovery (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 02/22/2001)
02/26/2001	48	<input type="checkbox"/> 28.4 KB	ORDER from USCA dismissing [39-1] appeal for failure to file the record excerpts within the time fixed by the rules. Issued as the mandate. USCA #01-10092-II () ctc (crs) (Entered: 02/26/2001)
03/07/2001	50	<input type="checkbox"/> 368.3 KB	MOTION by Hubert Heller to compel discovery referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 03/08/2001)
03/12/2001	51		MOTION by Hubert Heller (emergency) to compel production of documents referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 03/12/2001)
03/12/2001	52	<input type="checkbox"/> 33.6 KB	NOTICE of unavailability of counsel between 3/9/01 and 3/25/01 by Ursula Caberta (rjc) (Entered: 03/13/2001)
03/19/2001	53	<input type="checkbox"/> 55.2 KB	NOTICE of withdrawal of emergency motion to compel production of documents by Hubert Heller (ag) (Entered: 03/19/2001)
03/19/2001			WITHDRAWAL of [51-1] emergency motion to compel production of documents. (see document no. [53-1]) (ag) (Entered: 03/19/2001)

03/23/2001	54	<input type="checkbox"/> 26.1 KB	ORDER denying [19-1] motion to stay response to defendant's motion to dismiss pending completion of jurisdictional discovery, denying [19-2] motion to strike prejudices toward scientology and inflammatory assertions (Signed by Judge James D. Whittemore) ctc (jnb) Modified on 12/20/2001 (Entered: 03/26/2001)
03/26/2001	55	<input type="checkbox"/> 53.3 KB	RESPONSE (NOTICE OF NON-OPPOSITION) by Hubert Heller to [50-1] motion to compel discovery (jnb) (Entered: 03/26/2001)
03/29/2001	56	<input type="checkbox"/> 52.1 KB	ORDER granting [50-1] motion to compel discovery to the extent that defendant and Willi Beiss shall appear for deposition within 20 days of the date of this order. Defendant shall respond to plaintiff's first request for production of documents within 11 days from the date of this order. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc Note: This order is vacated as it pertains to Willi Beiss pursuant to order [70-1] entered 5/8/01. (jnb) Modified on 05/09/2001 (Entered: 03/29/2001)
03/30/2001	57	<input type="checkbox"/> 156.7 KB	MOTION by Robert S. Minton, The Lisa McPherson Trust for protective order limiting the use of the depositions of non-parties to this action referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 03/30/2001)
03/30/2001	58	<input type="checkbox"/> 277.9 KB	MEMORANDUM by Robert S. Minton, The Lisa McPherson in support of [57-1] motion for protective order limiting the use of the depositions of non-parties to this action (jnb) (Entered: 03/30/2001)
03/30/2001	59	<input type="checkbox"/> 171.5 KB	AFFIDAVIT of Stacy Brooks by Robert S. Minton, The Lisa McPherson Re: [57-1] motion for protective order limiting the use of the depositions of non-parties to this action (jnb) (Entered: 03/30/2001)
03/30/2001	60	<input type="checkbox"/> 140.4 KB	AFFIDAVIT of Priscilla Coates by Robert S. Minton, The Lisa McPherson Re: [57-1] motion for protective order limiting the use of the depositions of non-parties to this action (jnb) (Entered: 03/30/2001)
03/30/2001	61	<input type="checkbox"/> 134.1 KB	AFFIDAVIT of Daniel A. Leipold by Robert S. Minton, The Lisa McPherson Re: [57-1] motion for protective order limiting the use of the depositions of non-parties to this action (filed under separate cover) (jnb) Modified on 03/30/2001 (Entered: 03/30/2001)
04/02/2001	62	<input type="checkbox"/> 38.7 KB	ORDER denying without prejudice [57-1] motion for protective order limiting the use of the depositions of non-parties to this action (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 04/03/2001)
04/13/2001	63	<input type="checkbox"/> 1.0 MB	MOTION by Ursula Caberta with memorandum in support for protective order , to vacate [56-1] order , or to determine compliance , and for sanctions referred to Magistrate Judge Elizabeth A. Jenkins (rm) (Entered: 04/13/2001)
04/17/2001	64	<input type="checkbox"/> 0.9 MB	MOTION by Hubert Heller to compel production of documents , for sanctions referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 04/18/2001)

04/18/2001	65	<input type="checkbox"/> 34.8 KB	AFFIDAVIT (CERTIFICATE OF NON-APPEARANCE) of Christine V. Ales by Hubert Heller Re: non-appearance of Ursula Caberta at deposition (jnb) (Entered: 04/19/2001)
04/18/2001	66	<input type="checkbox"/> 31.7 KB	NOTICE regarding Willi Beiss by Ursula Caberta (jnb) (Entered: 04/19/2001)
04/30/2001	67	<input type="checkbox"/> 1.1 MB	RESPONSE by Hubert Heller in opposition to [63-1] motion for protective order, [63-2] motion to vacate [56-1] order, [63-3] motion to determine compliance, [63-4] motion for sanctions (jnb) (Entered: 04/30/2001)
04/30/2001	67		MOTION by Hubert Heller (counter) for evidentiary preclusion , (counter) for other sanctions referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 04/30/2001)
04/30/2001	68	<input type="checkbox"/> 63.6 KB	RESPONSE by Hubert Heller in opposition to [64-2] motion for sanctions (jnb) (Entered: 04/30/2001)
05/01/2001	69	<input type="checkbox"/> 285.7 KB	RESPONSE by Ursula Caberta to [64-1] motion to compel production of documents (jnb) (Entered: 05/01/2001)
05/08/2001	71	<input type="checkbox"/> 194.6 KB	ORDER granting [64-1] motion to compel production of documents to the extent that defendant shall provide either a privilege log or documents responsive to request 12 of plaintiff's second request for production of documents within 20 days. The motion is otherwise denied. Denying [64-2] motion for sanctions (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 05/09/2001)
05/08/2001	70	<input type="checkbox"/> 242.3 KB	ORDER denying [63-1] motion for protective order, granting [63-2] motion to vacate [56-1] order to the extent that the 3/29/01 order is vacated as it pertains to Willi Beiss, denying [63-3] motion to determine compliance, denying [63-4] motion for sanctions, denying without prejudice [67-1] motion for evidentiary preclusion, denying without prejudice [67-2] motion for other sanctions (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 05/10/2001)
05/18/2001	72	<input type="checkbox"/> 1.3 MB	RESPONSE (OBJECTION) by Ursula Caberta to [70-1] order requiring defendant to appear for deposition in the Middle District of Florida on the issue of jurisdiction under the Foreign Sovereign Immunities Act (jnb) (Entered: 05/21/2001)
05/21/2001	73	<input type="checkbox"/> 62.4 KB	MOTION by Ursula Caberta with memorandum in support to stay the effect of the Magistrate Judge's order of 5/8/01 pending determination by the court of defendant's objection to that order (jnb) (Entered: 05/21/2001)
05/22/2001	74	<input type="checkbox"/> 111.5 KB	SUPPLEMENT by Ursula Caberta to [72-1] objection to Magistrate's order of 5/8/01 (jnb) (Entered: 05/22/2001)
05/24/2001	75	<input type="checkbox"/> 0.7 MB	RESPONSE (OPPOSITION) by Hubert Heller to [72-1] response to Magistrate's order of 5/8/01 (jnb) (Entered: 05/25/2001)

05/24/2001	75		RESPONSE (OPPOSITION) by Hubert Heller to [73-1] motion to stay the effect of the Magistrate Judge's order of 5/8/01 pending determination by the court of defendant's objection to that order (jnb) (Entered: 05/25/2001)
06/04/2001	76	<input type="checkbox"/> 1.7 MB	MOTION by Hubert Heller for clarification of [71-1] order regarding production of documents , to amend [71-1] order regarding production of documents referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 06/05/2001)
06/06/2001	77	<input type="checkbox"/> 144.2 KB	ORDER overruling [72-1] objections to report and recommendation; denying as moot [73-1] motion to stay the effect of the Magistrate Judge's order of 5/8/01 pending determination by the court of defendant's objection to that order. The deadline for discovery related to the Federal Sovereign Immunities Act is extended to 7/31/01 and the deadline for defendant to renew her motion to dismiss is extended to 8/31/01. Each party shall bear their own costs, including travel expenses. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 06/07/2001)
06/08/2001	78	<input type="checkbox"/> 20.4 KB	ORDER (USCA) that appellant's motion to remedy default, set aside dismissal and reinstate appeal is granted. Appellee's brief is due 30 days from date of order. Order filed at the 11th Circuit Court of Appeals on 4/2/01. USCA # 01-10092-II (crs) (Entered: 06/11/2001)
06/19/2001	79	<input type="checkbox"/> 0.6 MB	CERTIFICATE of readiness with certified copies of indexed district court docket sheet sent to USCA re: [39-1] appeal (ROA consists of: Volume pleadings: 5; Volume exhibits: 1 folder;) USCA# 01-10092-II (crs) (Entered: 06/19/2001)
06/19/2001			REQUEST by USCA to forward record on appeal re: [39-1] appeal. USCA # 01-10092-II (crs) (Entered: 06/19/2001)
06/19/2001			RECORD ON APPEAL sent to USCA re: [39-1] appeal, [38-1] appeal Transmittal includes: (ROA consists of: Volume pleadings: 5; Volume exhibits: 1 folder;) USCA# 01-10092-II (crs) (Entered: 06/19/2001)
06/21/2001	80	<input type="checkbox"/> 56.7 KB	ORDER granting [76-1] motion for clarification of [71-1] order regarding production of documents and [76-2] motion to amend [71-1] order regarding production of documents to the extent that if any records responsive to Requests 9 through 17 are in defendant's possession, custody, or control, they shall be produced within 10 days of the date of this order. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 06/22/2001)
06/25/2001			ACKNOWLEDGMENT by USCA of receiving certificate of readiness on 6/22/01 re: [39-1] amended interlocutory appeal. USCA # 01-10092-II (crs) (Entered: 06/26/2001)
06/25/2001			ACKNOWLEDGMENT by USCA of receiving record on appeal on 6/22/01 re: [39-1] amended interlocutory appeal. USCA # 01-10092-II

			(crs) (Entered: 06/26/2001)
07/03/2001	82	<input type="checkbox"/> 0.5 MB	MOTION by Hubert Heller to increase length of deposition of defendant Ursula Caberta for 2 days referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/05/2001)
07/05/2001	83	<input type="checkbox"/> 1.0 MB	MOTION by Hubert Heller to compel second set of interrogatories referred to Magistrate Judge Elizabeth A. Jenkins (jlh) (Entered: 07/06/2001)
07/12/2001	84	<input type="checkbox"/> 115.8 KB	MOTION by Hubert Heller to compel forthwith compliance with order dated 6/21/01 , for sanctions referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/12/2001)
07/12/2001	85	<input type="checkbox"/> 73.8 KB	MOTION by Hubert Heller (emergency) to shorten time on motion to compel forthwith compliance with order dated 6/21/01 referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/12/2001)
07/12/2001	86	<input type="checkbox"/> 145.7 KB	CORRECTED MOTION correcting [84-1], [84-2] motion (corrected) to compel forthwith compliance with order dated 6/21/01 , (corrected) for sanctions by Hubert Heller; referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/12/2001)
07/12/2001	87	<input type="checkbox"/> 80.2 KB	CORRECTED MOTION correcting [85-1] motion (corrected emergency) to shorten time on motion to compel forthwith compliance with order dated 6/21/01 by Hubert Heller; referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/12/2001)
07/12/2001	88	<input type="checkbox"/> 42.2 KB	ORDER granting [85-1] motion to shorten time on motion to compel forthwith compliance with order dated 6/21/01, response to motion set to 7/17/01 for [84-1] motion to compel forthwith compliance with order dated 6/21/01 by plaintiff, set to 7/17/01 for [84-2] motion for sanctions by plaintiff (Signed by Magistrate Judge Elizabeth A. Jenkins) (jnb) Modified on 07/13/2001 (Entered: 07/12/2001)
07/17/2001	89	<input type="checkbox"/> 134.8 KB	RESPONSE by Ursula Caberta to [82-1] motion to increase length of deposition of defendant Ursula Caberta for 2 days (jnb) (Entered: 07/17/2001)
07/17/2001	90	<input type="checkbox"/> 40.4 KB	RESPONSE by Ursula Caberta to [88-1] order setting response to motion for 7/17/01 for [84-1] motion to compel forthwith compliance with order dated 6/21/01 by plaintiff, set to 7/17/01 for [84-2] motion for sanctions by plaintiff (jnb) (Entered: 07/17/2001)
07/17/2001	91	<input type="checkbox"/> 46.3 KB	ORDER granting [82-1] motion to increase length of deposition of defendant Ursula Caberta to 2 days (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 07/18/2001)
07/17/2001	92	<input type="checkbox"/> 39.0 KB	ORDER TO SHOW cause for why sanctions should not be imposed due to defendant's delay in providing the discovery responses at issue: Response due on 8/3/01 for Ursula Caberta. Denying [86-1] amended motion to compel forthwith compliance with order dated 6/21/01 as

			moot. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 07/18/2001)
07/20/2001	93	<input type="checkbox"/> 45.3 KB	ORDER granting [83-1] motion to compel second set of interrogatories. Defendant shall respond prior to her deposition on 7/25/01. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 07/23/2001)
07/20/2001	94	<input type="checkbox"/> 27.7 KB	TELEPHONIC DISCOVERY CONFERENCE held on 7/20/01 before Magistrate Judge Elizabeth A. Jenkins regarding the scheduled deposition of defendant on 7/25/01. Tape: 59/1891-2718. (jnb) Modified on 07/23/2001 (Entered: 07/23/2001)
07/20/2001	95	<input type="checkbox"/> 32.4 KB	NOTICE of attorney appearance for Ursula Caberta by Robert Merkle (jnb) (Entered: 07/23/2001)
07/23/2001	96	<input type="checkbox"/> 176.7 KB	MEMORANDUM by Hubert Heller regarding emergency request for hearing regarding the deposition of defendant Ursula Caberta (jnb) (Entered: 07/23/2001)
07/23/2001	97	<input type="checkbox"/> 207.3 KB	MOTION by Ursula Caberta with memorandum in support (emergency) for protective order referred to Magistrate Judge Elizabeth A. Jenkins (jnb) (Entered: 07/23/2001)
07/23/2001	98	<input type="checkbox"/> 91.5 KB	NOTICE by Ursula Caberta of unavailability of counsel from 7/19/01 to 8/1/01 (ag) (Entered: 07/24/2001)
07/24/2001	99	<input type="checkbox"/> 2.9 MB	RESPONSE by Hubert Heller in opposition to [97-1] motion for protective order (jnb) (Entered: 07/24/2001)
07/24/2001	100	<input type="checkbox"/> 47.5 KB	ORDER denying [97-1] motion for protective order (Signed by Magistrate Judge Thomas G. Wilson) ctc (jnb) (Entered: 07/25/2001)
07/30/2001	101	<input type="checkbox"/> 47.8 KB	NOTICE of no response by defendant to order to show cause regarding sanctions by Hubert Heller (jnb) (Entered: 07/31/2001)
07/31/2001	102		TRANSCRIPT of discovery conference held on 7/20/01 before Magistrate Judge Elizabeth A. Jenkins. Transcript filed separately. (jnb) (Entered: 07/31/2001)
08/21/2001	103	<input type="checkbox"/> 57.2 KB	ORDER. Defendant shall pay sanctions in the amount of \$500.00 to plaintiff within 10 days of the date of this order. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 08/22/2001)
09/04/2001	104	<input type="checkbox"/> 102.3 KB	MOTION by Ursula Caberta with memorandum in support for leave to file renewed motion to dismiss for lack of subject matter jurisdiction (FSIA) one day late ; proposed renewed motion attached. (jnb) (Entered: 09/05/2001)
09/04/2001	105	<input type="checkbox"/> 1.1 MB	MOTION by Hubert Heller to compel further deposition of defendant Ursula Caberta , to compel responses to deposition questions , for attorney fees and costs ; referred to Magistrate Judge Elizabeth A. Jenkins; exhibits filed under separate cover. (jnb) (Entered: 09/05/2001)

09/13/2001	106	<input type="checkbox"/> 3.4 MB	MOTION by Hubert Heller (to suspend) to stay time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders (jnb) (Entered: 09/17/2001)
09/13/2001	107	<input type="checkbox"/> 71.2 KB	MOTION by Hubert Heller to shorten time to hear plaintiff's motion to suspend time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders . (jnb) (Entered: 09/17/2001)
09/17/2001	108	<input type="checkbox"/> 38.8 KB	ORDER granting [104-1] motion for leave to file renewed motion to dismiss for lack of subject matter jurisdiction (FSIA) one day late (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 09/17/2001)
09/17/2001	109	<input type="checkbox"/> 0.5 MB	MOTION by Ursula Caberta with memorandum in support (renewed) to dismiss action for lack of subject matter jurisdiction (FSIA) , (renewed) for summary judgment as to liability ; exhibits filed under separate cover. (jnb) Modified on 09/19/2001 (Entered: 09/19/2001)
09/19/2001	110	<input type="checkbox"/> 60.0 KB	ORDER granting [107-1] motion to shorten time to hear plaintiff's motion to suspend time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders, response to motion set to 10/1/01 for [106-1] motion to stay time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders by plaintiff . The deadline for plaintiff's response to the renewed motion to dismiss for lack of subject matter jurisdiction is tolled until the court enters a ruling on the plaintiff's motion to suspend time. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 09/20/2001)
09/21/2001	111	<input type="checkbox"/> 103.6 KB	RESPONSE by Ursula Caberta to [106-1] motion to stay time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders (jnb) (Entered: 09/24/2001)
09/24/2001	112	<input type="checkbox"/> 80.7 KB	MOTION by Ursula Caberta with memorandum in support to strike [105-1] motion to compel further deposition of defendant Ursula Caberta, [105-2] motion to compel responses to deposition questions, [105-3] motion for attorney fees and costs referred to Magistrate Judge Elizabeth A. Jenkins. (jnb) (Entered: 09/24/2001)
09/24/2001	113	<input type="checkbox"/> 77.2 KB	RESPONSE by Hubert Heller to [112-1] motion to strike [105-1] motion to compel further deposition of defendant Ursula Caberta, [105-2] motion to compel responses to deposition questions, [105-3] motion for attorney fees and costs and MOTION for leave to file revised motion to compel referred to Magistrate Judge Elizabeth A. Jenkins; proposed motion to compel attached. (jnb) (Entered: 09/25/2001)

09/26/2001	114	<input type="checkbox"/> 50.5 KB	ORDER granting [106-1] motion to suspend time to file opposition to defendant's motion for summary judgment pending defendant's compliance with outstanding discovery orders until such time as the parties file a notice informing the court the the Magistrate Judge has entered a ruling on plaintiff's motion to compel [105-1]. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 09/27/2001)
09/26/2001	115	<input type="checkbox"/> 77.7 KB	ORDER denying [112-1] motion to strike [105-1] motion to compel further deposition of defendant Ursula Caberta, [105-2] motion to compel responses to deposition questions, [105-3] motion for attorney fees and costs, granting [113-1] motion for leave to file revised motion to compel to the extent that the court accepts its 25-page motion to compel [105-1], response to motion set to 10/9/01 for [105-1] motion to compel further deposition of defendant Ursula Caberta by plaintiff, set to 10/9/01 for [105-2] motion to compel responses to deposition questions by plaintiff, set to 10/9/01 for [105-3] motion for attorney fees and costs by plaintiff (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 09/27/2001)
09/27/2001	116	<input type="checkbox"/> 32.5 KB	NOTICE by Ursula Caberta of change of address for counsel, John M. Merrett (ag) (Entered: 09/28/2001)
10/03/2001	117	<input type="checkbox"/> 4.5 MB	RESPONSE by Ursula Caberta to [105-1] motion to compel further deposition of defendant Ursula Caberta, [105-2] motion to compel responses to deposition questions, [105-3] motion for attorney fees and costs (jnb) (Entered: 10/04/2001)
10/09/2001	118	<input type="checkbox"/> 60.0 KB	MOTION by Hubert Heller for leave to file reply memorandum in support of motion to compel further deposition of defendant Ursula Caberta referred to Magistrate Judge Elizabeth A. Jenkins; proposed reply attached. (jnb) (Entered: 10/10/2001)
10/10/2001	119	<input type="checkbox"/> 45.7 KB	CERTIFICATE OF COMPLIANCE (CERTIFICATION) with Rule 3.01 by Hubert Heller Re: reply in support of motion to compel further deposition of defendant Ursula Caberta. (jnb) (Entered: 10/11/2001)
10/12/2001	120	<input type="checkbox"/> 43.3 KB	ORDER, Motion hearing set for 9:30 10/24/01 for [105-1] motion to compel further deposition of defendant Ursula Caberta, set for 9:30 10/24/01 for [105-2] motion to compel responses to deposition questions, set for 9:30 10/24/01 for [105-3] motion for attorney fees and costs, set for 9:30 10/24/01 for [118-1] motion for leave to file reply memorandum in support of motion to compel further deposition of defendant Ursula Caberta; Scheduled for Magistrate Judge Elizabeth A. Jenkins . (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 10/15/2001)
10/19/2001	121	<input type="checkbox"/> 105.1 KB	RESPONSE by Ursula Caberta to [118-1] motion for leave to file reply memorandum in support of motion to compel deposition of defendant Ursula Caberta. (jnb) (Entered: 10/22/2001)
10/24/2001	122	<input type="checkbox"/> 43.9	MOTION HEARING held on 10/24/01 re: [105-3] motion for attorney

		KB	fees and costs, [118-1] motion for leave to file reply memorandum in support of motion to compel further deposition of defendant Ursala Caberta before Magistrate Judge Elizabeth A. Jenkins. Motion for leave to file reply memorandum [118-1] denied as moot. Written order to follow. Tape: 87/1136-3700. (jnb) Modified on 10/25/2001 (Entered: 10/25/2001)
10/24/2001			ORAL ORDER denying as moot [118-1] motion for leave to file reply memorandum in support of motion to compel further deposition of defendant Ursala Caberta (Entered by Magistrate Judge Elizabeth A. Jenkins) (jnb) (Entered: 10/25/2001)
10/30/2001	123	<input type="checkbox"/> 90.1 KB	MOTION by Hubert Heller to vacate [27-1] Scheduling order . (jnb) (Entered: 10/31/2001)
10/31/2001	124	<input type="checkbox"/> 316.5 KB	MOTION by Ursula Caberta with memorandum in support to recuse Magistrate Judge , for new hearing on [105-1] motion to compel further deposition of defendant Ursula Caberta referred to Magistrate Judge Elizabeth A. Jenkins. (jnb) (Entered: 11/01/2001)
11/01/2001	125		TRANSCRIPT of hearing on motion to compel held on 10/24/01 before Judge Elizabeth A. Jenkins. Transcript filed separately. (jnb) (Entered: 11/02/2001)
11/01/2001	126	<input type="checkbox"/> 89.0 KB	SUPPLEMENT by Ursula Caberta to [124-1] motion to recuse Magistrate Judge, [124-2] motion for new hearing on [105-1] motion to compel further deposition of defendant Ursula Caberta. (jnb) (Entered: 11/02/2001)
11/01/2001	127	<input type="checkbox"/> 57.9 KB	RESPONSE by Ursula Caberta to [123-1] motion to vacate [27-1] Scheduling order. (jnb) (Entered: 11/02/2001)
11/02/2001	128	<input type="checkbox"/> 38.0 KB	ORDER [124-1] motion to recuse Magistrate Judge taken under advisement, [124-2] motion for new hearing on [105-1] motion to compel further deposition of defendant Ursula Caberta taken under advisement, response to motion set to 11/9/01 for [124-1] motion to recuse Magistrate Judge by defendant, set to 11/9/01 for [124-2] motion for new hearing on [105-1] motion to compel further deposition of defendant Ursula Caberta by defendant (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 11/05/2001)
11/08/2001	129	<input type="checkbox"/> 48.1 KB	ORDER granting [123-1] motion to vacate [27-1] Scheduling order. Expert witness disclosure deadline extended to 3/12/02, reset discovery due for 3/26/02 , reset dispositive motion filing deadline for 4/5/02 , reset pretrial conference for 10:00 5/10/02; scheduled for Judge James D. Whittemore , reset jury trial for 6/3/02; scheduled for Judge James D. Whittemore (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 11/09/2001)
11/09/2001	130	<input type="checkbox"/> 0.5 MB	MEMORANDUM by Hubert Heller in opposition to [124-1] motion to recuse Magistrate Judge. (jnb) (Entered: 11/13/2001)

11/15/2001	131	<input type="checkbox"/> 88.7 KB	ORDER (USCA) dismissing [38-1] appeal, dismissing [39-1] appeal for want of appellate jurisdiction. USCA # 01-10092-II (crs) (Entered: 11/16/2001)
11/15/2001			RECORD on appeal returned from USCA re: (ROA consists of: Volume pleadings: 5; Volume exhibits: 1 folder;) USCA# 01-10092-II (crs) (Entered: 11/16/2001)
11/16/2001	132	<input type="checkbox"/> 251.8 KB	ORDER denying [124-1] motion to recuse Magistrate Judge, denying [124-2] motion for new hearing on [105-1] motion to compel further deposition of defendant Ursula Caberta (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 11/19/2001)
11/16/2001	133	<input type="checkbox"/> 0.8 MB	ORDER granting [105-1] motion to compel further deposition of defendant Ursula Caberta, granting [105-2] motion to compel responses to deposition questions granting [105-3] motion for attorney fees and costs. See order for details. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 11/19/2001)
11/28/2001	134	<input type="checkbox"/> 58.8 KB	BILL OF COSTS taxed in the amount of \$79.20 against appellant, Hubert Heller and payable to appellee, Ursula Caberta. USCA # 01-10092-II (crs) (Entered: 11/28/2001)
12/05/2001	135	<input type="checkbox"/> 348.2 KB	NOTICE of filing declaration in connection with fees determination by Hubert Heller; attached. (jnb) (Entered: 12/06/2001)
12/05/2001	135		DECLARATION of Kendrick Moxon by Hubert Heller Re: [105-3] motion for attorney fees and costs. (jnb) (Entered: 12/06/2001)
12/06/2001	136	<input type="checkbox"/> 1.8 MB	OBJECTION by Ursula Caberta to [133-1] order regarding plaintiff's motion to compel. (jnb) (Entered: 12/07/2001)
12/06/2001	137		OBJECTION by Ursula Caberta to [132-1] order denying defendant's motion to recuse. (jnb) (Entered: 12/07/2001)
12/11/2001	138	<input type="checkbox"/> 169.8 KB	MOTION by Ursula Caberta with memorandum in support to continue deposition of Ursula Caberta referred to Magistrate Judge Elizabeth A. Jenkins. (jnb) (Entered: 12/11/2001)
12/14/2001	139	<input type="checkbox"/> 103.2 KB	NOTICE of protest by Federal Republic of Germany by Ursula Caberta (jnb) (Entered: 12/17/2001)
12/14/2001	139		SUPPLEMENT by Ursula Caberta to [136-1] objection to Magistrate Judge's order on plaintiff's motion to compel. (jnb) (Entered: 12/17/2001)
12/14/2001	140	<input type="checkbox"/> 119.2 KB	SUPPLEMENTAL MATERIAL by Ursula Caberta to [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA), [109-2] motion for summary judgment as to liability (correspondence from Federal Republic of Germany, Consulate General). (jnb) (Entered: 12/17/2001)
12/19/2001	141	<input type="checkbox"/> 1.0 MB	RESPONSE by Hubert Heller to [136-1] objection to order on

			plaintiff's motion to compel. (jnb) Modified on 12/20/2001 (Entered: 12/20/2001)
12/19/2001	142	<input type="checkbox"/> 1.0 MB	MEMORANDUM by Hubert Heller in opposition to [137-1] objection to order denying defendant's motion to recuse magistrate. (jnb) (Entered: 12/20/2001)
12/19/2001	143	<input type="checkbox"/> 383.8 KB	MEMORANDUM by Hubert Heller in opposition to [138-1] motion to continue deposition of Ursula Caberta. (jnb) (Entered: 12/20/2001)
12/21/2001	144	<input type="checkbox"/> 0.6 MB	RESPONSE by Ursula Caberta to [135-1] declaration of Kendrick Moxon in connection with fees determination. (jnb) (Entered: 12/26/2001)
01/25/2002	145	<input type="checkbox"/> 88.0 KB	ORDER denying [138-1] motion to continue deposition of Ursula Caberta. Defendant shall conduct the deposition within 30 days of the date of this order. See order for details. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 01/28/2002)
01/29/2002	146	<input type="checkbox"/> 177.9 KB	ORDER granting [105-3] motion for attorney fees and costs. The defendant shall pay to plaintiff, within 30 days of the date of this order, \$5,249.50, representing \$3,250.00 in attorney's fees and \$1,999.50 in expenses, pursuant to this court's order dated 11/16/01. (Signed by Magistrate Judge Elizabeth A. Jenkins) ctc (jnb) (Entered: 01/30/2002)
01/31/2002	147	<input type="checkbox"/> 62.7 KB	ORDER overruling [136-1] objection to order on motion to compel; overruling [137-1] objection to order on motion to recuse magistrate judge. Defendant shall appear for deposition by 2/25/02. response to motion set to 3/29/02 for [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA) by defendant, set to 3/29/02 for [109-2] motion for summary judgment as to liability by defendant . See order for details. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 02/01/2002)
02/01/2002	148	<input type="checkbox"/> 104.6 KB	NOTICE of State Department's refusal to intervene in this action by Hubert Heller. (jnb) (Entered: 02/04/2002)
02/12/2002	149	<input type="checkbox"/> 0.8 MB	OBJECTION by Ursula Caberta in opposition to [146-1] order in connection with fees determination. (jnb) (Entered: 02/12/2002)
02/21/2002	150	<input type="checkbox"/> 193.7 KB	RESPONSE by Hubert Heller to [149-1] objection to Magistrate Judge's order on fees (jnb) (Entered: 02/22/2002)
02/22/2002	151	<input type="checkbox"/> 197.3 KB	NOTICE of inability to appear at court ordered deposition by Ursula Caberta (jnb) (Entered: 02/25/2002)
03/05/2002	152	<input type="checkbox"/> 210.5 KB	CORRESPONDENCE dated 2/22/02 from the Consul General of the Federal Republic of Germany, Dr. Volker Anding, for Ursula Caberta re: aide-memoire regarding the position of the Federal Republic of Germany to claim sovereign immunity in the case. (jnb) (Entered: 03/06/2002)
03/05/2002	153	<input type="checkbox"/>	MOTION by Ursula Caberta with memorandum in support to strike

		74.3 KB	request for attorney fees contained in the [150-1] response to defendant's objection to Magistrate Judge's order on fees (jnb) (Entered: 03/06/2002)
03/05/2002	154	<input type="checkbox"/> 168.1 KB	EMERGENCY MOTION by Hubert Heller with memorandum in support (emergency) to stay response to defendant's motion to dismiss and for summary judgment pending this court's consideration of plaintiff's motion for sanctions (jnb) (Entered: 03/06/2002)
03/08/2002	155	<input type="checkbox"/> 45.5 KB	ORDER denying [154-1] motion to stay response to defendant's motion to dismiss and for summary judgment pending this court's consideration of plaintiff's motion for sanctions (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 03/08/2002)
03/21/2002	156	<input type="checkbox"/> 59.2 KB	RESPONSE by Hubert Heller in opposition to [153-1] motion to strike request for attorney fees contained in the [150-1] response to defendant's objection to Magistrate Judge's order on fees (jnb) (Entered: 03/22/2002)
03/22/2002	157	<input type="checkbox"/> 37.4 KB	ORDER denying [153-1] motion to strike request for attorney fees contained in the [150-1] response to defendant's objection to Magistrate Judge's order on fees (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 03/25/2002)
03/25/2002	158	<input type="checkbox"/> 65.3 KB	CONSENTED MOTION by Hubert Heller (consented) for extension of time to respond to motion to dismiss and for summary judgment for 1 week (jnb) (Entered: 03/26/2002)
03/28/2002	159	<input type="checkbox"/> 42.2 KB	ORDER granting [158-1] consent motion for extension of time to respond to motion to dismiss and for summary judgment for 1 week, response to motion set to 4/5/02 for [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA) by defendant, set to 4/5/02 for [109-2] motion for summary judgment as to liability by defendant (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 03/29/2002)
04/05/2002	160	<input type="checkbox"/> 4.2 MB	RESPONSE by Hubert Heller in opposition to [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA), [109-2] motion for summary judgment as to liability (jlh) (Entered: 04/08/2002)
04/05/2002	160		CROSS MOTION by Hubert Heller for sanctions for violation of court orders (jlh) (Entered: 04/08/2002)
04/22/2002	161	<input type="checkbox"/> 2.0 MB	RESPONSE by Ursula Caberta to [160-1] cross motion for sanctions for violation of court orders (jnb) (Entered: 04/23/2002)
05/01/2002	162	<input type="checkbox"/> 76.5 KB	MOTION by Hubert Heller for leave to file reply to defendant's response to plaintiff's cross-motion for sanctions regarding subject matter jurisdiction and judgment (jnb) (Entered: 05/02/2002)
05/07/2002	163	<input type="checkbox"/> 46.3 KB	ORDER denying [162-1] motion for leave to file reply to defendant's response to plaintiff's cross-motion for sanctions regarding subject

			matter jurisdiction and judgment (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 05/08/2002)
05/09/2002	164	<input type="checkbox"/> 38.5 KB	JOINT MOTION by Hubert Heller, Ursula Caberta to vacate pretrial and trial dates (jlh) (Entered: 05/09/2002)
05/10/2002	165	<input type="checkbox"/> 0.7 MB	ORDER granting [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA), denying as moot [109-2] motion for summary judgment as to liability. The clerk is directed to close this case. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 05/13/2002)
05/10/2002			CASE CLOSED. (jnb) (Entered: 05/13/2002)
05/20/2002	166	<input type="checkbox"/> 59.6 KB	NOTICE OF APPEAL by Hubert Heller re: [165-1] order. Filing fee \$ 105.00; Receipt # T015868 Certificate of Readiness due on 6/3/02. ctc (dlg) Modified on 05/21/2002 (Entered: 05/21/2002)
05/21/2002			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [166-1] appeal. Civil Appeals Statement sent. (dlg) (Entered: 05/21/2002)
05/23/2002	167	<input type="checkbox"/> 2.6 MB	MOTION by Ursula Caberta with memorandum in support for attorney's fees , to tax costs (jnb) (Entered: 05/24/2002)
05/23/2002			PROPOSED bill of costs. (jnb) (Entered: 05/24/2002)
05/28/2002			NOTICE assigning 11th Circuit case number re: [166-1] appeal The initial appeal package was received by the USCA on 5/23/02. USCA case #: 02-12887-A (dlg) (Entered: 05/28/2002)
05/30/2002	168	<input type="checkbox"/> 55.8 KB	NOTICE OF CROSS-APPEAL by Ursula Caberta re: [147-1] order response to motion set to 3/29/02 for [109-1] motion to dismiss action for lack of subject matter jurisdiction (FSIA) by defendant, set to 3/29/02 for [109-2] motion for summary judgment as to liability by defendant. Filing fee \$ 105.00; Receipt # T016009 ctc (dlg) (Entered: 05/30/2002)
05/30/2002			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [168-1] appeal. Civil Appeals Statement filed. (dlg) (Entered: 05/30/2002)
06/05/2002	169	<input type="checkbox"/> 76.3 KB	UNOPPOSED EMERGENCY MOTION by Hubert Heller with memorandum in support (unopposed emergency) for extension of time to respond to defendant's motion for attorney's fees, expenses and costs until 6/24/02 (jnb) (Entered: 06/05/2002)
06/07/2002	170	<input type="checkbox"/> 44.1 KB	ORDER granting [169-1] motion for extension of time to respond to defendant's motion for attorney's fees, expenses and costs until 6/24/02, response to motion set to 6/24/02 for [167-1] motion for attorney's fees by defendant, set to 6/24/02 for [167-2] motion to tax costs by

			defendant (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 06/10/2002)
06/12/2002	171	<input type="checkbox"/> 42.0 KB	CERTIFICATE of readiness with certified copies of indexed district court docket sheet sent to USCA re: [168-1] appeal, [166-1] appeal (ROA consists of: Volume pleadings: 8; Volume transcripts: 2; Volume documentary exhibits: 3) USCA# 02-12887-A (dlg) (Entered: 06/12/2002)
06/13/2002			NOTICE assigning 11th Circuit case number re: [168-1] appeal The initial appeal package was received by the USCA on 6/4/02. USCA case #: 02-12887-A (dlg) (Entered: 06/13/2002)
06/21/2002			ACKNOWLEDGMENT by USCA of receiving certificate of readiness on 6/17/02 re: [168-1] appeal, [166-1] appeal. USCA # 02-12887-AA (dlg) (Entered: 06/21/2002)
06/24/2002	172	<input type="checkbox"/> 1.0 MB	RESPONSE by Hubert Heller in opposition to [167-1] motion for attorney's fees, [167-2] motion to tax costs (snp) (Entered: 06/25/2002)
07/19/2002	173	<input type="checkbox"/> 38.0 KB	ORDER [167-1] motion for attorney's fees referred to Magistrate Judge Elizabeth A. Jenkins, [167-2] motion to tax costs referred to Magistrate Judge Elizabeth A. Jenkins (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 07/22/2002)
09/23/2002			REQUEST by USCA to forward the record on appeal re: [168-1] appeal, [166-1] appeal. USCA # 02-12887-AA (dlg) (Entered: 09/23/2002)
09/23/2002			RECORD ON APPEAL sent to USCA re: [168-1] appeal, [166-1] appeal. (ROA consists of: Certified copy of indexed district court docket sheet, Volume pleadings: 8; Volume transcripts: 2; Volume documentary exhibits: 4). USCA# 02-12887-AA ctc (dlg) (Entered: 09/23/2002)
09/30/2002			USCA'S RETURN of the record on appeal due to case still being in briefing. USCA will request the record on appeal at a later date. USCA number 02-12887-AA (dlg) (Entered: 09/30/2002)
10/02/2002	174	<input type="checkbox"/> 0.5 MB	REPORT AND RECOMMENDATION of Magistrate Judge Elizabeth A. Jenkins recommending that the [167-1] motion for attorney's fees pursuant to 42 U.S.C. Section 1988 and 28 U.S.C. Section 1927 be denied and pursuant to Florida Statute Section 501.2105 be denied without prejudice, and the [167-2] motion to tax costs be granted in the amount of \$1,416.22 and the remainder of the costs of \$1,538.52 be denied without prejudice; Motion no longer referred; Objections to R and R due by 10/21/02. (jnb) Modified on 10/04/2002 (Entered: 10/03/2002)
10/03/2002			USCA'S RETURN of the remainder of the record on appeal. USCA number 02-12887-AA (dlg) (Entered: 10/03/2002)

10/21/2002	175	<input type="checkbox"/> 1.3 MB	OBJECTION by Ursula Caberta to [174-1] report and recommendations on motion for attorney fees (rm) Modified on 10/25/2002 (Entered: 10/22/2002)
11/07/2002	176	<input type="checkbox"/> 1.8 MB	REPLY opposition by Hubert Heller to objections response to [167-1] motion for attorney's fees (jlh) (Entered: 11/08/2002)
11/14/2002			REQUEST by USCA to forward record on appeal re: [168-1] appeal, [166-1] appeal. USCA # 02-12887-AA (dlg) Modified on 11/14/2002 (Entered: 11/14/2002)
11/14/2002			RECORD ON APPEAL sent to USCA re: [168-1] appeal, [166-1] appeal (ROA consists of: Certified copy of indexed district court docket sheet, Volume pleadings: 8; Volume transcripts: 2; Volume documentary exhibits: 4) ctc (dlg) (Entered: 11/15/2002)
11/18/2002	177	<input type="checkbox"/> 90.2 KB	ORDER adopting [174-1] report and recommendation; denying [167-1] motion for attorney's fees. Defendant is granted leave to reassert her motion for attorney fees after all appeals have been exhausted. Granting [167-2] motion to tax costs to the extent that defendant is awarded costs in the amount of \$1,416.22. (Signed by Judge James D. Whittemore) ctc (jnb) (Entered: 11/19/2002)
11/20/2002	178	<input type="checkbox"/> 35.5 KB	ORDER that defendant shall file an amended bill of costs, within 15 days of the date of this order reflecting the costs awarded in the court's order dated 11/15/02 (Signed by Judge James D. Whittemore) ctc (jlh) (Entered: 11/21/2002)
11/22/2002			ACKNOWLEDGMENT by USCA of receiving record on appeal on 11/18/02 re: [168-1] appeal USCA # 02-12887-AA (dlg) (Entered: 11/22/2002)
11/27/2002			PROPOSED bill of costs. (jnb) (Entered: 11/29/2002)
12/03/2002	179	<input type="checkbox"/> 69.1 KB	BILL OF COSTS taxed in the amount of \$1,416.22 ctc (jlh) (Entered: 12/04/2002)
06/20/2003	180		ORDER that within 15 days from the date of this order, plaintiff shall file a statement of the costs and reasonable attorney's fees he incurred as a result of defendant's failure to appear at her deposition on 7/25/01. Defendant may file a response thereto within 10 days thereafter.. (Signed by Judge James D. Whittemore) ctc (wlb) (Entered: 06/23/2003)
07/07/2003	181	<input type="checkbox"/> 397.0 KB	RESPONSE by Hubert Heller to [180-1] order (bls) (Entered: 07/08/2003)
07/10/2003	182	<input type="checkbox"/> 75.3 KB	USCA DECISION (certified copy) vacating [168-1] cross- appeal, [166-1] appeal; affirming judgment/order and remanding for the District Court to determine the costs and fees to be assessed and awarded pursuant to the sanction order Mandate date: 7/8/03 USCA EOD: 6/9/03 USCA # 02-12887-AA (crs) (Entered: 07/10/2003)

07/10/2003	183	<input type="checkbox"/> 64.5 KB	BILL OF COSTS taxed in the amount of \$306.05 against appellant, Hubert Heller and payable directly to appellee, Ursula Caberta. USCA # 02-12887-AA (crs) (Entered: 07/11/2003)
07/15/2003	184	<input type="checkbox"/> 3.4 MB	SECOND MOTION by Ursula Caberta with memorandum in support (second) for attorney fees , and costs (jlh) (Entered: 07/16/2003)
07/15/2003	185	<input type="checkbox"/> 1.0 MB	RESPONSE by Ursula Caberta to [180-1] order dated 6/19/03 (jlh) (Entered: 07/16/2003)
07/16/2003	186	<input type="checkbox"/> 29.1 KB	NOTICE by Ursula Caberta of change of address for counsel (jlg) (Entered: 07/17/2003)
07/23/2003			Order on remand of 11th Circuit Court sent to John Merrett, Esq. returned marked: not at this address. Document resent to new address. (jab) (Entered: 07/24/2003)
07/29/2003	187	<input type="checkbox"/> 77.0 KB	CONSENTED MOTION by Hubert Heller (consented) to extend time to respond to motion for fees (jlg) (Entered: 07/30/2003)
08/04/2003	188	<input type="checkbox"/> 41.6 KB	ORDER granting [187-1] consent motion to extend time to respond to motion for fees response to motion set to 8/11/03 for [184-1] motion (second) for attorney fees (Signed by Judge James D. Whittemore) ctc (jlh) (Entered: 08/05/2003)
08/11/2003	189	<input type="checkbox"/> 0.8 MB	RESPONSE by Hubert Heller in opposition to [184-1] motion (second) for attorney fees (ch) (Entered: 08/12/2003)
08/18/2003	190	<input type="checkbox"/> 123.2 KB	MOTION by Ursula Caberta for leave to file reply brief to plaintiff's opposition to defendant's second motion for attorney's fees, expenses, and costs pursuant to FUDTPA . Original reply brief attached. (jab) (Entered: 08/19/2003)
08/21/2003	191	<input type="checkbox"/> 35.9 KB	ORDER granting [190-1] motion for leave to file reply brief to plaintiff's opposition to defendant's second motion for attorney's fees, expenses, and costs pursuant to FUDTPA. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 08/22/2003)
08/21/2003	192	<input type="checkbox"/> 37.0 KB	REPLY by Ursula Caberta to response to [184-1] second motion for attorney fees, [184-2] motion costs. (eec) (Entered: 08/22/2003)
03/03/2004	193	<input type="checkbox"/> 138.4 KB	ORDER that defendant shall pay to plaintiff \$5,249.50, representing \$3,250.00 in attorney's fees and \$1,999.50 in expenses as sanctions for the defendant's failure to appear for the first day of her deposition on 7/25/01. The sanctions are payable to plaintiff forthwith. (Signed by Judge James D. Whittemore) ctc (mrh) (Entered: 03/03/2004)
03/03/2004	194	<input type="checkbox"/> 206.1 KB	ORDER denying [184-1] second motion for attorney fees, denying second [184-2] motion costs (Signed by Judge James D. Whittemore) ctc (mrh) (Entered: 03/03/2004)
03/15/2004	195	<input type="checkbox"/> 55.7 KB	MOTION by Hubert Heller with memorandum in support for final entry of judgment for attorney's fees and costs against Ursula Caberta

			in the total amount of \$5,286.88 plus interest (mrh) Modified on 03/24/2004 (Entered: 03/16/2004)
03/19/2004	196	<input type="checkbox"/> 174.5 KB	RESPONSE by Hubert Heller to [195-1] motion for final entry of judgment for attorney's fees and costs against Ursula Caberta in the total amount of \$5,286.88 interest (mrh) Modified on 03/24/2004 (Entered: 03/22/2004)
03/24/2004	197	<input type="checkbox"/> 39.1 KB	ORDER granting [195-1] motion for final entry of judgment for attorney's fees and costs against Ursula Caberta in the total amount of \$5,286.88 plus interest, to the extent that the Clerk is directed to enter judgment in favor of plaintiff and against defendant in the amount of \$5,249.50. (Signed by Judge James D. Whittemore) ctc (mrh) (Entered: 03/24/2004)
03/24/2004	198	<input type="checkbox"/> 139.0 KB	JUDGMENT for attorneys' fees and costs is entered in favor of Plaintiff, Hubert Heller, and against Defendant, Ursula Caberta. Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (mrh) (Entered: 03/24/2004)
03/31/2004	199	<input type="checkbox"/> 40.7 KB	MOTION by Ursula Caberta with memorandum in support for entry of judgment against plaintiff in the amount of \$1,722.27 (mrh) (Entered: 03/31/2004)
04/02/2004	200	<input type="checkbox"/> 40.1 KB	ORDER granting [199-1] motion for entry of judgment against plaintiff in the amount of \$1,722.27 and Judgment is entered in favor of the defendant in the amount of \$1,722.27 for which let execution issue. (Signed by Judge James D. Whittemore) ctc (jlh) Modified on 04/06/2004 (Entered: 04/05/2004)