

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:16-cv-21199-CMA**

Rossi et al v. Darden et al
Assigned to: Judge Cecilia M. Altonaga
Referred to: Magistrate Judge John J. O'Sullivan
Cause: 28:1332 Diversity

Date Filed: 04/05/2016
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Andrea Rossi
individually

represented by **Brian W. Chaiken**
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Leonardo Corporation
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V.

Defendant

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Defendant

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Defendant

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Date Filed	#	Docket Text
04/05/2016	1	COMPLAINT against All Defendants. Filing fees \$ 400.00 receipt number 113C-8624030, filed by Andrea Rossi. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Civil Cover Sheet Civil Cover, # 6 Summon(s) Darden, # 7 Summon(s) Vaughn, # 8 Summon(s) Industrial Heat, # 9 Summon(s) IPH Int'l, # 10 Summon(s) Cherokee)(Annesser, John) (Entered: 04/05/2016)
04/05/2016	2	Judge Assignment to Senior Judge James Lawrence King (bb) (Entered: 04/05/2016)
04/05/2016	3	Clerks Notice pursuant to 28 USC 636(c). Parties are hereby notified that the U.S. Magistrate Judge Edwin G. Torres is available to handle any or all proceedings in this case. If agreed, parties should complete and file the attached form. (bb) (Entered: 04/05/2016)
04/05/2016	4	Clerks Notice to Filer re: Summons(es) cannot be issued. Please use Form AO 440 for summons(es) to be processed. (bb) (Entered: 04/05/2016)
04/05/2016	5	NOTICE of Filing Proposed Summons(es) by Leonardo Corporation, Andrea Rossi re 1 Complaint, filed by Andrea Rossi (Attachments: # 1 Summon(s) Darden, # 2 Summon(s) Vaughn, # 3 Summon(s) Industrial Heat, # 4 Summon(s) IPH Int'l, # 5 Summon(s) Cherokee) (Annesser, John) (Entered: 04/05/2016)
04/06/2016	6	Summons Issued as to Cherokee Investment Partners, LLC. (tpl) (Entered: 04/06/2016)
04/06/2016	7	Summons Issued as to IPH International B.V.. (tpl) (Entered: 04/06/2016)
04/06/2016	8	Summons Issued as to Industrial Heat, LLC. (tpl) (Entered: 04/06/2016)
04/06/2016	9	Summons Issued as to Thomas Darden. (tpl) (Entered: 04/06/2016)
04/06/2016	10	Summons Issued as to John T. Vaughn. (tpl) (Entered: 04/06/2016)

04/06/2016	11	CLERKS NOTICE REASSIGNING CASE. Case re-categorized as PATENT case and reassigned to Judge Cecilia M. Altonaga for all further proceedings. Senior Judge James Lawrence King no longer assigned to case (vp) (Entered: 04/06/2016)
04/06/2016	12	Case Reassignment of Paired Magistrate Judge pursuant to Administrative Order(s) 2013-63 to Magistrate Judge John J. O'Sullivan. (vp) (Entered: 04/06/2016)
04/15/2016	13	NOTICE by Leonardo Corporation, Andrea Rossi of <i>Filing Waiver of Service</i> (Attachments: # 1 Exhibit Defendants' Waiver of Service of Summons) (Annesser, John) Modified to re-docket, see 14 on 4/18/2016 (asl). (Entered: 04/15/2016)
04/15/2016	14	WAIVER OF SERVICE Returned Executed by Andrea Rossi, Leonardo Corporation. Cherokee Investment Partners, LLC waiver sent on 4/13/2016, answer due 6/12/2016; Thomas Darden waiver sent on 4/13/2016, answer due 6/12/2016; IPH International B.V. waiver sent on 4/13/2016, answer due 6/12/2016; Industrial Heat, LLC waiver sent on 4/13/2016, answer due 6/12/2016; John T. Vaughn waiver sent on 4/13/2016, answer due 6/12/2016. See 13 -1 for image (asl) Modified answer due date on 4/18/2016 (asl). (Entered: 04/18/2016)
04/18/2016	15	Clerks Notice to Filer re 13 Notice (Other). Wrong Event Selected; ERROR - The Filer selected the wrong event. The document was re-docketed by the Clerk, see 14 . It is not necessary to refile this document. (asl) (Entered: 04/18/2016)
04/18/2016		Reset Answer Due Deadline: Cherokee Investment Partners, LLC response due 6/12/2016; Thomas Darden response due 6/12/2016; IPH International B.V. response due 6/12/2016; Industrial Heat, LLC response due 6/12/2016; John T. Vaughn response due 6/12/2016. (asl) (Entered: 04/18/2016)
04/18/2016	16	Order Requiring Joint Scheduling Report and certificates of interested parties by 6/30/2016. Signed by Judge Cecilia M. Altonaga on 4/18/2016. (ps1) (Entered: 04/18/2016)
06/02/2016	17	MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC. and John T. Vaugh. Attorney Christopher Martin Lomax added to party Cherokee Investment Partners, LLC(pty:dft), Attorney Christopher Martin Lomax added to party Thomas Darden(pty:dft), Attorney Christopher Martin Lomax added to party IPH International B.V.(pty:dft), Attorney Christopher Martin Lomax added to party Industrial Heat, LLC(pty:dft). Responses due by 6/20/2016 (Lomax, Christopher) Modified text on 6/3/2016 (lk). (Entered: 06/02/2016)
06/17/2016	18	RESPONSE in Opposition re 17 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM filed by Leonardo Corporation, Andrea Rossi. Replies due by 6/27/2016. (Annesser, John) (Entered: 06/17/2016)
06/27/2016	19	REPLY to Response to Motion re 17 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM filed by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. Attorney Christopher Martin Lomax added to party John T. Vaughn(pty:dft). (Lomax, Christopher) (Entered: 06/27/2016)
06/29/2016	20	SCHEDULING REPORT - Rule 16.1 by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn

		(Attachments: # 1 Text of Proposed Order, # 2 Election to Jurisdiction by a United States Magistrate Judge for Final Disposition of Motions)(Lomax, Christopher) (Entered: 06/29/2016)
06/29/2016	21	Certificate of Interested Parties/Corporate Disclosure Statement by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn identifying Corporate Parent IH Holdings International Limited for Industrial Heat, LLC; Corporate Parent IPHBV Holdings Limited for IPH International B.V. (Lomax, Christopher) (Entered: 06/29/2016)
06/30/2016	22	Certificate of Interested Parties/Corporate Disclosure Statement - NONE disclosed by Leonardo Corporation, Andrea Rossi (Annesser, John) (Entered: 06/30/2016)
07/01/2016	23	ORDER Setting Trial and Pretrial Schedule, Requiring Mediation, and Referring Certain Matters to Magistrate Judge John J. O'Sullivan: Jury Trial set for period of 6/26/2017 in Miami Division before Judge Cecilia M. Altonaga. Calendar Call set for 6/20/2017 09:00 AM in Miami Division before Judge Cecilia M. Altonaga. Motions to amend pleadings or join parties due by 8/11/2016. All discovery due by 2/27/2017. Proposed order scheduling mediation due by 7/21/2016. Mediation Deadline 3/13/2017. In Limine Motions due by 4/18/2017. All pretrial motions due by 3/21/2017. Pretrial Stipulation due by 4/18/2017. Signed by Judge Cecilia M. Altonaga on 6/30/2016. (ps1) (Entered: 07/01/2016)
07/19/2016	24	ORDER granting in part and denying in part 17 Motion to Dismiss for Failure to State a Claim. Counts II, V, VII, and VIII are DISMISSED without prejudice. All other counts remain intact. Signed by Judge Cecilia M. Altonaga on 7/19/2016. (wc) (Entered: 07/19/2016)
07/22/2016	25	ORDER that by July 26, 2016, the parties shall select a mediator pursuant to Local Rule 16.2, schedule a time, date, and place for mediation, and jointly file a proposed order scheduling mediation. Signed by Judge Cecilia M. Altonaga on 7/22/2016. (wc) (Entered: 07/22/2016)
07/26/2016	26	ORDER Scheduling Mediation before Thomas E. Scott. Mediation Hearing set for 1/12/2017 10:00 AM. The parties are reminded that a report of the mediation is due within seven (7) days after the mediation conference. Signed by Judge Cecilia M. Altonaga on 7/26/2016. (wc) (Entered: 07/26/2016)
07/28/2016	27	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to 1 Complaint, by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. (Attachments: # 1 Exhibit A - Proposed Order)(Pace, Christopher) (Entered: 07/28/2016)
07/29/2016	28	ORDER granting 27 Unopposed Motion for Extension of Time to File Response/Answer to a Complaint. Defendants have up to and including August 5, 2016 to file their answer and any counterclaims. Signed by Judge Cecilia M. Altonaga on 7/28/2016. (wc) (Entered: 07/29/2016)
08/05/2016	29	ANSWER and Affirmative Defenses to Complaint , THIRD PARTY COMPLAINT against Henry Johnson, Fabio Penon, Fulvio Fabiani, J.M. Products, Inc., United States Quantum Leap, LLC, COUNTERCLAIM against Henry Johnson, Fabio Penon, Fulvio Fabiani, J.M. Products, Inc., United States Quantum Leap, LLC by IPH International B.V., Thomas Darden, Cherokee Investment Partners, LLC, John

		T. Vaughn, Industrial Heat, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Summon(s) Fabio Penon, # 27 Summon(s) Fulvio Fabiana, # 28 Summon(s) Henry Johnson, # 29 Summon(s) J.M. Products, # 30 Summon(s) United States Quantum Leap, LLC)(Pace, Christopher) (Entered: 08/06/2016)
08/11/2016	30	<i>Amended</i> ANSWER and Affirmative Defenses to Complaint , Amended THIRD PARTY COMPLAINT against United States Quantum Leap, LLC, Fabio Penon, Fulvio Fabiani, Henry Johnson, J.M. Products, Inc., Amended COUNTERCLAIM against Leonardo Corporation, Andrea Rossi by Cherokee Investment Partners, LLC, IPH International B.V., Thomas Darden, John T. Vaughn, Industrial Heat, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26)(Pace, Christopher) (Entered: 08/11/2016)
08/11/2016	31	NOTICE of Filing Proposed Summons(es) by IPH International B.V.(a Netherlands company), Industrial Heat, LLC(a Delaware limited liability company) re 30 Answer to Complaint,,,, Third Party Complaint,,,, Counterclaim,,, filed by Industrial Heat, LLC, John T. Vaughn, Thomas Darden, Cherokee Investment Partners, LLC, IPH International B.V. (Attachments: # 1 Summon(s), # 2 Summon(s), # 3 Summon(s), # 4 Summon(s), # 5 Summon(s)) (Pace, Christopher) (Entered: 08/11/2016)
08/12/2016	32	Summons Issued as to Fulvio Fabiani, J.M. Products, Inc., Henry Johnson, Fabio Penon, United States Quantum Leap, LLC. (Attachments: # 1 Summon(s), # 2 Summon(s), # 3 Summon(s), # 4 Summon(s))(lk) (Entered: 08/12/2016)
08/16/2016	33	NOTICE of Attorney Appearance by Brian W. Chaiken on behalf of Leonardo Corporation, Andrea Rossi. Attorney Brian W. Chaiken added to party Leonardo Corporation(pty:pla), Attorney Brian W. Chaiken added to party Andrea Rossi(pty:pla). (Chaiken, Brian) (Entered: 08/16/2016)
08/22/2016	34	NOTICE of Attorney Appearance by Paul Dewey Turner on behalf of Leonardo Corporation, Andrea Rossi. Attorney Paul Dewey Turner added to party Leonardo Corporation(pty:pla), Attorney Paul Dewey Turner added to party Andrea Rossi(pty:pla). (Turner, Paul) (Entered: 08/22/2016)
08/22/2016	35	NOTICE of Attorney Appearance by D. Porpoise Evans on behalf of Leonardo Corporation, Andrea Rossi. Attorney D. Porpoise Evans added to party Leonardo Corporation(pty:pla), Attorney D. Porpoise Evans added to party Andrea Rossi(pty:pla). (Evans, D.) (Entered: 08/22/2016)
08/23/2016	36	NOTICE of Attorney Appearance by Fernando S. Aran on behalf of J.M. Products, Inc., Henry Johnson, United States Quantum Leap, LLC. Attorney Fernando S. Aran added to party J.M. Products, Inc.(pty:3pd), Attorney Fernando S. Aran added

		to party Henry Johnson(pty:3pd), Attorney Fernando S. Aran added to party United States Quantum Leap, LLC(pty:3pd). (Attachments: # 1 Third Party Waiver) (Aran, Fernando) (Entered: 08/23/2016)
08/25/2016	37	NOTICE of Hearing by ATTORNEY: Discovery Hearing set for 8/30/2016 11:00 AM in Miami Division before Magistrate Judge John J. O'Sullivan. (Annesser, John) (Entered: 08/25/2016)
08/30/2016	38	Minute Entry for proceedings held before Magistrate Judge John J. O'Sullivan: Discovery Hearing held on 8/30/2016. John Annesser, Ryan Chaiken and Porpoise Evans for plaintiff; Christopher Pace and Christopher Lomax for defendants and Francisco Leon De La Barra for third-party defendants. (Digital 11:01:25.) (cg1) (Entered: 08/30/2016)
08/30/2016	39	MOTION to Strike <i>Affirmative Defenses</i> , MOTION for More Definite Statement by Leonardo Corporation, Andrea Rossi. Responses due by 9/16/2016 (Annesser, John) (Entered: 08/30/2016)
08/31/2016	40	PAPERLESS NOTICE of Hearing on 39 MOTION to Strike <i>Affirmative Defenses</i> MOTION for More Definite Statement: Motion Hearing set for 9/27/2016 10:30 AM in Miami Division before Judge Cecilia M. Altonaga. (ps1) (Entered: 08/31/2016)
09/01/2016	41	MOTION to Dismiss 30 Answer to Complaint,,,, Third Party Complaint,,,, Counterclaim,,, and <i>Memorandum of Law</i> by Leonardo Corporation, Andrea Rossi. Responses due by 9/19/2016 (Annesser, John) (Entered: 09/01/2016)
09/02/2016	42	ORDER on informal discovery conference. Signed by Magistrate Judge John J. O'Sullivan on 9/2/2016. (tro) (Entered: 09/02/2016)
09/02/2016	43	MOTION for Judgment on the Pleadings <i>as to Count I of the Complaint</i> by IPH International B.V., Industrial Heat, LLC. (Pace, Christopher) (Entered: 09/02/2016)
09/09/2016	44	RESPONSE in Opposition re 43 MOTION for Judgment on the Pleadings <i>as to Count I of the Complaint</i> filed by Leonardo Corporation, Andrea Rossi. Replies due by 9/19/2016. (Annesser, John) (Entered: 09/09/2016)
09/15/2016	45	Unopposed MOTION for Leave to File <i>Second Amended Answer, Additional Defenses, Counterclaims and Third Party Claims</i> by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. (Attachments: # 1 Exhibit A -)(Pace, Christopher) (Entered: 09/15/2016)
09/15/2016	46	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to 39 MOTION to Strike <i>Affirmative Defenses</i> MOTION for More Definite Statement , 41 MOTION to Dismiss 30 Answer to Complaint,,,, Third Party Complaint,,,, Counterclaim,,, and <i>Memorandum of Law</i> by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. (Attachments: # 1 Text of Proposed Order)(Pace, Christopher) (Entered: 09/15/2016)
09/16/2016	47	ORDER granting 45 Unopposed Motion for Leave to File Second Amended Answer <i>Clerks Notice: Filer must separately re-file the amended pleading pursuant to Local Rule 15.1, unless otherwise ordered by the Judge</i> ; denying as moot 39 Motion to Strike ; denying as moot 39 Motion for More Definite

		Statement; denying as moot 41 Motion to Dismiss; denying as moot 46 Motion for Extension of Time to File Response/Reply/Answer. Signed by Judge Cecilia M. Altonaga on 9/16/2016. (wc) (Entered: 09/16/2016)
09/16/2016	48	TRANSCRIPT of Discovery Hearing held on 8/30/16 before Magistrate Judge John J. O'Sullivan, 1-44 pages, Court Reporter: Carl Schanzleh, 305-523-5635. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/11/2016. Redacted Transcript Deadline set for 10/20/2016. Release of Transcript Restriction set for 12/19/2016. (Attachments: # 1 Designation Access Form)(hh) (Entered: 09/16/2016)
09/16/2016	49	NOTICE OF WITHDRAWAL OF MOTION by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn re 43 MOTION for Judgment on the Pleadings <i>as to Count I of the Complaint</i> filed by Industrial Heat, LLC, IPH International B.V. (Pace, Christopher) (Entered: 09/16/2016)
09/19/2016	50	<i>Second Amended</i> ANSWER and Affirmative Defenses to Complaint , Amended THIRD PARTY COMPLAINT against Fulvio Fabiani, United States Quantum Leap, LLC, J.M. Products, Inc., Fabio Penon, Henry Johnson, James A. Bass, Amended COUNTERCLAIM against Leonardo Corporation, Andrea Rossi by Cherokee Investment Partners, LLC, IPH International B.V., Thomas Darden, John T. Vaughn, Industrial Heat, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27)(Pace, Christopher) (Entered: 09/19/2016)
09/20/2016	51	STIPULATED MOTION for Substitution of Counsel. Substituting Brian W. Chaiken, Esq. for Michael J. Healy, Esq. by Leonardo Corporation, Andrea Rossi. Responses due by 10/7/2016 (Attachments: # 1 Exhibit Stipulation for Substitution of Counsel, # 2 Text of Proposed Order)(Annesser, John) (Entered: 09/20/2016)
09/21/2016	52	ORDER granting 51 Motion for Substitution of Counsel. Attorney John W. Annesser, Brian W. Chaiken, D. Porpoise Evans, and Paul D. Turner added for Plaintiff; the Silver Law Group relieved of further responsibility. Signed by Judge Cecilia M. Altonaga on 9/20/2016. (ps1) (Entered: 09/21/2016)
09/21/2016		Attorney Patricia Merle Silver terminated. (ps1) (Entered: 09/21/2016)
09/21/2016	53	NOTICE of Attorney Appearance by Rodolfo Nunez on behalf of Fulvio Fabiani, United States Quantum Leap, LLC. Attorney Rodolfo Nunez added to party Fulvio Fabiani(pty:3pd), Attorney Rodolfo Nunez added to party Fulvio Fabiani(pty:cd), Attorney Rodolfo Nunez added to party Fulvio Fabiani(pty:3pd), Attorney Rodolfo Nunez added to party Fulvio Fabiani(pty:3pd), Attorney Rodolfo Nunez added to party United States Quantum Leap, LLC(pty:3pd), Attorney Rodolfo Nunez added to party United States Quantum Leap, LLC(pty:3pd), Attorney Rodolfo Nunez added to party United States Quantum Leap, LLC(pty:3pd), Attorney Rodolfo Nunez added to party United States Quantum Leap, LLC(pty:3pd), Attorney Rodolfo

		Nunez added to party United States Quantum Leap, LLC(pty:cd). (Attachments: # 1 Certification Waiver of Service) (Nunez, Rodolfo) (Entered: 09/21/2016)
09/23/2016	54	MOTION to Strike 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, <i>in Part Second Amended Answer, Affirmative Defenses, Counterclaims, and Third Party Claims, or in the Alternative,</i> MOTION for More Definite Statement by Leonardo Corporation, Andrea Rossi. Responses due by 10/11/2016 (Annesser, John) (Entered: 09/23/2016)
09/26/2016	55	PAPERLESS NOTICE of Hearing on 54 MOTION to Strike 50 Answer to Complaint, Third Party Complaint, Counterclaim, <i>in Part Second Amended Answer, Affirmative Defenses, Counterclaims, and Third Party Claims, or in the Alternative,</i> MOTION for More Definite Statement: Motion Hearing set for 10/14/2016 08:30 AM in Miami Division before Judge Cecilia M. Altonaga. (ps1) (Entered: 09/26/2016)
09/29/2016	56	MOTION to Dismiss 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, <i>MOTION TO DISMISS AMENDED COUNTERCLAIMS AGAINST PLAINTIFFS AND MEMORANDUM OF LAW</i> by Leonardo Corporation, Andrea Rossi. Responses due by 10/17/2016 (Annesser, John) (Entered: 09/29/2016)
10/03/2016	57	PAPERLESS NOTICE of Hearing: Status Conference, re: service of Third Party Complaint, set for 10/7/2016 12:30 PM in Miami Division before Judge Cecilia M. Altonaga. (ps1) (Entered: 10/03/2016)
10/05/2016	58	PAPERLESS NOTICE RESETTING Hearing: Status Conference, re: service of Third Party Complaint reset for 10/14/2016 08:30 AM in Miami Division before Judge Cecilia M. Altonaga. (ps1) (Entered: 10/05/2016)
10/10/2016	59	RESPONSE in Opposition re 54 MOTION to Strike 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, <i>in Part Second Amended Answer, Affirmative Defenses, Counterclaims, and Third Party Claims, or in the Alternative,</i> MOTION for More Definite Statement filed by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. Attorney Christina Therese Mastrucci added to party Cherokee Investment Partners, LLC(pty:dft), Attorney Christina Therese Mastrucci added to party Thomas Darden(pty:dft), Attorney Christina Therese Mastrucci added to party IPH International B.V.(pty:dft), Attorney Christina Therese Mastrucci added to party Industrial Heat, LLC(pty:dft), Attorney Christina Therese Mastrucci added to party John T. Vaughn(pty:dft). Replies due by 10/20/2016. (Mastrucci, Christina) (Entered: 10/10/2016)
10/11/2016	60	Third Party MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, FOR FAILURE TO STATE A CLAIM <i>as to Counts IV and V</i> by Fulvio Fabiani, United States Quantum Leap, LLC. Responses due by 10/28/2016 (Nunez, Rodolfo) (Entered: 10/11/2016)
10/11/2016	61	MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, FOR FAILURE TO STATE A CLAIM <i>as to Counts III and IV</i> by James A. Bass, J.M. Products, Inc., Henry Johnson. Attorney Francisco J Leon de la Barra added to party James A. Bass(pty:3pd), Attorney Francisco J Leon de la Barra added to party J.M. Products, Inc.(pty:cd), Attorney Francisco J Leon de la

		Barra added to party J.M. Products, Inc.(pty:3pd), Attorney Francisco J Leon de la Barra added to party J.M. Products, Inc.(pty:3pd), Attorney Francisco J Leon de la Barra added to party J.M. Products, Inc.(pty:3pd), Attorney Francisco J Leon de la Barra added to party Henry Johnson(pty:3pd), Attorney Francisco J Leon de la Barra added to party Henry Johnson(pty:cd), Attorney Francisco J Leon de la Barra added to party Henry Johnson(pty:3pd), Attorney Francisco J Leon de la Barra added to party Henry Johnson(pty:3pd). Responses due by 10/28/2016 (Leon de la Barra, Francisco) (Entered: 10/11/2016)
10/13/2016	62	ORDER denying 60 Motion to Dismiss for Failure to State a Claim; denying 61 Motion to Dismiss for Failure to State a Claim. Combined motion to dismiss due by 10/20/2016. Signed by Judge Cecilia M. Altonaga on 10/13/2016. (ps1) (Entered: 10/13/2016)
10/13/2016	63	REPLY to Response to Motion re 54 MOTION to Strike 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, in Part Second Amended Answer; Affirmative Defenses, Counterclaims, and Third Party Claims, or in the Alternative, MOTION for More Definite Statement filed by Leonardo Corporation, Andrea Rossi. (Annesser, John) (Entered: 10/13/2016)
10/13/2016	64	Joint MOTION for Protective Order by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn. (Attachments: # 1 Text of Proposed Order)(Lomax, Christopher) (Entered: 10/13/2016)
10/14/2016	65	ORDER granting 64 Motion for Protective Order. Signed by Magistrate Judge John J. O'Sullivan on 10/14/2016. (mkr) (Entered: 10/14/2016)
10/14/2016	66	Minute Entry for proceedings held before Judge Cecilia M. Altonaga: Motion Hearing held on 10/14/2016 re 54 MOTION to Strike 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, in Part Second Amended Answer; Affirmative Defenses, Counterclaims, and Third Party Claims, or in the Alternative, MOTION for More Definite Statement filed by Leonardo Corporation, Andrea Rossi ; Status Conference re service of third-party complaint held on 10/14/2016. Court Reporter: Stephanie McCarn, 305-523-5518 / Stephanie_McCarn@flsd.uscourts.gov (cmz) (Entered: 10/14/2016)
10/14/2016	67	ORDER granting in part and denying in part 54 Motion to Strike;Please see order for details. Signed by Judge Cecilia M. Altonaga on 10/14/2016. (ps1) (Entered: 10/14/2016)
10/17/2016	68	RESPONSE in Opposition re 56 MOTION to Dismiss 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, MOTION TO DISMISS AMENDED COUNTERCLAIMS AGAINST PLAINTIFFS AND MEMORANDUM OF LAW filed by IPH International B.V.(a Netherlands company), Industrial Heat, LLC(a Delaware limited liability company). Attorney Christina Therese Mastrucci added to party IPH International B.V.(pty:cc), Attorney Christina Therese Mastrucci added to party Industrial Heat, LLC(pty:cc). Replies due by 10/27/2016. (Mastrucci, Christina) (Entered: 10/17/2016)
10/20/2016	69	Joint MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,,,, FOR FAILURE TO STATE A CLAIM <i>as to Counts III, IV, and V</i> by James A. Bass, Fulvio Fabiani, J.M. Products, Inc., Henry Johnson, United

		States Quantum Leap, LLC. Responses due by 11/7/2016 (Leon de la Barra, Francisco) (Entered: 10/20/2016)
10/25/2016	70	NOTICE of Hearing by ATTORNEY: Discovery Hearing set for 10/27/2016 03:00 PM in Miami Division before Magistrate Judge John J. O'Sullivan. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit) (Annesser, John) (Entered: 10/25/2016)
10/27/2016	71	PAPERLESS Minute Entry for proceedings held before Magistrate Judge John J. O'Sullivan: Discovery Hearing held on 10/27/2016. John Annesser and Ryan Chaiken/plaintiffs; Christopher Pace and Christopher Lomax/defendants. (Digital 14:51:20.) (cg1) (Entered: 10/27/2016)
10/27/2016	72	REPLY TO DEFENDANTS OPPOSITION TO COUNTER-DEFENDANTS MOTION TO DISMISS SECOND AMENDED COUNTERCLAIMS by Leonardo Corporation, Andrea Rossi. (Annesser, John) (Entered: 10/27/2016)
11/07/2016	73	RESPONSE in Opposition re 69 Joint MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,, FOR FAILURE TO STATE A CLAIM <i>as to Counts III, IV, and V</i> filed by IPH International B.V.(a Netherlands company), Industrial Heat, LLC(a Delaware limited liability company). Attorney Christina Therese Mastrucci added to party IPH International B.V.(pty:3pp), Attorney Christina Therese Mastrucci added to party IPH International B.V. (pty:3pp), Attorney Christina Therese Mastrucci added to party IPH International B.V.(pty:3pp), Attorney Christina Therese Mastrucci added to party Industrial Heat, LLC(pty:3pp), Attorney Christina Therese Mastrucci added to party Industrial Heat, LLC(pty:3pp), Attorney Christina Therese Mastrucci added to party Industrial Heat, LLC(pty:3pp). Replies due by 11/17/2016. (Mastrucci, Christina) (Entered: 11/07/2016)
11/08/2016	74	ORDER on informal discovery conference. Signed by Magistrate Judge John J. O'Sullivan on 11/8/2016. (tro) (Entered: 11/08/2016)
11/16/2016	75	NOTICE of Hearing by ATTORNEY: Discovery Hearing set for 12/6/2016 02:00 PM in Miami Division before Magistrate Judge John J. O'Sullivan. (Attachments: # 1 Plaintiff/Counter-Defendant's Responses and Objections to Defendants' First Request for Production to Plaintiffs) (Pace, Christopher) (Entered: 11/16/2016)
11/16/2016	76	ORDER denying 56 Motion to Dismiss for Failure to State a Claim. Signed by Judge Cecilia M. Altonaga on 11/16/2016. (ps1) Modified on 12/5/2016 to correct docket text (ps1). (Entered: 11/16/2016)
11/17/2016	77	REPLY to Response to Motion re 69 Joint MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim,,,,,, FOR FAILURE TO STATE A CLAIM <i>as to Counts III, IV, and V</i> filed by James A. Bass, Fulvio Fabiani, J.M. Products, Inc., Henry Johnson, United States Quantum Leap, LLC. (Leon de la Barra, Francisco) (Entered: 11/17/2016)
11/23/2016	78	<i>Third Amended ANSWER and Affirmative Defenses to Complaint , COUNTERCLAIM and Third Party Claims</i> against James A. Bass, Fulvio Fabiani, J.M. Products, Inc., Henry Johnson, Leonardo Corporation, Fabio Penon, Andrea Rossi, United States Quantum Leap, LLC by Cherokee Investment Partners, LLC, IPH International B.V., Thomas Darden, John T. Vaughn, Industrial Heat, LLC.

		(Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27)(Pace, Christopher) (Entered: 11/23/2016)
11/23/2016	79	NOTICE by Cherokee Investment Partners, LLC, Thomas Darden, IPH International B.V., Industrial Heat, LLC, John T. Vaughn re 78 Answer to Complaint, Counterclaim,,,,,, <i>Defendants' Notice of Filing Third Amended Answer, Additonal Defenses, Counterclaims and Third Party Claims</i> (Pace, Christopher) (Entered: 11/23/2016)
11/29/2016	80	Plaintiff's MOTION for Extension of Time to File Response/Reply/Answer as to 78 Answer to Complaint, Counterclaim,,,,,, by Leonardo Corporation, Andrea Rossi. (Attachments: # 1 Text of Proposed Order)(Evans, D.) (Entered: 11/29/2016)
11/29/2016	81	Plaintiff's MOTION for Extension of Time to File Response/Reply/Answer as to 78 Answer to Complaint, Counterclaim,,,,,, by Leonardo Corporation, Andrea Rossi. (Attachments: # 1 Text of Proposed Order)(Evans, D.) (Entered: 11/29/2016)
11/29/2016	82	ORDER granting 81 Motion for Extension of Time to File a response to the Counterclaim. Plaintiffs have 7 days from the Court's order on Third-Party Defendants' Motion to Dismiss to file their response. Signed by Judge Cecilia M. Altonaga on 11/29/2016. (ps1) (Entered: 11/29/2016)
12/05/2016	83	ORDER denying as moot 69 Joint MOTION TO DISMISS 50 Answer to Complaint, Third Party Complaint, Counterclaim, FOR FAILURE TO STATE A CLAIM <i>as to Counts III, IV, and V</i> filed by Henry Johnson, United States Quantum Leap, LLC, Fulvio Fabiani, James A. Bass, J.M. Products, Inc. Signed by Judge Cecilia M. Altonaga on 12/5/2016. (ps1) (Entered: 12/05/2016)
12/05/2016	84	TRANSCRIPT of the Motion Hearing and Status Conference held on 10/14/16, before Judge Cecilia M. Altonaga, 1-60 pages, Court Reporter: Stephanie McCarn, 305-523-5518 / Stephanie_McCarn@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/27/2016. Redacted Transcript Deadline set for 1/5/2017. Release of Transcript Restriction set for 3/6/2017. (smn) (Entered: 12/05/2016)
12/06/2016	85	ORDER re-setting Discovery Hearing. Hearing re-set for 12/6/2016 02:30 PM in Miami Division before Magistrate Judge John J. O'Sullivan.) **TIME CHANGE ONLY** Signed by Magistrate Judge John J. O'Sullivan on 12/6/2016. (tro) (Entered: 12/06/2016)