



**LegalMetric Individual Judge Report**  
**Judge Colleen Kollar-Kotelly**  
**Antitrust Cases**  
**March 1997 to December 2014**

This report contains confidential and proprietary information of LegalMetric, Inc. Use of this information by anyone other than the purchaser or, if the purchaser is a law firm, the purchaser's client, or disclosure of this information to persons other than the purchaser or, if the purchaser is a law firm, the purchaser's client, without the consent of LegalMetric, Inc. is prohibited.

The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases having multiple causes of action are analyzed only under the primary cause of action identified on the official court docket.

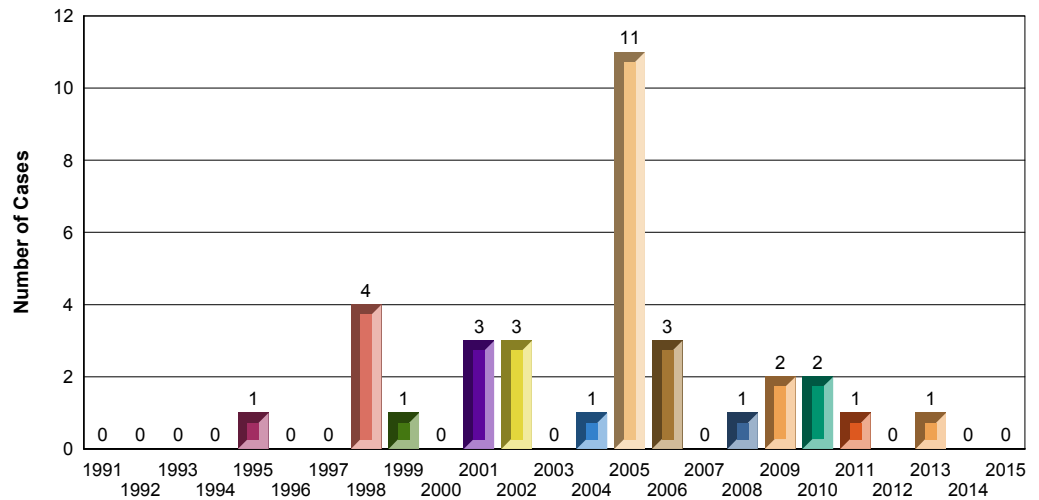
LegalMetric, Inc. is not a law firm, does not provide legal advice, and is not engaged in the practice of law. No attorney-client relationship exists between LegalMetric, Inc. and any user of its products. LegalMetric provides statistical and analytical information to anyone who desires to purchase that information. Any purchaser of LegalMetric products who wants legal advice should hire an attorney.

## Overview:

### Total Cases and Judgments

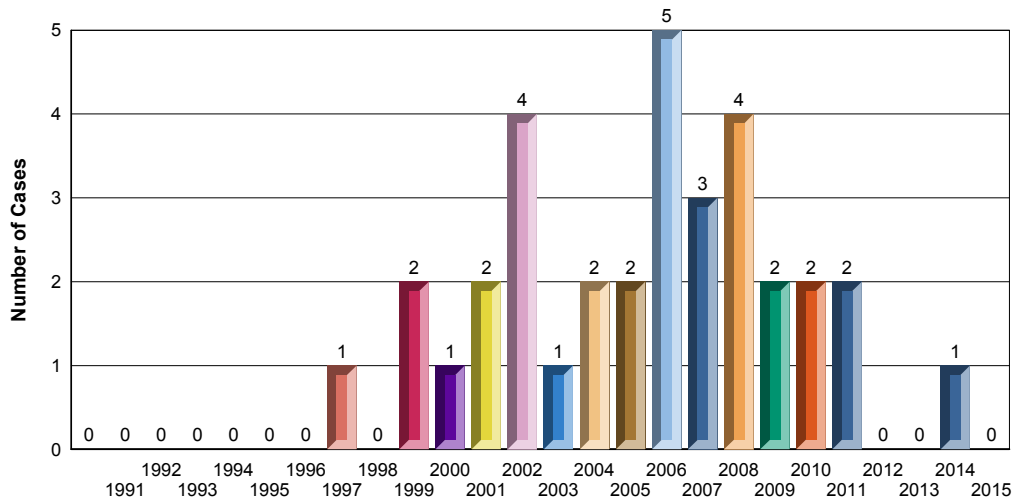
Judge Kollar-Kotelly was appointed to the bench on March 26, 1997. Since then this judge has been assigned 34 antitrust cases. Of these, 34 cases have been terminated. There have been judgments in favor of a party (includes consent and default judgments) in 19 case(s). The plaintiff prevailed in 84.2% of these cases (while the defendant prevailed in 15.8% of these cases).

### Number of Cases Filed, by Year



The number of antitrust cases assigned to Judge Kollar-Kotelly by year is shown in the chart to the right. Note that this includes cases filed in previous years and reassigned to this judge, where applicable.

### Number of Cases Decided, by Year

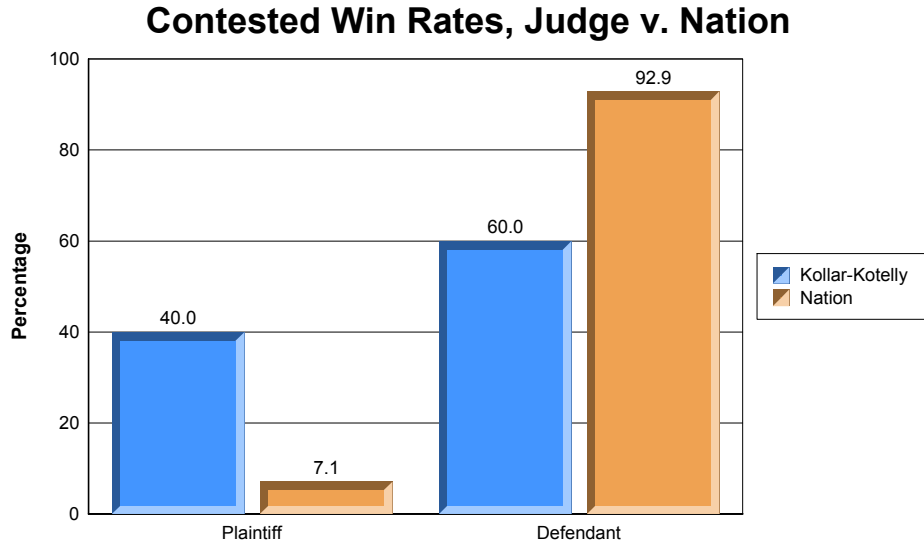


The number of antitrust cases decided by Judge Kollar-Kotelly by year is shown in the chart to the left. This can include cases decided earlier which are subsequently assigned to this judge for post-decision rulings.

## Overview:

### Contested Judgments

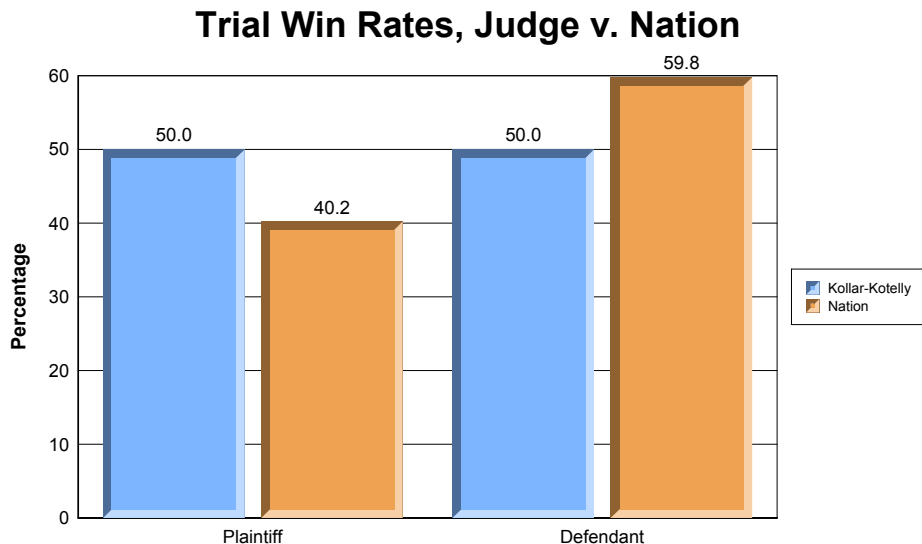
There have been 5 contested judgments in these cases (does not include consent and default judgments). The plaintiff prevailed in 40.0% of these cases, while the defendant prevailed in 60.0% of these cases. These figures are compared to the corresponding nationwide numbers below.



## Overview:

### Trials

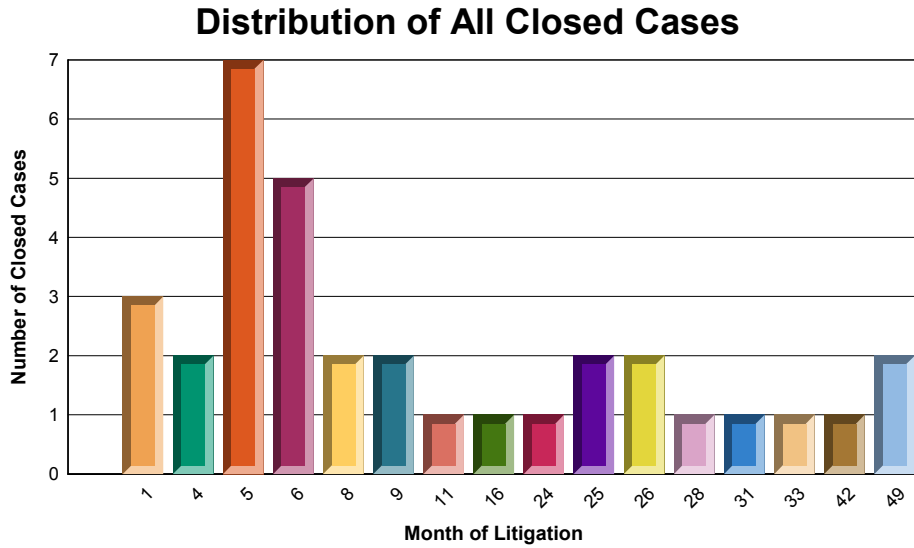
There have been 2 terminations by trial in these cases (includes both bench and jury trials). The plaintiff prevailed in 50.0% of these case, while the defendant prevailed in 50.0% of these cases. Trials on which judgment has not been entered are not included in these figures. These figures are compared to the corresponding nationwide numbers below.



## Overview:

### Time to Disposition-All Cases

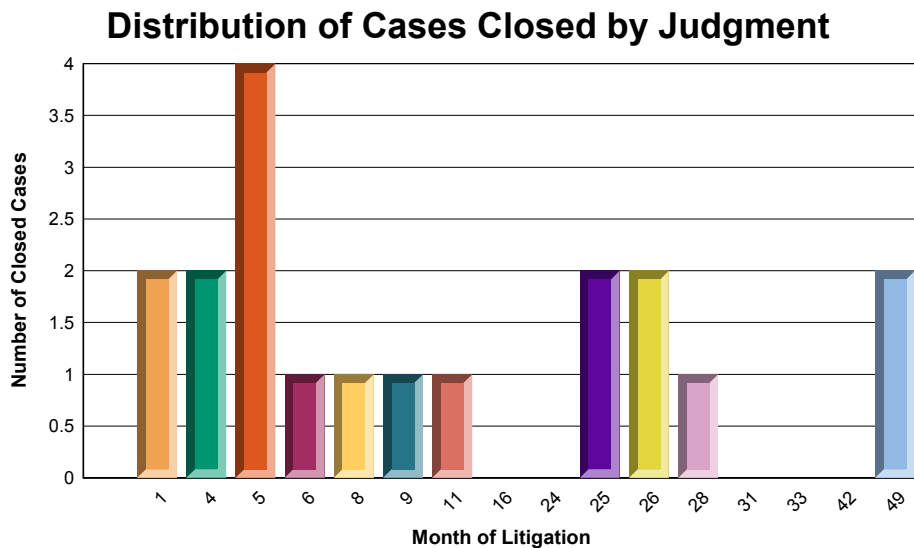
The average time from case filing to case disposition by Judge Kollar-Kotelly is 14.3 months. The distribution of case terminations by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.



## Overview:

### Time to Disposition-Cases with Judgments

The average time from case filing to case disposition by judgment in favor of a party (includes consent and default judgments) in these cases is 15.3 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

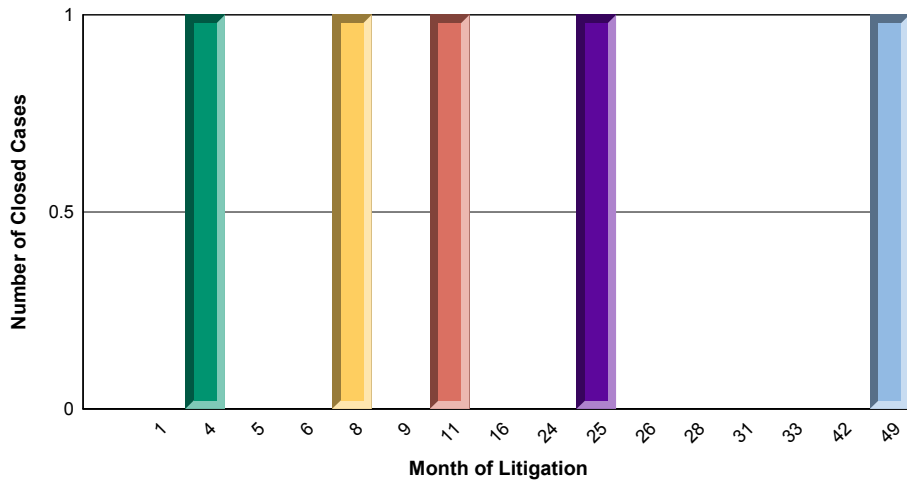


## Overview:

### Time to Disposition-Contested Judgments

The average time from case filing to case disposition by contested judgment (does NOT include consent and default judgments) in these cases is 19.8 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

#### Distribution of Cases Closed by Contested Judgment

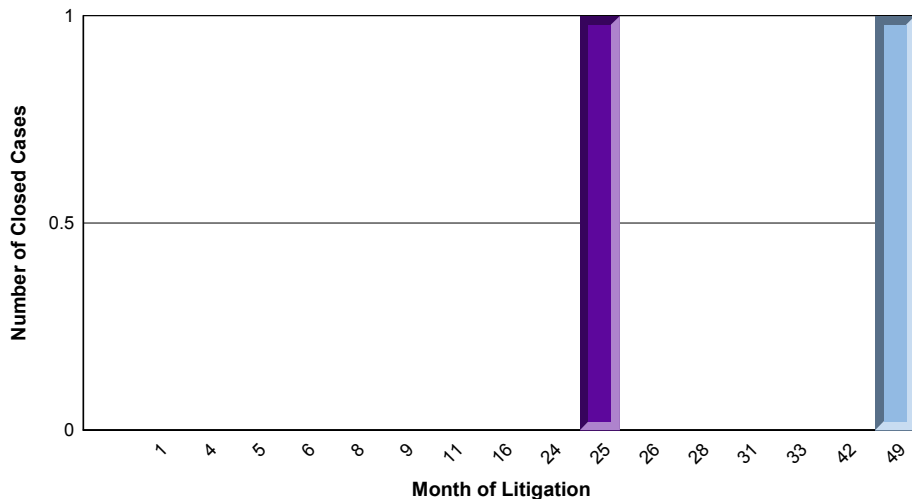


## Overview:

### Time to Disposition-Trials

The average time from case filing to case disposition by trial (includes bench and jury trials) in these cases is 39.0 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

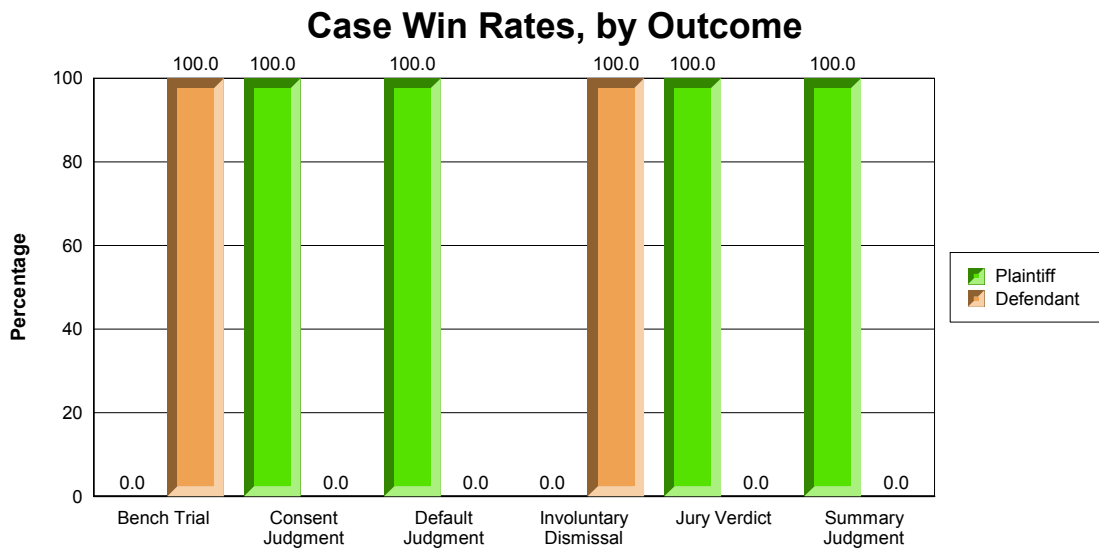
#### Distribution of Cases Closed by Trial



## Case Outcomes with Judgments:

The win rates for plaintiffs and defendants by various outcomes are shown below. Details for each outcome are set forth in the following sections of the report.

	Plaintiff Win Rate	Defendant
<b>Total</b>	84.2	15.8
<b>Bench Trial</b>	0.0	100.0
<b>Consent Judgment</b>	100.0	0.0
<b>Default Judgment</b>	100.0	0.0
<b>Involuntary Dismissal</b>	0.0	100.0
<b>Jury Verdict</b>	100.0	0.0
<b>Summary Judgment</b>	100.0	0.0



**Bench Trial**

There was/were 1 case(s) terminated by Bench Trial. The plaintiff win rate was 0.0% and the defendant win rate was 100.0%. The average time to case termination in months from case filing was 53.8. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

---

**Distribution of Outcomes by Month**

For Bench Trial



The supporting data is shown below.

<b>Case Name</b>	<b>Case Number</b>	<b>Outcome</b>	<b>Prevailing Party</b>	<b>Pendency</b>
STATE OF NEW YORK et al v. MICROSOFT CORPORATION	1:98cv01233	Bench Trial	Defendant	53.8

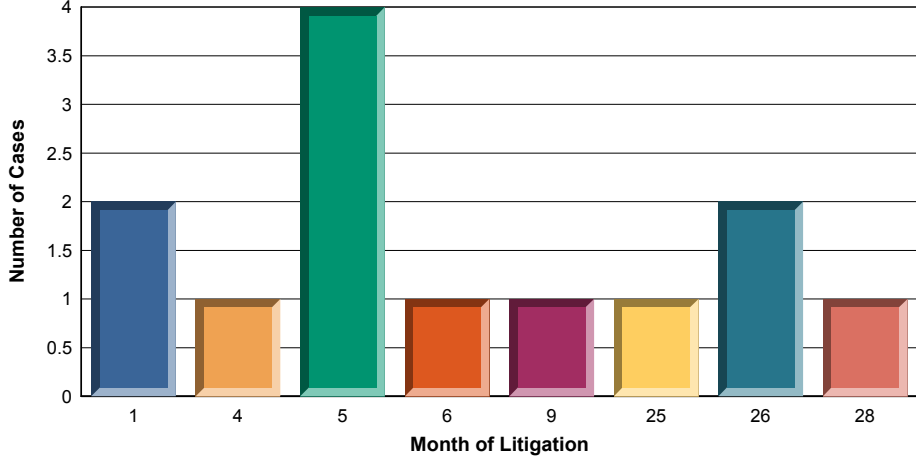
---

**Consent Judgment**

There was/were 13 case(s) terminated by Consent Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 10.7. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

**Distribution of Outcomes by Month**

For Consent Judgment



The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
UNITED STATES OF AMERICA v. GATES	1:04cv00721	Consent Judgment	Plaintiff	0.0
UNITED STATES OF AMERICA v. BEMIS COMPANY, INC. et al	1:10cv00295	Consent Judgment	Plaintiff	4.6
FEDERAL TRADE COMMISSION v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02179	Consent Judgment	Plaintiff	24.6
UNITED STATES OF AMERICA v. ROBERTS	1:11cv02240	Consent Judgment	Plaintiff	0.4
STATE OF COLORADO et al v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02182	Consent Judgment	Plaintiff	27.6
UNITED STATES OF AMERICA et al v. US AIRWAYS GROUP INC. et al	1:13cv01236	Consent Judgment	Plaintiff	8.4
UNITED STATES OF AMERICA v. PEARSON plc et al	1:08cv00143	Consent Judgment	Plaintiff	4.3
USA v. NEWS CORPORATION LTD, et al	1:01cv00771	Consent Judgment	Plaintiff	4.3
USA v. SIGNATURE FLIGHT, et al	1:01cv01365	Consent Judgment	Plaintiff	3.7
USA v. CHANCELLOR MEDIA, et al	1:98cv02763	Consent Judgment	Plaintiff	4.8
DIAMOND CHEMICAL CO. v. AKZO NOBEL CHEMICALS, et al	1:01cv02118	Consent Judgment	Plaintiff	25.3

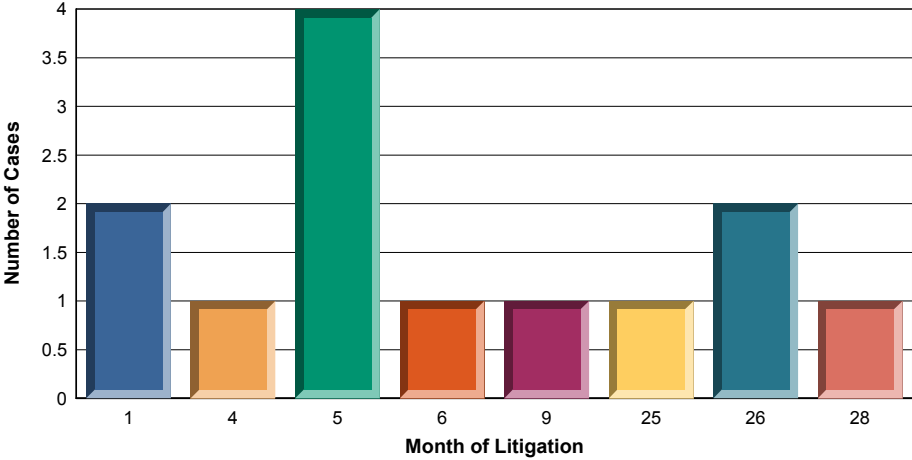


**Consent Judgment**

There was/were 13 case(s) terminated by Consent Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 10.7. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

**Distribution of Outcomes by Month**

For Consent Judgment

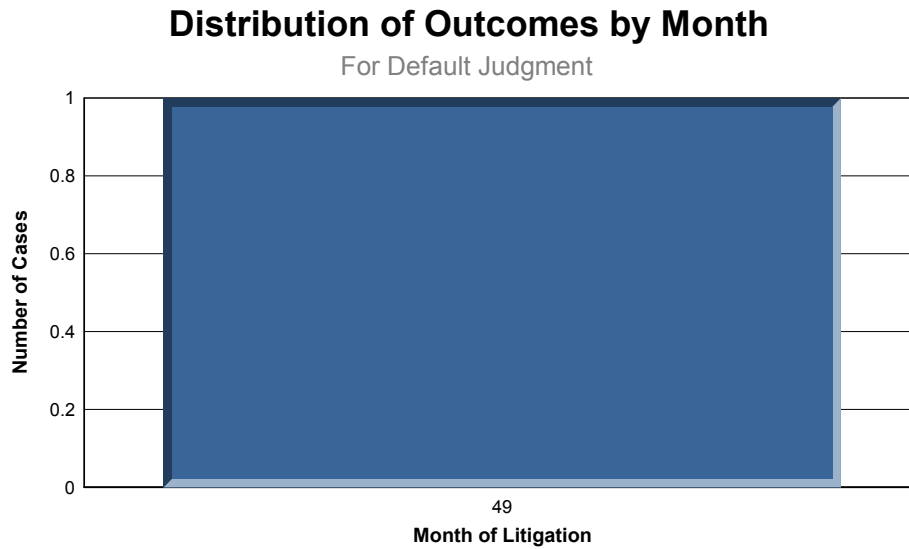


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
USA, et al v. CHANCELLOR MEDIA, et al	1:98cv02875	Consent Judgment	Plaintiff	5.5
DIAMOND CHEMICAL CO. v. ATOFINA CHEMICALS, et al	1:02cv01018	Consent Judgment	Plaintiff	25.0

## Default Judgment

There was/were 1 case(s) terminated by Default Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 53.8. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



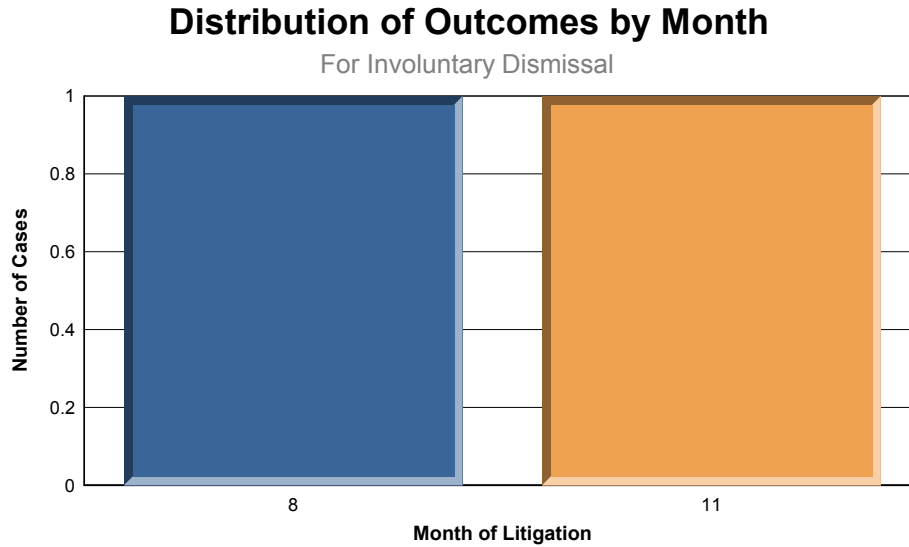
The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
UNITED STATES OF AMERICA et al v. MICROSOFT CORPORATION	1:98cv01232	Default Judgment	Plaintiff	53.8

---

## Involuntary Dismissal

There was/were 2 case(s) terminated by Involuntary Dismissal. The plaintiff win rate was 0.0% and the defendant win rate was 100.0%. The average time to case termination in months from case filing was 8.6. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

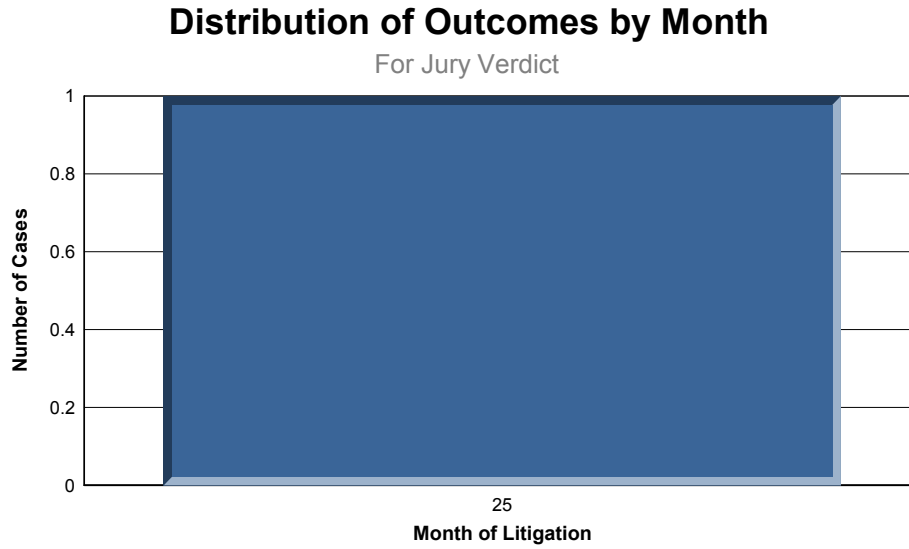


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
CHEEKS v. FORT MYER CONSTRUCTION CORPORATION et al	1:09cv02163	Involuntary Dismissal	Defendant	7.2
CHEEKS OF NORTH AMERICA, INC. v. FORT MYER CONSTRUCTION CORPORATION et al	1:10cv01746	Involuntary Dismissal	Defendant	10.0

## Jury Verdict

There was/were 1 case(s) terminated by Jury Verdict. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 24.2. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
MORSELL, et al v. GUEST SERVICES, INC.	1:95cv01110	Jury Verdict	Plaintiff	24.2

---

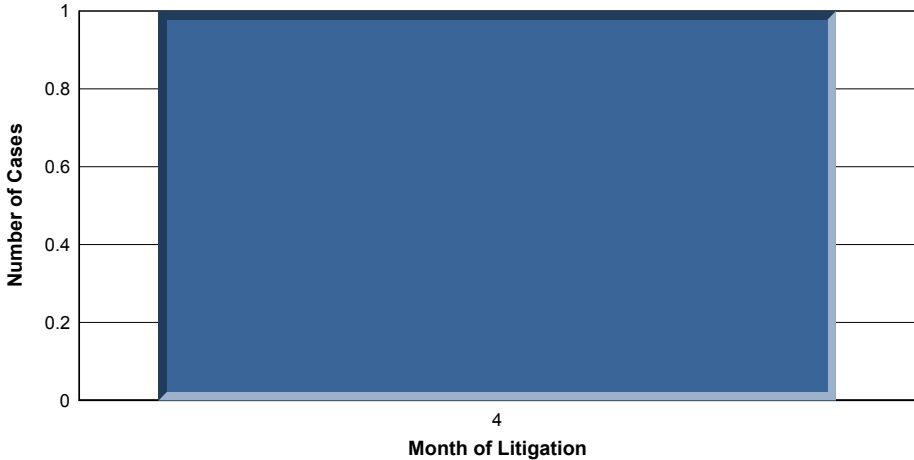
**Summary Judgment**

There was/were 1 case(s) terminated by Summary Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 3.4. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

---

**Distribution of Outcomes by Month**

For Summary Judgment



The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
UNITED STATES OF AMERICA v. ECAST, INC. et al	1:05cv01754	Summary Judgment	Plaintiff	3.4

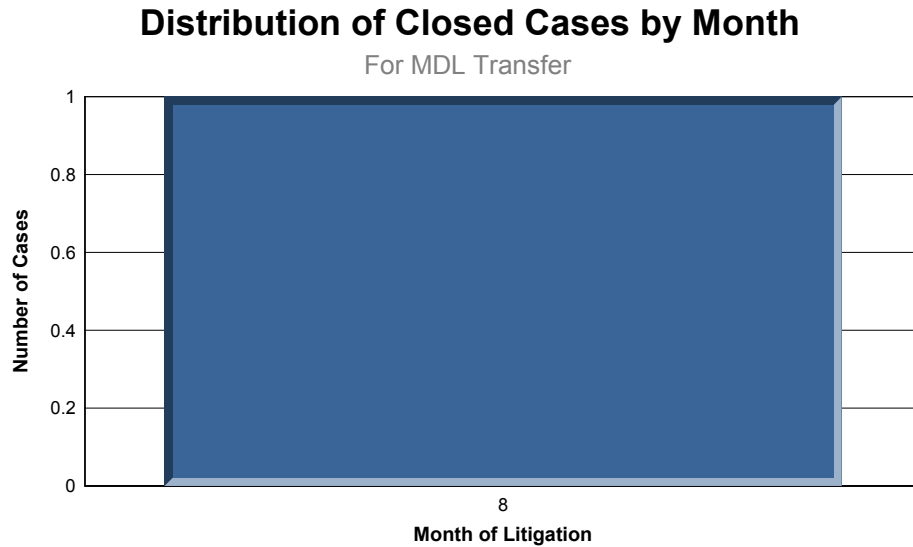
---

## Case Outcomes with No Judgments in Favor of a Party:

The cases terminated without a judgment in favor of a party are identified below, including the distribution of those outcomes by month of litigation.

### MDL Transfer

There was/were 1 case(s) terminated by MDL Transfer. The average time to case termination in months from case filing was 7.2. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

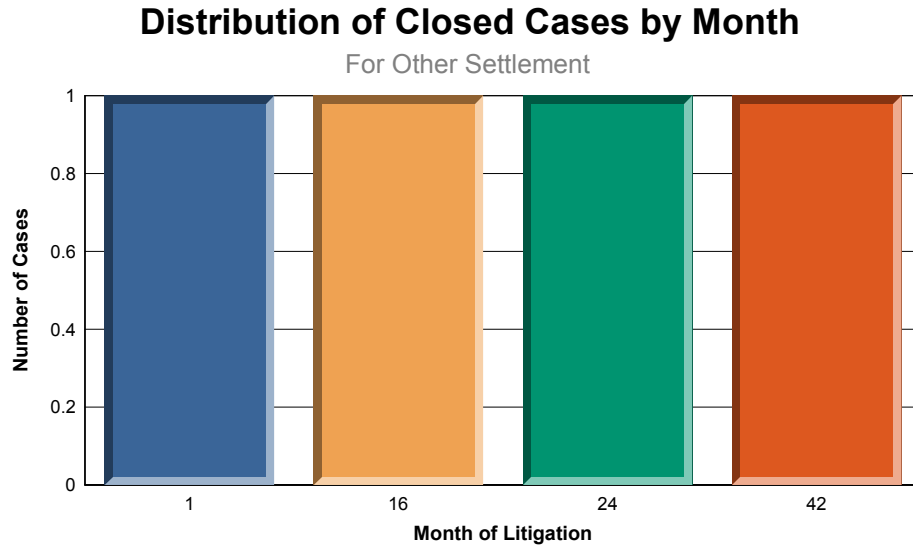


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
NETSCAPE COMMUN CORP v. MICROSOFT CORP.	1:02cv00097	MDL Transfer	7.2

## Other Settlement

There was/were 4 case(s) terminated by Other Settlement. The average time to case termination in months from case filing was 20.1. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

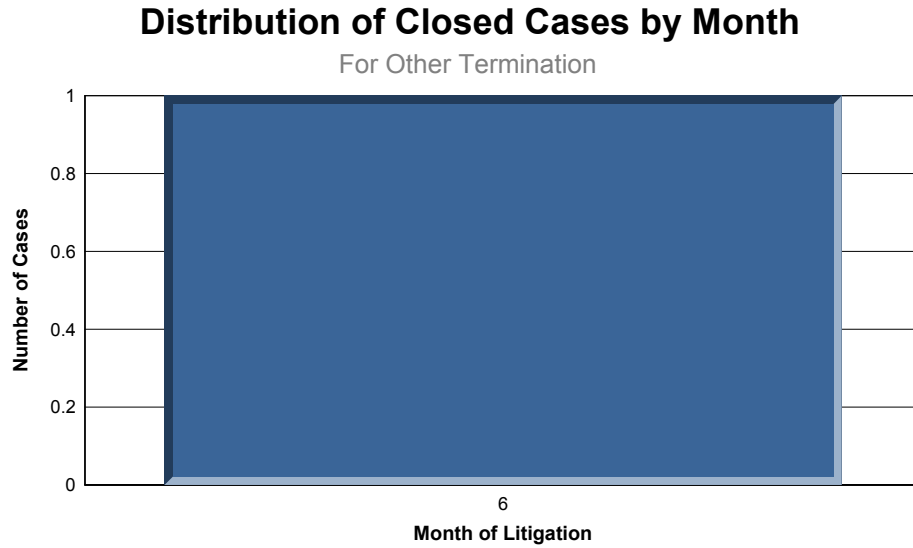


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
STATE OF OHIO et al v. HEARST TRUST et al	1:05cv00384	Other Settlement	0.2
MEIJER, INC. et al v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02195	Other Settlement	41.3
VISTA HEALTHPLAN, INC. v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02327	Other Settlement	23.3
COHEN v. WARNER CHILCOTT PUBLIC LIMITED COMPANY et al	1:06cv00401	Other Settlement	15.7

### Other Termination

There was/were 1 case(s) terminated by Other Termination. The average time to case termination in months from case filing was 5.1. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



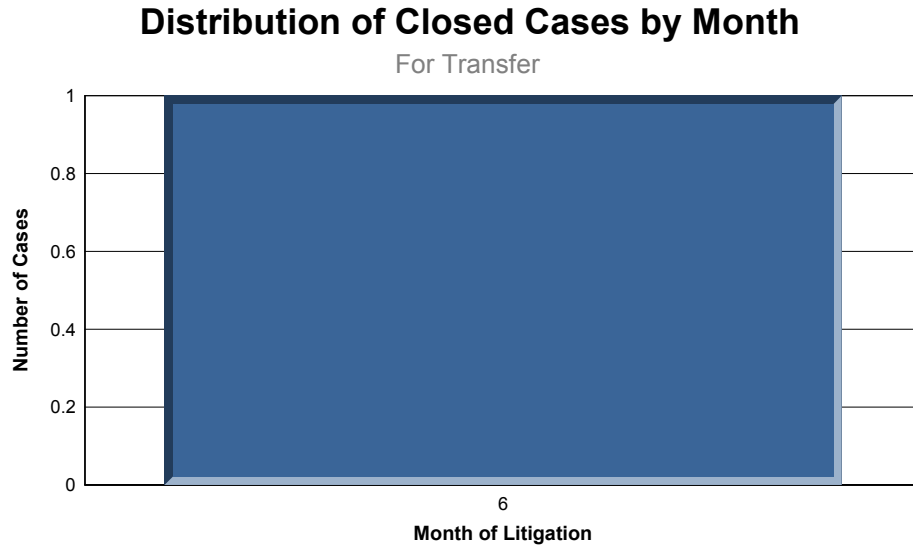
The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
FEDERAL TRADE COMMISSION v. CSL LIMITED et al	1:09cv01000	Other Termination	5.1



## Transfer

There was/were 1 case(s) terminated by Transfer. The average time to case termination in months from case filing was 5.3. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

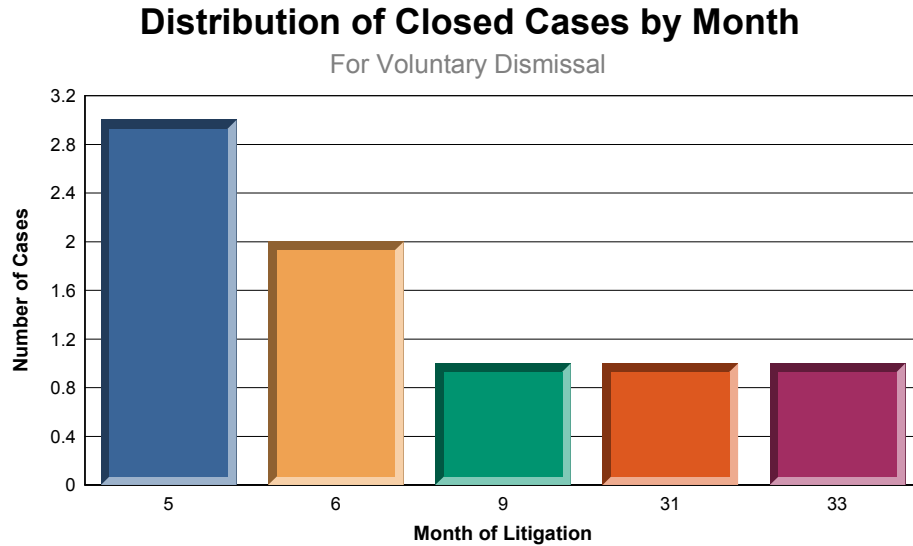


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
PICKETT, et al v. MONSANTO COMPANY	1:99cv03337	Transfer	5.3

## Voluntary Dismissal

There was/were 8 case(s) terminated by Voluntary Dismissal. The average time to case termination in months from case filing was 11.9. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
WALGREEN CO et al v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:06cv00494	Voluntary Dismissal	32.2
CVS PHARMACY, INC. et al v. WARNER CHILCOTT HOLDINGS COMPANY III, LIMITED et al	1:06cv00795	Voluntary Dismissal	30.7
AMERICAN ANTITRUST v. MICROSOFT CORP., et al	1:02cv00138	Voluntary Dismissal	8.7
LOUISIANA WHOLESALE DRUG COMPANY, INC. v. WARNER CHILCOTT PUBLIC LIMITED COMPANY et al	1:05cv02210	Voluntary Dismissal	5.3
ROCHESTER DRUG CO-OPERATIVE INC v. WARNER CHILCOTT PUBLIC LIMITED COMPANY et al	1:05cv02257	Voluntary Dismissal	5.1
VALLEY WHOLESALE DRUG COMPANY, INC. v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02321	Voluntary Dismissal	4.7
AMERICAN SALES COMPANY, INC. v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02335	Voluntary Dismissal	4.6
SAJ DISTRIBUTORS, INC. et al v. WARNER CHILCOTT HOLDINGS COMPANY III, LTD. et al	1:05cv02459	Voluntary Dismissal	4.0

**Awards and Settlement Amounts:**

The awards or settlement amounts found in these cases (if any) are shown below.

<u>Case Name</u>	<u>Case Number</u>	<u>Case Outcome</u>	<u>Date of Decision</u>	<u>Amount</u>
MORSELL, et al v. GUEST SERVICES, INC.	1:95cv01110	Jury Verdict	6/19/1997	\$169,504

## Appeal Outcomes:

There have been 5 appealed cases. The results of those appeals (if any) are shown below. Note that the appeal may be an interlocutory appeal or an appeal of a final judgment.

<u>Case Name</u>	<u>Case Number</u>	<u>Case Outcome</u>	<u>Appeal Outcome</u>
STATE OF NEW YORK et al v. MICROSOFT CORPORATION	1:98cv01233	Bench Trial	Affirmed
UNITED STATES OF AMERICA et al v. MICROSOFT CORPORATION	1:98cv01232	Default Judgment	Affirmed,Reversed
CHEEKS OF NORTH AMERICA, INC. v. FORT MYER CONSTRUCTION CORPORATION et al	1:10cv01746	Involuntary Dismissal	Affirmed
MORSELL, et al v. GUEST SERVICES, INC.	1:95cv01110	Jury Verdict	Dismissed
COHEN v. WARNER CHILCOTT PUBLIC LIMITED COMPANY et al	1:06cv00401	Other Settlement	Pending

## Motion Outcomes:

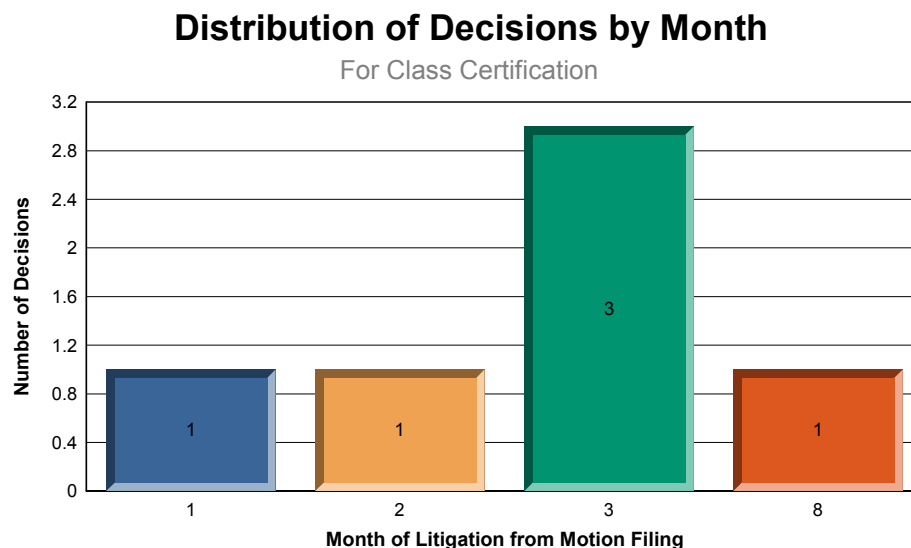
The number of contested motion decisions, win rate, and time in months from motion filing to decision by Judge Kollar-Kotelly in these cases are shown below, broken out by motion type and movant. See following sections for details. For all motion types, the average win rate on plaintiff's motions was 50.0%, the average win rate on defendant's motions was 60.0% and the difference was -10.0%.

		Number	Win Rate	Pendency
<b>Class Certification</b>	<b>Total</b>	6	50.0	2.7
	<b>Plaintiff</b>	6	50.0	2.7
<b>Default Motion</b>	<b>Total</b>	1	0.0	0.1
	<b>Plaintiff</b>	1	0.0	0.1
<b>Discovery</b>	<b>Total</b>	10	70.0	4.7
	<b>Defendant</b>	4	100.0	4.6
	<b>Plaintiff</b>	6	50.0	4.7
<b>Dismissal</b>	<b>Total</b>	26	69.2	5.5
	<b>Defendant</b>	24	75.0	5.8
	<b>Plaintiff</b>	2	0.0	2.6
<b>Expert/Daubert</b>	<b>Total</b>	6	8.3	2.5
	<b>Defendant</b>	5	10.0	2.8
	<b>Plaintiff</b>	1	0.0	0.9
<b>Intervention</b>	<b>Total</b>	6	25.0	1.5
	<b>Third Party</b>	6	25.0	1.5
<b>Motion to Approve Settlement</b>	<b>Total</b>	10	100.0	1.8
	<b>Plaintiff</b>	10	100.0	1.8
<b>Post-trial</b>	<b>Total</b>	3	0.0	5.4
	<b>Defendant</b>	3	0.0	5.4
<b>Preliminary Injunction</b>	<b>Total</b>	1	0.0	0.7
	<b>Plaintiff</b>	1	0.0	0.7
<b>Sanctions/Attorneys Fees</b>	<b>Total</b>	7	50.0	3.2
	<b>Defendant</b>	2	0.0	4.6
	<b>Plaintiff</b>	5	70.0	2.7
<b>Stay</b>	<b>Total</b>	3	66.7	0.2
	<b>Defendant</b>	2	100.0	0.2
	<b>Plaintiff</b>	1	0.0	0.0
<b>Summary Judgment</b>	<b>Total</b>	10	25.0	6.2

		<b>Number</b>	<b>Win Rate</b>	<b>Pendency</b>
<b>Summary Judgment</b>	<b>Defendant</b>	4	62.5	8.5
	<b>Plaintiff</b>	6	0.0	4.7
<b>Transfer Motion</b>	<b>Total</b>	1	0.0	2.1
	<b>Defendant</b>	1	0.0	2.1

## Class Certification

There were 6 Class Certification contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 2.7. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

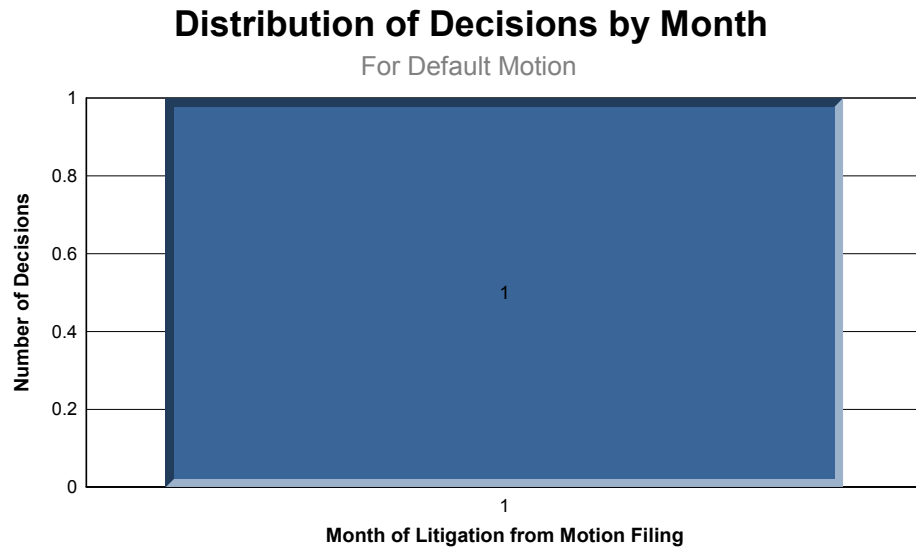


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:05cv02195	Denied without Prejudice	Plaintiff	2.7	10/4/06
1:05cv02195	Granted	Plaintiff	7.4	10/22/07
1:05cv02327	Denied without Prejudice	Plaintiff	2.2	10/4/06
1:06cv00401	Denied without Prejudice	Plaintiff	2.2	10/4/06
1:01cv02118	Granted	Plaintiff	1.1	12/21/01
1:01cv02118	Granted	Plaintiff	0.6	6/30/03

### Default Motion

There were 1 Default Motion contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 0.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



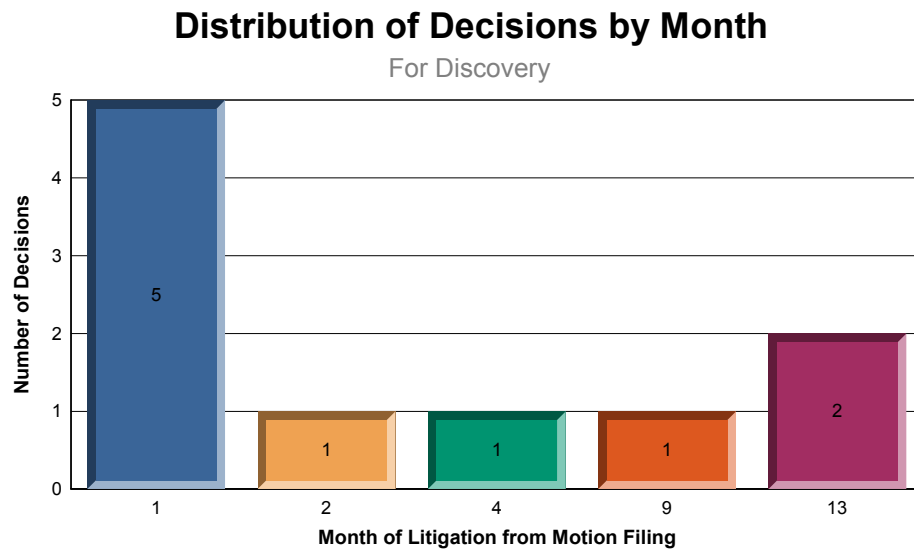
The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:09cv02163	Denied	Plaintiff	0.1	12/18/09



## Discovery

There were 10 Discovery contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 70.0%. The average time (in months) from motion filing to decision was 4.7. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



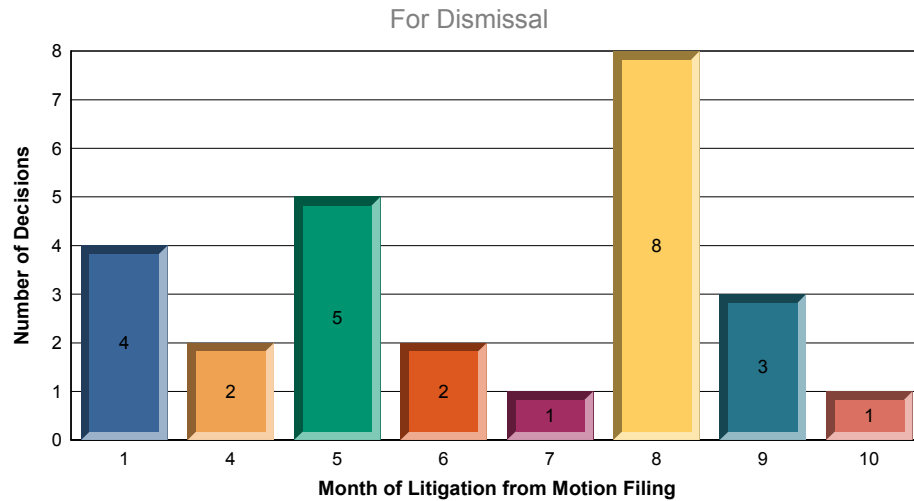
The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:00cv00182	Granted	Plaintiff	0.2	2/15/00
1:02cv01018	Granted	Plaintiff	8.5	6/5/03
1:99cv03337	Granted	Defendant	0.5	3/22/00
1:00cv00182	Granted	Defendant	16.7	2/11/05
1:98cv01233	Granted	Defendant	1.4	5/12/03
1:00cv00182	Denied	Plaintiff	3.3	7/17/03
1:10cv01746	Granted	Defendant	0.0	12/21/10
1:00cv00182	Denied	Plaintiff	15.5	2/11/05
1:95cv01110	Denied	Plaintiff	0.7	6/11/97
1:98cv01233	Granted	Plaintiff	0.3	2/20/02

## Dismissal

There were 26 Dismissal contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 69.2%. The average time (in months) from motion filing to decision was 5.5. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

### Distribution of Decisions by Month



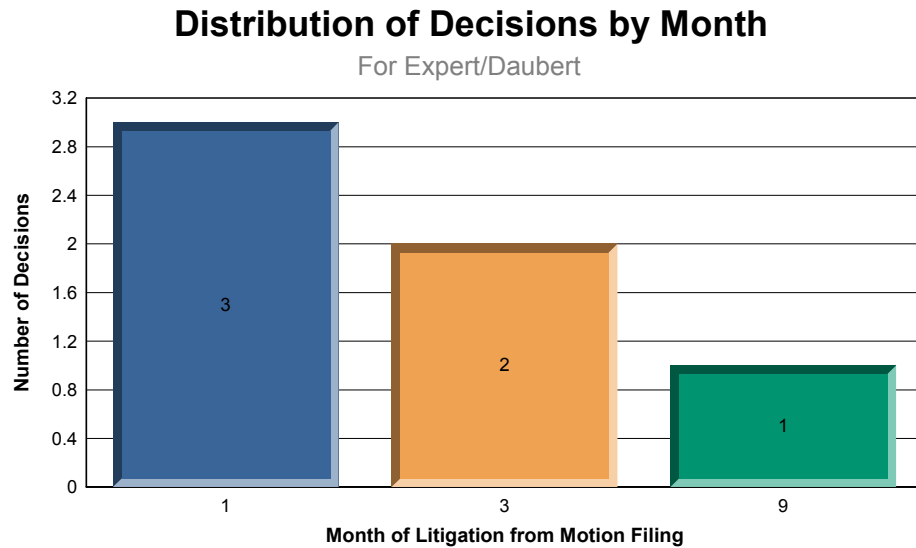
The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:00cv00182	Granted	Defendant	8.8	11/8/00
1:00cv00182	Denied	Defendant	8.0	9/30/01
1:00cv00182	Granted	Defendant	5.7	2/2/04
1:02cv00138	Denied without Prejudice	Defendant	5.8	8/8/02
1:02cv00138	Granted	Defendant	0.4	2/20/02
1:02cv00138	Granted	Defendant	0.3	2/20/02
1:02cv01018	Denied without Prejudice	Defendant	9.4	6/5/03
1:05cv02179	Denied	Defendant	3.5	1/22/07
1:98cv01233	Denied	Defendant	3.5	6/12/02
1:09cv02163	Granted	Defendant	6.1	6/25/10
1:09cv02163	Denied	Plaintiff	0.2	1/18/10
1:09cv02163	Granted	Defendant	4.9	6/25/10
1:09cv02163	Granted	Defendant	4.8	6/25/10
1:09cv02163	Granted	Defendant	4.8	6/25/10
1:09cv02163	Granted	Defendant	4.8	6/25/10
1:10cv01746	Denied without Prejudice	Defendant	0.3	11/9/10
1:10cv01746	Granted	Defendant	8.9	8/16/11
1:10cv01746	Granted	Defendant	8.7	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11

1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Granted	Defendant	7.2	8/16/11
1:10cv01746	Denied without Prejudice	Plaintiff	5.0	8/16/11

## Expert/Daubert

There were 6 Expert/Daubert contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 8.3%. The average time (in months) from motion filing to decision was 2.5. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

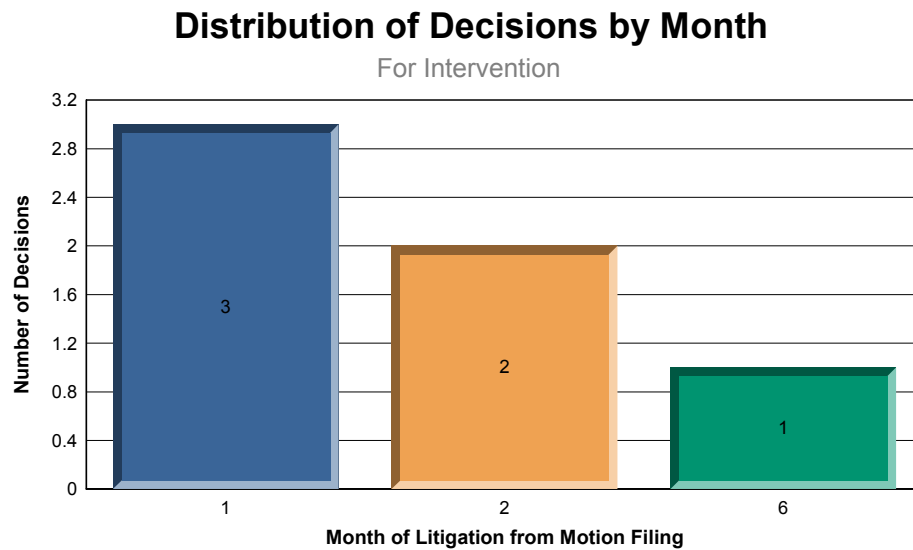


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:95cv01110	Denied	Plaintiff	0.9	6/11/97
1:05cv02179	Denied	Defendant	2.1	3/24/07
1:05cv02182	Denied	Defendant	2.1	3/24/07
1:00cv00182	Granted in part, Denied in Part	Defendant	8.2	3/31/04
1:00cv00182	Denied without Prejudice	Defendant	0.9	8/20/03
1:00cv00182	Denied without Prejudice	Defendant	0.9	8/20/03

**Intervention**

There were 6 Intervention contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 25.0%. The average time (in months) from motion filing to decision was 1.5. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

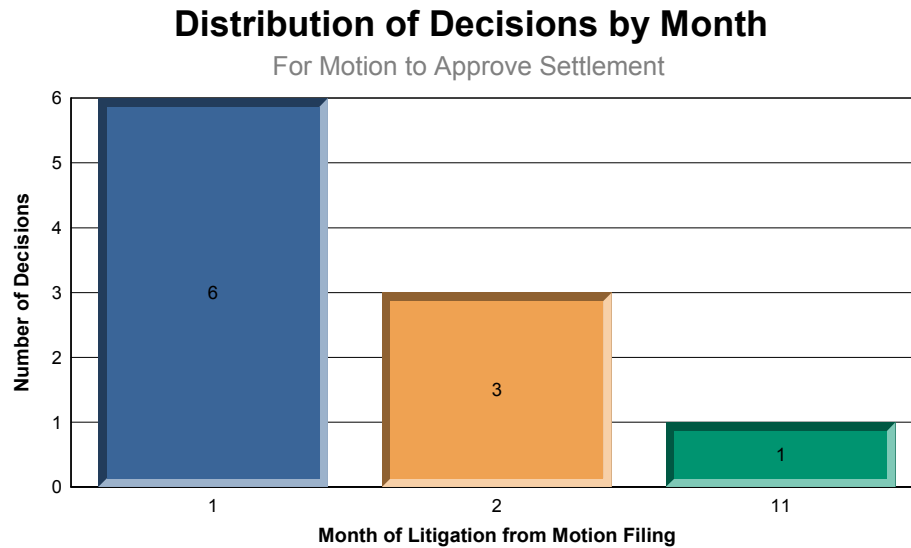


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:98cv01232	Denied	Third Party	0.7	1/11/03
1:98cv01232	Denied	Third Party	1.2	2/7/03
1:98cv01232	Denied	Third Party	1.2	2/7/03
1:98cv01232	Denied	Third Party	5.9	2/28/02
1:00cv00182	Granted	Third Party	0.0	2/24/00
1:13cv01236	Granted in part, Denied in Part	Third Party	0.1	10/9/13

**Motion to Approve Settlement**

There were 10 Motion to Approve Settlement contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.8. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

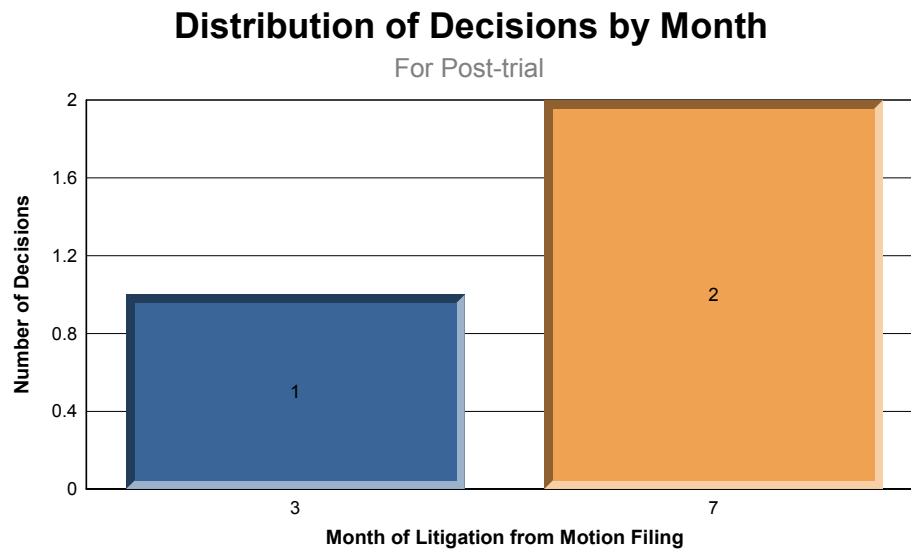


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:01cv02118	Granted	Plaintiff	0.9	5/22/02
1:05cv02327	Granted	Plaintiff	0.5	6/28/07
1:05cv02327	Granted	Plaintiff	0.8	11/15/07
1:01cv02118	Granted	Plaintiff	1.1	12/21/01
1:01cv02118	Granted	Plaintiff	0.6	6/30/03
1:01cv02118	Granted	Plaintiff	0.3	11/21/03
1:02cv01018	Granted	Plaintiff	0.1	1/12/04
1:02cv01018	Granted	Plaintiff	1.2	6/22/04
1:05cv02195	Granted	Plaintiff	1.7	4/20/09
1:05cv02195	Granted	Plaintiff	10.8	4/20/09

### Post-trial

There were 3 Post-trial contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 5.4. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

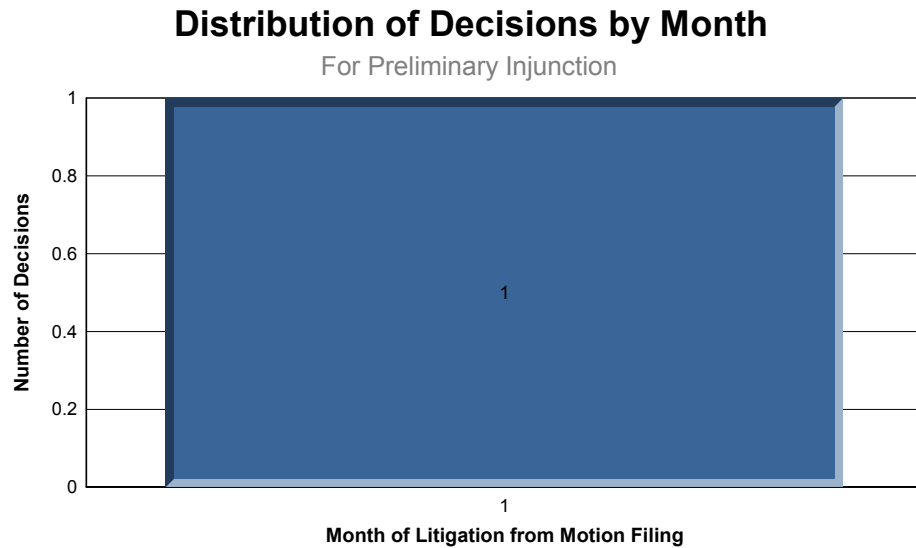


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:95cv01110	Denied	Defendant	2.2	9/8/97
1:98cv01233	Denied	Defendant	6.9	11/12/02
1:98cv01233	Denied	Defendant	6.9	11/12/02

## Preliminary Injunction

There were 1 Preliminary Injunction contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 0.7. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



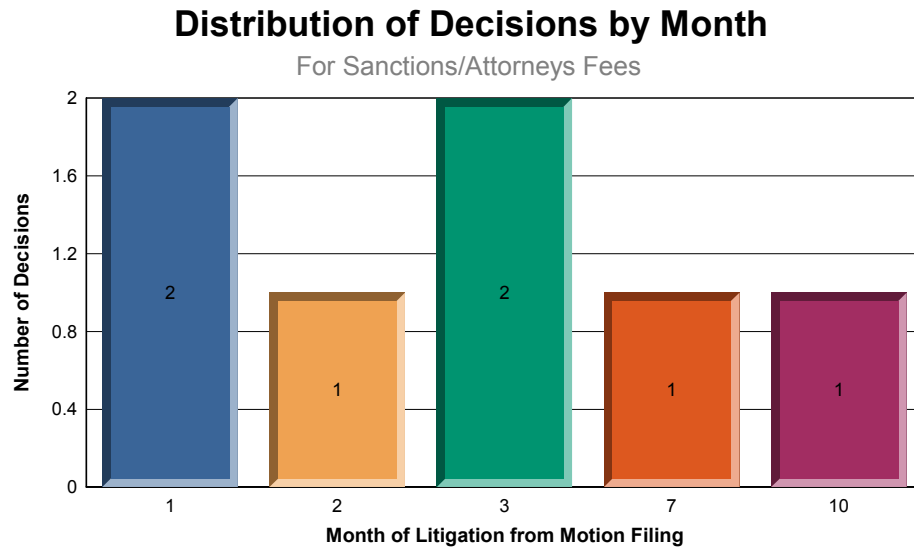
The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:02cv00138	Denied	Plaintiff	0.7	2/20/02



## Sanctions/Attorneys Fees

There were 7 Sanctions/Attorneys Fees contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 3.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

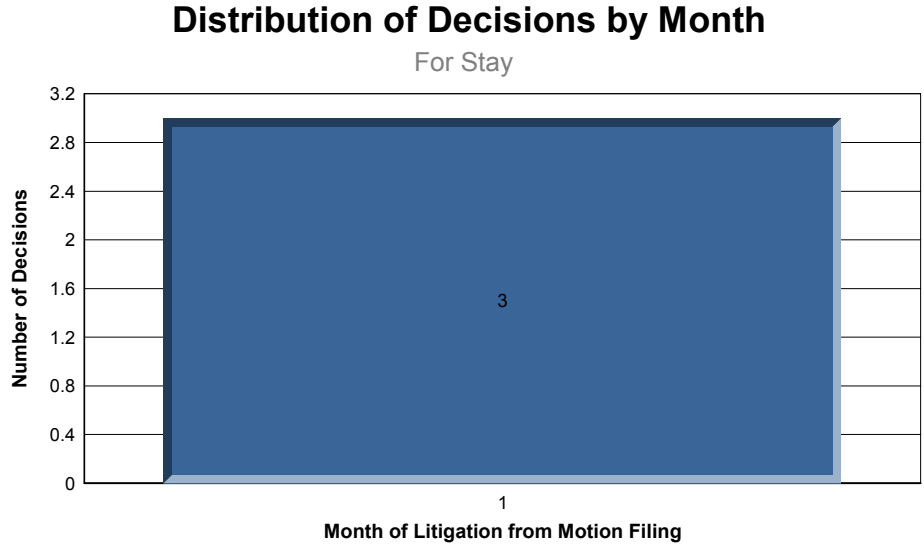


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:01cv02118	Granted	Plaintiff	0.6	6/24/02
1:01cv02118	Granted	Plaintiff	0.2	12/2/03
1:98cv01233	Granted in part, Denied in Part	Plaintiff	9.2	9/22/03
1:98cv01233	Denied	Plaintiff	1.2	9/22/03
1:05cv02195	Granted	Plaintiff	2.2	4/20/09
1:10cv01746	Denied	Defendant	6.7	8/16/11
1:10cv01746	Denied	Defendant	2.4	8/16/11

**Stay**

There were 3 Stay contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 66.7%. The average time (in months) from motion filing to decision was 0.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

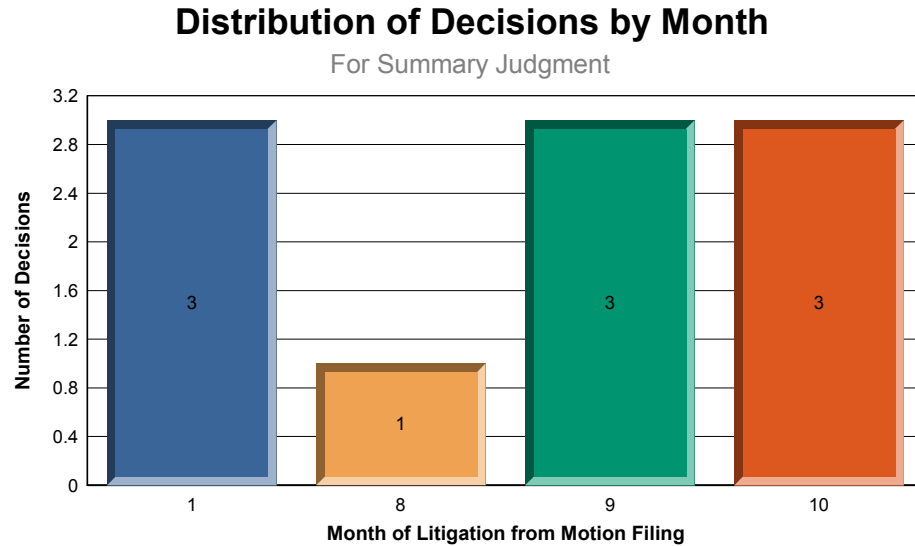


The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
1:99cv03337	Granted	Defendant	0.5	3/22/00	Discovery; Class Certification	
1:10cv01746	Granted	Defendant	0.0	12/21/10	Discovery	Pending Ruling on Motion
1:13cv01236	Denied	Plaintiff	0.0	10/1/13	Case	Pending Appropriations

## Summary Judgment

There were 10 Summary Judgment contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 25.0%. The average time (in months) from motion filing to decision was 6.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

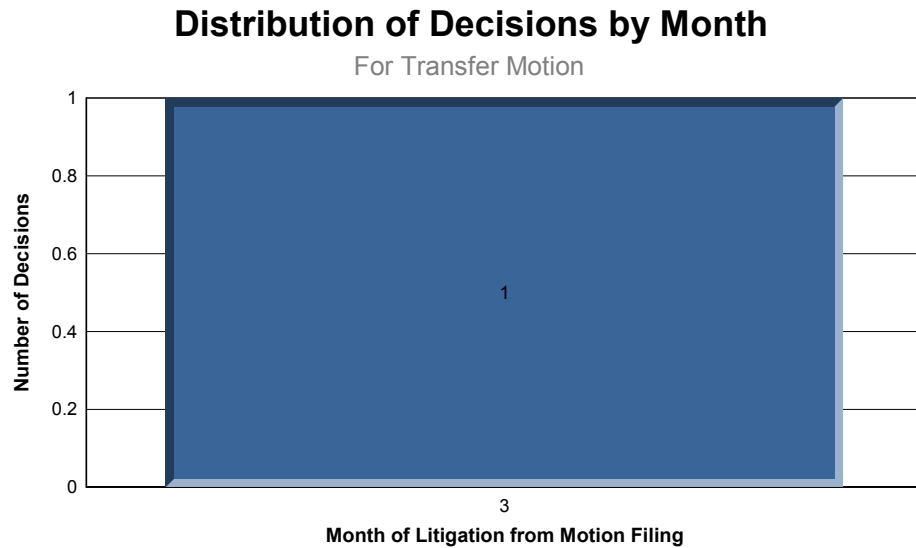


The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
1:05cv02195	Denied without Prejudice	Plaintiff	0.0	6/5/07		
1:05cv02195	Denied	Plaintiff	9.4	8/26/08		
1:05cv02195	Granted in part, Denied in Part	Defendant	8.9	8/26/08		
1:06cv00494	Denied without Prejudice	Plaintiff	0.0	6/5/07		
1:06cv00494	Denied	Plaintiff	9.4	8/26/08		
1:06cv00494	Granted in part, Denied in Part	Defendant	8.9	8/26/08		
1:06cv00795	Denied without Prejudice	Plaintiff	0.0	6/5/07		
1:06cv00795	Denied	Plaintiff	9.4	8/26/08		
1:06cv00795	Granted in part, Denied in Part	Defendant	8.9	8/26/08		
1:10cv01746	Granted	Defendant	7.2	8/16/11		

## Transfer Motion

There were 1 Transfer Motion contested decisions by Judge Kollar-Kotelly. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 2.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
1:99cv03337	Denied	Defendant	2.1	5/22/00