

**U.S. District Court  
Southern District of Illinois (East St. Louis)  
CIVIL DOCKET FOR CASE #: 3:15-cv-00757-DRH-PMF**

Forby v. One Technologies, LP et al  
Assigned to: Judge David R. Herndon  
Referred to: Magistrate Judge Philip M. Frazier  
Case in other court: St. Clair County Circuit Court, 2015-L-246  
Cause: 28:1332 Diversity-Petition for Removal

Date Filed: 07/14/2015  
Date Terminated: 03/25/2016  
Jury Demand: None  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**

**Vickie Forby**  
*individually and on behalf of all others  
similarly situated in Illinois*

represented by **David C. Nelson**  
Nelson & Nelson  
Generally Admitted  
420 North High Street  
P.O. Box Y  
Belleville, IL 62222  
618-277-4000  
Email: dnelson@nelsonlawpc.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Benjamin J. Sweet**  
Carlson Lynch Sweet & Kilpela, LLP  
1133 Penn Avenue  
5th Floor  
Pittsburgh, PA 15222  
412-322-9243  
Fax: 412-231-0246  
Email: bsweet@carlsonlynch.com  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**One Technologies, LP**

represented by **Roger A. Colaizzi**  
Venable, LLP – Washington, DC  
575 7th Street, NW  
Washington, DC 20004  
202-344-8051  
Fax: 202-344-8300  
Email: racolaizzi@venable.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew R. Farley**  
Venable, LLP – Washington, DC  
575 7th Street, NW  
Washington, DC 20004  
202-344-4597

Fax: 202-344-8300

Email: mrfarley@venable.com

*ATTORNEY TO BE NOTICED*

**W. Jason Rankin**

HeplerBroom LLC – Edwardsville

130 North Main Street

P.O. Box 510

Edwardsville, IL 62025

618-307-1138

Fax: 618-656-1364

Email: wjr@heplerbroom.com

*ATTORNEY TO BE NOTICED*

**Troy A. Bozarth**

HeplerBroom LLC – Edwardsville

130 North Main Street

P.O. Box 510

Edwardsville, IL 62025

618-656-0184

Fax: 618-656-1364

Email: troy.bozarth@heplerbroom.com

*ATTORNEY TO BE NOTICED*

**Defendant**

**One Technologies Management LLC**

represented by **Roger A. Colaizzi**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Matthew R. Farley**

(See above for address)

*ATTORNEY TO BE NOTICED*

**W. Jason Rankin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Troy A. Bozarth**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**One Technologies Capital LLP**

represented by **Roger A. Colaizzi**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Matthew R. Farley**

(See above for address)

*ATTORNEY TO BE NOTICED*

**W. Jason Rankin**

(See above for address)

ATTORNEY TO BE NOTICED

**Troy A. Bozarth**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/14/2015	<u>1</u>	NOTICE OF REMOVAL from St. Clair County, case number 15-L-246 ( Filing fee \$ 400 receipt number 0754-2670712), filed by One Technologies Capital LLP, One Technologies, LP, One Technologies Management LLC. (Attachments: # <u>1</u> Exhibit A – Civil Cover Sheet, # <u>2</u> Exhibit B – Complaint, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Bozarth, Troy) (Entered: 07/14/2015)
07/14/2015	<u>2</u>	Corporate Disclosure Statement by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Bozarth, Troy) (Entered: 07/14/2015)
07/15/2015	<u>3</u>	Notice of Judge Assignment. Judge Staci M. Yandle and Magistrate Judge Philip M. Frazier assigned. All future documents must bear case number 15-757-SMY-PMF. If the parties consent to Magistrate Judge assignment, the consent form with instruction is attached for your convenience. Refer to Civil/Removal Case Processing Requirements, found on the ILSD website, for further service information. (cjo) (Entered: 07/15/2015)
07/15/2015	<u>4</u>	MOTION to Appear Pro Hac Vice by Attorney Matthew R. Farley \$100 fee paid,receipt number 0754-2671555 by on behalf of One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Farley, Matthew) (Entered: 07/15/2015)
07/16/2015	<u>5</u>	ORDER granting <u>4</u> Motion to Appear Pro Hac Vice filed by attorney Matthew R. Farley on behalf of One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP.. (cjo)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/16/2015)
07/16/2015	<u>6</u>	MOTION to Appear Pro Hac Vice by Attorney Roger A. Colaizzi \$100 fee paid,receipt number 0754-2673226 by on behalf of One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Colaizzi, Roger) (Entered: 07/16/2015)
07/17/2015	<u>7</u>	ORDER granting <u>6</u> Motion to Appear Pro Hac Vice as to Attorney, Roger A. Colaizzi on 7/17/2015. (cds)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/17/2015)
07/20/2015	<u>8</u>	NOTICE of Appearance by David C. Nelson on behalf of All Plaintiffs (Nelson, David) (Entered: 07/20/2015)
07/21/2015	<u>9</u>	MOTION to Dismiss <i>or Transfer</i> by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. Responses due by 8/24/2015 (Rankin, W.) (Entered: 07/21/2015)
07/21/2015	<u>10</u>	MEMORANDUM in Support re <u>9</u> MOTION to Dismiss <i>or Transfer</i> filed by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Rankin, W.) (Entered: 07/21/2015)
07/21/2015	<u>11</u>	AFFIDAVIT re <u>9</u> MOTION to Dismiss <i>or Transfer</i> ( <i>Declaration of Kevin Hain</i> ) by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Rankin, W.) (Entered: 07/21/2015)

07/22/2015	<u>12</u>	MOTION to Appear Pro Hac Vice by Attorney Benjamin J. Sweet by on behalf of Vickie Forby. (receipt#0754-2676980 \$100.00) (Sweet, Benjamin) (Entered: 07/22/2015)
07/23/2015	<u>13</u>	ORDER granting <u>12</u> Motion to Appear Pro Hac Vice as to attorney, Benjamin Sweet on 7/23/2015. (cds) (Entered: 07/23/2015)
07/23/2015	<u>14</u>	ORDER OF RECUSAL. Judge Staci M. Yandle recused. Case reassigned to Judge David R. Herndon. All future documents filed in this matter shall bear case number 15-CV-757-DRH-PMF. Signed by Judge Staci M. Yandle on 7/23/2015. (rlw) (Entered: 07/23/2015)
08/13/2015	<u>15</u>	First MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>or Transfer</i> by Vickie Forby. (Nelson, David) (Entered: 08/13/2015)
08/14/2015	<u>16</u>	ORDER granting <u>15</u> Motion for Extension of Time to File Response/Reply re <u>9</u> MOTION to Dismiss <i>or Transfer</i> . Responses due by 9/18/2015. Signed by Judge David R. Herndon on 8/14/15. (lmp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/14/2015)
08/24/2015	<u>17</u>	CJRA TRACK D assigned: Bench Trial set for presumptive trial month of August, 2017, in East St. Louis Courthouse before Judge David R. Herndon. (Attachments: # <u>1</u> Consent to Magistrate Judge)(cekf) (Entered: 08/24/2015)
08/26/2015	<u>18</u>	NOTICE of Scheduling and Discovery Conference: Scheduling/Discovery Conference set for 10/2/2015 10:00 AM via telephone before Magistrate Judge Philip M. Frazier. Counsel for plaintiff is responsible for placing the conference call. The telephone number for the Court is 618-439-7750. Lead counsel must participate in the conference call. (krm) (Entered: 08/26/2015)
08/26/2015	<u>19</u>	ORDER REGARDING DISCOVERY: Disputes which require a ruling on a motion made under Rule 37 of the Federal Rules of Civil Procedure will be handled in the following manner. The party seeking a discovery order shall request a prompt telephone conference with Judge Frazier and opposing counsel by alerting the law clerk assigned to the case and providing the law clerk with appropriate material, such as: (1) a list or summary of the items in dispute, (2) copies of written requests/objections/privilege logs in dispute, and (3) an estimate of the amount of time needed to present argument to the Court. Law clerks prefer to receive these materials through Judge Frazier's email depository for proposed documents. When the conference is set, the party seeking discovery shall place the conference call between the parties and the Court. Argument on motions to compel discovery or for discovery sanctions shall be presented orally at the telephone conference. Written motions or legal memoranda will not be accepted unless specifically requested. The expense of the call will be borne by the non-prevailing party. Signed by Magistrate Judge Philip M. Frazier on 8/26/2015. (krm) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/26/2015)
09/04/2015	<u>20</u>	MOTION to Stay <i>Discovery</i> by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Farley, Matthew) (Entered: 09/04/2015)
09/10/2015	<u>21</u>	RESPONSE in Opposition re <u>20</u> MOTION to Stay <i>Discovery</i> filed by Vickie Forby. (Nelson, David) (Entered: 09/10/2015)
09/18/2015	<u>22</u>	STRICKEN – RESPONSE in Opposition re <u>9</u> MOTION to Dismiss <i>or Transfer</i> filed by Vickie Forby. (Nelson, David) (Entered: 09/18/2015)
09/18/2015	<u>23</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>22</u> Response in Opposition to Motion filed by Vickie Forby. Stricken at request of filer. (slh) (Entered: 09/18/2015)

09/18/2015	<u>24</u>	RESPONSE in Opposition re <u>9</u> MOTION to Dismiss <i>or Transfer</i> filed by Vickie Forby. (Nelson, David) (Entered: 09/18/2015)
09/29/2015	<u>25</u>	NOTICE AND ORDER re <u>18</u> Notice of Scheduling and Discovery Conferenc. Due to a conflict in the Court's calendar, the Scheduling and Discovery Conference presently set for 10/2/2015 10:00 AM is CONTINUED to 10/13/2015 9:45 AM via telephone before Magistrate Judge Philip M. Frazier. Signed by Magistrate Judge Philip M. Frazier on 9/29/2015. (krm) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 09/29/2015)
09/30/2015	<u>26</u>	MOTION for Leave to File <i>Reply Brief</i> by One Technologies Capital LLP, One Technologies Management LLC, One Technologies, LP. (Attachments: # <u>1</u> Reply Brief)(Farley, Matthew) (Entered: 09/30/2015)
10/01/2015	<u>27</u>	ORDER granting <u>26</u> Motion for Leave to File. The Court shall consider defendant's reply in its ruling. Signed by Judge David R. Herndon on 10/1/15. (Imp) (Entered: 10/01/2015)
10/13/2015	<u>28</u>	Minute Entry for proceedings held before Magistrate Judge Philip M. Frazier and Minute Order: Scheduling and Discovery Conference held on 10/13/2015. A settlement conference cannot be set at this time, but may be set at a later date. At such time as the parties believe a settlement conference would be beneficial, counsel for Plaintiff shall request that the Court schedule a telephone conference to set the settlement conference. The Joint Report of parties is not entered at this time. The parties are advised to bring the Motion to Stay to Judge Herndon's attention. (krm) (Entered: 10/13/2015)
10/14/2015	<u>29</u>	ORDER granting <u>20</u> Motion to Stay Discovery. Having considered the parties briefs, and for good cause shown, this Court exercises its discretion and GRANTS Defendants' <u>20</u> Motion to Stay Discovery. Discovery in this case is STAYED pending resolution of the <u>9</u> Motion to Dismiss or Transfer. Signed by Judge David R. Herndon on 10/14/15. (Imp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 10/14/2015)
03/25/2016	<u>30</u>	ORDER TRANSFERRING CASE TO OTHER DISTRICT: The Court GRANTS <u>9</u> MOTION to Transfer and denies as moot defendants' motion to dismiss filed by One Technologies Management LLC, One Technologies Capital LLP, One Technologies, LP. Case transferred to Northern District of Texas. Signed by Judge David R. Herndon on 3/25/16. (Imp) (Entered: 03/25/2016)