

**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:18-cv-00135-SRU**

Smith v. Lifevantage Corporation et al
Assigned to: Judge Stefan R. Underhill
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 01/24/2018
Date Terminated: 07/25/2018
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Plaintiff

Brian Smith

*individually and on behalf of all other similarly
situated*

represented by **James K. Robertson , Jr.**
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V.

Defendant

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Defendant

Justin Rose

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*ATTORNEY TO BE NOTICED***Defendant****Ryan Goodwin**represented by **John Matthew Doroghazi**

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*ATTORNEY TO BE NOTICED***Lane M. Webster**

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*ATTORNEY TO BE NOTICED***Rex Mann**

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*ATTORNEY TO BE NOTICED***Thomas Melsheimer**

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/24/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$400 receipt number ACTDC-4691690.), filed by Brian Smith. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F)(Robertson, James) (Entered: 01/24/2018)
01/24/2018	<u>1</u>	Request for Clerk to issue summons as to Brian Smith. (Robertson, James) (Entered: 01/24/2018)
01/24/2018	<u>1</u>	Request for Clerk to issue summons as to All Defendants. (Robertson, James) (Entered: 01/24/2018)
01/24/2018	<u>1</u>	Judge Stefan R. Underhill added. (Oliver, T.) (Entered: 01/24/2018)
01/24/2018	<u>2</u>	Order on Pretrial Deadlines: Motions to Dismiss due on 4/24/2018. Amended Pleadings due by 3/25/2018. Discovery due by 7/26/2018. Dispositive Motions due by 8/25/2018. Signed by Clerk on 1/24/2018.(Fazekas, J.) (Entered: 01/25/2018)
01/24/2018	<u>3</u>	ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Stefan R. Underhill on 1/24/2018.(Fazekas, J.) (Entered: 01/25/2018)
01/24/2018	<u>4</u>	STANDING PROTECTIVE ORDER Signed by Judge Stefan R. Underhill on 1/24/2018.(Fazekas, J.) (Entered: 01/25/2018)
01/25/2018	<u>5</u>	NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-representing parties initiating or removing this action are responsible for serving all parties with attached documents and copies of <u>2</u> Order on Pretrial Deadlines, <u>4</u> Standing Protective Order, <u>3</u> Electronic Filing Order, <u>1</u> Complaint, filed by Brian Smith Signed by Clerk on 1/24/2018.(Fazekas, J.) (Entered: 01/25/2018)

01/25/2018	<u>6</u>	ELECTRONIC SUMMONS REISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose* with answer to complaint due within *21* days. Attorney *James K. Robertson, Jr.* *Carmody Torrance Sandak & Hennessey, LLP – NH* *195 Church St. 18th floor, PO Box 1950* *New Haven, CT 06509–1950*. (Fazekas, J.) (Entered: 01/25/2018)
01/31/2018	<u>7</u>	NOTICE of Appearance by Brian T. Henebry on behalf of Brian Smith (Henebry, Brian) (Entered: 01/31/2018)
01/31/2018	<u>8</u>	NOTICE of Appearance by John Louis Cordani, Jr on behalf of Brian Smith (Cordani, John) (Entered: 01/31/2018)
01/31/2018	<u>9</u>	MOTION for Attorney(s) Andrew Kochanowski to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4701462) by Brian Smith. (Henebry, Brian) (Entered: 01/31/2018)
02/01/2018	<u>10</u>	ORDER granting <u>9</u> Motion for Attorney Andrew Kochanowski to Appear Pro Hac Vice. Certificate of Good Standing due by 4/2/2018. Signed by Clerk on 2/1/2018. (Oliver, T.) (Entered: 02/01/2018)
02/01/2018	<u>11</u>	NOTICE of Appearance by Andrew Kochanowski on behalf of Brian Smith (Kochanowski, Andrew) (Entered: 02/01/2018)
02/07/2018	<u>12</u>	CERTIFICATE OF GOOD STANDING re <u>9</u> MOTION for Attorney(s) Andrew Kochanowski to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4701462) by Brian Smith. (Kochanowski, Andrew) (Entered: 02/07/2018)
02/08/2018	<u>13</u>	SUMMONS Returned Executed by Brian Smith. Lifevantage Corporation served on 2/2/2018, answer due 2/23/2018. (Kochanowski, Andrew) (Entered: 02/08/2018)
02/13/2018	<u>14</u>	RICO Case Statement by Brian Smith. (Kochanowski, Andrew) (Entered: 02/13/2018)
02/20/2018	<u>15</u>	NOTICE of Appearance by John Matthew Doroghazi on behalf of Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose (Doroghazi, John) (Entered: 02/20/2018)
02/20/2018	<u>16</u>	Corporate Disclosure Statement by Lifevantage Corporation. (Doroghazi, John) (Entered: 02/20/2018)
02/20/2018	<u>17</u>	Consent MOTION for Extension of Time until April 16, 2018 to Answer or Otherwise Respond to <u>1</u> Complaint, by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Doroghazi, John) (Entered: 02/20/2018)
02/22/2018	<u>18</u>	ORDER granting <u>17</u> MOTION for Extension of Time. Signed by Judge Stefan R. Underhill on 02/22/2018. (Jamieson, K) (Entered: 02/22/2018)
02/22/2018	<u>1</u>	Answer deadline updated for All Defendants to April 16, 2018. (Jamieson, K) (Entered: 02/22/2018)
03/02/2018	<u>19</u>	MOTION for Attorney(s) R. Adam Swick to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4740818) by Brian Smith. (Henebry, Brian) (Entered: 03/02/2018)
03/02/2018	<u>20</u>	MOTION for Attorney(s) J. Benjamin King to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4740843) by Brian Smith. (Henebry, Brian) (Entered: 03/02/2018)
03/05/2018	<u>21</u>	ORDER granting <u>19</u> Motion for Attorney R. Adam Swick to Appear Pro Hac Vice. Certificate of Good Standing due by 5/4/2018. Signed by Clerk on 3/5/2018. (Oliver, T.) (Entered: 03/05/2018)
03/05/2018	<u>22</u>	ORDER granting <u>20</u> Motion for Attorney J. Benjamin King to Appear Pro Hac Vice. Certificate of Good Standing due by 5/4/2018. Signed by Clerk on 3/5/2018. (Oliver, T.) (Entered: 03/05/2018)

03/14/2018	<u>23</u>	MOTION for Attorney(s) John C.C. Sanders, Jr. to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4754234) by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Attachments: # <u>1</u> Declaration of John C.C. Sanders, Jr., # <u>2</u> Certificate of Good Standing)(Doroghazi, John) (Entered: 03/14/2018)
03/14/2018	<u>24</u>	MOTION for Attorney(s) Thomas M. Melsheimer to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4754258) by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Attachments: # <u>1</u> Declaration of Thomas M. Melsheimer, # <u>2</u> Certificate of Good Standing)(Doroghazi, John) (Entered: 03/14/2018)
03/14/2018	<u>25</u>	MOTION for Attorney(s) Rex A. Mann to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4754268) by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Attachments: # <u>1</u> Declaration of Rex A. Mann, # <u>2</u> Certificate of Good Standing)(Doroghazi, John) (Entered: 03/14/2018)
03/14/2018	<u>26</u>	MOTION for Attorney(s) Lane M. Webster to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4754279) by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Attachments: # <u>1</u> Declaration of Lane M. Webster, # <u>2</u> Certificate of Good Standing)(Doroghazi, John) (Entered: 03/14/2018)
03/15/2018	<u>27</u>	ORDER granting <u>23</u> Motion for Attorney John C.C. Sanders, Jr. to Appear Pro Hac Vice. Signed by Clerk on 3/15/2018. (Oliver, T.) (Entered: 03/15/2018)
03/15/2018	<u>28</u>	ORDER granting <u>24</u> Motion for Attorney Thomas M. Melsheimer to Appear Pro Hac Vice. Signed by Clerk on 3/15/2018. (Oliver, T.) (Entered: 03/15/2018)
03/15/2018	<u>29</u>	ORDER granting <u>25</u> Motion for Attorney Rex A. Mann to Appear Pro Hac Vice. Signed by Clerk on 3/15/2018. (Oliver, T.) (Entered: 03/15/2018)
03/15/2018	<u>30</u>	ORDER granting <u>26</u> Motion for Attorney Lane M. Webster to Appear Pro Hac Vice. Signed by Clerk on 3/15/2018. (Oliver, T.) (Entered: 03/15/2018)
03/16/2018	<u>31</u>	Joint MOTION to Stay <i>Rule 26(f) Deadlines Pending a Decision on Defendants' Motion to Transfer</i> by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. Responses due by 4/6/2018 (Doroghazi, John) (Entered: 03/16/2018)
03/20/2018	<u>32</u>	NOTICE of Appearance by Thomas Melsheimer on behalf of Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose (Melsheimer, Thomas) (Entered: 03/20/2018)
03/20/2018	<u>33</u>	NOTICE of Appearance by John C.C. Sanders on behalf of Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose (Sanders, John) (Entered: 03/20/2018)
03/20/2018	<u>34</u>	NOTICE of Appearance by Rex Mann on behalf of Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose (Mann, Rex) (Entered: 03/20/2018)
03/20/2018	<u>35</u>	NOTICE of Appearance by Lane M. Webster on behalf of Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose (Webster, Lane) (Entered: 03/20/2018)
04/12/2018	<u>36</u>	CERTIFICATE OF GOOD STANDING re <u>19</u> MOTION for Attorney(s) R. Adam Swick to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4740818) by Brian Smith. (Henebry, Brian) (Entered: 04/12/2018)
04/12/2018	<u>37</u>	CERTIFICATE OF GOOD STANDING re <u>20</u> MOTION for Attorney(s) J. Benjamin King to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4740843) by Brian Smith. (Henebry, Brian) (Entered: 04/12/2018)
04/16/2018	<u>38</u>	MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. Responses due by 5/7/2018 (Attachments: # <u>1</u> Memorandum in

Support)(Melsheimer, Thomas) (Entered: 04/16/2018)

04/16/2018	<u>39</u>	MOTION to Transfer to Another District / <i>Venue</i> by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 to Memo ISO Motion, # <u>3</u> Exhibit 1-A to Memo ISO Motion, # <u>4</u> Exhibit 1-B to Memo ISO Motion, # <u>5</u> Exhibit 1-C to Memo ISO Motion, # <u>6</u> Exhibit 1-D to Memo ISO Motion, # <u>7</u> Exhibit 1-E to Memo ISO Motion, # <u>8</u> Exhibit 1-F to Memo ISO Motion, # <u>9</u> Exhibit 2 to Memo ISO Motion)(Melsheimer, Thomas) (Entered: 04/16/2018)
04/16/2018	<u>40</u>	MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>) by Ryan Goodwin, Darren Jensen, Lifevantage Corporation, Justin Rose. Responses due by 5/7/2018 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – Jensen Affidavit, # <u>3</u> Exhibit 2 – Rose Affidavit, # <u>4</u> Exhibit 3 – Goodwin Affidavit)(Melsheimer, Thomas) (Entered: 04/16/2018)
04/17/2018	<u>41</u>	ORDER granting <u>31</u> MOTION to Stay Rule 26(f) Meeting Deadline. Signed by Judge Stefan R. Underhill on 04/17/2018. (Jamieson, K) (Entered: 04/17/2018)
04/19/2018	<u>42</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> until June 4, 2018 by Brian Smith. (Henebry, Brian) (Entered: 04/19/2018)
04/24/2018	<u>43</u>	ORDER granting <u>42</u> MOTION for Extension of Time to File Response/Reply to <u>38</u> MOTION to Strike, <u>39</u> MOTION to Transfer, <u>40</u> MOTION to Dismiss. Signed by Judge Stefan R. Underhill on 04/24/2018. Responses due by June 4, 2018. (Jamieson, K) (Entered: 04/24/2018)
05/07/2018	<u>44</u>	NOTICE of Appearance by Randall Adam Swick on behalf of Brian Smith (Swick, Randall) (Entered: 05/07/2018)
05/07/2018	<u>45</u>	NOTICE of Appearance by J. Benjamin King on behalf of Brian Smith (King, J.) (Entered: 05/07/2018)
05/29/2018	<u>46</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> until June 18, 2018 by Brian Smith. (Henebry, Brian) (Entered: 05/29/2018)
06/01/2018	<u>47</u>	ORDER granting <u>46</u> MOTION for Extension of Time to File Response to <u>38</u> MOTION to Strike <u>1</u> Complaint, <u>40</u> MOTION to Dismiss for Lack of Jurisdiction, & <u>39</u> MOTION to Transfer to Another District. Signed by Judge Stefan R. Underhill on 06/01/2018. Responses due by June 18, 2018. (Jamieson, K) (Entered: 06/01/2018)
06/11/2018	<u>48</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> until July 2, 2018 by Brian Smith. (Henebry, Brian) (Entered: 06/11/2018)
06/14/2018	<u>49</u>	MOTION for John L. Cordani, Jr. to Withdraw as Attorney by Brian Smith. (Cordani, John) (Entered: 06/14/2018)
06/15/2018	<u>50</u>	ORDER granting <u>48</u> Motion for Extension of Time to File Response/Reply re <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> . Responses due by 7/2/2018. Signed by Judge Stefan R. Underhill on 6/15/2018. (Schneider, K) (Entered: 06/15/2018)

06/27/2018	<u>51</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> until July 16, 2018 by Brian Smith. (Henebry, Brian) (Entered: 06/27/2018)
06/28/2018	<u>52</u>	ORDER granting <u>51</u> MOTION for Extension of Time to File Response/Reply to <u>38</u> MOTION to Strike, <u>39</u> MOTION to Transfer to Another District, <u>40</u> MOTION to Dismiss for Lack of Personal Jurisdiction. Signed by Judge Stefan R. Underhill on 06/28/2018. Responses due by July 16, 2018. (Jamieson, K) (Entered: 06/28/2018)
07/09/2018	<u>53</u>	ORDER granting <u>49</u> Motion to Withdraw as Attorney. Attorney John Cordani terminated. Signed by Judge Stefan R. Underhill on 7/9/18. (Kaas, E.) (Entered: 07/09/2018)
07/16/2018	<u>54</u>	Consent MOTION for Extension of Time until July 23, 2018 To File Stipulation <u>40</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Personal Jurisdiction</i>), <u>38</u> MOTION to Strike <u>1</u> Complaint, <i>Paragraph 112</i> , <u>39</u> MOTION to Transfer to Another District / <i>Venue</i> by Brian Smith. (Henebry, Brian) (Entered: 07/16/2018)
07/16/2018	<u>55</u>	ORDER granting <u>54</u> Motion for Extension of Time until July 23, 2018 to file Stipulation re <u>38</u> , <u>39</u> , and <u>40</u> . Signed by Judge Stefan R. Underhill on 7/16/18. (Kaas, E.) (Entered: 07/16/2018)
07/23/2018	<u>56</u>	STIPULATION <i>Re: Motions to Dismiss, Strike & Transfer</i> by Brian Smith. (Henebry, Brian) (Entered: 07/23/2018)
07/24/2018	<u>57</u>	ORDER approving <u>56</u> Stipulation; denying as moot <u>38</u> Motion to Strike; denying as moot <u>40</u> Motion to Dismiss for Lack of Jurisdiction; granting <u>39</u> Motion to Transfer to Another District. The Clerk is directed to transfer the case to the United States District Court for the District of Utah, Central Division, and close the case. The Plaintiff shall file an Amended Complaint within 45 days of the case being opened in the District of Utah, and the Defendants shall file any responsive pleading within 45 days thereafter. Signed by Judge Stefan R. Underhill on 7/24/18. (Kaas, E.) (Entered: 07/24/2018)
08/03/2018	<u>i</u>	JUDICIAL PROCEEDINGS SURVEY – FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Jaiman, R.) (Entered: 08/03/2018)