



LegalMetric Individual Judge Report
Judge Dale S. Fischer
Securities Cases
November 2003 to August 2015

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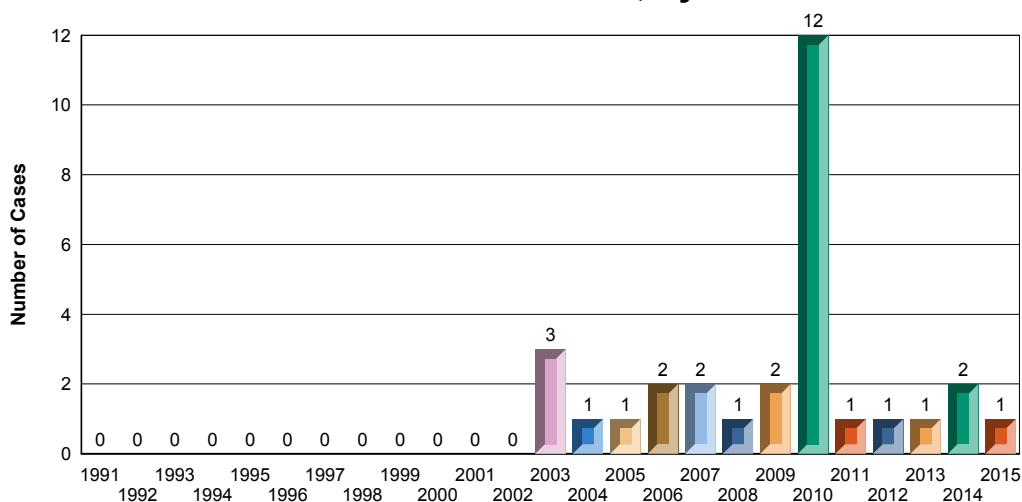
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Overview:

Total Cases and Judgments

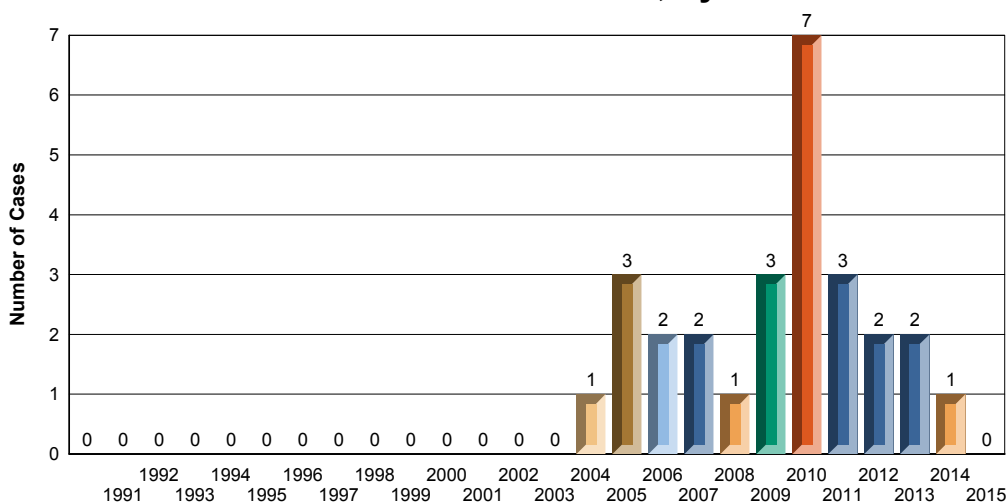
Judge Fischer was appointed to the bench on November 05, 2003. Since then this judge has been assigned 30 securities cases. Of these, 27 cases have been terminated. There have been judgments in favor of a party (includes consent and default judgments) in 13 case(s). The plaintiff prevailed in 76.9% of these cases (while the defendant prevailed in 23.1% of these cases).

Number of Cases Filed, by Year



The number of securities cases assigned to Judge Fischer 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

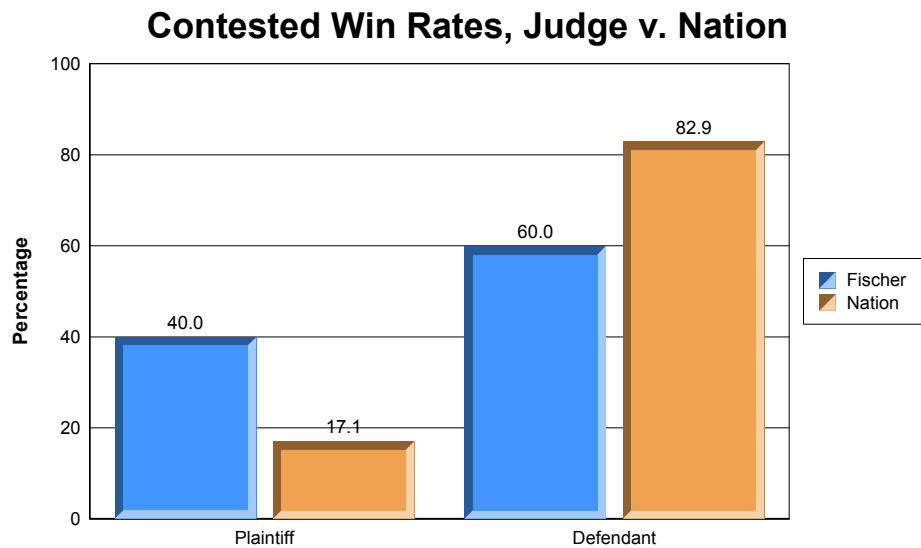


The number of securities cases decided by Judge Fischer by year is shown in the chart to the left. This can include cases decided earlier which are subsequently assigned to this judge for post-decision rulings.

Overview:

Contested Judgments

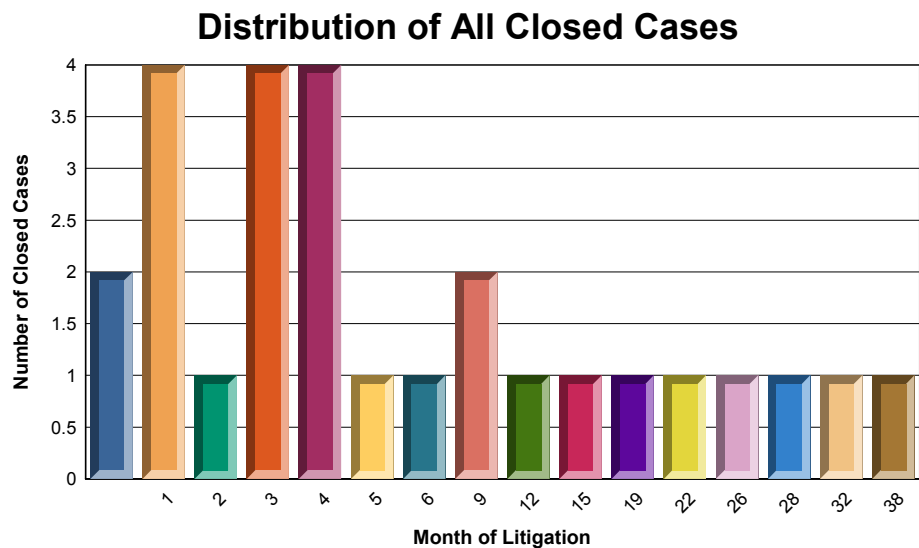
There have been 5 contested judgments in these cases (does not include consent and default judgments). The plaintiff prevailed in 40.0% of these cases, while the defendant prevailed in 60.0% of these cases. These figures are compared to the corresponding nationwide numbers below.



Overview:

Time to Disposition-All Cases

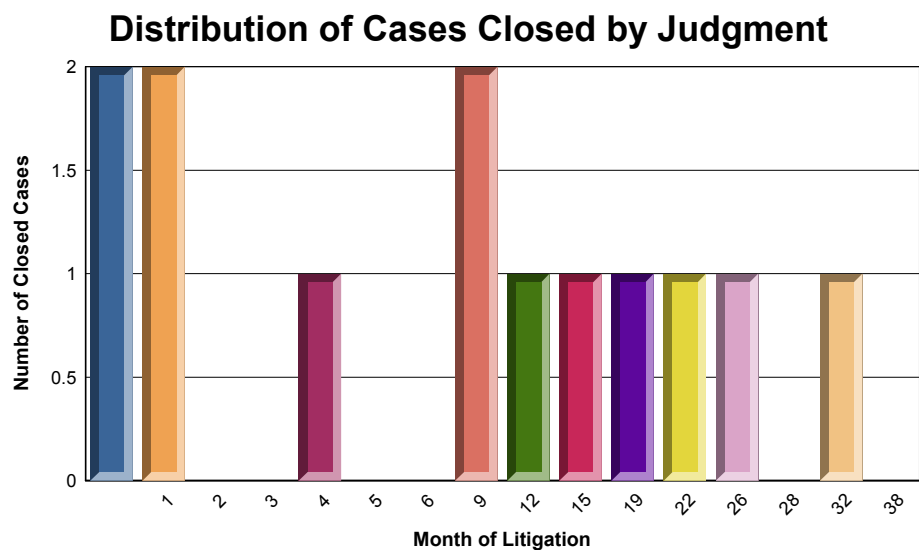
The average time from case filing to case disposition by Judge Fischer is 8.9 months. The distribution of case terminations by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed 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 11.1 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.

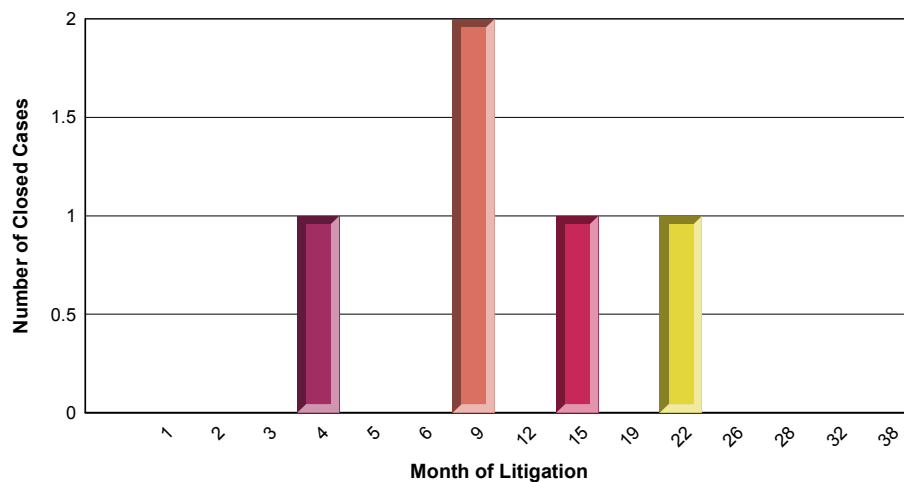


Overview:

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 11.1 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.

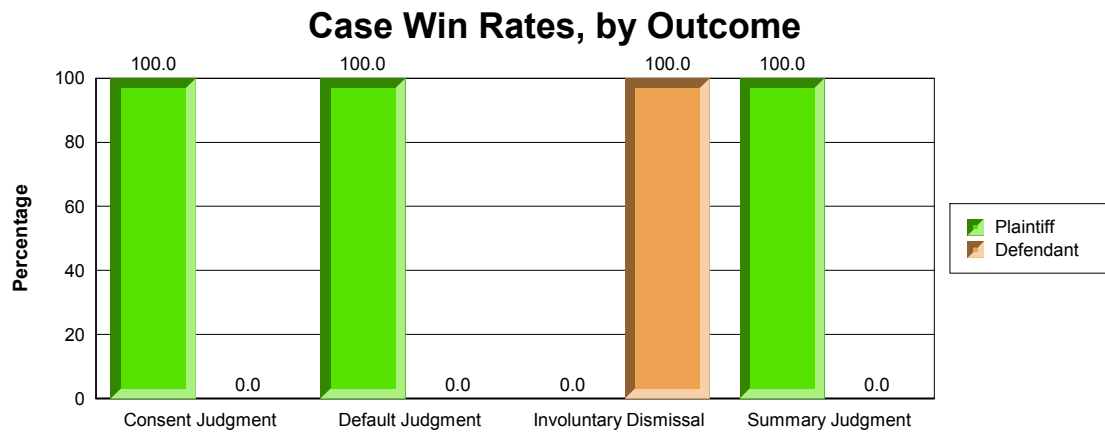
Distribution of Cases Closed by Contested Judgment



Case Outcomes with Judgments:

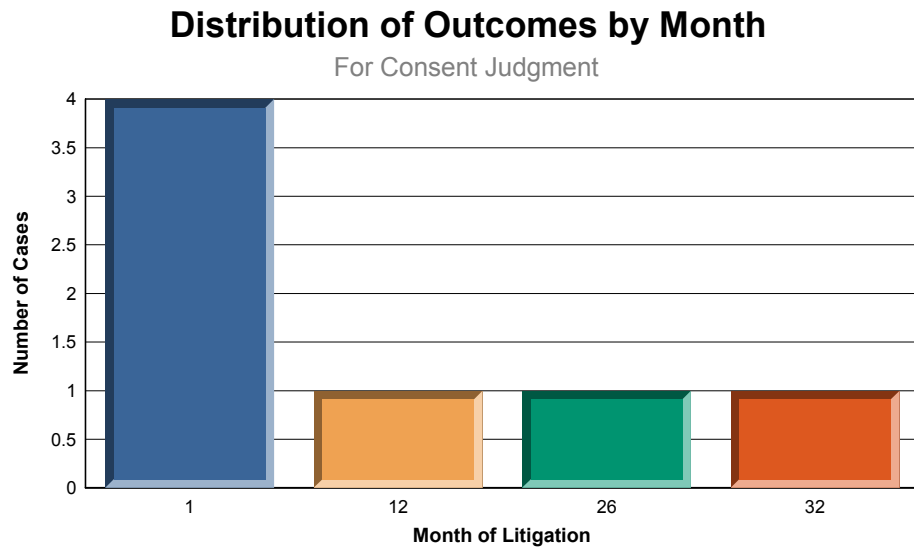
The win rates for plaintiffs and defendants by various outcomes are shown below. Details for each outcome are set forth in the following sections of the report.

	Plaintiff Win Rate	Defendant
Total	76.9	23.1
Consent Judgment	100.0	0.0
Default Judgment	100.0	0.0
Involuntary Dismissal	0.0	100.0
Summary Judgment	100.0	0.0



Consent Judgment

There was/were 7 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 9.9. 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".

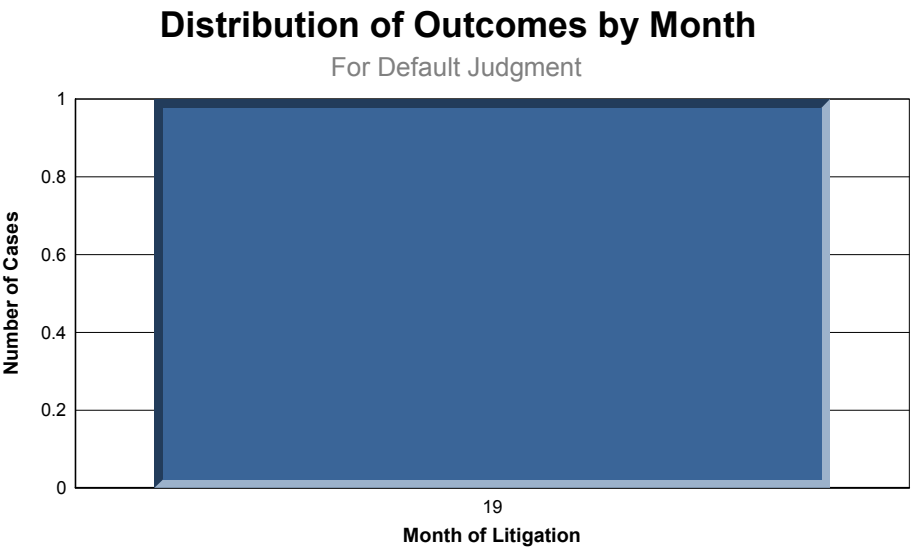


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
Securities and Exchange Commission v. Toby G Scammell	2:11cv06597	Consent Judgment	Plaintiff	31.2
Commodity Futures v. Ben Ouyang, et al	2:03cv00833	Consent Judgment	Plaintiff	25.1
Securities and Exchange Commission v. Deog Kyoong Jeong	2:06cv00256	Consent Judgment	Plaintiff	0.0
Securities and Exchange Commission v. Alan Cao et al	2:06cv01269	Consent Judgment	Plaintiff	0.0
Securities and Exchange Commission v. Quan Zhu	2:07cv07033	Consent Judgment	Plaintiff	0.9
Securities and Exchange Commission v. Lion Gate Capital, Inc. et al	2:08cv06574	Consent Judgment	Plaintiff	11.6
Securities and Exchange Commission v. Avery Dennison Corporation	2:09cv05493	Consent Judgment	Plaintiff	0.7

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 18.9. 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".

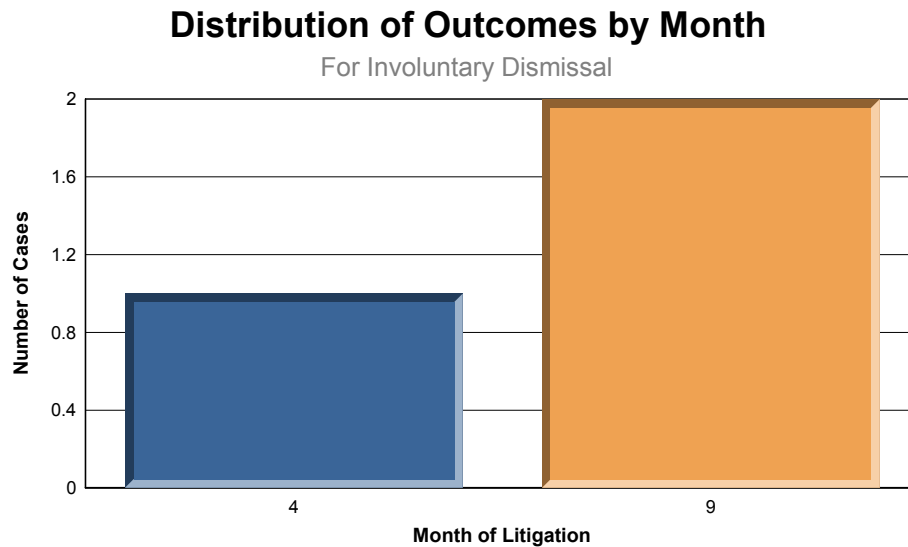


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
SEC v. Mary Patten, et al	2:03cv08619	Default Judgment	Plaintiff	18.9

Involuntary Dismissal

There was/were 3 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 6.7. 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".

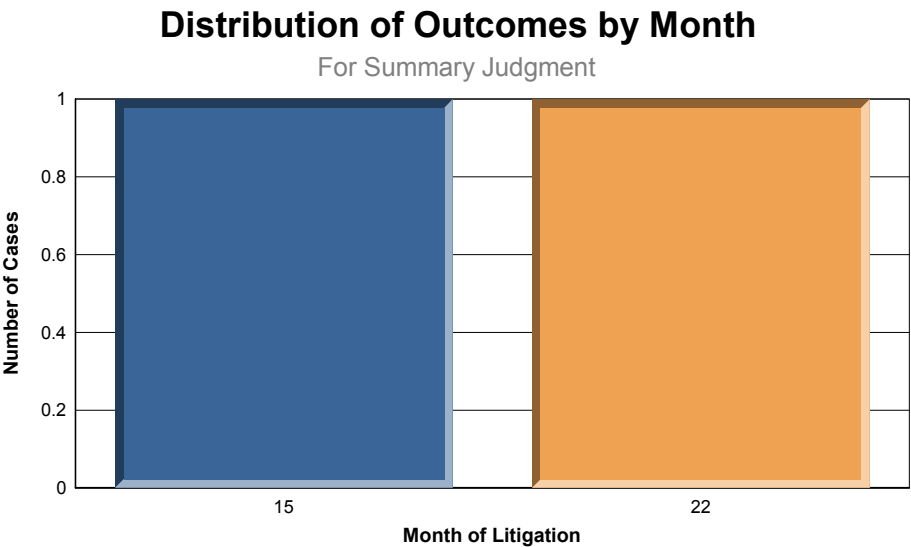


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
Harel Pia Mutual Fund v. Toyota Motor Corporation et al	2:10cv06871	Involuntary Dismissal	Defendant	3.9
Holly Hanson v. Morgan Stanley Smith Barney LLC et al	2:10cv06945	Involuntary Dismissal	Defendant	8.2
Scott Foster et al v. Peter Wilson et al	2:04cv09552	Involuntary Dismissal	Defendant	8.0

Summary Judgment

There was/were 2 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 17.6. 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.

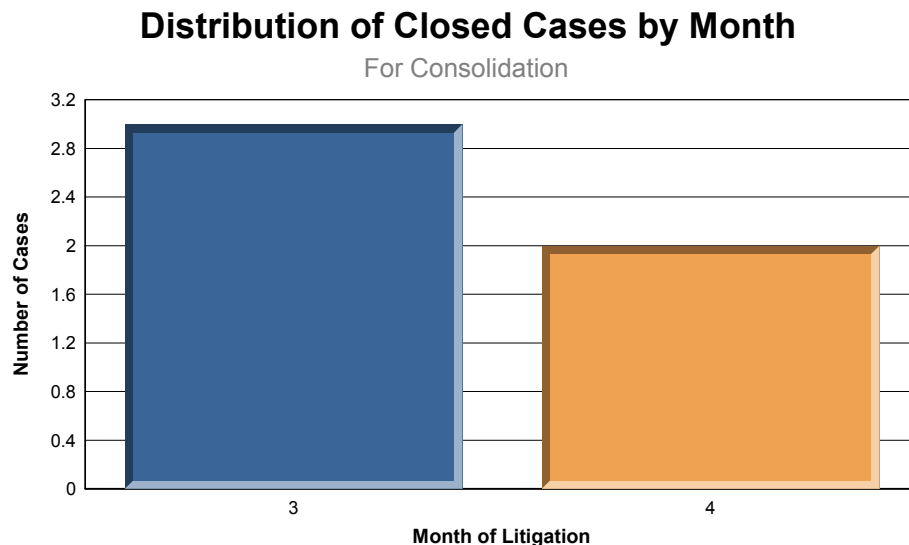
Case Name	Case Number	Outcome	Prevailing Party	Pendency
SEC v. Natl Investment Ent, et al	2:03cv00896	Summary Judgment	Plaintiff	14.2
Securities and Exchange Commission v. Mack et al	2:10cv08383	Summary Judgment	Plaintiff	21.1

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.

Consolidation

There was/were 5 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 2.8. 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".

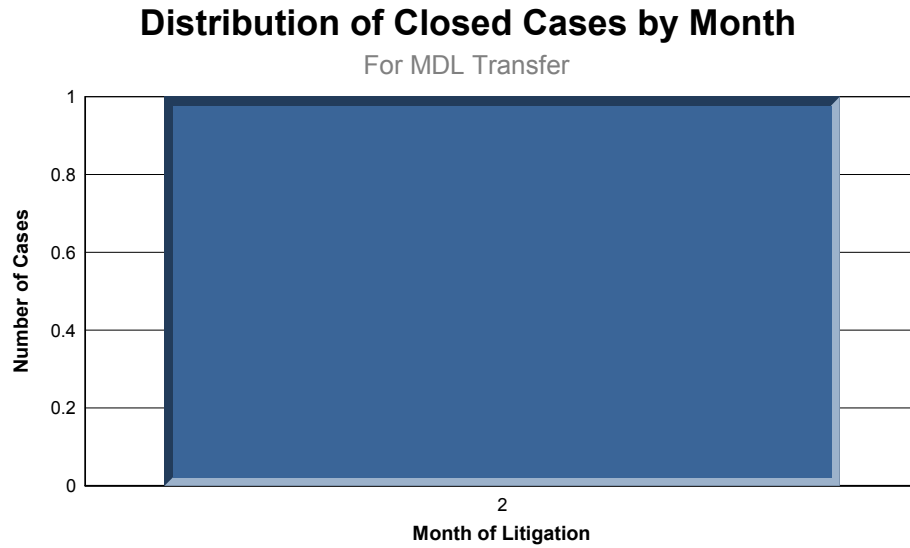


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
L. Patricia Sampoli v. Toyota Motor Corporation et al	2:10cv02253	Consolidation	2.4
Tom Mustric v. Toyota Motor Corporation et al	2:10cv01429	Consolidation	3.4
Kathryn A. Squires v. Toyota Motor Corporation et al	2:10cv01452	Consolidation	3.3
Robert M. Moss v. Toyota Motor Corporation et al	2:10cv01911	Consolidation	2.7
Phillip Gelenberg v. Toyota Motor Corporation et al	2:10cv02196	Consolidation	2.4

MDL Transfer

There was/were 1 case(s) terminated by MDL Transfer. The average time to case termination in months from case filing was 1.6. 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".

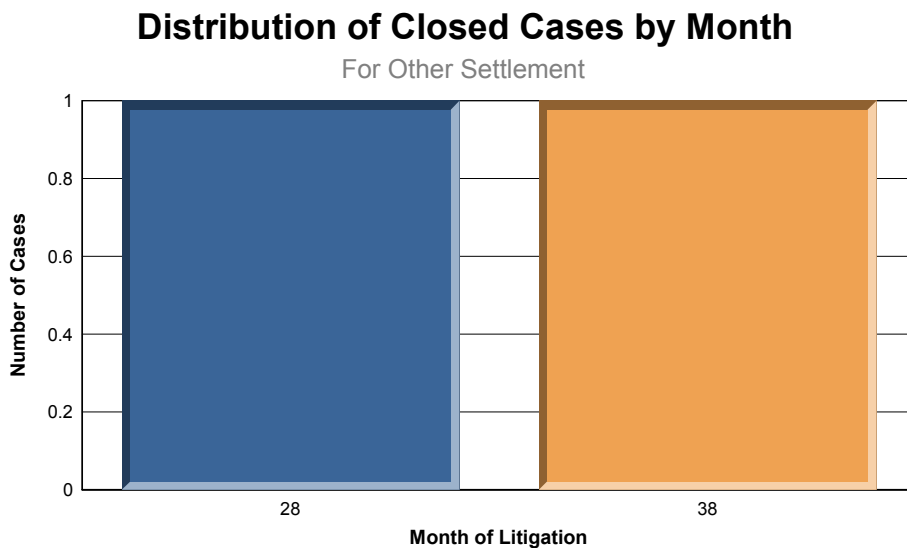


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Flaherty & Crumrine Preferred Income Fund Incorporated et al v. Kerry Killinger et al	2:09cv07992	MDL Transfer	1.6

Other Settlement

There was/were 2 case(s) terminated by Other Settlement. The average time to case termination in months from case filing was 32.1. 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".

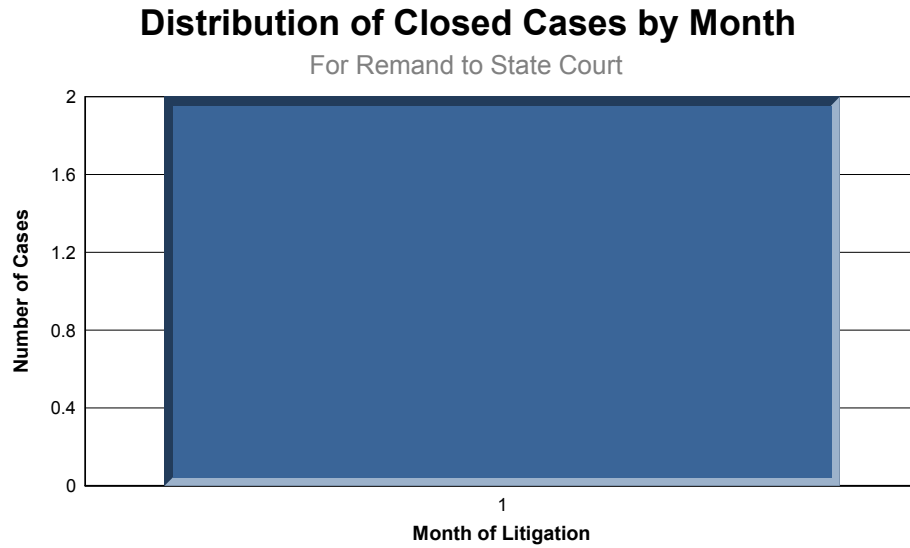


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Securities and Exchange Commission v. Credit First Fund LP et al	2:05cv08741	Other Settlement	27.1
IN RE TOYOTA MOTOR CORPORATION SECURITIES LITIGATION	2:10cv00922	Other Settlement	37.2

Remand to State Court

There was/were 2 case(s) terminated by Remand to State Court. The average time to case termination in months from case filing was 0.4. 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".

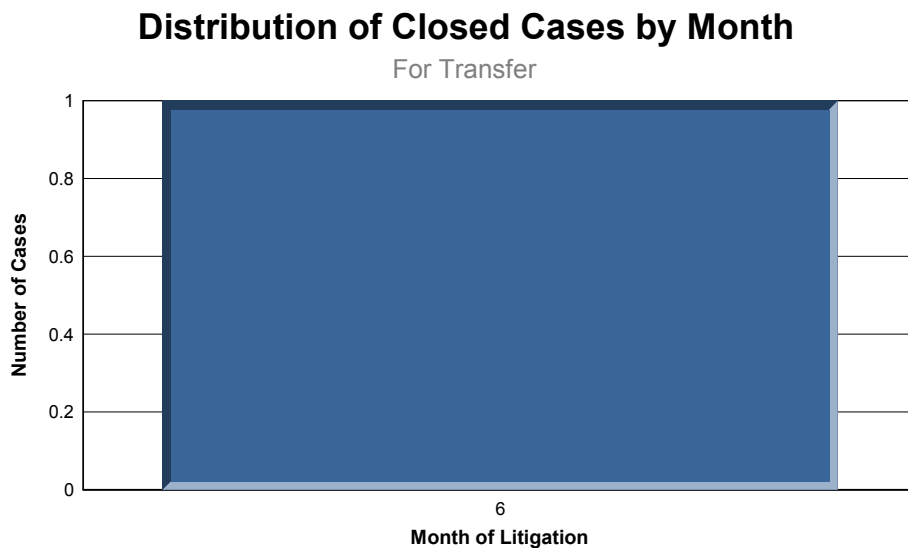


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Bank of America, National Association v. Jaime Ornelas et al	2:12cv03642	Remand to State Court	0.7
THR California LP v. Isaura Cera et al	5:13cv00167	Remand to State Court	0.1

Transfer

There was/were 1 case(s) terminated by Transfer. 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".

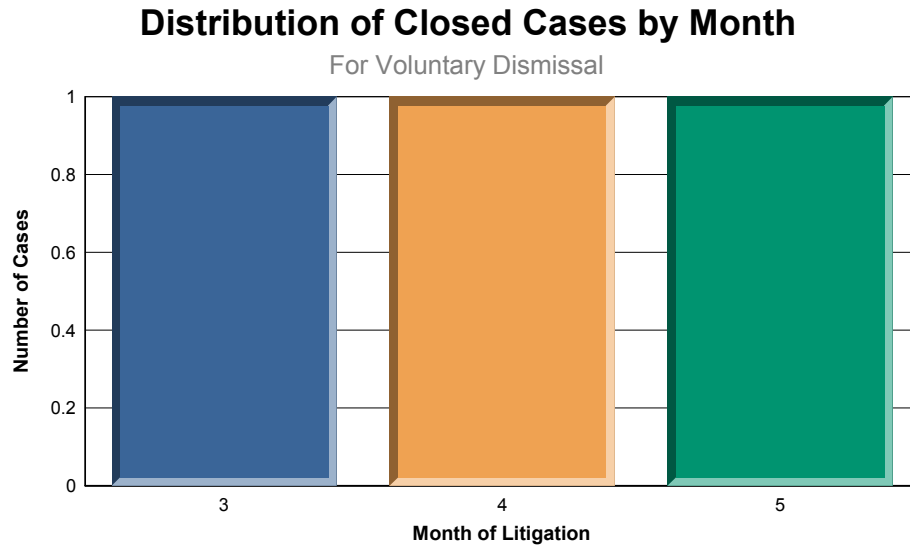


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Sid Murdeshwar v. Searchmedia Holdings Limited et al	2:10cv06794	Transfer	5.1

Voluntary Dismissal

There was/were 3 case(s) terminated by Voluntary Dismissal. 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".



The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Larkin Business Management et al v. Mediaport Entertainment, Inc et al	2:07cv03895	Voluntary Dismissal	4.0
Harel Pia Mutual Fund v. Toyota Motor Corporation et al	2:10cv02578	Voluntary Dismissal	3.4
Sarbeswar Mohapatra v. China-Biotics, Inc. et al	2:10cv06954	Voluntary Dismissal	3.0

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>
Securities and Exchange Commission v. Toby G Scammell	2:11cv06597	Consent Judgment	3/17/2014	\$800,985
Commodity Futures v. Ben Ouyang, et al	2:03cv00833	Consent Judgment	3/11/2005	\$1,120,000
Securities and Exchange Commission v. Deog Kyoon Jeong	2:06cv00256	Consent Judgment	1/17/2006	\$62,363
Securities and Exchange Commission v. Alan Cao et al	2:06cv01269	Consent Judgment	3/1/2006	\$20,553
Securities and Exchange Commission v. Quan Zhu	2:07cv07033	Consent Judgment	11/26/2007	\$108,839
Securities and Exchange Commission v. Lion Gate Capital, Inc. et al	2:08cv06574	Consent Judgment	9/24/2009	\$150,000
Securities and Exchange Commission v. Avery Dennison Corporation	2:09cv05493	Consent Judgment	8/19/2009	\$200,000
SEC v. Mary Patten, et al	2:03cv08619	Default Judgment	6/22/2005	\$4,947,537
Securities and Exchange Commission v. Credit First Fund LP et al	2:05cv08741	Other Settlement	3/20/2008	\$1,047,212
IN RE TOYOTA MOTOR CORPORATION SECURITIES LITIGATION	2:10cv00922	Other Settlement	3/15/2013	\$25,500,000
SEC v. Natl Investment Ent, et al	2:03cv00896	Summary Judgment	4/12/2004	\$2,722,490

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>
Scott Foster et al v. Peter Wilson et al	2:04cv09552	Involuntary Dismissal	Affirmed,Reversed
Holly Hanson v. Morgan Stanley Smith Barney LLC et al	2:10cv06945	Involuntary Dismissal	Affirmed
Harel Pia Mutual Fund v. Toyota Motor Corporation et al	2:10cv06871	Involuntary Dismissal	Dismissed
IN RE TOYOTA MOTOR CORPORATION SECURITIES LITIGATION	2:10cv00922	Other Settlement	Pending
Securities and Exchange Commission v. Mack et al	2:10cv08383	Summary Judgment	Dismissed

Motion Outcomes:

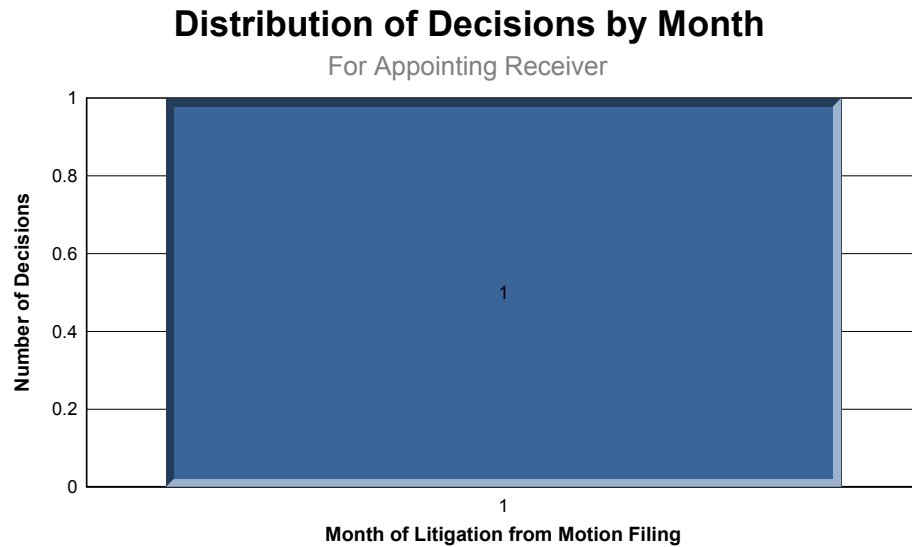
The number of contested motion decisions, win rate, and time in months from motion filing to decision by Judge Fischer in these cases are shown below, broken out by motion type and movant. See following sections for details. For all motion types, the average win rate on plaintiff's motions was 79.1%, the average win rate on defendant's motions was 53.3% and the difference was 25.7%. The nationwide difference on plaintiff v. defendant motion win rates in securities cases is 6%.

		Number	Win Rate	Pendency
Appointing Receiver	Total	1	100.0	0.0
	Plaintiff	1	100.0	0.0
Class Certification	Total	1	100.0	10.5
	Plaintiff	1	100.0	10.5
Consolidate	Total	4	100.0	1.9
	Plaintiff	4	100.0	1.9
Contempt	Total	1	100.0	1.3
	Plaintiff	1	100.0	1.3
Default Motion	Total	15	93.3	0.6
	Plaintiff	15	93.3	0.6
Discovery	Total	2	50.0	0.2
	Plaintiff	2	50.0	0.2
Dismissal	Total	9	66.7	2.4
	Defendant	9	66.7	2.4
Judgment on the Pleadings	Total	1	0.0	2.4
	Defendant	1	0.0	2.4
Lead Plaintiff Motion	Total	8	50.0	2.8
	Plaintiff	8	50.0	2.8
Motion to Approve Settlement	Total	1	100.0	1.3
	Plaintiff	1	100.0	1.3
Motion to Freeze Assets	Total	1	100.0	0.0
	Plaintiff	1	100.0	0.0
Permanent Injunction	Total	1	0.0	1.5
	Plaintiff	1	0.0	1.5
Preliminary Injunction	Total	1	100.0	2.0
	Plaintiff	1	100.0	2.0
Remand Motion	Total	1	0.0	1.6
	Plaintiff	1	0.0	1.6

		Number	Win Rate	Pendency
Sanctions/Attorneys Fees	Total	4	75.0	2.0
	Defendant	3	66.7	2.2
	Plaintiff	1	100.0	1.4
Stay	Total	2	50.0	0.8
	Defendant	1	0.0	0.9
	Plaintiff	1	100.0	0.8
Summary Judgment	Total	3	66.7	1.8
	Plaintiff	3	66.7	1.8
Temporary Restraining Order Motion	Total	1	100.0	0.0
	Plaintiff	1	100.0	0.0
Transfer Motion	Total	1	0.0	1.0
	Defendant	1	0.0	1.0

Appointing Receiver

There were 1 Appointing Receiver contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 0.0. 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.

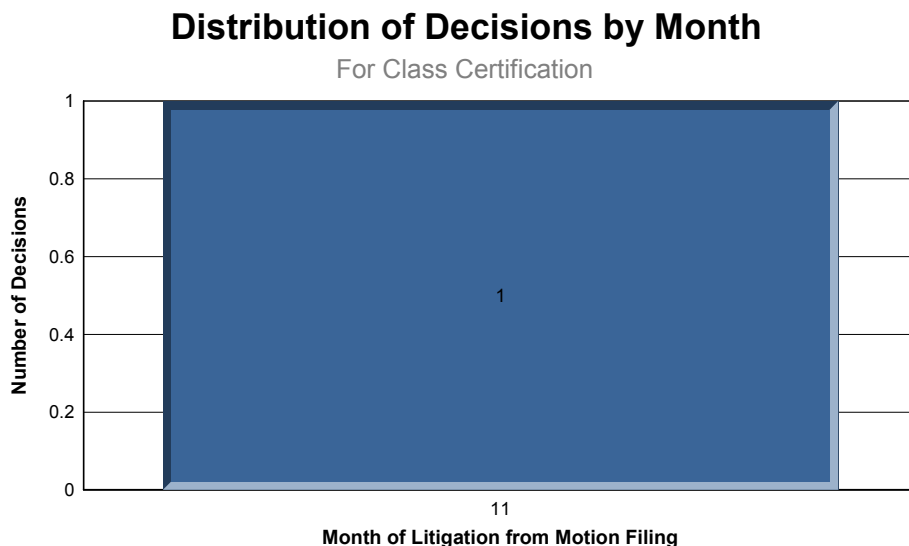


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	0.0	12/15/05

Class Certification

There were 1 Class Certification contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 10.5. 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.

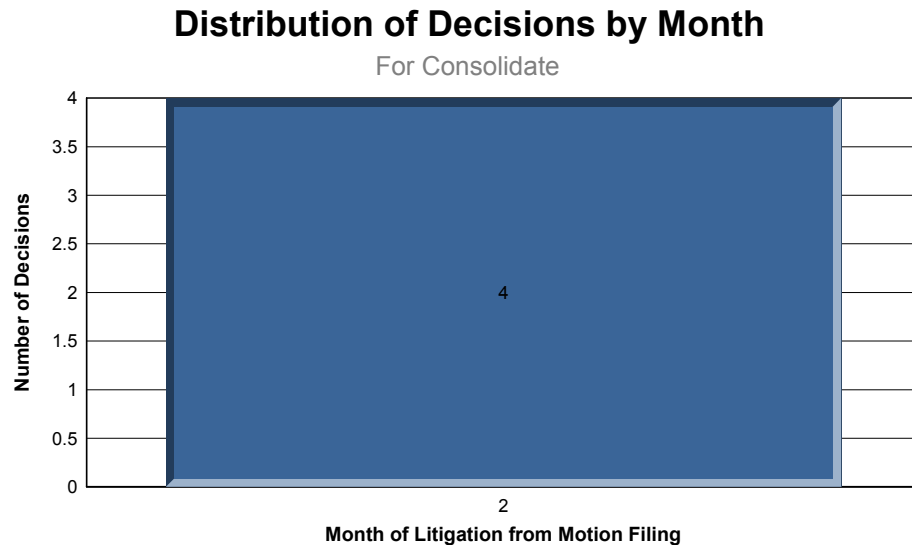


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv00922	Granted	Plaintiff	10.5	1/3/13

Consolidate

There were 4 Consolidate contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.9. 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.

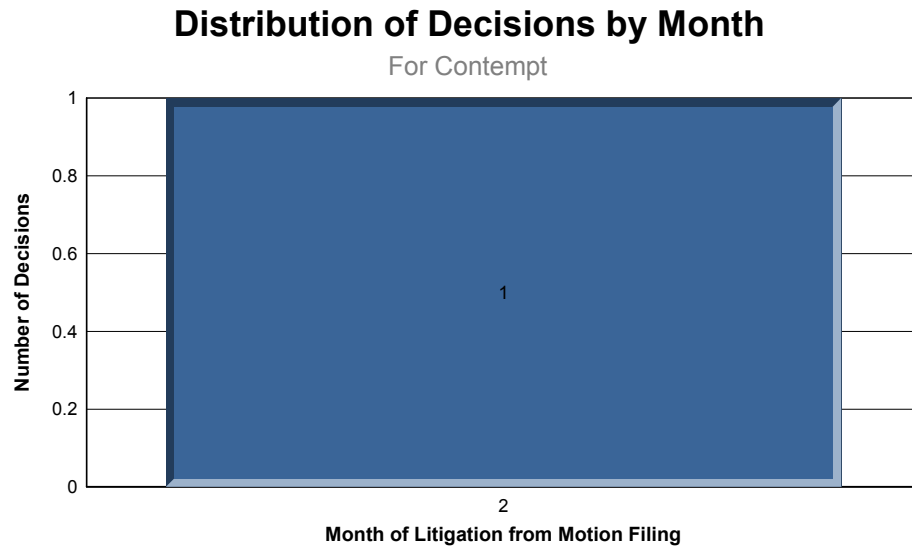


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv01429	Granted	Plaintiff	1.9	6/7/10
2:10cv01452	Granted	Plaintiff	1.9	6/7/10
2:10cv01911	Granted	Plaintiff	1.9	6/7/10
2:10cv00922	Granted	Plaintiff	1.9	6/7/10

Contempt

There were 1 Contempt contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.3. 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.

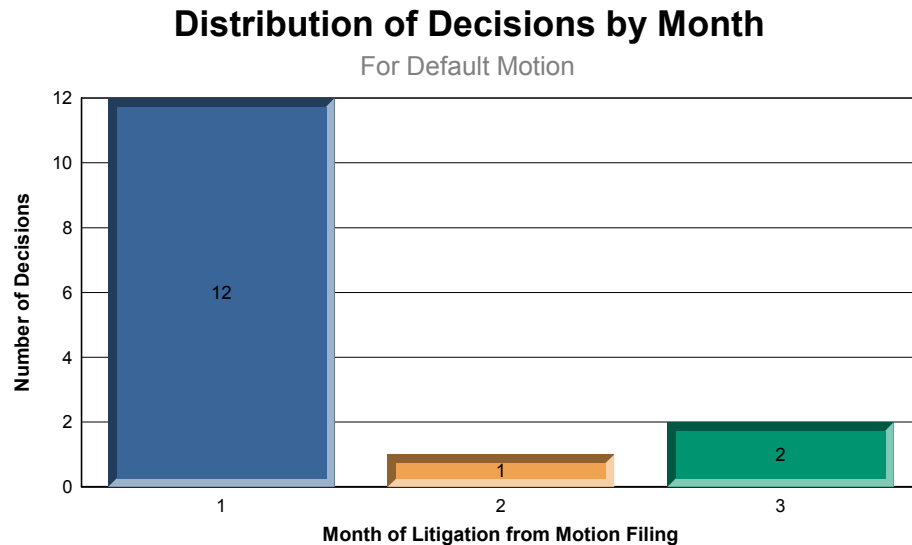


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	1.3	6/18/07

Default Motion

There were 15 Default Motion contested decisions by Judge Fischer. The overall contested win rate on these motions was 93.3%. The average time (in months) from motion filing to decision was 0.6. 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.

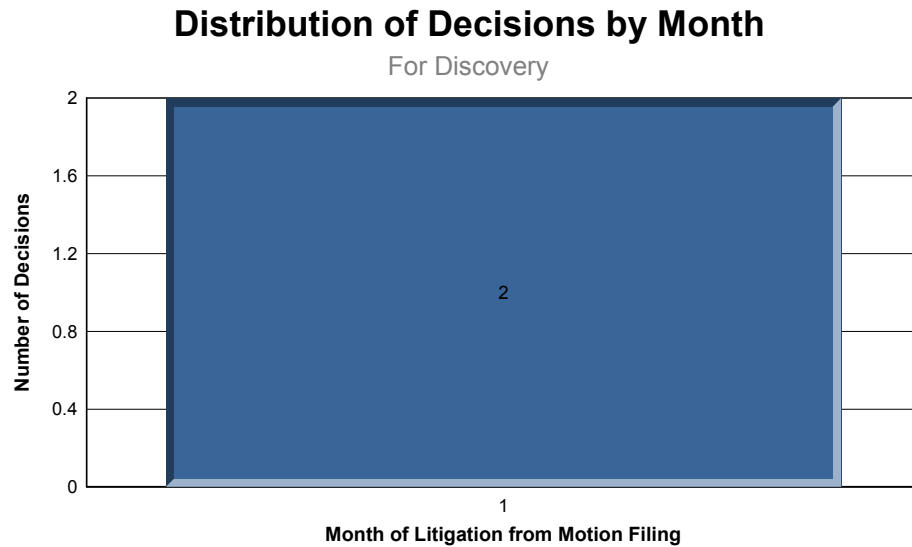


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:03cv00833	Granted	Plaintiff	0.6	12/10/03
2:03cv00833	Granted	Plaintiff	2.1	3/8/04
2:03cv08619	Granted	Plaintiff	1.6	2/7/05
2:03cv08619	Granted	Plaintiff	0.0	12/29/04
2:03cv08619	Denied	Plaintiff	0.3	1/7/05
2:04cv09552	Granted	Plaintiff	0.1	4/8/05
2:11cv06597	Granted	Plaintiff	0.1	12/16/11
2:03cv00896	Granted	Plaintiff	0.3	4/3/03
2:10cv08383	Granted	Plaintiff	2.6	5/13/11
2:10cv08383	Granted	Plaintiff	0.2	12/10/10
2:10cv08383	Granted	Plaintiff	0.2	12/10/10
2:10cv08383	Granted	Plaintiff	0.2	12/10/10
2:10cv08383	Granted	Plaintiff	0.2	12/10/10
2:10cv08383	Granted	Plaintiff	0.2	12/10/10
2:10cv08383	Granted	Plaintiff	0.2	12/10/10

Discovery

There were 2 Discovery contested decisions by Judge Fischer. The overall contested win rate on these motions was 50.0%. 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.

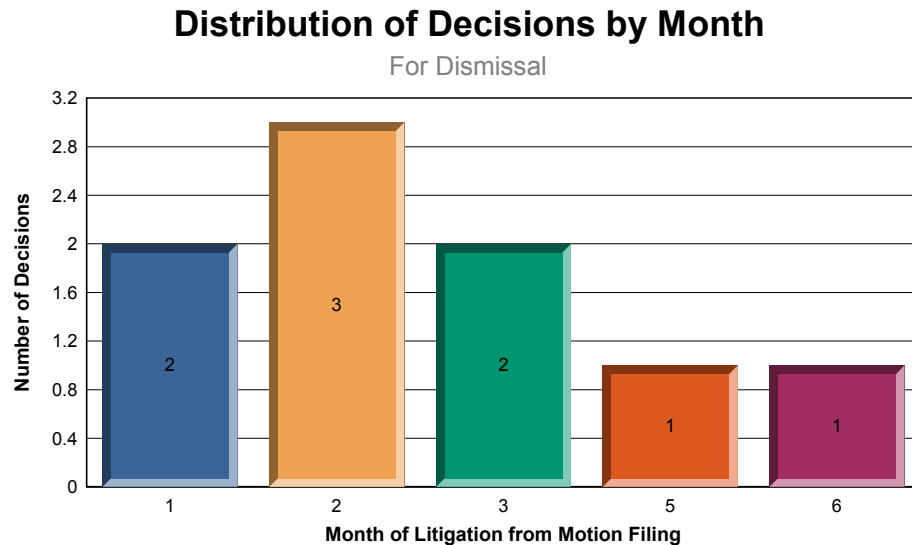


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	0.0	12/15/05
2:10cv00922	Denied without Prejudice	Plaintiff	0.3	8/30/10

Dismissal

There were 9 Dismissal contested decisions by Judge Fischer. The overall contested win rate on these motions was 66.7%. The average time (in months) from motion filing to decision was 2.4. 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.

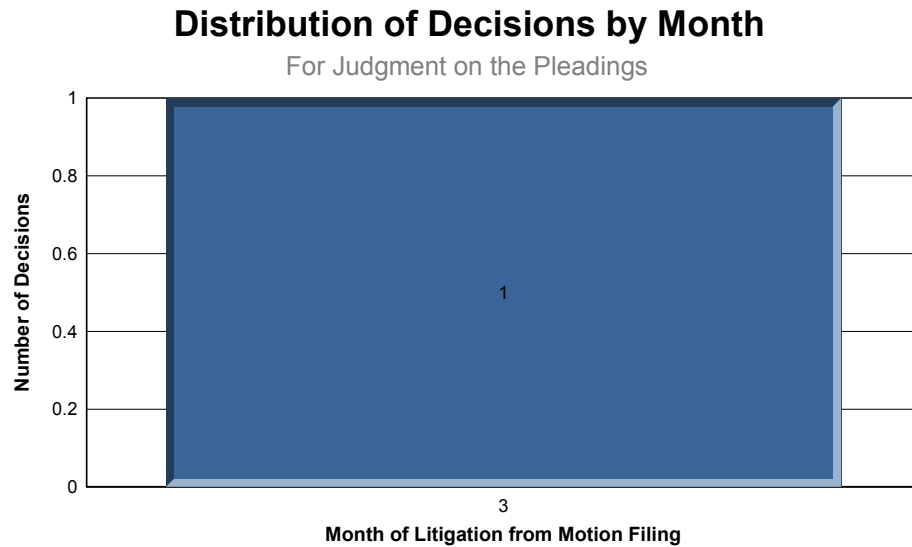


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:04cv09552	Granted in part, Denied in Part	Defendant	0.8	4/29/05
2:04cv09552	Granted	Defendant	1.1	7/25/05
2:08cv06574	Denied	Defendant	1.1	2/10/09
2:11cv06597	Denied	Defendant	1.0	11/15/11
2:14cv02850	Granted	Defendant	4.7	3/27/15
2:10cv00922	Granted in part, Denied in Part	Defendant	5.5	7/7/11
2:10cv06871	Granted	Defendant	2.9	1/10/11
2:10cv06945	Granted	Defendant	2.7	5/25/11
2:14cv02850	Granted	Defendant	1.6	7/28/15

Judgment on the Pleadings

There were 1 Judgment on the Pleadings contested decisions by Judge Fischer. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 2.4. 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.

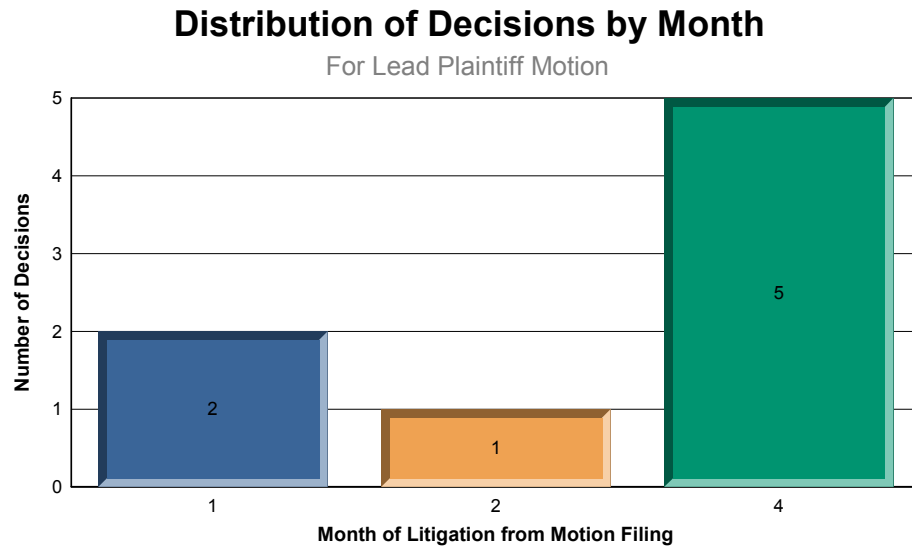


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv00922	Denied	Defendant	2.4	2/21/12

Lead Plaintiff Motion

There were 8 Lead Plaintiff Motion contested decisions by Judge Fischer. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 2.8. 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.

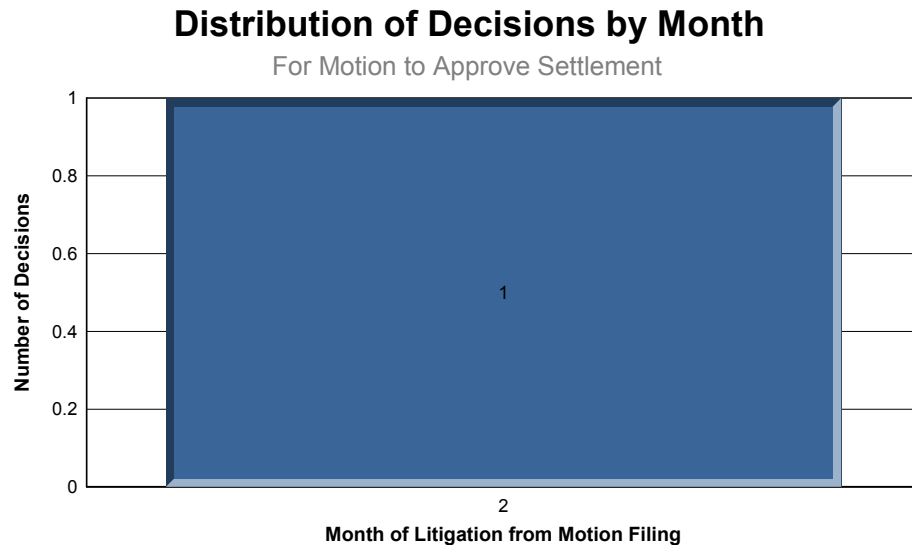


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv06794	Granted	Plaintiff	1.0	12/15/10
2:14cv02850	Granted	Plaintiff	1.5	7/30/14
2:14cv08263	Granted	Plaintiff	1.0	1/21/15
2:10cv00922	Denied	Plaintiff	3.8	8/2/10
2:10cv00922	Granted	Plaintiff	3.8	8/2/10
2:10cv00922	Denied	Plaintiff	3.8	8/2/10
2:10cv00922	Denied	Plaintiff	3.8	8/2/10
2:10cv00922	Denied	Plaintiff	3.8	8/2/10

Motion to Approve Settlement

There were 1 Motion to Approve Settlement contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.3. 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.

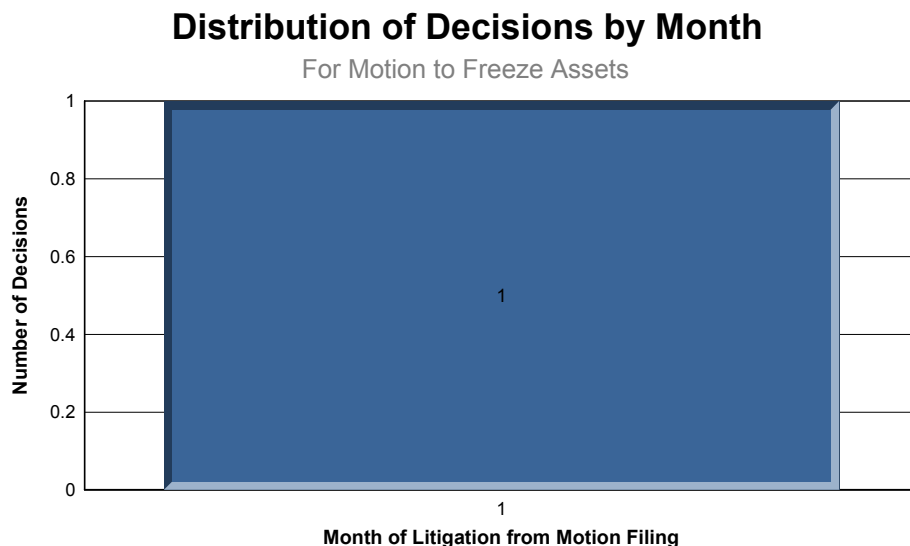


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv00922	Granted	Plaintiff	1.3	3/15/13

Motion to Freeze Assets

There were 1 Motion to Freeze Assets contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 0.0. 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.

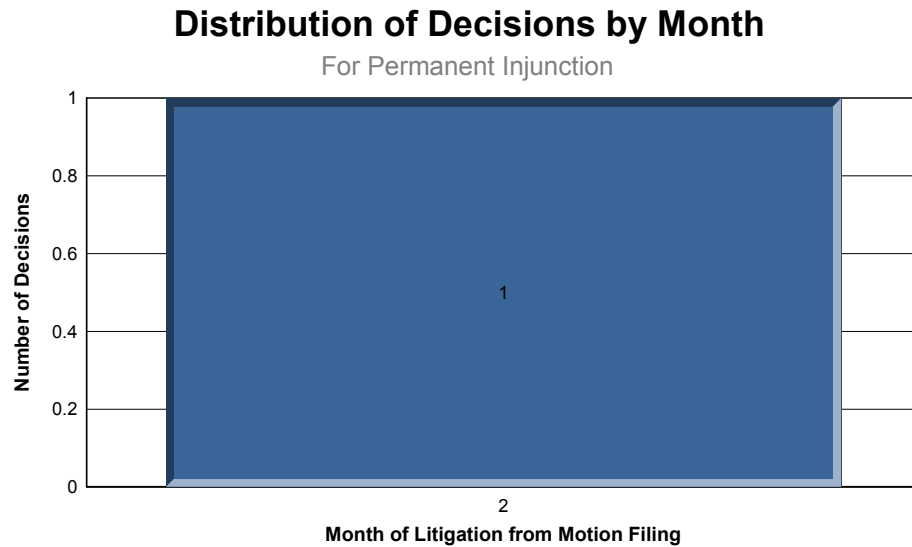


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	0.0	12/15/05

Permanent Injunction

There were 1 Permanent Injunction contested decisions by Judge Fischer. The overall contested win rate on these motions was 0.0%. 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.

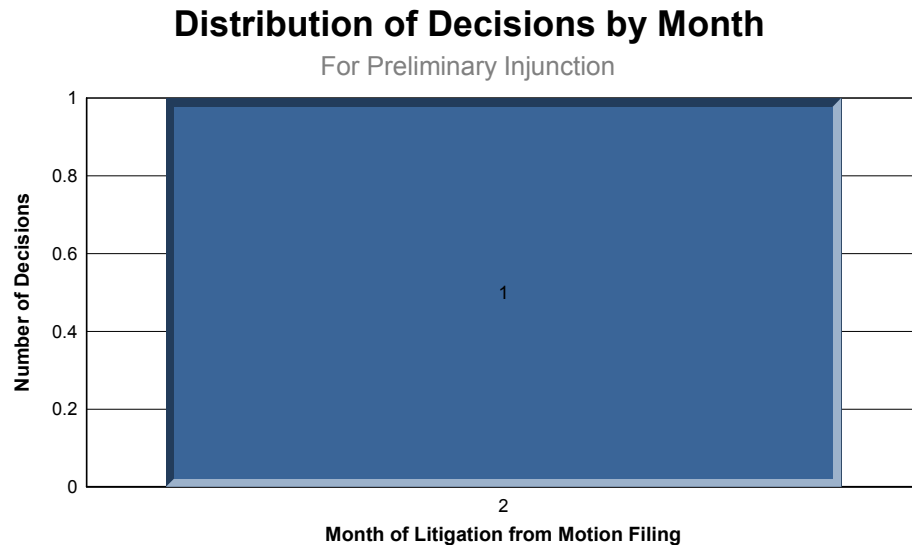


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:03cv08619	Denied	Plaintiff	1.5	11/15/04

Preliminary Injunction

There were 1 Preliminary Injunction contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 2.0. 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.

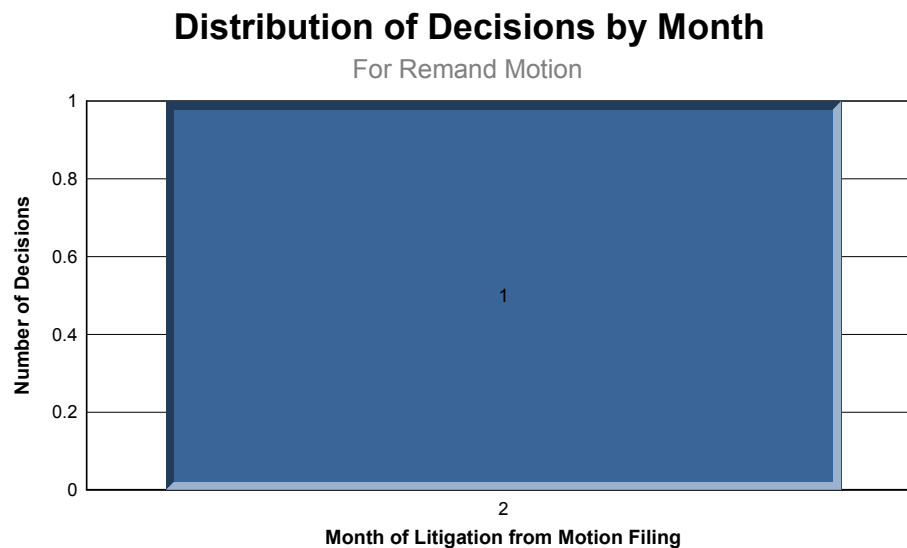


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	2.0	2/13/06

Remand Motion

There were 1 Remand Motion contested decisions by Judge Fischer. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 1.6. 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.

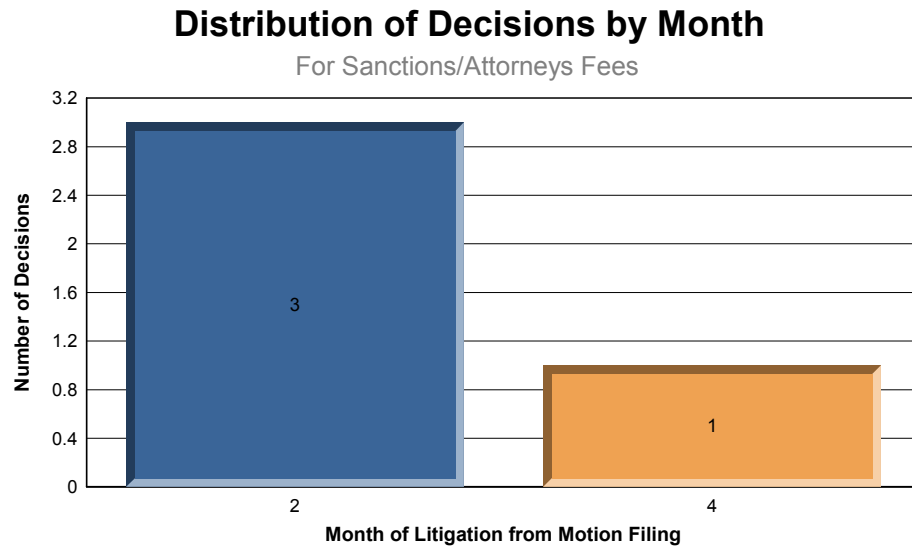


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:10cv06871	Denied	Plaintiff	1.6	1/10/11

Sanctions/Attorneys Fees

There were 4 Sanctions/Attorneys Fees contested decisions by Judge Fischer. The overall contested win rate on these motions was 75.0%. The average time (in months) from motion filing to decision was 2.0. 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.

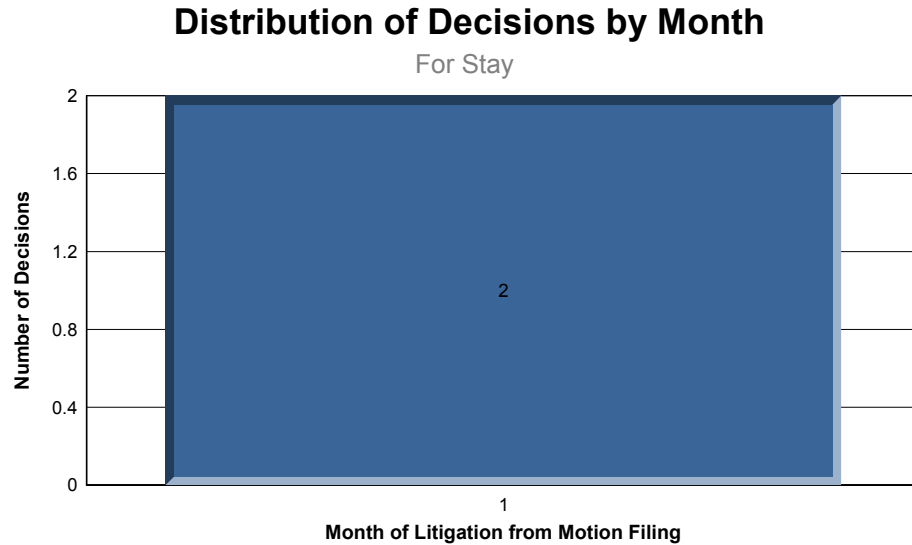


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:04cv09552	Granted	Defendant	1.1	10/11/05
2:04cv09552	Granted	Defendant	3.6	3/10/08
2:10cv00922	Granted	Plaintiff	1.4	3/19/13
2:10cv06945	Denied	Defendant	1.9	5/25/11

Stay

There were 2 Stay contested decisions by Judge Fischer. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 0.8. 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.

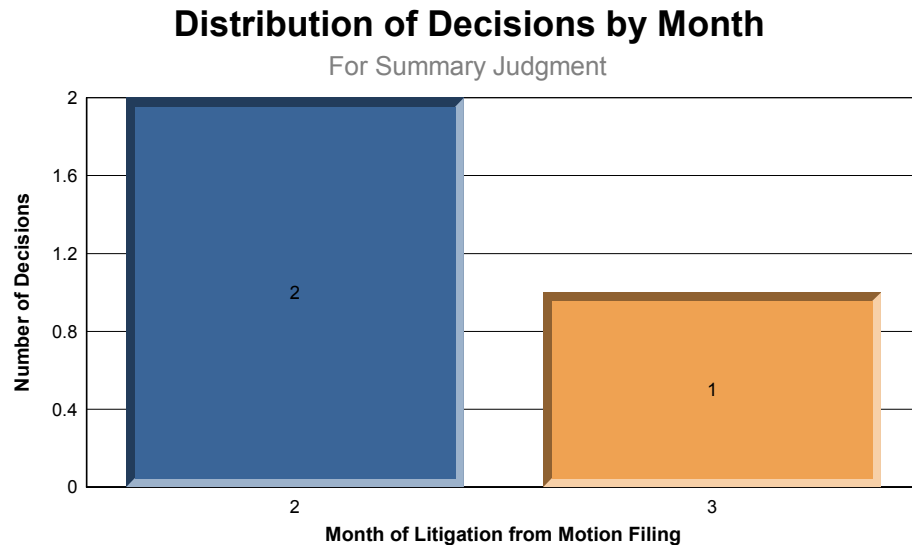


The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
2:04cv09552	Granted	Plaintiff	0.8	4/24/08		Pending Appeal
2:11cv06597	Denied	Defendant	0.9	2/3/14	Case	Pending Criminal Proceedings

Summary Judgment

There were 3 Summary Judgment contested decisions by Judge Fischer. The overall contested win rate on these motions was 66.7%. 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.

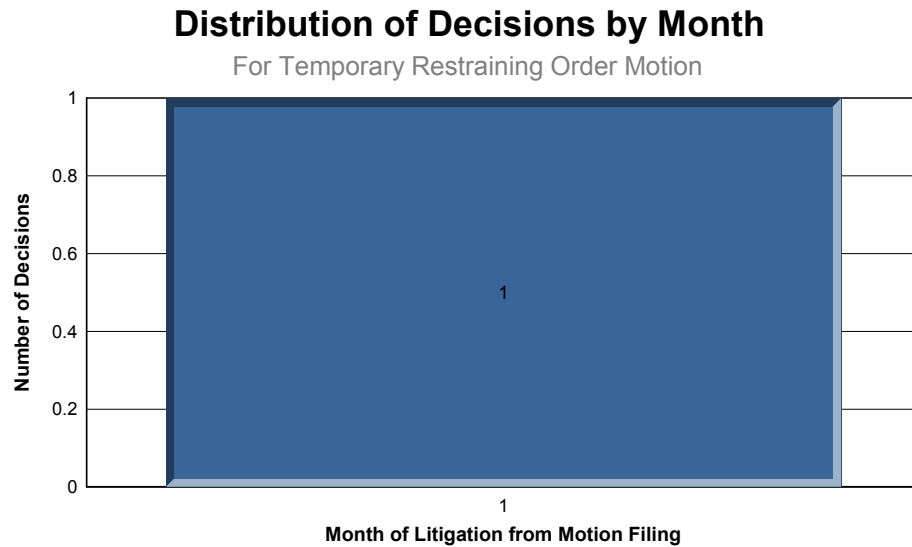


The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
2:03cv08619	Denied	Plaintiff	1.5	11/15/04		
2:03cv00896	Granted	Plaintiff	2.3	2/5/04		
2:10cv08383	Granted	Plaintiff	1.6	8/7/12		

Temporary Restraining Order Motion

There were 1 Temporary Restraining Order Motion contested decisions by Judge Fischer. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 0.0. 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.

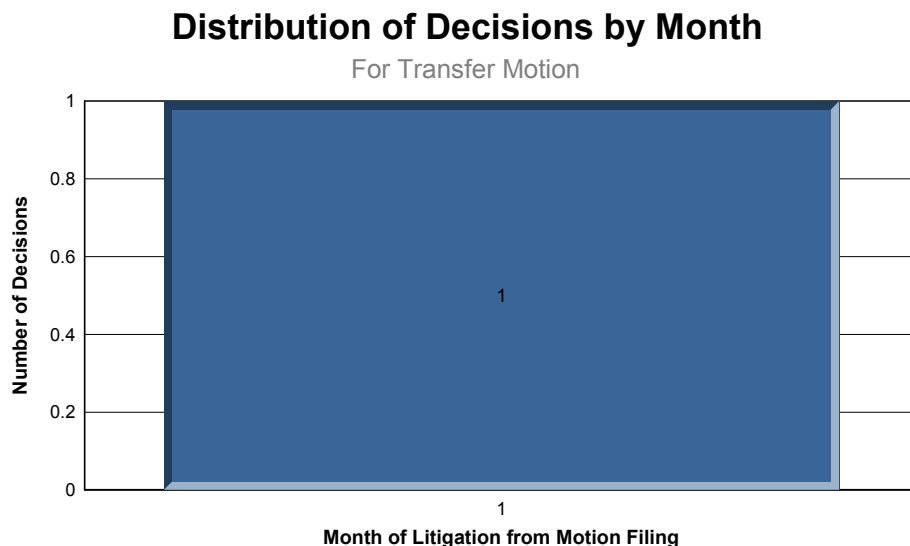


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
2:05cv08741	Granted	Plaintiff	0.0	12/15/05

Transfer Motion

There were 1 Transfer Motion contested decisions by Judge Fischer. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 1.0. 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
2:11cv06597	Denied	Defendant	1.0	11/15/11