

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-02480-PKC**

Caudle v. Towers, Perrin, Forster & Crosby, Inc.  
Assigned to: Judge P. Kevin Castel  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 03/27/2007  
Date Terminated: 05/14/2009  
Jury Demand: Plaintiff  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Terrell Caudle**  
*on behalf of himself and all others*  
*similarly situated*

represented by **John Michael Dillon**  
Caruso & Dillon, P.C  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Towers, Perrin, Forster & Crosby, Inc.**

represented by **Christopher Wolf**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/27/2007	<u>1</u>	COMPLAINT against Towers, Perrin, Forster & Crosby, Inc.. (Filing Fee \$ 350.00, Receipt Number 606045) Document filed by Terrell Caudle.(lq) (Entered: 03/28/2007)

03/27/2007		SUMMONS ISSUED as to Towers, Perrin, Forster & Crosby, Inc.. (laq) (Entered: 03/28/2007)
03/27/2007		Magistrate Judge Douglas F. Eaton is so designated. (laq) (Entered: 03/28/2007)
03/27/2007		Case Designated ECF. (laq) (Entered: 03/28/2007)
04/04/2007	<u>2</u>	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE; Initial Conference set for 6/1/2007 09:45 AM before Judge P. Kevin Castel. (Signed by Judge P. Kevin Castel on 4/4/07) (pl) (Entered: 04/05/2007)
05/04/2007	<u>3</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Christopher Wolf dated 4/30/07 re: plaintiff shall respond in writing (faxed to chambers) no later than 5:00 p.m. on 5/9/07. (Signed by Judge P. Kevin Castel on 5/4/07) (db) (Entered: 05/07/2007)
05/07/2007	<u>4</u>	ENDORSED LETTER addressed to Judge P. Kevin Castel from Christopher Wolf dated 5/4/07 re: Application GRANTED. Pretrial conference and pre-conference motion due 6/1/07 at 9:45 a.m.; Response to complaint adjourned pending the Court's ruling on the proposed motion to dismiss; discovery stayed pending a final decision on the motion to dismiss. Plaintiff's counsel should address the merits of the 4/30/07 letter in writing faxed to the Court. (Signed by Judge P. Kevin Castel on 5/7/07) (db) (Entered: 05/08/2007)
05/08/2007	<u>5</u>	NOTICE OF APPEARANCE by Christopher Wolf on behalf of Towers, Perrin, Forster & Crosby, Inc. (Wolf, Christopher) (Entered: 05/08/2007)
05/31/2007	<u>6</u>	MEMORANDUM OF LAW <i>With Respect to Sua Sponte Dismissal</i> . Document filed by Towers, Perrin, Forster & Crosby, Inc.. (Wolf, Christopher) (Entered: 05/31/2007)
05/31/2007	<u>7</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Towers, Perrin, Forster & Crosby, Inc..(Wolf, Christopher) (Entered: 05/31/2007)
06/01/2007		Minute Entry for proceedings held before Judge P. Kevin Castel : Initial Pretrial Conference held on 6/1/2007. Discovery due by 9/14/2007. The parties will submit a proposed briefing schedule for the summary judgment motion, immediately, after the close of discovery. (ad) (Entered: 06/01/2007)
06/07/2007	<u>8</u>	AFFIDAVIT OF SERVICE. Towers, Perrin, Forster & Crosby, Inc. served on 4/19/2007, answer due 6/15/2007. Document filed by Terrell Caudle. (Dillon, John) (Entered: 06/07/2007)
06/07/2007	<u>10</u>	MOTION for Timothy Patrick Tobin to Appear Pro Hac Vice. Document filed by Terrell Caudle.(jco) Additional attachment(s) added on 6/13/2007 (Correa, Julie). (Entered: 06/13/2007)
06/08/2007	<u>9</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Towers, Perrin, Forster & Crosby, Inc. Document filed by Terrell Caudle. Related document: <u>1</u> Complaint filed by Terrell Caudle.(jco) (Entered: 06/13/2007)
06/18/2007		CASHIERS OFFICE REMARK on <u>10</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 06/08/2007, Receipt Number 617590. (jd) (Entered: 06/18/2007)
06/18/2007	<u>11</u>	ORDER granting <u>10</u> Motion for Timothy Patrick Tobin to Appear Pro Hac Vice for defendant in this action. (Signed by Judge P. Kevin Castel on 6/15/07) (db) (Entered: 06/19/2007)
06/19/2007		Transmission to Attorney Admissions Clerk. Transmitted re: <u>11</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (db) (Entered: 06/19/2007)

06/19/2007	<u>12</u>	ANSWER to Amended Complaint. Document filed by Towers, Perrin, Forster & Crosby, Inc.. Related document: <u>9</u> Amended Complaint filed by Terrell Caudle.(Wolf, Christopher) (Entered: 06/19/2007)
09/11/2007	<u>13</u>	STIPULATION AND (PROPOSED) BRIEFING SCHEDULE FOR SUMMARY JUDGMENT MOTION: the deadline for defendants Motion for Summary Judgment is 10/1/07; Plaintiff's Response is due 11/15/07; Defendants' Reply is due 12/15/07.Motions due by 10/1/2007. Replies due by 12/15/2007. Responses due by 11/15/2007 (Signed by Judge P. Kevin Castel on 9/11/07) (db) (Entered: 09/11/2007)
10/01/2007	<u>14</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Summary Judgment and/or Judgment on the Pleadings. Document filed by Towers, Perrin, Forster & Crosby, Inc. (Attachments: # <u>1</u> Supplement Defendant's Statement of Undisputed Material Facts as to Which There is No Genuine Issue Pursuant to Local Rule 56.1)(Wolf, Christopher) Modified on 10/2/2007 (KA). (Entered: 10/01/2007)
10/01/2007	<u>15</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>14</u> MOTION for Summary Judgment and/or Judgment on the Pleadings. Document filed by Towers, Perrin, Forster & Crosby, Inc. (Attachments: # <u>1</u> Appendix Electronic Citations Case Supplement)(Wolf, Christopher) Modified on 10/2/2007 (KA). (Entered: 10/01/2007)
10/01/2007	<u>16</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Timothy P. Tobin, Esq. in Support re: <u>14</u> MOTION for Summary Judgment and/or Judgment on the Pleadings. Document filed by Towers, Perrin, Forster & Crosby, Inc. (Attachments: # <u>1</u> Exhibit 1a# <u>2</u> Exhibit 1b# <u>3</u> Exhibit 1c# <u>4</u> Exhibit 1d# <u>5</u> Exhibit 2# <u>6</u> Exhibit 3# <u>7</u> Exhibit 4# <u>8</u> Exhibit 5# <u>9</u> Exhibit 6# <u>10</u> Exhibit 7# <u>11</u> Exhibit 8# <u>12</u> Exhibit 9# <u>13</u> Exhibit 10# <u>14</u> Exhibit 11# <u>15</u> Exhibit 12# <u>16</u> Exhibit 13# <u>17</u> Exhibit 14# <u>18</u> Exhibit 15# <u>19</u> Exhibit 16# <u>20</u> Exhibit 17)(Wolf, Christopher) Modified on 10/2/2007 (KA). (Entered: 10/01/2007)
10/02/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Christopher Wolf to RE-FILE Document <u>14</u> MOTION for Summary Judgment and/or Judgment on the Pleadings. ERROR(S): Filing Error of Attachment. Rule 56.1 Statement must be filed individually. Event code located under Other Answers. (KA) (Entered: 10/02/2007)
10/02/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Christopher Wolf to RE-FILE Document <u>15</u> Memorandum of Law in Support of Motion. (KA) (Entered: 10/02/2007)
10/02/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Christopher Wolf to RE-FILE Document <u>16</u> Declaration in Support of Motion. (KA) (Entered: 10/02/2007)
10/02/2007	<u>17</u>	MOTION for Summary Judgment <i>and/or Judgment on the Pleadings</i> . Document filed by Towers, Perrin, Forster & Crosby, Inc..(Wolf, Christopher) (Entered: 10/02/2007)
10/02/2007	<u>18</u>	RULE 56.1 STATEMENT. Document filed by Towers, Perrin, Forster & Crosby, Inc.. (Wolf, Christopher) (Entered: 10/02/2007)
10/02/2007	<u>19</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION for Summary Judgment <i>and/or Judgment on the Pleadings</i> .. Document filed by Towers, Perrin, Forster & Crosby, Inc.. (Attachments: # <u>1</u> Appendix Electronic Case Supplement)(Wolf, Christopher) (Entered: 10/02/2007)
10/02/2007	<u>20</u>	DECLARATION of Timothy P. Tobin, Esq. in Support re: <u>17</u> MOTION for Summary Judgment <i>and/or Judgment on the Pleadings</i> .. Document filed by Towers, Perrin, Forster & Crosby, Inc.. (Attachments: # <u>1</u> Exhibit 1a# <u>2</u> Exhibit 1b# <u>3</u> Exhibit 1c# <u>4</u> Exhibit 1d# <u>5</u> Exhibit 2# <u>6</u>

		Exhibit 3# <u>7</u> Exhibit 4# <u>8</u> Exhibit 5# <u>9</u> Exhibit 6# <u>10</u> Exhibit 7# <u>11</u> Exhibit 8# <u>12</u> Exhibit 9# <u>13</u> Exhibit 10# <u>14</u> Exhibit 11# <u>15</u> Exhibit 12# <u>16</u> Exhibit 13# <u>17</u> Exhibit 14# <u>18</u> Exhibit 15# <u>19</u> Exhibit 16# <u>20</u> Exhibit 17)(Wolf, Christopher) (Entered: 10/02/2007)
10/05/2007	<u>21</u>	MOTION for Brendon M. Tavelli to Appear Pro Hac Vice. Document filed by Towers, Perrin, Forster & Crosby, Inc. (jco) (Entered: 10/09/2007)
10/10/2007		CASHIERS OFFICE REMARK on <u>21</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 10/05/2007, Receipt Number 628823. (jd) (Entered: 10/10/2007)
10/11/2007	<u>22</u>	ORDER granting <u>21</u> Motion for Brendon M. Tavelli to Appear Pro Hac Vice for defendant. (Signed by Judge P. Kevin Castel on 10/11/07) (cd) (Entered: 10/11/2007)
10/11/2007		Transmission to Attorney Admissions Clerk. Transmitted re: <u>22</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd) (Entered: 10/11/2007)
11/15/2007	<u>23</u>	RESPONSE in Opposition re: <u>17</u> MOTION for Summary Judgment <i>and/or Judgment on the Pleadings..</i> Document filed by Terrell Caudle. (Dillon, John) (Entered: 11/15/2007)
11/15/2007	<u>24</u>	RESPONSE to Motion re: <u>17</u> MOTION for Summary Judgment <i>and/or Judgment on the Pleadings. Plaintiff's Response to LR 56.1 Statement.</i> Document filed by Terrell Caudle. (Dillon, John) (Entered: 11/15/2007)
12/12/2007	<u>25</u>	REPLY MEMORANDUM OF LAW in Support re: <u>17</u> MOTION for Summary Judgment <i>and/or Judgment on the Pleadings..</i> Document filed by Towers, Perrin, Forster & Crosby, Inc.. (Wolf, Christopher) (Entered: 12/12/2007)
08/28/2008	<u>26</u>	MEMORANDUM AND ORDER granting <u>17</u> Motion for Summary Judgment. Defendant's motion is granted dismissing the claims for negligence and breach of fiduciary duty and denied as to the breach of contract claims. The claims for misrepresentation and breach of privacy are withdrawn on plaintiff's application. (Signed by Judge P. Kevin Castel on 8/28/08) (tro) (Entered: 08/28/2008)
04/16/2009	<u>27</u>	ORDER: Final pretrial submissions (Joint Pretrial Order, Requests to Charge, Voir Dire requests and fully submitted in limine motions) are due May 12, 2009. The Final Pretrial Conference will be May 13, 2009 at 9:45 a.m. (Signed by Judge P. Kevin Castel on 4/16/2009) (jfe) (Entered: 04/16/2009)
04/22/2009	<u>28</u>	ORDER Between now and June 1, the parties shall complete all discovery in this case. I will extend the date for final pretrial submissions to June 19, 2009. The Final Pretrial Conference is adjourned from May 13 to June 25, 2009 at 2 p.m. (Signed by Judge P. Kevin Castel on 4/22/09) (mme) (Entered: 04/22/2009)
05/14/2009	<u>29</u>	ORDER OF DISMISSAL without costs, and without prejudice to the right to reopen the action within forty–five days if the settlement is not consummated. Any pending motions are moot. All conferences are vacated. (Signed by Judge P. Kevin Castel on 5/13/09) (djc) (Entered: 05/14/2009)