

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:88-cv-06545-AB**

UNITED STATES OF AMERICA et al v. POZSGAI et al  
Assigned to: HONORABLE ANITA B. BRODY  
Referred to: MAGISTRATE JUDGE DAVID R. STRAWBRIDGE  
Case in other court: USCA, 07-01900  
Cause: 28:1331 Fed. Question

Date Filed: 08/24/1988  
Date Terminated: 03/25/2009  
Jury Demand: None  
Nature of Suit: 893 Other Statutes:  
Environmental Matters  
Jurisdiction: Federal Question

**Plaintiff**

**UNITED STATES OF  
AMERICA**

represented by **CATHERINE VOTAW**  
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V.

**Intervenor Plaintiff**

**DELAWARE RIVERKEEPER**  
*also known as*  
MAYA VAN ROSSUM

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**Intervenor Plaintiff**

**DELAWARE RIVERKEEPER  
NETWORK**

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**Intervenor Plaintiff**

**AMERIAN LITTORAL  
SOCIETY**

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**Intervenor Plaintiff**

**THE RAYMOND PROFFITT  
FOUNDATION**

represented by **AARON STEMPEWICZ**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**JOHN POZSGAI**  
*TERMINATED: 11/02/2017*

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**Defendant**

**GIZELLA POZSGAI**

represented by **DAVID J. SOWERBUTTS**  
(See above for address)  
*LEAD ATTORNEY*

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**LAWRENCE A. KOGAN**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**MERCER WRECKER &  
RECYCLING CORPORATION**

**Defendant**

**J. VINCH & SONS, INC.**

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 08/24/1988        | 1        | COMPLAINT against JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC. (Filing fee \$ 350.), filed by UNITED STATES OF AMERICA.(jmp, ) (Entered: 07/03/2006)         |
| 08/24/1988        | 2        | PLFF'S MOTION FOR PRELIMINARY INJUNCTION, MEMO.(jmp, ) (Entered: 07/05/2006)   |
| 08/24/1988        | 3        | Plff's application for temporary restraining order.(jmp, ) (Entered: 07/05/2006)   |
| 08/29/1988        | 4        | Summons and USM 285 returned re: served John & Gizella Pozsgai on 8/24/88, J. Vinch & Sons, Inc., Mercer Wrecking & Recycling Corp. on 8/25/88. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006) |
| 09/01/1988        | 5        | PLFFS MOTION FOR EXPEDITED DISCOVERY, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/02/1988        | 6        | PLFFS PETITION FOR AN ORDER TO SHOW CAUSE WHY JOHN POZSGAI SHOULD NOT BE HELD IN CIVIL CONTEMPT OF COURT, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)                   |
| 09/02/1988        | 7        | ORDER THAT DEPOSITIONS SHALL BE TAKEN ON 9/6/88 OF J. POZSGAI, M. MAZZO, G. VINCH. 9/2/88 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)                            |
| 09/06/1988        | 8        | J. VINCH & SONS, INC'S MOTION TO SHORTEN TIME FOR PLFFS TO RESPOND TO DISCOVERY, MEMO, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/08/1988        | 9        | John and Gizella Pozsgai's answer to motion for preliminary injunction. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |

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|------------|----|---|
| 09/08/1988 | 10 | Appearance of Norman F. Caplan, Esq. on behalf of John and Gizella Pozsgai. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/08/1988 | 11 | Appearance of Howard A. Rosenthal, Esq. on behalf of MERCER WRECKER & RECYCLING CORPORATION (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/09/1988 | 12 | Hearing 9/9/88 re: Gov't motion for preliminary injunction and motion for contempt admission pro hac vice of Hersberg - GRANTED, Admission pro hac vice of Rader - GRANTED, hearing continued until 9/16/88. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006) |
| 09/12/1988 | 13 | MOTION OF MERCER WRECKER & RECYCLING CORPORATION FOR PERMISSION TO ENTER APPEARANCE OF ITS COUNSEL PRO HAC VICE, AFFIDAVIT, CERT. OF COUNSEL, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/13/1988 | 14 | Copy of transcript order form. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/14/1988 | 15 | Transcript of preliminary injunction hearing on 9/9/88. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/14/1988 | 16 | Plffs supplemental Memo in support of its motion for injunction against Defts Vinch and Mercer to restore Wetlands, etc. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/14/1988 | 17 | VINCH & SONS MOTION TO QUASH PLFFS SUBPOENAS, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/15/1988 | 18 | STIPULATION AND ORDER EXTENDING TIME UNTIL 9/23/88 IN WHICH J. VINCH & SONS, INC., SHALL RESPOND TO PLFFS MOTION FOR PRELIMINARY INJUNCTION AND ANSWER. 9/15/88 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)                   |
| 09/15/1988 | 19 | Plffs response to Deft J. Vinch & Sons motion to quash subpoenas, Memo, Cert of Serv.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/15/1988 | 20 | Affidavit of Charles Vinch. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/15/1988 | 21 | Affidavit of Gary Vinch. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |

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| 09/16/1988 | 22 | NORMAN F. CAPLAN, ESQ. MOTION TO BE ADMITTED PRO HAC VICE ON BEHALF OF JOHN POZSGAI AND GIZELLA POZSGAI.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/19/1988 | 23 | Mercer Wrecking Recycling Corp's brief in support of opposition to preliminary injunction. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/19/1988 | 24 | Hearing 9/16/88 re: government's motion for preliminary injunction - GRANTED. Vinch's motion to quash - DENIED, Henry A. Loeb, Esq. is admitted pro hac vice, etc. Pozsgais motion to dismiss - DENIED. Vinch's motion to dismiss - DENIED, ETC. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006) |
| 09/19/1988 | 25 | Argued Sur: hearing 9/16/88 - plffs motion to dismiss objections and compel discovery is DENIED as moot, etc. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/21/1988 | 26 | Transcript of Preliminary injunction on 9/16/88 (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 09/23/1988 | 27 | John and Gizella Pozsgai's answer to complaint of a counterclaim against Plff. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/23/1988 | 28 | STIPULATION AND ORDER EXTENDING TIME UNTIL 9/23/88 IN WHICH JOHN AND GIZELLA POZSGAI SHALL ANSWER THE COMPLAINT. 9/26/88 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/29/1988 | 29 | STIPULATION AND ORDER EXTENDING TIME UNTIL 2/29/89 IN WHICH DEFT SHALL RESPOND TO THE COMPLAINT. 9/29/88 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 09/29/1988 | 30 | J. VINCH & SONS, INC. MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED OR IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT, MEMO, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 10/03/1988 | 31 | STIPULATION AND ORDER EXTENDING TIME UNTIL 10/7/88 IN WHICH MERCER WRECKING AND RECYCLING CORP. SHALL RESPOND TO THE COMPLAINT, WITH CLERKS APPROVAL. 10/4/88 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 10/04/1988 | 32 | J. Vinch & Sons, Inc. revised memorandum in support of Defts motion to dismiss for failure to state a claim upon which relief can be granted or   |

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|            |    | in the alternative, for summary judgment. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 10/07/1988 | 33 | Answer of Deft MERCER WRECKER & RECYCLING CORPORATION.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 10/13/1988 | 34 | STIPULATION AND ORDER EXTENDING TIME UNTIL 10/21/88 IN WHICH PLFF SHALL RESPOND TO DEFTS MOTION TO DISMISS. 10/13/88 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)     |
| 10/19/1988 | 35 | Stipulation dismissing the crossclaim of Mercer Wrecking and Recycling Corp. against J. Vinch & Sons, Inc. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 10/21/1988 | 36 | Plffs response to Vinch Motion to dismiss or in the alternative for summary judgment, Memo, Cert of Serv. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 11/01/1988 | 37 | J. Vinch and Sons reply memo in support of Defts motion to dismiss or in the alternative for summary judgment. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)                                      |
| 11/16/1988 | 38 | Withdrawal of Virginia Gibson-Mason, AUSA and Appearance of Catherine Votaw, AUSA on behalf of Plff. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 11/30/1988 | 39 | PLFFS MOTION TO DISMISS THE COUNTERCLAIM OF JOHN AND GIZELLA POZSGAI, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 12/06/1988 | 40 | Plffs praecipe to file exhibits to Plffs motion to dismiss counterclaim of Pozgais. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 12/08/1988 | 41 | DEFTS MEMO IN OPPOSITION TO PLFFS MOTION TO DISMISS THE COUNTERCLAIMS OF JOHN AND GIZELLA POZSGAI. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)  |
| 12/13/1988 | 42 | STIPULATION AND ORDER EXTENDING TIME UNTIL 12/14/88 IN WHICH J. VINCH AND SONS, INC. SHALL ANSWER THE COMPLAINT. 12/13/88 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006) |
| 12/14/1988 | 43 | Answer and crossclaim of J. VINCH & SONS, INC.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |
| 12/15/1988 | 44 | Plffs Proposed Findings of Fact and Conclusions of Law. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/05/2006)   |



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| 12/16/1988 | 45 | Hearing 12/16/88 - Vinch's motion for directed verdict - DENIED; Mercer's motion for directed verdict - DENIED; Parties argue on contested findings of fact, C.A.V. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)          |
| 12/19/1988 | 46 | J. VINCH & SONS, INC.'S MOTION FOR DIRECTED JUDGMENT, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 12/19/1988 | 47 | Mercer Wrecking and Recycling Corp.'s trial brief.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 12/20/1988 | 48 | J. Vinch & Sons, Inc.'s supplemental and alternative proposed Findings of Fact and Conclusions of Law(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 12/21/1988 | 49 | J. Vinch & Sons, Inc. court requested post hearing submission. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 12/22/1988 | 50 | Letter to Clerk from Victoria Pozsgai acknowledging receipt of exhibits 1-12 on 12/22/88. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 09/05/1989 | 51 | Plffs supplemental memo.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 01/08/1990 | 52 | MEMORANDUM AND ORDER THAT DEFTS ARE PERMANENTLY ENJOINED FROM FILING AT THE POZSGAI SITE, ETC. 1/9/90 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 01/22/1990 | 53 | J. VINCH & SONS' MOTION FOR RECONSIDERATION OF THE 1-8-90 MEMORANDUM & ORDER OR IN THE ALTERNATIVE TO ALTER OR AMEND JUDGMENT, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)                           |
| 01/24/1990 | 54 | PLFFS MOTION TO ALTER, AMEND OR CLARIFY JUDGMENT, MEMO, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 01/24/1990 | 55 | Appearance of David J. Sowerbutts, Esq. and Paul D. Kamenar, Esq. on behalf of John and Gizella Pozsgai. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 01/26/1990 | 56 | JOHN AND GIZELLA POZSGAI'S MOTION FOR RECONSIDERATION OF THE 1/8/90 MEMO AND ORDER TO ALTER AMEND OR VACATE THE JUDGMENT AND FINDINGS, AND FOR NEW TRIAL, MEMO, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006) |

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| 02/02/1990 | 57 | J. Vinch & Sons, joinder in motions of Plff and Defts Mercer Wrecking Co. et al. to reconsider or alter or amend judgment. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 02/05/1990 | 58 | Plffs Response in Opposition to Motion for Reconsideration of J. Vinch & Sons. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 02/05/1990 | 59 | Plffs Response in opposition to motion for reconsideration of Mercer Wrecking & Recycling Corp. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 02/06/1990 | 60 | United States' Response in Opposition to Post-Trial Motion of Defts John and Gizella Pozsgai, Cert of Serv.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 02/08/1990 | 61 | MERCER WRECKING'S MOTION FOR RECONSIDERATION OF THE 1/8/90 MEMO AND ORDER OR IN THE ALTERNATIVE TO ALTER OR AMEND JUDGMENT, MEMO.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 02/08/1990 | 62 | Defts John and Gizella Pozsgai's Response to motions to alter or amend the judmgment filed by the U.S., J. Vinch & Sons, Mercer Wrecking. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 02/27/1990 | 63 | Transcript of Final Hearing of 12/16/88. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 07/12/1990 | 64 | JOINT MOTION OF UNITED STATES AND DEFTS J. VINCH & SONS, INC. AND MERCER WRECKING & RECYCLING FOR AN ORDER APPROVING STIPULATION OF SETTLEMENT & CERT OF SERV. (STIPULATION OF SETTLEMENT ATTACHED)(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)    |
| 07/17/1990 | 65 | ORDER THAT HEARING ON THE JOINT MOTION AND PROPOSED STIPULATION WILL BE HELD IN COURTROOM 15A ON THE 25TH DAY OF JULY 1990 COMMENCING AT 10:00 AM, ETC. 7/18/90 ENTERED AND COPIES MAILED BY CHAMBERS.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006) |
| 07/25/1990 | 66 | Hearing 7/25/90 re: joint motion for an order approving stipulation of settlement. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 05/13/1991 | 67 | PLFFS MOTION TO IMPLEMENT ORDER OF 1/8/90, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 05/28/1991 | 68 | J. Vinch & Sons, Inc.'s Response to Plff's Motion to Implement Order. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |

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| 05/30/1991 | 69 | John and Gizella Pozsgai's Response to Plff's Motion to Implement Order of 1/8/90. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 06/18/1991 | 70 | MEMORANDUM AND OPINION THAT DEFTS JOHN AND GIZELLA POZSGAI'S MOTION FOR RECONSIDERATION OF AND TO VACATE THE ORDER OF 1/8/90 OR FOR A NEW TRIAL IS DENIED. 6/18/91 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)    |
| 06/19/1991 | 71 | U.S. Reply in Support of its Motion to Implement Order of 1/8/90. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 08/09/1991 | 72 | Letter from Mr. Bookspan Acknowledging Receipt of Exhibits on 8/7/91. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 08/12/1991 | 73 | Letter from Ms. Votaw Acknowledging Receipt of Exhibits on 8/8/91 (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 08/15/1991 | 74 | STIPULATION AND ORDER THAT THE EXHIBIT A (REVISED) IS SUBSTITUTED FOR THE MAP FILED WITH THE COURT ORDER OF 6/18/91. 8/16/91 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 08/16/1991 | 75 | John and Gizella Pozsgai's notice of appeal8/19/91 Entered and Copies Mailed to Judge Fullam, C.Votaw, D.J. Sowerbutts, P.D. Kamenar, D.I. Bookspan, N.F. Caplan, H.A. Rosenthal, P.J. Hersberg. (jmp, ) Modified on 7/26/2006 (stb, ) (Entered: 07/06/2006) |
| 08/16/1991 | 76 | Copy of Clerk's Notice of Appeal to USCA (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 09/03/1991 | 77 | Copy of TPO Form (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 09/13/1991 | 78 | J. & G. POZSGAI'S MOTION FOR STAY OF THIS COURTS RESTORATION ORDER OF 6/18/91 PENDING DISPOSITION OF THE POZSGAI'S ACCOMPANYING RULE 60(B) MOTION FOR RELIEF FROM THAT ORDER, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)      |
| 09/13/1991 | 79 | Memo in Support of Pozssgai's Rule 60(B) Motion for Relief from Court's Remedial Order of 6/18/91.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 09/13/1991 | 80 | MOTION OF J. & G. POZSGAI FOR RELIEF FROM COURTS REMEDIAL ORDER OF 6/18/91. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |

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| 09/24/1991 | 81 | Plffs request to mark judgment satisfied as to Mercer Wrecking & Recycling Corp. only.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 09/27/1991 | 82 | Plff's response to Motions of J. and G. Pozsgai for relief from judgment and for stay.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 10/11/1991 | 83 | Defts J. and G. Pozsgai's Notice of Filing with U.S. Court of Appeals regarding matters of District Court and Appellate Jurisdiction. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 10/14/1991 | 84 | J. Vinch & Sons, Inc.'s Response to Motions of John and Gizella Pozsgai for relief from Judgment and for Stay. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 10/21/1991 | 85 | Plff's Response to the Notice of Filing of John and Gizella Pozsgai. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 11/18/1991 | 86 | Certified Copy of Order dated 11/15/91, that in accordance with the agreement of the parties in the above entitled case, it is entered dismissed by the Clerk under the authority conferred upon her by Rule 42(b), F.R.A.P. without cost by either party. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 02/26/1992 | 87 | MEMORANDUM AND ORDER THAT THE MOTION OF DEFTS JOHN AND GIZELLA POZSGAI FOR RELIEF FROM THE COURT'S REMEDIAL ORDER OF 6/18/91 UNDER RULE 60(B) OF THE FEDERAL RULES OF PROCEDURE IS DENIED. 2/26/92 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 03/04/1992 | 88 | Praeipce to mark judgment satisfied as to Deft. J. Vinch & Sons, Inc. only, Cert of Serv. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 03/31/1992 | 89 | ORDER THAT THE UNITED STATES' MOTION TO DISMISS THE POZGAIS' COUNTERCLAIM IS GRANTED AND JUDGMENT IS ENTERED ON THE COUNTERCLAIM AGAINST THE POZGAIS AND IN FAVOR OF THE UNITED STATES IN ACCORDANCE WITH THIS COURT'S PRIOR ORDERS; JUDGMENT IS ENTERED ON THE CROSS-CLAIM OF J. VINCH & SONS, INC., AGAINST VINCH & IN FAVOR OF THE POZSGAIS, ETC.; MOTIONS OF THE UNITED STATES, VINCH & MERCER WRECKING & RECYCLING CORP. FOR RECONSIDERATION OR TO ALTER OR AMEND THE JUDGMENT ARE DENIED; FINAL JUDGMENT IS ENTERED IN FAVOR OF THE UNITED STATES & AGAINST THE DEFTS POZSGAI IN ACCORDANCE WITH THE COURT'S |

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|            |    | ORDERS. 4/1/92 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 05/29/1992 | 90 | John Pozsgai and Gizella Pozsgai's Notice of Appeal (92-1454) 6/1/92 Copies Mailed to Judge Fullam, C. Campoli, C. Votaw, D.J. Sowerbutts, D.I. Bookspan, N.F. Caplan, H.A. Rosenthal, P.J. Herzberg. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 05/29/1992 | 91 | Copy of Clerk's Notice to USCA (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 06/08/1992 | 92 | Copy of TPO Form (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 09/03/1992 | 93 | UNITED STATES' MOTION FOR RELIEF FROM JUDGMENT AND TO DISMISS THE COMPLAINT AGAINST GIZELLA POZSGAI ONLY, MEMO, CERT OF SERV. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 09/16/1992 | 94 | Opposition to Plff's Rule 60(b)(6) Motion for Relief of Judgment and Rule 41(a)(2) Motion to Dismiss the Complaint against Gizella Pozsgai, Cert of Serv. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |
| 09/23/1992 | 95 | MEMORANDUM AND ORDER THAT THE GOVERNMENT'S MOTION FOR RELIEF FROM JUDGMENT AND TO DISMISS THE COMPLAINT AGAINST GIZELLA POZSGAI ONLY IS DISMISSED WITHOUT PREJUDICE FOR LACK OF JURISDICTION. 9/24/92 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 12/23/1992 | 96 | Certified Copy of Order from the United States Court of Appeals for the Third Circuit Granting Motion by Appellants requesting that Government Exhibit 14 be transmitted from the U.S. District Court for the Eastern District of Pennsylvania to the U.S. Court of Appeals for the Third Circuit to supplement the record on appeal. Listed for disposition on the merits for 1/15/93. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006) |
| 12/30/1992 | 97 | First Supplemental Record on Appeal transmitted (Government Exhibit 14). (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/26/2006)  |
| 08/18/1993 | 98 | Certified Copy of Order from the U.S. Court of Appeals for the Third Circuit that the judgment of the said District Court entered 4/1/92 be and the same is hereby affirmed. Costs taxed against appellant. All the above in accordance with the Opinion of this Court. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)   |

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| 03/15/2002 | 99  | GOVT'S MOTION FOR PRELIMINARY INJUNCTION AND AN ORDER TO SHOW CAUSE WHY DEFTS JOHN & GIZELLA POZSGAI SHOULD NOT BE HELD IN CIVIL CONTEMPT OF COURT, MEMO, CERT OF SERV. (INDEX OF EXHIBITS ATTACHED).(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 03/18/2002 | 100 | MOTION TO INTERVENE BY DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK, AMERICAN LITTORAL SOCIETY AND THE RAYMOND PROFFITT FOUNDATION, MEMO, CERT OF SERV.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 03/18/2002 | 101 | ORDER THAT DEFTS JOHN POZSGAI & GIZELLA POZSGAI SHALL APPEAR BEFORE THE UNDERSIGNED AT THIS COURT ON 4/8/02 AT 10:00 A.M. FOR A HEARING ON THE UNITED STATES' APPLICATION FOR A PRELIMINARY INJUNCTION ENJOINING THEM FROM CONDUCTING, PERMITTING OR AUTHORIZING ANY WORK OF ANY KIND WHATSOEVER AT ANY LOCATION AT MORRISVILLE SITE, ETC. IT IS FURTHER ORDERED THAT DEFTS JOHN POZSGAI & GIZELLA POZSGAI SHALL APPEAR BEFORE THE UNDERSIGNED AT THIS COURT ON 4/29/02 AT 10:00 AM. & SHALL SHOW CAUSE WHY THEY SHALL NOT BE HELD IN CIVIL CONTEMPT FOR FAILURE TO COMPLY WITH THIS COURT'S ORDER OF 1/8/90. 3/25/02 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006) |
| 04/03/2002 | 102 | ORDER THAT THE ORDER SETTING THIS MATTER FOR A PRELIMINARY INJUNCTION HEARING ON 4/8/02 AT 10:00 AM & THE ORDER TO SHOW CAUSE HEARING SCHEDULED FOR 4/29/02 AT 10:00 AM IS VACATED. THE PRELIMINARY INJUNCTION HEARING IS RESCHEDULED FOR 4/29/02 AT 10:00 AM IN COURTROOM 15A. THE ORDER TO SHOW CAUSE HEARING RESCHEDULED FOR 5/20/02 AT 10:00 AM IN COURTROOM 15A. 4/5/02 ENTERED AND COPIES MAILED.(jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/06/2006)  |
| 04/08/2002 | 103 | ORDER THAT THE APPLICANTS' MOTION TO INTERVENE PURSUANT TO F.R.C.P 24(A) AND (B) IS GRANTED.SIGNED BY JUDGE JOHN P. FULLAM ON 4/11/01. 4/8/02 ENTERED AND COPIES MAILED.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 04/08/2002 | 104 | Complaint in Intervention by AMERICAN LITTORAL SOCIETY, THE RAYMOND PROFFITT FOUNDATION, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK.   |

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|            |     | Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 04/23/2002 | 105 | APPLICATION for Admission Pro Hac Vice of MARK L. POLLOT. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 04/24/2002 | 106 | MOTION FOR SANCTIONS BY AMERIAN LITTORAL SOCIETY, THE RAYMOND PROFFITT FOUNDATION, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK.MEMORANDUM, CERTIFICATE OF SERVICE.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 04/25/2002 | 107 | ORDER THAT THE APPLICATION FOR ADMISSION PRO HAC VICE OF MARK L. POLLOT IS GRANTED. 4/26/02 ENTERED AND COPIES MAILED AND FAXED.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 04/29/2002 | 108 | MOTION FOR LEAVE TO FILE MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND FOR EXTENSION OF TIME BY JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC.MEMORANDUM.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006) |
| 04/30/2002 | 109 | Minute Entry : Hearing on Government's Motion for Preliminary Injunction held on 4/29/02. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/01/2002 | 110 | Supplemental Memorandum in Support of its Motion for Injunctive Relief addressed to "SWANCC" by UNITED STATES OF AMERICA. Certificate of Service.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 05/07/2002 | 111 | MOTION FOR CONTINUANCE AND FOR SCHEDULING OF SETTLEMENT CONFERENCE BY JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC..MEMORANDUM, CERTIFICATE OF SERVICE.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/09/2002 | 112 | Opposition to Defendants' Motion for Continuance and for Scheduling of Settlement Conference. filed by UNITED STATES OF AMERICA. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 05/10/2002 | 113 | answer to Defendants' Motion for Continuance and for Scheduling Conference filed by AMERIAN LITTORAL SOCIETY, THE RAYMOND PROFFITT FOUNDATION, DELAWARE   |

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|            |     | RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/10/2002 | 114 | Reply Memorandum in Support of Motion for Continuance and for Scheduling of Settlement Conference filed by JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006) |
| 05/15/2002 | 115 | ORDER THAT DEFENDANTS' MOTION FOR CONTINUANCE AND FOR SCHEDULING OF SETTLEMENT CONFERENCE IS DENIED.5/16/02 ENTERED AND COPIES MAILED AND FAXED. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/17/2002 | 116 | TRANSCRIPT of Proceedings held on 4/29/02. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/21/2002 | 117 | Minute Entry : Sanctions Hearing held on 5/20/02. Witnesses called and sworn. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 05/23/2002 | 118 | TRANSCRIPT of Proceedings held on 5/23/02 (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/26/2006)   |
| 05/24/2002 | 119 | TRANSCRIPT of Proceedings held on 5/22/02 before Judge FULLAM. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 05/31/2002 | 120 | MOTION FOR ENLARGEMENT OF TIME BY JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC. DECLARATION,CERTIFICATE OF SERVICE.(stb, ) Modified on 7/7/2006 (stb, ). Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)                                 |
| 06/03/2002 | 121 | Post-Hearing Memorandum in Support of its Motion to Hold JOHN and GISELLA POZSBAI in Contempt by UNITED STATES OF AMERICA. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 06/04/2002 | 122 | ORDER THAT DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE BRIEF IS GRANTED AND THAT SAID BRIEF SHALL BE FILED BY 6/7/02. 6/5/02 ENTERED AND COPIES FAXED. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 06/07/2002 | 123 | MEMORANDUM of Points and Authorities in Opposition to Plaintiff's Contempt Motion. by JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)                      |



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| 07/10/2002 | 124 | Praecipe by DAVID J. SOWERBUTTS to reflect correct address, phone and facsimile number on behalf of JOHN POZSGAI, GIZELLA POZSGAI. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 07/29/2002 | 125 | APPLICATION for an order to show cause why DEFENDANTS JOHN and GISELLA POZSGAI should not be held in contempt of court by UNITED STATES OF AMERICA. Memorandum, Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 08/08/2005 | 126 | ORDER THAT DEFENDANTS JOHN POZSGAI, GISELLA POZSGAI APPEAR BEFORE U.S.D.C - ED PA. IN COURTROOM 15A ON 9/8/05 AT 1:30 PM TO SHOW CAUSE WHY THEY SHOULD NOT BE HELD IN CONTEMPT OF THIS COURT FOR FAILURE TO COMPLY WITH THE COURT'S PERMANENT INJUNCTION OF 1/8/90. 8/16/05 ENTERED AND COPIES MAILED.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006) |
| 08/29/2005 | 127 | Response to the Application for Civil Contempt by JOHN POZSGAI, GIZELLA POZSGAI. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 09/09/2005 | 128 | Minute Entry for proceedings held before Judge JOHN P. FULLAM : Show Cause Hearing held on 8/8/05. Witnesses called and sworn. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 09/26/2005 | 129 | Memorandum of Points and Authorities in Opposition to Plaintiff's Second Contempt Motion by JOHN POZSGAI, GIZELLA POZSGAI, MERCER WRECKER & RECYCLING CORPORATION, J. VINCH & SONS, INC. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 09/26/2005 | 130 | TRANSCRIPT of Proceedings held on 9/9/05. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 10/06/2005 | 131 | Memorandum in Response to Defendants' Motion Opposing Civil Contempt for JOHN and GISELLA POZSGAI by UNITED STATES OF AMERICA. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 10/07/2005 | 132 | Amended TRANSCRIPT of Contempt Hearing held on 9/9/05. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 10/11/2005 | 133 | Closing Argument and Brief in Support of their Motion for Contempt, Sanctions and Application for Writ of Sequestration pursuant to FRCP 70 by AMERICAN LITTORAL SOCIETY, THE RAYMOND PROFFITT FOUNDATION, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)                |

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| 10/17/2005 | 134                 | ORDER THAT WITHIN 10 DAYS OF THE DATE OF THIS ORDER, PARTIES SHALL SHOW CAUSE WHY THIS MATTER SHOULD NOT BE PLACED IN SUSPENSE PENDING THE DECISION OF THE UNITED STATES SUPREME COURT IN THE CONSOLIDATED CASES OF UNITED STATES V. RAPANOS AND CARABELL V. UNITED STATES ARMY CORPS. OF ENGINEERS, ETC. 10/18/05 ENTERED AND COPIES MAILED.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006) |
| 10/31/2005 | 135                 | Memorandum in addressing why Civil Contempt Proceeding should not be held in Suspense by UNITED STATES OF AMERICA. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 11/04/2005 | 136                 | Closing Argument and Brief in support of Intervenors' Motion for Contempt, Sanctions and Application for Writ of Attachment or Sequestration by AMERIAN LITTORAL SOCIETY, THE RAYMOND PROFFITT FOUNDATION, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK. Certificate of Service. (stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)   |
| 06/29/2006 | 137                 | ORDER DATED 6/28/06, THAT WITHIN 30 DAYS FROM THE DATE OF THIS ORDER, THE PARTIES MAY SUBMIT BRIEFING ON THE APPLICATION OF THE DECISION RAPANOS V. UNITED STATES 126 S. CT. 2208 TO THE ISSUES IN THIS CASE. 6/29/06 ENTERED AND COPIES MAILED.(stb, ) Modified on 7/26/2006 (stb, ). (Entered: 07/07/2006)  |
| 07/13/2006 | <a href="#">138</a> | MOTION for Extension of Time to File <i>Briefing on Supreme Court Decision</i> filed by UNITED STATES OF AMERICA.Certificate of Service.(DAY, CHRISTOPHER) Modified on 7/26/2006 (stb, ). (Entered: 07/13/2006)   |
| 07/17/2006 | 139                 | ORDER THAT THE PARTIES MAY SUBMIT BRIEFING UNTIL 8/28/06 ON THE APPLICATION OF THE DECISION IN THE RAPANOS V. US TO THE ISSUES IN THIS CASE. SIGNED BY JUDGE JOHN P. FULLAM ON 7/17/06. 7/17/06 FAXED BY CHAMBERS.7/17/06 ENTERED AND COPIES MAILED. (jmp, ) Modified on 7/26/2006 (stb, ). (Entered: 07/17/2006)   |
| 08/22/2006 | <a href="#">140</a> | Joint MOTION for Extension of Time to File <i>Briefing on Supreme Court Decision</i> filed by UNITED STATES OF AMERICA.Certificate of Service.(DAY, CHRISTOPHER) (Entered: 08/22/2006)  |
| 08/28/2006 | <a href="#">141</a> | Supplemental Memorandum RE: <i>Response Brief pursuant to 7/17/2006 Order requesting briefing on application of Rapanos</i> filed by AMERIAN LITTORAL SOCIETY, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK.Brief.(HENDRICK, CAROLE) Modified on 8/29/2006 (np). (Entered: 08/28/2006)  |

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| 09/06/2006 | 142                 | ORDER THAT PARTIES MAY SUBMIT BRIEFING UNTIL 9/28/06 ON THE APPLICATION OF THE DECISION IN THE RAPANOS VS. UNITED STATES, 126 S. CT. 2208 (6/19/06) TO THE ISSUES IN THIS CASE. SIGNED BY JUDGE JOHN P. FULLAM ON 9/5/06. 9/6/06 ENTERED AND COPIES MAILED: COPIES FAXED BY CHAMBERS ON 9/5/06.(kw, ) (Entered: 09/06/2006)   |
| 09/28/2006 | <a href="#">143</a> | Memorandum Demonstrating that the Rapanos Decision does not Provide Grounds for Post-Judgement Relief <i>and Certificate of Service. Exhibits A and B to be filed via hard copies.</i> by UNITED STATES OF AMERICA. (DAY, CHRISTOPHER) (Entered: 09/28/2006)  |
| 09/28/2006 | 144                 | EXHIBITS A-B to Memorandum of UNITED STATES demonstrating that the rapanos decision does not provide grounds for post-judgment relief, filed by PLFF UNTIED STATES OF AMERICA. (kw, ) (Entered: 09/29/2006)   |
| 09/28/2006 | <a href="#">145</a> | Brief on behalf of DEFT JOHN POZSGAI, Certificate of Service. (kw, ) Additional attachment(s) added on 10/11/2006 (kw, ). Additional attachment(s) added on 10/16/2006 (fh, ). (Entered: 09/29/2006)  |
| 11/08/2006 | <a href="#">146</a> | NOTICE by UNITED STATES OF AMERICA, CERTIFICATE OF SERVICE. <i>of Additional Authority</i> (Attachments: # <a href="#">1</a> Attachment)(DAY, CHRISTOPHER) Modified on 11/9/2006 (afm, ). (Entered: 11/08/2006)   |
| 03/08/2007 | <a href="#">147</a> | MEMORANDUM AND ORDER THAT ALL PENDING MOTIONS ARE DISMISSED WITHOUT PREJUDICE. SIGNED BY JUDGE JOHN P. FULLAM ON 3/8/07. 3/8/07 ENTERED AND COPIES MAILED AND E-MAILED: COPIES FAXED BY CHAMBERS.(kw, ) Additional attachment(s) added on 3/8/2007 (kw, ). (Entered: 03/08/2007)  |
| 03/08/2007 | <a href="#">148</a> | MEMORANDUM AND ORDER THAT DEFTS JOHN POZSGAI & GISELLA POZSGAI BE AND HEREBY ARE FOUND TO BE IN CIVIL CONTEMPT FOR FAILURE TO COMPLY WITH THIS COURT'S ORDER OF 1/8/90, ETC. SIGNED BY JUDGE JOHN P. FULLAM ON 3/8/07.(See paper #147 for attachment for Memo.) 3/8/07 ENTERED AND COPIES MAILED AND E-MAILED: COPIES FAXED BY CHAMBERS.(kw, ) Modified on 3/9/2007 (mc, ). (Entered: 03/08/2007) |
| 03/23/2007 | <a href="#">149</a> | NOTICE OF APPEAL by JOHN POZSGAI. Copies to Judge, Clerk USCA, Appeals Clerk and DAVID J. SOWERBUTTS. (SOWERBUTTS, DAVID) Modified on 3/26/2007 (np). (Entered: 03/23/2007)   |

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| 03/23/2007 | <a href="#">150</a> | CERTIFICATE OF SERVICE by JOHN POZSGAI re <a href="#">149</a> Notice of Appeal (SOWERBUTTS, DAVID) (Entered: 03/23/2007)   |
| 03/23/2007 | <a href="#">151</a> | Clerk's Notice to USCA re <a href="#">149</a> Notice of Appeal. (kw, ) Additional attachment(s) added on 3/26/2007 (kw, ). (Entered: 03/26/2007)   |
| 04/02/2007 | 152                 | Copy of TPO Form re <a href="#">149</a> Notice of Appeal. (kw, ) (Entered: 04/02/2007)   |
| 02/06/2009 | <a href="#">153</a> | Certified copy of Order of USCA, dated 2/6/09, as to <a href="#">149</a> Notice of Appeal filed by JOHN POZSGAI, that the above-captioned case is hereby dismissed for failure to timely prosecute insofar as appellant failed to file a brief & appendix as directed. It is further ordered that a certified copy of this order be issued in lieu of a formal mandate. (kw, ) (Entered: 02/09/2009) |
| 03/24/2009 | <a href="#">154</a> | STATUS REPORT by UNITED STATES OF AMERICA. (HUTCHINSON, MARGARET) (Entered: 03/24/2009)  |
| 03/25/2009 | <a href="#">155</a> | ORDER THAT THE CLERK OF COURT SHALL MARK THIS ACTION CLOSED FOR STATISTICAL PURPOSES AND PLACE THE MATTER IN THE CIVIL SUSPENSE FILE, ETC. COUNSEL FOR THE GOVERNMENT SHALL SUBMIT A STATUS REPORT ONCE A YEAR. SIGNED BY HONORABLE JOHN P. FULLAM ON 3/25/09. 3/27/09 ENTERED AND COPIES E-MAILED: COPIES FAXED BY CHAMBERS ON 3/25/09.(kw, ) (Entered: 03/27/2009)                                 |
| 12/10/2010 | <a href="#">156</a> | STATUS REPORT by UNITED STATES OF AMERICA. (HANSON, KENT) (Entered: 12/10/2010)  |
| 04/21/2011 | <a href="#">157</a> | ORDER THAT THIS CASE IS REASSIGNED FROM HONORABLE JOHN P. FULLAM TO HONORABLE STEWART DALZELL FOR ALL FURTHER PROCEEDINGS SIGNED BY MICHAEL E. KUNZ ON 4/20/2011. 4/21/2011 ENTERED AND COPIES E-MAILED.(jcab) (Main Document 157 replaced on 5/6/2011) (fh, ). (Entered: 04/21/2011)  |
| 09/27/2013 | <a href="#">158</a> | Letter from Eileen Adler, Deputy to Judge Dalzell, dated 9/27/13, to counsel, re: Our records show that this case was placed in civil suspense on 3/25/2009 by Honorable John P. Fullam. We would like to know the present status of the case & also any recommendations you may have on what future action would be appropriate, etc. (kw, ) (Entered: 09/30/2013)                                  |
| 10/01/2013 | <a href="#">159</a> | LETTER Request for Extension of Time to File Response/Reply as to <a href="#">158</a> Letter, filed by UNITED STATES OF AMERICA..(HANSON, KENT) Modified on 10/2/2013 (nd). (Entered: 10/01/2013)  |
| 10/01/2013 | <a href="#">160</a> | ORDER THAT PLFF'S MOTION FOR AN EXTENSION OF TIME TO ANSWER (DOCKET ENTRY #159) IS GRANTED IN PART; &  |

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|            |                     | PLFF SHALL FILE ITS ANSWER BY 10/28/2013. SIGNED BY HONORABLE STEWART DALZELL ON 10/1/13. 10/2/13 ENTERED AND COPIES E-MAILED.(kw, ) (Entered: 10/02/2013)  |
| 10/03/2013 | <a href="#">161</a> | NOTICE of Withdrawal of Appearance by VIRGINIA A. GIBSON on behalf of UNITED STATES OF AMERICA, Certificate of Service. (GIBSON, VIRGINIA) Modified on 10/4/2013 (md). (Entered: 10/03/2013)  |
| 10/28/2013 | <a href="#">162</a> | NOTICE of Appearance by AARON STEMPLEWICZ on behalf of AMERICAN LITTORAL SOCIETY, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK, THE RAYMOND PROFFITT FOUNDATION (STEMPLEWICZ, AARON) (Entered: 10/28/2013)  |
| 10/28/2013 | <a href="#">163</a> | STATUS REPORT by AMERICAN LITTORAL SOCIETY, DELAWARE RIVERKEEPER, DELAWARE RIVERKEEPER NETWORK, THE RAYMOND PROFFITT FOUNDATION. (STEMPLEWICZ, AARON) (Entered: 10/28/2013)   |
| 10/28/2013 | <a href="#">164</a> | STATUS REPORT by UNITED STATES OF AMERICA. (BECKER, SUSAN) (Entered: 10/28/2013)  |
| 04/04/2014 | <a href="#">165</a> | NOTICE of Withdrawal of Appearance by VIRGINIA A. GIBSON on behalf of UNITED STATES OF AMERICA, Certificate of Service.(GIBSON, VIRGINIA) Modified on 4/7/2014 (md). (Entered: 04/04/2014)  |
| 12/08/2016 | <a href="#">166</a> | ORDER THAT THE ABOVE-CAPTIONED CASE IS REASSIGNED FROM THE CALENDAR OF THE HONORABLE STEWART DALZELL TO THE CALENDAR OF THE HONORABLE ANITA B. BRODY. SIGNED BY LUCY V. CHIN, INTERIM CLERK OF COURT ON 12/7/16. 12/8/16 ENTERED AND COPIES MAILED, E-MAILED AND FAXED.(kw, ) (Entered: 12/08/2016) |
| 12/09/2016 | <a href="#">167</a> | NOTICE of Appearance by GREGORY B. DAVID on behalf of UNITED STATES OF AMERICA with Certificate of Service(DAVID, GREGORY) (Entered: 12/09/2016)  |
| 12/12/2016 | <a href="#">168</a> | NOTICE of Withdrawal of Appearance by PAUL G. SHAPIRO on behalf of UNITED STATES OF AMERICA(SHAPIRO, PAUL) (Entered: 12/12/2016)  |
| 02/22/2017 | <a href="#">169</a> | ORDER that A STATUS CONFERENCE WILL BE HELD ON 3/23/2017 AT 10:00 AM IN JUDGE CHAMBERS, ROOM 7613 ON THE 7TH FLOOR, BEFORE HONORABLE ANITA B. BRODY.. SIGNED BY HONORABLE ANITA B. BRODY ON 2/22/2017. 2/22/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 02/22/2017)                            |

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| 03/16/2017 | <a href="#">170</a> | STATUS REPORT <i>Status Conference Memorandum</i> by UNITED STATES OF AMERICA. (Attachments: # <a href="#">1</a> Certificate of Service)(DAVID, GREGORY) (Entered: 03/16/2017)   |
| 03/22/2017 | <a href="#">171</a> | AMENDED ORDER that THE STATUS CONFERENCE SCHEDULED FOR MARCH 23, 2017 AT 10:00 A.M. IS CANCELED AND RESCHEDULED FOR APRIL 12, 2017 AT 3:00 P.M.. THE CONFERENCE WILL BE HELD IN CHAMBERS, ROOM 7613 ON THE 7TH FLOOR OF THE U.S. COURTHOUSE, 601 MARKET ST., PHILADELPHIA, PA.. SIGNED BY HONORABLE ANITA B. BRODY ON 3/22/2017. 3/22/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 03/22/2017)       |
| 04/12/2017 | <a href="#">172</a> | Praecipe to Attach Exhibit to <i>Status Conference Memorandum</i> by UNITED STATES OF AMERICA. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Certificate of Service)(DAVID, GREGORY) (Entered: 04/12/2017)  |
| 04/12/2017 | <a href="#">173</a> | ORDER that THIS CASE IS REFERRED TO UNITED STATES MAGISTRATE JUDGE DAVID R. STRAWBRIGE FOR A SETTLEMENT CONFERENCE TO OCCUR ON OR AFTER MAY 19, 2017. IT IS FURTHER ORDERED that PLAINTIFF MUST PROVIDE A STATUS REPORT TO THE COURT WITHIN 10 DAYS AFTER THE SETTLEMENT CONFERENCE.. SIGNED BY HONORABLE ANITA B. BRODY ON 4/12/2017. 4/12/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 04/12/2017) |
| 04/12/2017 | <a href="#">174</a> | Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Status Conference held on 4/12/17. Court Reporter: ESR. (jaa, ) Modified on 4/13/2017 (lisad, ). (Entered: 04/12/2017)   |
| 04/17/2017 | <a href="#">175</a> | NOTICE of Hearing: TELEPHONE CONFERENCE REGARDING SETTLEMENT SET FOR 5/2/2017 04:30 PM BEFORE MAGISTRATE JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THE CALL. (CHAMBERS PH. 267-299-7790).(dp, ) (Entered: 04/17/2017)  |
| 05/03/2017 | <a href="#">176</a> | NOTICE of Hearing: STATUS CONFERENCE VIA TELEPHONE SET FOR 7/7/2017 04:30 PM BEFORE MAGISTRATE JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THE CALL. (CHAMBERS PH. 267-299-7790)(dp, ) (Entered: 05/03/2017)   |
| 05/08/2017 | <a href="#">177</a> | NOTICE of Hearing: STATUS CONFERENCE VIA TELEPHONE SET FOR 7/6/2017 04:30 PM BEFORE MAGISTRATE JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THE CALL. (CHAMBERS PH. 267-299-7790)(dp, ) (Entered: 05/08/2017)   |



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| 06/27/2017 | <a href="#">178</a> | MOTION for Pro Hac Vice of Lawrence A. Kogan ( Filing fee \$ 40 receipt number 0313-12158228.) filed by JOHN POZSGAI. Certificate of Service.(SOWERBUTTS, DAVID) Modified on 6/28/2017 (tjd ). (Entered: 06/27/2017)   |
| 06/29/2017 | <a href="#">179</a> | ORDER that THE APPLICATION OF LAWRENCE A. KOGAN, ESQUIRE, TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b) IS GRANTED.. SIGNED BY HONORABLE ANITA B. BRODY ON 6/29/2017.6/29/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 06/29/2017)   |
| 07/07/2017 | <a href="#">180</a> | Minute Entry for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE Status Conference held on 7/6/17. (jaa, ) (Entered: 07/07/2017)   |
| 07/10/2017 | <a href="#">181</a> | ORDER THAT COUNSEL ARE TO MEET AND CONFER WITH CLIENTS FOR THE PURPOSE OF DISCUSSING THEIR CONCERNS AND DO THEIR BEST TO GET THE MATTER RESOLVED. IF THEY FAIL TO DO SO, A JOINT STATUS REPORT IS TO BE SUBMITTED ON OR BEFORE 8/9/2017, ETC. SIGNED BY MAGISTRATE JUDGE DAVID R. STRAWBRIDGE ON 7/10/17. 7/11/17 ENTERED AND COPIES MAILED, E-MAILED AND FAXED.(kw, ) (Entered: 07/11/2017) |
| 08/15/2017 | <a href="#">182</a> | NOTICE by GIZELLA POZSGAI, JOHN POZSGAI of Death of One of the Parties and Motion to Dismiss Action Against Defendant John Pozsgai Post-Hoc. (Attachments: # <a href="#">1</a> Exhibit Proof of Death)(KOGAN, LAWRENCE) Modified on 8/17/2017 (tjd, ). (Entered: 08/15/2017)   |
| 08/25/2017 | <a href="#">183</a> | ORDER THAT A SETTLEMENT CONFERENCE WILL BE HELD IN CHAMBERS BEFORE THE HONORABLE DAVID R. STRAWBRIDGE IN ROOM 3030, 3RD FLOOR, U.S. COURTHOUSE, 601 MARKET STREET, PHILA., PA 19106 ON 10/27/2017 AT 1:30 P.M., ETC. SIGNED BY MAGISTRATE JUDGE DAVID R. STRAWBRIDGE ON 8/24/17. 8/25/17 ENTERED AND COPIES E-MAILED AND FAXED.(kw, ) (Entered: 08/25/2017)                                  |
| 09/27/2017 | <a href="#">184</a> | ORDER - TO SHOW CAUSE ON OR BEFORE OCTOBER 6, 2017 WHY THE MOTION TO DISMISS ACTION AGAINST DEFENDANT JOHN POZSGAI POST-HOC (ECF NO. 182) SHOULD NOT BE GRANTED AS UNOPPOSED.. SIGNED BY HONORABLE ANITA B. BRODY ON 9/26/2017. 9/27/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 09/27/2017)  |
| 10/06/2017 | <a href="#">185</a> | MOTION for Extension of Time to File Response/Reply as to <a href="#">182</a> MOTION to Dismiss filed by UNITED STATES OF AMERICA. Certificate of Counsel, Certificate of Service. (Attachments: # <a href="#">1</a> Text of   |

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|            |                     | Proposed Order, # <a href="#">2</a> Certificate of Service)(DAVID, GREGORY) Modified on 10/10/2017 (tjd). (Entered: 10/06/2017)  |
| 10/11/2017 | <a href="#">186</a> | ORDER - UPON CONSIDERATION OF PLAINTIFF UNITED STATES' UNOPPOSED MOTION FOR EXTENSION OF TIME TO SHOW CAUSE WHY THE MOTION TO DISMISS ACTION AGAINST JOHN POZSAI SHOULD NOT BE GRANTED AS UNOPPOSED (ECF NO. 185), IT IS ORDERED that THE MOTION IS GRANTED. PLAINTIFF IS GRANTED UNTIL OCTOBER 27, 2017, TO SHOW CAUSE WHY THE MOTION TO DISMISS... SHOULD NOT BE GRANTED AS UNOPPOSED.. SIGNED BY HONORABLE ANITA B. BRODY ON 10/11/2017.10/11/2017 ENTERED AND COPIES VIA ECF.(mo, ) Modified on 10/11/2017 (mo, ). (Entered: 10/11/2017) |
| 10/27/2017 | <a href="#">187</a> | STIPULATION of Dismissal of <i>John Pozsgai</i> by UNITED STATES OF AMERICA. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Certificate of Service)(DAVID, GREGORY) (Entered: 10/27/2017)  |
| 10/30/2017 | <a href="#">188</a> | Minute Entry/Report of Settlement Conference for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE on 10/27/17. (kw, ) (Entered: 10/30/2017)   |
| 11/02/2017 | <a href="#">189</a> | STIPULATION AND ORDER... WHEREAS, CURRENTLY PENDING BEFORE THIS COURT IS DEFENDANTS' AUGUST 15, 2017 NOTICE OF DEATH AND MOTION TO DISMISS ACTION AGAINST DEFENDANT JOHN POZSGAI, ECF NO. 182.... ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE COUNSEL FOR THE BELOW PARTIES that JOHN POZSGAI IS DISMISSED FROM THIS ACTION.. SIGNED BY HONORABLE ANITA B. BRODY ON 11/2/2017. 11/2/2017 ENTERED AND COPIES VIA ECF.(mo, ) (Entered: 11/02/2017)  |
| 06/11/2019 | <a href="#">190</a> | MOTION re <a href="#">173</a> Order, <a href="#">174</a> Status Conference, <a href="#">183</a> Order,, Set Hearings, filed by GIZELLA POZSGAI.Notice of Motion. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1A, # <a href="#">2</a> Exhibit Exhibit 1B, # <a href="#">3</a> Exhibit Exhibit 2, # <a href="#">4</a> Text of Proposed Order Proposed Order)(KOGAN, LAWRENCE) (Entered: 06/11/2019)  |
| 06/12/2019 | <a href="#">191</a> | NOTICE of Appearance by LANDON Y. JONES on behalf of UNITED STATES OF AMERICA with Certificate of Service(JONES, LANDON) (Entered: 06/12/2019)   |
| 06/20/2019 | <a href="#">192</a> | ORDER THAT DEFT'S NOTICE OF MOTION IS REFERRED TO MAGISTRATE DAVID R. STRAWBRIDGE. JUDGE STRAWBRIDGE IS THEN ORDERED TO PROVIDE THE COURT WITH A REPORT & RECOMMENDATION AS TO THE PROGRESS OF THESE PROCEEDINGS WITHIN 60 DAYS FROM TODAY'S   |



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|            |                     | DATE OR AT SUCH OTHER TIME HE FEELS APPROPRIATE BUT NOT MORE THAN 90 DAYS FROM TODAY'S DATE. SIGNED BY HONORABLE ANITA B. BRODY ON 6/19/19. 6/21/19 ENTERED AND COPIES MAILED AND E-MAILED. (kw, ) (Entered: 06/21/2019)  |
| 06/21/2019 | <a href="#">193</a> | RESPONSE to Motion re <a href="#">190</a> MOTION re <a href="#">173</a> Order, <a href="#">174</a> Status Conference, <a href="#">183</a> Order,, Set Hearings, ( <i>Pozgai Notice of Motion</i> ) filed by UNITED STATES OF AMERICA. (Attachments: # <a href="#">1</a> Exhibit A - 03.08.07 Memorandum and Order, # <a href="#">2</a> Text of Proposed Order)(JONES, LANDON) (Entered: 06/21/2019)   |
| 06/25/2019 | <a href="#">194</a> | ORDER THAT DEFT POZSGAI SHALL REPLY TO THE UNITED STATES RESPONSE TO POZSGAI'S NOTICE OF MOTION ON OR BEFORE 7/3/2019, ETC. SIGNED BY MAGISTRATE JUDGE DAVID R. STRAWBRIDGE ON 6/25/19. 6/26/19 ENTERED AND COPIES MAILED AND E-MAILED.(kw, ) (Entered: 06/26/2019)   |
| 06/30/2019 | <a href="#">195</a> | MOTION for Leave to File filed by GIZELLA POZSGAI..Motions referred to DAVID R. STRAWBRIDGE. (Attachments: # <a href="#">1</a> Exhibit Ex. 1, # <a href="#">2</a> Exhibit Ex. 2, # <a href="#">3</a> Exhibit Ex. 3, # <a href="#">4</a> Exhibit Ex. 3-1, # <a href="#">5</a> Exhibit Ex. 3-2, # <a href="#">6</a> Exhibit Ex. 3-3, # <a href="#">7</a> Exhibit Ex. 3-4, # <a href="#">8</a> Exhibit Ex. 3-5, # <a href="#">9</a> Exhibit Ex. 3-6, # <a href="#">10</a> Exhibit Ex. 3-7, # <a href="#">11</a> Exhibit Ex. 3-8, # <a href="#">12</a> Exhibit Ex. 3-9, # <a href="#">13</a> Exhibit Ex. 3-10, # <a href="#">14</a> Exhibit Ex. 3-11, # <a href="#">15</a> Exhibit Ex. 3-12, # <a href="#">16</a> Exhibit Ex. 3-13, # <a href="#">17</a> Exhibit Ex. 3-14, # <a href="#">18</a> Exhibit Ex. 3-15, # <a href="#">19</a> Exhibit Ex. 3-16, # <a href="#">20</a> Exhibit Ex. 3-17, # <a href="#">21</a> Exhibit Ex. 3-18, # <a href="#">22</a> Exhibit Ex. 3-19, # <a href="#">23</a> Exhibit Ex. 3-20)(KOGAN, LAWRENCE) (Entered: 06/30/2019) |
| 07/01/2019 | <a href="#">196</a> | Proposed MOTION for Order <i>Order</i> filed by GIZELLA POZSGAI.Proposed Order.Motions referred to DAVID R. STRAWBRIDGE.(KOGAN, LAWRENCE) (Entered: 07/01/2019)   |
| 07/01/2019 | <a href="#">197</a> | ORDER THAT THE <a href="#">195</a> MOTION FOR LEAVE TO FILE IS DENIED. SIGNED BY MAGISTRATE JUDGE DAVID R. STRAWBRIDGE ON 7/1/19.7/1/19 ENTERED AND COPIES MAILED AND E-MAILED.(lisad, ) (Entered: 07/01/2019)  |
| 07/02/2019 | <a href="#">198</a> | REPLY to Response to Motion re <a href="#">195</a> MOTION for Leave to File , <a href="#">196</a> Proposed MOTION for Order <i>Order</i> , <a href="#">190</a> MOTION re <a href="#">173</a> Order, <a href="#">174</a> Status Conference, <a href="#">183</a> Order,, Set Hearings, filed by GIZELLA POZSGAI. (Attachments: # <a href="#">1</a> Exhibit Ex. 1, # <a href="#">2</a> Exhibit Ex. 2, # <a href="#">3</a> Exhibit Ex. 3, # <a href="#">4</a> Exhibit Ex. 4, # <a href="#">5</a> Exhibit Ex. 5, # <a href="#">6</a> Exhibit Ex. 6, # <a href="#">7</a> Exhibit Ex. 7, # <a href="#">8</a> Exhibit Ex. 8, # <a href="#">9</a> Exhibit Ex. 9, # <a href="#">10</a> Exhibit Ex. 10, # <a href="#">11</a> Exhibit Ex. 11, # <a href="#">12</a> Exhibit Ex. 12, # <a href="#">13</a> Exhibit Ex. 13, # <a href="#">14</a> Exhibit Ex. 14, # <a href="#">15</a> Exhibit Ex. 15)(KOGAN, LAWRENCE) (Entered: 07/02/2019)  |

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| 07/08/2019 | <a href="#">199</a> | <i>Clarification of Proposed Order of Notice of Motion</i> by GIZELLA POZSGAI. (KOGAN, LAWRENCE) Modified on 7/9/2019 (tjd).<br>(Entered: 07/08/2019) |
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