

ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:06-cv-07115-SAS

United States of America v. WB/Stellar IP Owner, L.L.C., et al. Date Filed: 09/15/2006
Assigned to: Judge Shira A. Scheindlin Jury Demand: Plaintiff
Related Case: [1:06-cv-11440-SAS](#) Nature of Suit: 890 Other Statutory
Cause: 31:3729 False Claims Act Actions
Jurisdiction: U.S. Government Plaintiff

Plaintiff

ABC
TERMINATED: 10/30/2009

represented by **ABC**
PRO SE

Plaintiff

United States of America

represented by **Jeffrey Stuart Oestericher**
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Plaintiff

Edmund Rosner

represented by **Timothy J. McInnis**
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V.

Defendant**DEF***TERMINATED: 10/30/2009***Defendant****WB/Stellar IP Owner, L.L.C.**

represented by **Stacey Michelle Ashby**
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Defendant**Independence Plaza Associates, LLC**

represented by **Stacey Michelle Ashby**
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Defendant**Independence Plaza, L.P.**

represented by **Stacey Michelle Ashby**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Stellar Management**

represented by **Stacey Michelle Ashby**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Laurence Gluck**

represented by **Stacey Michelle Ashby**
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Defendant**City of New York**

represented by **Stephen Edward Kitzinger**
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Date Filed	#	Docket Text
09/15/2006	1	ORDER, Case sealed. (Signed by Judge Paul A. Crotty on 9/15/2006) (kj,) (Entered: 09/18/2006)
09/15/2006		Magistrate Judge Debra C. Freeman is so designated. (kj,) (Entered: 09/18/2006)
01/23/2009		SEALED DOCUMENT placed in vault. Original filed in case #06c-cv-1440 as document #7.(jri) (Entered: 01/23/2009)
03/12/2009	6	SEALED DOCUMENT placed in vault.(rt) (Entered: 03/13/2009)
04/13/2009	7	SEALED DOCUMENT placed in vault.(rt) (Entered: 04/13/2009)
06/16/2009	8	SEALED DOCUMENT placed in vault.(rt) (Entered: 06/17/2009)
07/27/2009	9	SEALED DOCUMENT placed in vault.(jri) (Entered: 07/27/2009)
08/10/2009	10	SEALED DOCUMENT placed in vault.(jri) (Entered: 08/11/2009)
10/14/2009	11	SEALED DOCUMENT placed in vault.(jri) (Entered: 10/14/2009)
10/26/2009	12	SEALED DOCUMENT placed in vault.(nm) (Entered: 10/26/2009)
10/30/2009	13	ORDER, 1. The relator's complaints shall be unsealed and served upon the defendants by the relator. 2. All other contents of the Court's file in these actions shall remain under seal and not be made public or seved upon the defendants, except for this Order and the Government's Noatice of Election to Partially Intervene, which the relator will serve upon the defendants only after service of the complaints. 3. The seal shall be lifted as to all other matters occurring in these actions after the date of this Order. (Signed by Judge Shira A. Scheindlin on 10/26/2009) (jri) (Entered: 10/30/2009)
10/30/2009	14	COMPLAINT AND DEMAND FOR JURY TRIAL against WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck, City of New York Department of Housing Preservation and Development. Document filed by United States of America.(This document was originally filed under seal and unsealed with order doc. #13)(ae) (tro). (Entered: 11/04/2009)
11/02/2009	16	COMPLAINT against WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Laurence Gluck. Document filed by United States of America.(laq) (laq). (Entered: 01/22/2010)
01/20/2010	15	NOTICE OF APPEARANCE by Jeffrey Stuart Oestericher on behalf of United States of America (Oestericher, Jeffrey) (Entered: 01/20/2010)
01/22/2010	17	ANSWER to Complaint. Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Laurence Gluck.(Ashby, Stacey) (Entered: 01/22/2010)
01/22/2010	18	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Stellar IP LLC, Westbrook Real Estate Co-Investment Partnership IV, LP and Westbrook Real Estate Fund IV LP as Corporate Parent. Document filed by WB/Stellar IP

		Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P..(Ashby, Stacey) (Entered: 01/22/2010)
01/25/2010	19	STIPULATION AND ORDER CORRECTING THE CAPTION: WHEREAS, in the caption of that Complaint the plaintiff was incorrectly designated as "United States of America ex re1 Edmund Rosner", instead of the correct designation as the "United States of America"; and WHEREAS, the United States of America wishes to correct this error in the caption and defendants have consented to having the caption be corrected. NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the United States of America and the attorneys for the defendants that the caption for the Complaint of the United States of America is hereby corrected to be as as set forth in this order. So Ordered (Signed by Judge Shira A. Scheindlin on 1/25/10) (js) (js). (Entered: 01/26/2010)
02/02/2010	20	NOTICE OF APPEARANCE by Stephen Edward Kitzinger on behalf of City of New York Department of Housing Preservation and Development (Kitzinger, Stephen) (Entered: 02/02/2010)
02/04/2010	21	STIPULATION, WB/Stellar IP Owner, L.L.C. answer due 3/12/2010; Independence Plaza Associates, LLC answer due 3/12/2010; Independence Plaza, L.P. answer due 3/12/2010; Stellar Management answer due 3/12/2010; Laurence Gluck answer due 3/12/2010; City of New York Department of Housing Preservation and Development answer due 3/12/2010. (Signed by Judge Shira A. Scheindlin on 2/4/10) (cd) (Entered: 02/04/2010)
03/11/2010	23	AFFIDAVIT OF SERVICE of Summons and Complaint. Stellar Management served on 1/12/2010, answer due 2/2/2010. Service was accepted by A. Russelle. Document filed by United States of America. (djc) (Entered: 03/22/2010)
03/11/2010	25	AFFIDAVIT OF SERVICE of Summons and Complaint. City of New York served on 1/14/2010, answer due 2/4/2010. Service was accepted by Anne Sullian, Legal Clerk. Document filed by Edmund Rosner. (djc) (Entered: 04/01/2010)
03/11/2010	26	AFFIDAVIT OF SERVICE of Summons and Complaint. Independence Plaza Associates, LLC served on 1/12/2010, answer due 2/2/2010. Service was accepted by A. Russelle, Authorized Agent. Document filed by Edmund Rosner. (djc) (Entered: 04/01/2010)
03/11/2010	27	AFFIDAVIT OF SERVICE of Summons and Complaint. Independence Plaza, L.P. served on 1/11/2010, answer due 2/1/2010. Service was accepted by Shanna Domond. Document filed by Edmund Rosner. (djc) (Entered: 04/01/2010)
03/11/2010	28	AFFIDAVIT OF SERVICE of Summons and Complaint. Laurence Gluck served on 1/11/2010, answer due 2/1/2010. Service was accepted by Shanna Domond, co-worker. Document filed by Edmund Rosner. (djc) (Entered: 04/01/2010)
03/11/2010	29	AFFIDAVIT OF SERVICE of Summons and Complaint. WB/Stellar IP Owner, L.L.C. served on 1/11/2010, answer due 2/1/2010. Service was

		accepted by Shanna Domond. Document filed by United States of America; Edmund Rosner. (djc) (Entered: 04/16/2010)
03/16/2010	22	STIPULATION SETTING TIME FOR RELATOR TO FILE AMENDED COMPLAINT AND FOR DEFENDANTS TO RESPOND TO IT; that plaintiff, through its relator, shall file and serve an amended complaint not later than March 17, 2010; IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that defendants' time to answer, move or otherwise respond to the amended complaint shall be, and hereby is, extended to and including April 19, 2010; IT IS FURTHER STIPULATED AND AGREED, by and between the undersigned, that the proper name of defendant "City of New York, Department of Housing Preservation and Development," is the "City of New York," and the caption shall be, and hereby is, amended as further set forth in this Stipulation and Order. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 3/15/2010) (tve) (Entered: 03/16/2010)
03/24/2010	24	AMENDED COMPLAINT amending 16 Complaint, 14 Complaint, against WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck, City of New York. Document filed by United States of America, Edmund Rosner. Related document: 16 Complaint filed by United States of America, 14 Complaint, filed by United States of America.(rdz) (Entered: 03/25/2010)
04/19/2010	30	MOTION to Dismiss <i>the Amended Complaint</i> . Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck.(Ashby, Stacey) (Entered: 04/19/2010)
04/19/2010	31	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU (DECLARATION) - MOTION to Dismiss <i>Declaration of Stephen B. Meister in Support of Defendants' Motion to Dismiss</i> . Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck. (Attachments: # 1 Exhibit Exhibit A to Declaration of Stephen B. Meister, # 2 Exhibit Exhibit B to Declaration of Stephen B. Meister, # 3 Exhibit Exhibit C to Declaration of Stephen B. Meister, # 4 Exhibit Exhibit D to Declaration of Stephen B. Meister, # 5 Exhibit Exhibit E to Declaration of Stephen B. Meister, # 6 Exhibit Exhibit F to Declaration of Stephen B. Meister, # 7 Exhibit Exhibit G to Declaration of Stephen B. Meister, # 8 Exhibit Exhibit H to Declaration of Stephen B. Meister, # 9 Exhibit Exhibit I to Declaration of Stephen B. Meister, # 10 Exhibit Exhibit J to Declaration of Stephen B. Meister, # 11 Exhibit Exhibit K to Declaration of Stephen B. Meister, # 12 Exhibit Exhibit L to Declaration of Stephen B. Meister)(Ashby, Stacey) Modified on 4/20/2010 (jar). (Entered: 04/19/2010)
04/19/2010	32	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU (MEMORANDUM) - MOTION to Dismiss <i>Defendants' Memorandum of Law in Support of Defendants' Motion to Dismiss the Amended Complaint</i> . Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck.(Ashby, Stacey) Modified on 4/20/2010 (jar). (Entered: 04/19/2010)
04/19/2010	33	MOTION to Dismiss for Lack of Jurisdiction. Document filed by City of New

		York. Responses due by 5/21/2010 Return Date set for 6/11/2010 at 05:00 PM. (Kitzinger, Stephen) (Entered: 04/19/2010)
04/19/2010	34	DECLARATION of Stephen Kitzinger in Support re: 33 MOTION to Dismiss for Lack of Jurisdiction.. Document filed by City of New York. (Kitzinger, Stephen) (Entered: 04/19/2010)
04/19/2010	35	MEMORANDUM OF LAW in Support re: 33 MOTION to Dismiss for Lack of Jurisdiction.. Document filed by City of New York. (Kitzinger, Stephen) (Entered: 04/19/2010)
04/19/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Stacey Ashby to RE-FILE Document 31 MOTION to Dismiss <i>Declaration of Stephen B. Meister in Support of Defendants' Motion to Dismiss</i> . Use the event type Declaration in Support found under the event list Replies, Oppositions, Supporting Documents. (jar) (Entered: 04/20/2010)
04/19/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Stacey Ashby to RE-FILE Document 32 MOTION to Dismiss <i>Defendants' Memorandum of Law in Support of Defendants' Motion to Dismiss the Amended Complaint</i> . Use the event type Memorandum of Law in Support found under the event list Replies, Oppositions, Supporting Documents. (jar) (Entered: 04/20/2010)
04/20/2010	36	MEMORANDUM OF LAW in Support re: 30 MOTION to Dismiss <i>the Amended Complaint. Memorandum of Law In Support of Motion to Dismiss Amended Complaint</i> . Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck. (Ashby, Stacey) (Entered: 04/20/2010)
04/20/2010	37	DECLARATION of Stephen B. Meister in Support re: 30 MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by WB/Stellar IP Owner, L.L.C., Independence Plaza Associates, LLC, Independence Plaza, L.P., Stellar Management, Laurence Gluck. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F, # 7 Exhibit Exhibit G, # 8 Exhibit Exhibit H, # 9 Exhibit Exhibit I, # 10 Exhibit Exhibit J, # 11 Exhibit Exhibit K, # 12 Exhibit Exhibit L)(Ashby, Stacey) (Entered: 04/20/2010)

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