

CLOSED

U.S. District Court
Middle District of Florida (Ocala)
CIVIL DOCKET FOR CASE #: 5:05-cv-00362-WTH-GRJ

Gillespie v. HSBC North America Holdings, Inc. et al
Assigned to: Senior Judge Wm. Terrell Hodges
Referred to: Magistrate Judge Gary R. Jones
Cause: 15:1601 Truth in Lending

Date Filed: 08/17/2005
Date Terminated: 11/17/2006
Jury Demand: Plaintiff
Nature of Suit: 480 Consumer Credit
Jurisdiction: Federal Question

Plaintiff

Neil J. Gillespie

represented by **Neil J. Gillespie**
8092 SW 115th. Loop
Ocala, FL 34481
813/810-0151
PRO SE

V.

Defendant

HSBC North America Holdings, Inc.
a Delaware corporation

represented by **Traci H. Rollins**
Squire, Sanders & Dempsey, LLP
1900 Phillips Point W
777 South Flagler Dr
West Palm Beach, FL 33401-6198
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Defendant

HSBC Bank Nevada, N.A.
a National Bank
formerly known as

represented by **Traci H. Rollins**
(See above for address)
LEAD ATTORNEY

Household Bank (SB), N.A.

ATTORNEY TO BE NOTICED

David J. D'Agata

(See above for address)

ATTORNEY TO BE NOTICED

Defendant**Risk Management Alternatives, Inc.***a Delaware corporation*represented by **Mathew A. Salerno**

McDonald Hopkins Co., LPA

600 Superior Ave., E.

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Cleveland, OH 44114-2653

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/17/2005	<u>1</u>	COMPLAINT against all defendants; jury demand (Filing fee \$250.00, receipt number C-4200), filed by Neil J. Gillespie.(AIQ) (Entered: 08/18/2005)
09/06/2005	<u>2</u>	NOTICE OF PENDENCY OF BANKRUPTCY CASE and automatic stay of proceedings by Risk Management Alternatives, Inc. (AIQ) (Entered: 09/07/2005)
09/15/2005	<u>3</u>	NOTICE of Designation under Local Rule 3.05-Track 2. (Attachments: # <u>1</u> consent forms). Copies mailed.(MAM,) (Entered: 09/15/2005)
10/17/2005	<u>4</u>	MOTION to dismiss Counts I, II & IV of Complaint <i>To dismiss HSBC North America Holdings as a Party Defendant, and to Strike Requests for Attorney's Fees and Punitive Damages</i> by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (Attachments: # <u>1</u> Exhibit Cardholder Agreement)(D'Agata, David) (Entered: 10/17/2005)
11/04/2005	<u>5</u>	RESPONSE to motion re <u>4</u> MOTION to dismiss Counts I, II & IV of Complaint <i>To dismiss HSBC North America Holdings as a Party Defendant, and to Strike Requests for Attorney's Fees and Punitive Damages</i> filed by Neil J. Gillespie. (AIQ) (Entered: 11/04/2005)
12/09/2005	<u>6</u>	RULE 7.1 Disclosure Statement by HSBC North America Holdings, Inc. and HSBC Bank Nevada, N.A. (D'Agata, David) Modified on 12/12/2005 (LMF). (Entered: 12/09/2005)
01/06/2006	<u>7</u>	NOTICE to counsel regarding CM/ECF. Counsel who is not yet using the system (Mathew A. Salerno) has 30 days in which to register for a password, take the tutorials offered on the court's website or the classes offered by the clerk's office and begin using the system. Copy mailed. (MAM) (Entered: 01/06/2006)
01/23/2006	<u>9</u>	MOTION for sanctions against defendant for violation of Rule 7.01(a) and (b)(1) by Neil J. Gillespie. (LMF) (Entered: 01/25/2006)
01/24/2006	8	MOTION to add count of negligence to <u>1</u> Complaint by Neil J. Gillespie. Motion originally filed on 11-04-05 as part of plaintiff's response to motion to dismiss (see doc.

		#5) (jkl) (Entered: 01/24/2006)
01/24/2006	10	MOTION to compel Defendant's to complete the Case Management Conference and Report by Neil J. Gillespie. (LMF) (Entered: 01/25/2006)
01/25/2006	11	RESPONSE to motion re 8 MOTION to amend/correct 1 Complaint filed by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (D'Agata, David) (Entered: 01/25/2006)
01/26/2006	12	ORDER granting 8 Plaintiff's Motion To Add A Count of Negligence . Signed by Judge Gary R. Jones on 1/26/2006. (grj) (Entered: 01/26/2006)
01/26/2006	13	RESPONSE to motion re 9 MOTION for sanctions filed by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (D'Agata, David) (Entered: 01/26/2006)
01/27/2006	14	ORDER denying 9 Plaintiff's Motion For Sanctions . Signed by Judge Gary R. Jones on 1/27/2006. (grj) (Entered: 01/27/2006)
02/01/2006	15	RESPONSE in opposition re 10 MOTION to compel <i>defendants to complete the case management conference and report</i> filed by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (Attachments: # 1 Exhibit A, email message)(D'Agata, David) (Entered: 02/01/2006)
02/01/2006	16	NOTICE by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A. <i>of filing Unilateral Case Management Report</i> (Attachments: # 1 Exhibit A, Unilateral Case Management Report)(D'Agata, David) Attorney informed regarding Unilateral Case Management Report requirements. Modified on 2/2/2006 (AIQ). (Entered: 02/01/2006)
02/02/2006	17	ORDER denying 10 Plaintiff's Motion to Compel Defendants to Complete The Case Management Conference and Report. Signed by Judge Gary R. Jones on 2/2/2006. (grj) (Entered: 02/02/2006)
02/17/2006	18	MOTION for issuance of order to show cause by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (D'Agata, David) (Entered: 02/17/2006)
02/17/2006		Mail returned as Undeliverable re: 12 Order on motion to amend/correct, 14 Order on motion for sanctions. (received in the Orlando Division and forwarded to the Ocala Division) Pleadings were already mailed to the correct address on 2/22/06 to Neil J. Gillespie. (AIQ) (Entered: 02/22/2006)
02/27/2006	19	NOTICE of clerical mistake by Neil J. Gillespie. (AIQ) (Entered: 02/27/2006)
03/03/2006	20	CASE MANAGEMENT REPORT. (LMF) (Entered: 03/06/2006)
03/07/2006	21	ORDER denying as moot 18 Defendants HSBC Bank Nevada, N.A. And HSBC North America Holdings, Inc.'s Motion For Entry Of An Order To Show Cause . Signed by Judge Gary R. Jones on 3/7/2006. (grj) (Entered: 03/07/2006)
03/21/2006	22	AMENDED COMPLAINT against all defendants, filed by Neil J. Gillespie. Related document: 1 Complaint filed by Neil J. Gillespie.(AIQ) (Entered: 03/22/2006)
03/21/2006	23	AMENDED NOTICE of Clerical Mistake by Neil J. Gillespie re 19 Notice. (AIQ) (Entered: 03/22/2006)
03/27/2006	24	CASE MANAGEMENT AND SCHEDULING ORDER: Discovery due by 1/31/2007. Dispositive motions due by 3/6/2007. Pretrial Conference set for 5/23/2007 11:00 AM in Courtroom 1 before Judge Wm. Terrell Hodges. Jury Trial set for weeks of 6/4, 6/11,

		and 6/18/2007 before Judge Wm. Terrell Hodges. Signed by Deputy Clerk on 3/27/2006. Copy mailed to plaintiff.(MAM) (Entered: 03/27/2006)
03/27/2006	25	ORDER TO SHOW CAUSE for failure to comply with CM/ECF as to Risk Management Alternatives, Inc., counsel Mathew A. Salerno. Counsel has 10 days in which to file a response. Signed by Judge Wm. Terrell Hodges on 3/27/2006. (MAM) (Entered: 03/27/2006)
03/31/2006	26	SECOND RESPONSE to motion re 4 MOTION to dismiss Counts I, II & IV of Complaint <i>To dismiss HSBC North America Holdings as a Party Defendant, and to Strike Requests for Attorney's Fees and Punitive Damages</i> filed by Neil J. Gillespie. STRICKEN PER COURT'S ORDER DOC. NO. 31. (AIQ) Modified on 5/2/2006 (AIQ). (Entered: 04/03/2006)
03/31/2006	27	NOTICE of serving discovery by Neil J. Gillespie. (AIQ) (Entered: 04/03/2006)
04/05/2006	28	MOTION to strike 26 Response to motion, <i>Plaintiff's second response/reply to HSBC's motion to dismiss</i> by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (D'Agata, David) (Entered: 04/05/2006)
04/05/2006	29	MOTION to dismiss Negligence Count in Plaintiff's First Amended Complaint by HSBC North America Holdings, Inc., HSBC Bank Nevada, N.A.. (D'Agata, David) (Entered: 04/05/2006)
04/07/2006	30	RESPONSE TO 25 ORDER TO SHOW CAUSE filed by Risk Management Alternatives, Inc. (AIQ) (Entered: 04/07/2006)
05/01/2006	31	ORDER granting 28 Defendants' Motion To Strike Plaintiff's Second Reply To Motion To Dismiss. Plaintiff's 26 Second Reply to Motion To Dimiss is stricken . Signed by Judge Gary R. Jones on 5/1/2006. (grj) (Entered: 05/01/2006)
09/25/2006	32	ORDER granting 29 Motion to dismiss, granting in part and denying in part 4 Motion to dismiss. Signed by Judge Wm. Terrell Hodges on 9/25/2006. (LRH) (Entered: 09/25/2006)
10/11/2006	33	MOTION for Extension of Time to File Second Amended Complaint by Neil J. Gillespie. (AIQ) (Entered: 10/12/2006)
10/13/2006	34	ORDER granting 33 Plaintiff's Motion To Enlarge Time. Plaintiff shall file his second amended complaint by November 13, 2006. Signed by Judge Gary R. Jones on 10/13/2006. (grj) (Entered: 10/13/2006)
10/18/2006	35	MOTION to Enforce Parties' settlement, compel payment, and dismiss action <i>and supporting memorandum of law</i> , by HSBC Bank Nevada, N.A. (Attachments: # 1 Exhibit Email Correspondence; # 2 Exhibit Email Correspondence; # 3 Exhibit Email Correspondence; # 4 Exhibit Email Correspondence; # 5 Exhibit Email Correspondence; # 6 Exhibit Email Correspondence; # 7 Exhibit Email Correspondence)(Rollins, Traci) Modified on 10/19/2006 (LMF). (Entered: 10/18/2006)
10/19/2006	36	NOTICE of withdrawal of motion by HSBC Bank Nevada, N.A. re 35 MOTION to Enforce Parties' settlement, compel payment, and dismiss action <i>and supporting memorandum of law</i> , filed by HSBC Bank Nevada, N.A. (Rollins, Traci) (Entered: 10/19/2006)
11/13/2006	37	NOTICE of voluntary dismissal with prejudice by Neil J. Gillespie. (AIQ) (Entered: 11/13/2006)

11/16/2006	38	ORDER dismissing case with prejudice re 37 Notice of voluntary dismissal filed by Neil J. Gillespie. Signed by Judge Wm. Terrell Hodges on 11/16/2006. (LRH) (Entered: 11/16/2006)
11/17/2006	39	JUDGMENT entered. Civil appeals check list mailed. (Signed by Deputy Clerk) (LMF) (Entered: 11/17/2006)

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