

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:03-cv-05035-NRB**

Knight-McConnell v. Cummins  
Assigned to: Judge Naomi Reice Buchwald  
Demand: \$0  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 07/07/2003  
Date Terminated: 06/17/2005  
Jury Demand: None  
Nature of Suit: 320 Assault Libel & Slander  
Jurisdiction: Diversity

**Plaintiff****Kathy Knight-McConnell**

represented by **Kathy Knight-McConnell**  
98 Van Cortlandt Park South  
#8C  
Bronx, NY 10463-2921  
(718) 884-0382  
PRO SE

V.

**Defendant****Mary Cummins**

Date Filed	#	Docket Text
07/07/2003	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 478267. (laq) (Entered: 07/08/2003)
07/07/2003		Magistrate Judge James C. Francis is so designated. (laq) (Entered: 07/08/2003)
10/20/2003	2	AFFIDAVIT OF SERVICE of summons and complaint as to Mary Cummins by Steve "Doe" co-tenant on 8/23/03 . Answer due on 9/12/03 for Mary Cummins . (yv) (Entered: 10/23/2003)
10/30/2003	3	NOTICE OF MOTION by Kathy Knight-McConnell for default judgment ; for permanent injunction ; Return Date 11/14/03 at 10:00; attached are papers in support. (cd) (Entered: 10/31/2003)
11/10/2003	4	AFFIRMATION OF SERVICE of notice of motion, affirmation for judgment by default and permanent injunction, statement of damages, clerk's certificate, summons and complaint, proof of service as to Mary Cummins by mail on 10/30/03. Answer due on 11/19/03 for Mary Cummins. (jco) (Entered: 11/13/2003)
11/13/2003	5	NOTICE OF MOTION by Mary Cummins to quash the summons issued in this case due to improper service ; Return Date not indicated (cd) (Entered: 11/18/2003)
11/13/2003	6	AFFIDAVIT of Mary Cummins by Mary Cummins in support of [5-1] motion to quash the summons issued in this case due to improper service . (cd) (Entered: 11/18/2003)
11/13/2003	7	AFFIDAVIT of Steven Wadington by Mary Cummins in support of [5-1] motion to quash the summons issued in this case due to improper service . (cd) (Entered: 11/18/2003)
11/13/2003	8	MEMORANDUM OF LAW by Mary Cummins in support of [5-1] motion to quash the summons issued in this case due to improper service . (cd) (Entered: 11/18/2003)

11/21/2003	9	RESPONSE by Kathy Knight-McConnell to [5-1] motion to quash the summons issued in this case due to improper service (dj) (Entered: 11/22/2003)
12/19/2003	10	RESPONSE to Defendant's Rule 11 Motion for Sanctions. Document filed by Kathy Knight-McConnell. (sb, ) (Entered: 01/08/2004)
03/25/2004	11	MEMORANDUM AND ORDER re: 3 Motion for Default Judgment Motion for Permanent Injunction filed by Kathy Knight-McConnell, 5 Motion to Quash filed by Mary Cummins. Defendant's motion is granted, plaintiff's motion is denied as moot, and plaintiff is directed to perfect service. (Signed by Judge Naomi Reice Buchwald on 3/25/04) (jco, ) (Entered: 03/29/2004)
03/30/2004		AMENDED SUMMONS ISSUED as to Mary Cummins. (db, ) (Entered: 04/02/2004)
04/22/2004	12	PROOF OF SERVICE of memorandum order served on Mary Cummins on 4/17/04. Service was accepted by Mary Cummins. Document filed by Kathy Knight-McConnell. (db, ) (Entered: 04/23/2004)
05/21/2004	13	MOTION (FILED ON SERVICE DATE) for Default Judgment as to., MOTION (FILED ON SERVICE DATE) for Preliminary Injunction. Document filed by Kathy Knight-McConnell. Return Date set for 6/7/2004. Return Date set for 6/7/2004. (jmi, ) (Entered: 05/25/2004)
05/27/2004	14	MOTION (FILED ON SERVICE DATE) for an Order pursuant to Rules 12(b)(1),(2),(3), and (6) to Dismiss for Lack of Jurisdiction. Document filed by Mary Cummins. (jco, ) (Entered: 05/27/2004)
06/07/2004	15	RESPONSE in Opposition re: 13 MOTION (FILED ON SERVICE DATE) for Default Judgment and Motion for Preliminary Injunction. Document filed by Mary Cummins. (tp, ) (Entered: 06/10/2004)
06/16/2004	16	RESPONSE to Motion re: 14 MOTION (FILED ON SERVICE DATE) to Dismiss for Lack of Jurisdiction.. Document filed by Kathy Knight-McConnell. (dle, ) (Entered: 06/18/2004)
06/16/2004	17	RESPONSE to Motion re: 14 MOTION (FILED ON SERVICE DATE) to Dismiss for Lack of Jurisdiction.. Document filed by Kathy Knight-McConnell. (dle, ) (Entered: 06/18/2004)
06/21/2004	18	MOTION (FILED ON SERVICE DATE) for an Order for payment of costs for service of process pursuant to rule 4(d)(2) and (5). Document filed by Kathy Knight-McConnell. (jco, ) (Entered: 06/24/2004)
07/29/2004	19	MEMORANDUM AND ORDER: for reasons further set forth in said Order, defendants motion to dismiss is GRANTED, and this case is dismissed without prejudice to the filing of an amended complaint. Plaintiff is granted limited leave to replead. In light of our decision here, plaintiff's motion for default and permanent injunction, document 13 is DENIED. Finally, plaintiff's Rule 4 motion is GRANTED in the amount of \$381.98, and the defendant is directed to pay this sum. (Signed by Judge Naomi Reice Buchwald on 7/29/04) Copies Mailed by Chambers.(db, ) (Entered: 07/30/2004)
07/29/2004		Transmission to Judgments and Orders Clerk. Transmitted: 19 Order to the Judgments and Orders Clerk for preparation of Judgment. (db, ) (Entered: 07/30/2004)
07/30/2004	20	CLERK'S JUDGMENT #04,1442 granting defendant's motion to dismiss and dismissing the complaint without prejudice to the filing of an amended complaint as set forth in the Memorandum and Order dated July 29, 2004, denying plaintiff's motion for default and permanent injunction, and granting plaintiff's Rule 4 motion in the amount of \$381.98 as against defendant. (Signed by J. Michael McMahon, clerk on 7/30/04) (ml, ) Modified on 8/2/2004 (ml, ). (Entered: 08/02/2004)

08/09/2004		Mailed notice of Right to Appeal to Pro Se Litigant(s): Kathy Knight-McConnell. (snu, ) (Entered: 08/10/2004)
08/13/2004	21	AMENDED COMPLAINT amending 1 Complaint against Mary Cummins.Document filed by Kathy Knight-McConnell. Related document: 1 Complaint.(cd, ) (Entered: 08/19/2004)
08/13/2004		Set Answer Due Date re: 21 Amended Complaint as to Mary Cummins answer due on 8/23/2004. (cd, ) (Entered: 08/19/2004)
08/13/2004	22	AFFIRMATION OF SERVICE of Summons and Amended Complaint. Mary Cummins served on 8/12/2004, answer due 9/1/2004. Service was made by Mail. Document filed by Kathy Knight-McConnell. (ae, ) (Entered: 09/20/2004)
10/01/2004	23	NOTICE OF MOTION (FILED ON SERVICE DATE) for Extension of Time to File a responsive pleading and preliminary motions to plttfs amended complt...attached declaration of Mary Cummins in support.. Document filed by Mary Cummins. (pa, ) (Entered: 10/05/2004)
10/01/2004	24	MOTION (FILED ON SERVICE DATE) for an order pursuant to Rule 55 of the FRCP granting judgment by default and permanent injunctive relief. Document filed by Kathy Knight-McConnell. Return Date set for 10/18/2004 10:00 AM. (dle, ) (Entered: 10/05/2004)
10/08/2004	25	ORDER; that the defendant's time to answer or move is extended until 11/15/04 and that no further extensions will be granted. (Signed by Judge Naomi Reice Buchwald on 10/7/04) Copies Mailed By Chambers.(sac, ) (Entered: 10/13/2004)
11/15/2004	26	MOTION (FILED ON SERVICE DATE) to Dismiss with prejudice plaintiff's amended complaint pursuant to Rule 12(b). Document filed by Mary Cummins. (kw, ) (Entered: 11/17/2004)
11/15/2004	27	MEMORANDUM OF LAW in Support re: 26 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Mary Cummins. (kw, ) (Entered: 11/17/2004)
12/03/2004	28	MOTION (FILED ON SERVICE DATE) for an order pursuant to Rule 11(a)of the FRCP and 28 USC 1746 governing unsworn declarations under penalty of perjury, striking the dft's motion to dismiss with prejudice plaintiff's amended complaint for failure to provide signed notarized documents. Document filed by Kathy Knight-McConnell. Return Date set for 12/15/2004 10:00 AM. (dle, ) (Entered: 12/15/2004)
12/03/2004	29	RESPONSE in Opposition re: 26 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Kathy Knight-McConnell. (dle, ) (Entered: 12/15/2004)
03/29/2005	30	ORDER re deft's Motion to Dismiss with Prejudice Plntf's Amended Complaint: deft must respond to this order requesting clarification as to the author of the motion, within two weeks of its date. (Signed by Judge Naomi Reice Buchwald on 3/28/05) (cd, ) (Entered: 03/30/2005)
04/15/2005	32	AFFIDAVIT of Mary Cummins pursuant to order of the court dated 3/28/05. Document filed by Mary Cummins. (dle, ) (Entered: 04/27/2005)
04/20/2005	31	RESPONSE to Defendant's Affidavit Pursuant to Order of the Court. Document filed by Kathy Knight-McConnell. (ae, ) (Entered: 04/26/2005)
04/28/2005	33	ORDER; defendant's reply, if any, to plaintiff's opposition to defendant's motion to dismiss shall be filed by 05/15/05 (Signed by Judge Naomi Reice Buchwald on 4/26/05) (djc, ) (Entered: 04/29/2005)
04/28/2005		Set/Reset Deadlines as to 26 MOTION (FILED ON SERVICE DATE) to Dismiss.. Replies due by 5/15/2005. (djc, ) (Entered: 04/29/2005)

05/16/2005	34	REPLY MEMORANDUM OF LAW to Plaintiff's Responses. Document filed by Mary Cummins. (ae, ) (Entered: 05/19/2005)
06/13/2005	35	MEMORANDUM AND ORDER that plaintiff has failed to make a prima facie showing of jurisdiction over the dft under New York's long arm statute. Dft's motion to dismiss is granted. The clerk of the court is respectfully requested to close this case on the court's docket. (Signed by Judge Naomi Reice Buchwald on 6/10/05) (dle, ) Modified on 6/15/2005 (dle, ). (Entered: 06/15/2005)
06/13/2005		Transmission to Judgments and Orders Clerk. Transmitted re: 35 Order,, to the Judgments and Orders Clerk for preparation of Judgment. (dle, ) (Entered: 06/15/2005)
06/17/2005	36	CLERK'S JUDGMENT that for the reasons stated in the Court's Memorandum and Order dated June 10, 2005, defendant's motion to dismiss the amended complaint is granted and the case is closed. (Signed by J. Michael McMahon, Clerk on 6/17/05) (jf, ) (Entered: 06/17/2005)
06/21/2005		Mailed notice of Right to Appeal re: 36 Clerk's Judgment, to Pro Se Litigant(s): Kathy Knight-McConnell. (lma, ) (Entered: 06/21/2005)
06/24/2005	37	MOTION (FILED ON SERVICE DATE) for Reconsideration re; 35 Order, pursuant to Local Civil Rule 6.3. Document filed by Kathy Knight-McConnell. (yv, ) (Entered: 07/05/2005)
06/27/2005	38	MEMORANDUM OF LAW in Support re: 37 MOTION (FILED ON SERVICE DATE) for Reconsideration re; 35 Order,. Document filed by Kathy Knight-McConnell. (yv, ) (Entered: 07/05/2005)
07/07/2005	39	MEMORANDUM & ORDER denying 37 Motion for Reconsideration re 35 Order,. As plaintiff does not point to any legal authority or critical fact that might reasonable lead to a different, plaintiff's motion for reconsideration of the Opinion is denied (Signed by Judge Naomi Reice Buchwald on 7/6/05) Copies mailed by Chambers.(yv, ) (Entered: 07/08/2005)