

United States Court of Appeals For the First Circuit

No. 20-1627

LEI YIN,

Plaintiff - Appellant,

v.

BIOGEN INC., f/k/a Biogen-IDEA,

Defendant - Appellee,

INTEGRATED RESOURCES, INC.,

Defendant.

Before

Howard, Thompson and Gelpí,
Circuit Judges.

JUDGMENT

Entered: May 2, 2022

Plaintiff-Appellant Lei Yin appeals the district court's order denying his motion for reconsideration in the underlying case. Defendant-Appellee Biogen, Inc., has moved for summary disposition. Our review is for an abuse of discretion. See Palmer v. Champion Mortg., 465 F.3d 24, 30 (1st Cir. 2006) ("[This court] will not overturn the district court's denial of a motion for reconsideration absent an abuse of discretion.").

After reviewing relevant portions of the record and the parties' submissions, we conclude that the appeal presents no "substantial question," and that summary affirmance is in order. 1st Cir. R. 27.0(c); see also Sparkle Hill, Inc. v. Interstate Mat Corp., 788 F.3d 25, 30 (1st Cir. 2015) (this court "do[es] not consider arguments for reversing a decision of a district court when the argument is not raised in a party's opening brief"); United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990) ("[I]ssues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived."). We **GRANT** Biogen's motion and **AFFIRM**. All other pending motions, to the extent not mooted by the foregoing, are **DENIED**.

Affirmed. 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Lei Yin
Jeffrey Scott Brody
Sarah B. Herlihy
Jonathan R. Shank

United States Court of Appeals For the First Circuit

No. 20-1627

LEI YIN,

Plaintiff - Appellant,

v.

BIOGEN INC., f/k/a Biogen-IDEC,

Defendant - Appellee,

INTEGRATED RESOURCES, INC.,

Defendant.

Before

Gelpí, Howard and Thompson,
Circuit Judges.

ORDER OF COURT

Entered: January 24, 2023

This matter is before the court on Lei Yin's "Petition Rehearing of 20-1627 . . .," as well as a motion to seal. The petition is construed as a petition for panel rehearing and is **DENIED**. The motion to seal is resolved as follows: the "Petition Rehearing of 20-1627 . . ." will be held under seal pending further order.

By the Court:

Maria R. Hamilton, Clerk

cc:

Lei Yin, Jeffrey Scott Brody, Sarah B. Herlihy, Jonathan R. Shank

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**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:14-cv-12255-WGY**

Yin v. Biogen Inc. et al

Assigned to: Judge William G. Young

Case in other court: USCA, 14-02012

USCA - First Circuit, 15-02336

Supreme Court of the United States,
18-06965

USCA - First Circuit, 20-01627

Essex Superior Court, 2013CV0924B

Cause: 28:1441 Petition for Removal - Employment Discrim

Date Filed: 05/22/2014

Date Terminated: 11/05/2015

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: Federal Question

Plaintiff

Lei Yin

represented by **Lei Yin**

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Andover, MA 01810

508-404-3588

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Defendant

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formerly known as

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ATTORNEY TO BE NOTICED**Defendant****Integrated Resources, Inc.**

TERMINATED: 09/19/2014

represented by **Daniel J. Blake**

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Mediator****Judge M. Page Kelley**

TERMINATED: 06/23/2015

Email All Attorneys**Email All Attorneys and Additional Recipients**

Date Filed	#	Docket Text
05/22/2014	<u>1</u>	NOTICE OF REMOVAL by Integrated Resources, Inc. (Filing fee: \$ 400, receipt number 0101-5021950 Fee Status: Filing Fee paid) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Blake, Daniel) (Entered: 05/22/2014)
05/22/2014	<u>2</u>	Civil Cover Sheet re <u>1</u> Notice of Removal (<i>Civil Action Cover</i>) by Integrated Resources, Inc.. (Blake, Daniel) Modified on 5/22/2014 (Johnson, Jay). (Entered: 05/22/2014)
05/22/2014	<u>3</u>	Category Sheet re <u>1</u> Notice of Removal (<i>Category Sheet</i>) by Integrated Resources, Inc.. (Blake, Daniel) Modified on 5/22/2014 (Johnson, Jay). (Entered: 05/22/2014)
05/22/2014	<u>4</u>	NOTICE of Case Assignment. Ch. Magistrate Judge Leo T. Sorokin assigned to case. Plaintiff's counsel, or defendant's counsel if this case was initiated by the filing of a Notice of Removal, are directed to the Notice and Procedures regarding Consent to Proceed before the Magistrate Judge which can be downloaded here . These documents will be mailed to counsel not receiving notice electfont> (Abaid, Kimberly) (Entered: 05/22/2014)
05/22/2014	<u>5</u>	Certified Copy of Notice of Removal Provided to Defense Counsel by mail (Johnson, Jay) (Entered: 05/22/2014)
05/23/2014	<u>6</u>	MOTION for Extension of Time to June 20, 2014 to File Answer to <i>Amended Complaint</i> by Biogen-IDE, Integrated Resources, Inc..(Blake, Daniel) (Entered: 05/23/2014)
05/23/2014	<u>7</u>	NOTICE of Appearance by Jeffrey S. Brody on behalf of Biogen-IDE (Brody, Jeffrey) (Entered: 05/23/2014)

05/27/2014	<u>14</u>	Objection to <u>1</u> Notice of Removal by Lei Yin. (Simeone, Maria) (Entered: 06/10/2014)
05/27/2014	<u>15</u>	NOTICE: Copy of- RE: Amended Complaint filed in Superior Court on 5/2/14 and 5/13/14 by Lei Yin (Simeone, Maria) (Entered: 06/10/2014)
05/28/2014	<u>8</u>	Ch. Magistrate Judge Leo T. Sorokin: ELECTRONIC ORDER entered granting <u>6</u> Motion for Extension of Time for Defendants to Answer to June 20, 2014. (Denardo, Nancy) (Entered: 05/28/2014)
05/28/2014	<u>13</u>	Objection to <u>1</u> Notice of Removal by Lei Yin. (Johnson, Jay) (Entered: 06/06/2014)
05/28/2014	<u>16</u>	Letter/objection from Lei Yin to Mr. Jay Johnson. (Simeone, Maria) (Entered: 06/10/2014)
05/29/2014	<u>9</u>	Copy mailed to Lei Yin at 3 Blackberry Lane, Andover, MA 01810 on 5/29/2014. (Denardo, Nancy) (Entered: 05/29/2014)
06/05/2014	<u>10</u>	CORPORATE DISCLOSURE STATEMENT by Biogen-IDE. (Blake, Daniel) (Main Document 10 replaced on 6/6/2014) (Paine, Matthew). (Entered: 06/05/2014)
06/05/2014	<u>11</u>	CORPORATE DISCLOSURE STATEMENT by Integrated Resources, Inc.. (Blake, Daniel) (Entered: 06/05/2014)
06/06/2014	<u>12</u>	Objection to <u>1</u> Notice of Removal by Lei Yin. (Johnson, Jay) (Entered: 06/06/2014)
06/10/2014	<u>17</u>	Ch. Magistrate Judge Leo T. Sorokin: ELECTRONIC ORDER entered. The Court will treat the following docket entries as a combined Motion to Remand. Defendants shall file their response to this motion within 10 days. re <u>14</u> Objection filed by Lei Yin, <u>13</u> Objection filed by Lei Yin, <u>12</u> Objection filed by Lei Yin, Set Deadlines as to <u>14</u> Objection, <u>13</u> Objection, <u>12</u> Objection.(Responses due by 6/20/2014)(Simeone, Maria) (Entered: 06/10/2014)
06/11/2014	<u>18</u>	Refusal to Consent to Proceed Before a US Magistrate Judge.. (Simeone, Maria) (Entered: 06/12/2014)
06/12/2014	<u>19</u>	Opposition to Motion to Remand to State Court by Integrated Resources, Inc. . (Blake, Daniel) (Modified on 6/16/2014 to Correct Docket Text) (Paine, Matthew). (Entered: 06/12/2014)
06/13/2014	<u>20</u>	General Order 09-1, dated January 6, 2009 regarding the E-Government Act and Personal Identifiers entered. (Geraldino-Karasek, Clarilde) (Entered: 06/13/2014)
06/13/2014	<u>21</u>	NOTICE of Reassignment. Judge William G. Young added. (Abaid, Kimberly) (Geraldino-Karasek, Clarilde). (Entered: 06/13/2014)
06/16/2014	<u>22</u>	First MOTION for Extension of Time to 06/27/2014 to File Response/Reply to <i>Amended Complaint</i> by Biogen-IDE, Integrated Resources, Inc..(Blake, Daniel) Modified on 6/17/2014 (Gaudet, Jennifer). (Entered: 06/16/2014)
06/17/2014	<u>23</u>	Judge William G. Young: ELECTRONIC ORDER entered granting <u>22</u> Motion for Extension of Time to Answer. Biogen-IDE answer due 6/27/2014; Integrated Resources, Inc. answer due 6/27/2014. (Gaudet, Jennifer) (Entered: 06/17/2014)
06/17/2014	<u>24</u>	STATE COURT Record All Defendants.. (Attachments: # <u>1</u> Part 2 of 3, # <u>2</u> Part 3 of 3)(Blake, Daniel) (Entered: 06/17/2014)
06/19/2014	<u>27</u>	Addendum by Lei Yin to <u>18</u> Refusal to Consent to Proceed Before a US Magistrate Judge. (Paine, Matthew) (Entered: 06/23/2014)

06/20/2014	<u>25</u>	MOTION for Leave to File Excess Pages by Biogen-IDE, Integrated Resources, Inc..(Blake, Daniel) (Entered: 06/20/2014)
06/23/2014	<u>26</u>	Judge William G. Young: ELECTRONIC ORDER entered denying <u>25</u> Motion for Leave to File Excess Pages (Paine, Matthew) (Entered: 06/23/2014)
06/24/2014	<u>28</u>	RESPONSE to Motion re <u>25</u> MOTION for Leave to File Excess Pages filed by Lei Yin. (Paine, Matthew) (Entered: 06/24/2014)
06/27/2014	<u>29</u>	MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> by Biogen-IDE.(Blake, Daniel) (Entered: 06/27/2014)
06/27/2014	<u>30</u>	MEMORANDUM in Support re <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Biogen-IDE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Blake, Daniel) (Entered: 06/27/2014)
06/27/2014	<u>31</u>	MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> by Integrated Resources, Inc..(Blake, Daniel) (Entered: 06/27/2014)
06/27/2014	<u>32</u>	MEMORANDUM in Support re <u>31</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Integrated Resources, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Blake, Daniel) (Entered: 06/27/2014)
06/30/2014	<u>33</u>	ELECTRONIC NOTICE issued requesting courtesy copy for <u>30</u> Memorandum in Support of Motion, <u>31</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> , <u>32</u> Memorandum in Support of Motion, <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> . Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office attention Matt Paine - Docket Clerk - Judge Young. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 06/30/2014)
06/30/2014	<u>34</u>	ELECTRONIC NOTICE Setting Hearing on Motion <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> , <u>31</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> : Motion Hearing set for 9/19/2014 02:00 PM before Judge William G. Young. This hearing will held at Harvard Law School, Ames Courtroom, Austin Hall, Cambridge, MA. (Gaudet, Jennifer) (Entered: 06/30/2014)
07/07/2014	<u>35</u>	Opposition re <u>31</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Lei Yin. (Paine, Matthew) (Entered: 07/07/2014)
07/07/2014	<u>36</u>	Opposition re <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Lei Yin. (Paine, Matthew) (Entered: 07/07/2014)
07/07/2014	<u>37</u>	EXHIBITS to Amended Complaint by Lei Yin. (Attachments: # <u>1</u> Exhibit Part - 2)(Paine, Matthew) (Entered: 07/07/2014)
07/07/2014	<u>38</u>	MOTION to Appoint Counsel by Lei Yin.(Paine, Matthew) (Entered: 07/07/2014)
07/10/2014	<u>39</u>	Judge William G. Young: ELECTRONIC ORDER entered denying <u>38</u> Motion to Appoint Counsel (Paine, Matthew) (Entered: 07/10/2014)
07/15/2014	<u>40</u>	MOTION to Compel by Lei Yin.(Paine, Matthew) (Entered: 07/16/2014)
07/25/2014	<u>41</u>	Opposition re <u>40</u> MOTION to Compel filed by Biogen-IDE, Integrated Resources, Inc.. (Blake, Daniel) (Entered: 07/25/2014)

07/28/2014	<u>42</u>	Judge William G. Young: ELECTRONIC ORDER entered: MOTION DENIED. Discovery may not commence until the plaintiff has made the mandatory disclosures required by Fed.R.Civ.P. 26(a)(1). See Local Rule 26.2 re <u>40</u> Motion to Compel (Paine, Matthew) (Entered: 07/28/2014)
08/15/2014	<u>43</u>	MOTION for Leave to File <i>Reply Brief in Support of its Motion to Dismiss</i> by Biogen-IDECK.(Blake, Daniel) (Entered: 08/15/2014)
08/18/2014	<u>44</u>	Judge William G. Young: ELECTRONIC ORDER entered granting <u>43</u> Motion for Leave to File Reply Brief in Support of its Motion to Dismiss; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Gaudet, Jennifer) (Entered: 08/18/2014)
08/28/2014	<u>46</u>	Automatic Disclosures by Lei Yin.(Paine, Matthew) (Entered: 09/02/2014)
08/29/2014	<u>45</u>	REPLY to Response to <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Biogen-IDECK. (Blake, Daniel) (Entered: 08/29/2014)
09/03/2014	<u>47</u>	SUR-REPLY to Motion re <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Lei Yin. (Paine, Matthew) (Entered: 09/04/2014)
09/19/2014	<u>48</u>	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Motion Hearing held on 9/19/2014 re <u>31</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Integrated Resources, Inc., <u>29</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> filed by Biogen-IDECK. After hearing from the pro se plaintiff and defense counsel, the Court enters an Order granting <u>29</u> Motion to Dismiss; granting <u>31</u> Motion to Dismiss. The case is Ordered dismissed. Plaintiff is notified of his right to appeal. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Pro se plaintiff, Blake and Brody for the defendants) (Gaudet, Jennifer) (Entered: 09/23/2014)
09/23/2014	<u>49</u>	MOTION for Reconsideration by Lei Yin. (Attachments: # <u>1</u> Exhibits)(Paine, Matthew) (Entered: 09/23/2014)
09/23/2014	<u>50</u>	NOTICE OF APPEAL re <u>52</u> Order of Dismissal by Lei Yin NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmeef . Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmeef . US District Court Clerk to deliver official record to Court of Appeals by 10/13/2014. (Paine, Matthew) (Entered: 09/23/2014)
09/23/2014	<u>51</u>	MOTION for Leave to Appeal in forma pauperis by Lei Yin.(Paine, Matthew) (Entered: 09/23/2014)
09/23/2014	<u>52</u>	Judge William G. Young: ORDER entered. ORDER DISMISSING CASE(Paine, Matthew) (Entered: 09/23/2014)
09/25/2014	<u>53</u>	Judge William G. Young: ELECTRONIC ORDER entered: The motion for reconsideration appears to have merit given that the arbitrator expressly declined to make any determination as to Biogen and that, at least when tested by a motion to

		dismiss, the complaint appears adequately to allege that Biogen was a co-employer. Accordingly, Biogen shall have 14 days from the date of this order further to brief why, upon reconsideration, this action ought not be allowed to continue against Biogen alone. re <u>49</u> Motion for Reconsideration (Paine, Matthew) (Entered: 09/25/2014)
09/25/2014	<u>54</u>	Judge William G. Young: ELECTRONIC ORDER entered granting <u>51</u> Motion for Leave to Appeal in forma pauperis (Paine, Matthew) (Entered: 09/25/2014)
09/26/2014	<u>55</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>50</u> Notice of Appeal. (Paine, Matthew) (Entered: 09/26/2014)
09/26/2014	<u>56</u>	USCA Case Number 14-2012 for <u>50</u> Notice of Appeal filed by Lei Yin. (Paine, Matthew) (Entered: 09/26/2014)
10/09/2014	<u>57</u>	Opposition re <u>49</u> MOTION for Reconsideration filed by Biogen-IDEC. (Blake, Daniel) (Entered: 10/09/2014)
10/10/2014	<u>58</u>	ORDER of USCA as to <u>50</u> Notice of Appeal filed by Lei Yin. (Paine, Matthew) (Entered: 10/14/2014)
10/14/2014	<u>59</u>	Judge William G. Young: ELECTRONIC ORDER entered: Upon reconsideration, counts 12,13,14,17 insofar as it alleges defamation, 18, and 20 survive against Biogen Idec when tested by a motion to dismiss, In all other respects the Court's ruling stands. The case is placed on the November 2015 running trial list. Naturally, the plaintiff's case is vulnerable to a well pleaded motion for summary judgment. This order is to be reported to the Court of Appeals forthwith. re <u>49</u> MOTION for Reconsideration filed by Lei Yin (Paine, Matthew) (Entered: 10/15/2014)
10/14/2014		Case reopened. (Nicewicz, Craig) (Entered: 10/15/2014)
10/15/2014	<u>60</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>50</u> Notice of Appeal Documents included: ECF No. 59 Order (Paine, Matthew) (Entered: 10/15/2014)
10/16/2014	<u>61</u>	Email from Lei Yin to Judge William G. Young. (Paine, Matthew) (Entered: 10/16/2014)
10/16/2014	<u>62</u>	Judge William G. Young: ELECTRONIC ORDER entered: Treated as a motion for recusal. Motion denied. Any further improper attempt to communicate with the Court via email will simply be deleted unread re <u>61</u> Email from Lei Yin to Judge William G. Young. (Paine, Matthew) (Entered: 10/16/2014)
10/16/2014	<u>63</u>	Reset Deadlines: Ready for Trial on 11/2/2015 09:00 AM in Courtroom 18 before Judge William G. Young. (Paine, Matthew) (Entered: 10/16/2014)
10/20/2014	<u>64</u>	AMENDED NOTICE OF APPEAL as to <u>52</u> Order Dismissing Case, 59 Order on Motion for Reconsideration, by Lei Yin () NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 11/10/2014. (Paine, Matthew) (Entered: 10/21/2014)

10/20/2014	<u>65</u>	Updated TRANSCRIPT ORDER FORM by Lei Yin re <u>64</u> AMENDED NOTICE OF APPEAL. (Paine, Matthew) (Entered: 10/21/2014)
10/21/2014	<u>66</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>64</u> AMENDED NOTICE OF APPEAL. (Paine, Matthew) (Entered: 10/21/2014)
10/21/2014	<u>67</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>50</u> Notice of Appeal Documents included: ECF NOS. 52, 59, and 64 (Paine, Matthew) (Entered: 10/21/2014)
11/26/2014	<u>68</u>	MOTION for Order to Set Case Schedule Prior to November 2015 Trial Date by Biogen-IDECA, Integrated Resources, Inc..(Blake, Daniel) (Entered: 11/26/2014)
12/01/2014	<u>69</u>	Judge William G. Young: ORDER entered re <u>68</u> MOTION for Order to Set Case Schedule Prior to November 2015 Trial Date. (Paine, Matthew) (Main Document 69 replaced on 12/1/2014) (Paine, Matthew). (Entered: 12/01/2014)
12/01/2014	<u>70</u>	Set Deadlines: DISCOVERY DUE July 31, 2015 and DISPOSITIVE MOTIONS DUE August 1, 2015 (Paine, Matthew) (Entered: 12/01/2014)
12/02/2014	<u>71</u>	USCA Judgment as to <u>50</u> Notice of Appeal filed by Lei Yin. Appeal Dismissed. (Paine, Matthew) (Entered: 12/03/2014)
12/03/2014	<u>72</u>	STATUS REPORT by Lei Yin. (Paine, Matthew) (Entered: 12/03/2014)
12/08/2014	<u>73</u>	Second MOTION to Compel Discovery Responses by Lei Yin.(Paine, Matthew) (Entered: 12/09/2014)
12/18/2014	<u>75</u>	Letter/request (non-motion) from Daniel J. Blake <i>regarding mediation</i> . (Blake, Daniel) (Entered: 12/18/2014)
12/22/2014	<u>76</u>	Opposition re <u>73</u> MOTION to Compel filed by Biogen-IDECA, Integrated Resources, Inc.. (Blake, Daniel) (Entered: 12/22/2014)
12/23/2014	<u>77</u>	Judge William G. Young: ELECTRONIC ORDER entered: In view of the defendants' voluntary production, this motion is denied as moot re <u>73</u> Second MOTION to Compel Discovery Responses. (Paine, Matthew) (Entered: 12/23/2014)
12/29/2014	<u>78</u>	MOTION to Disqualify Judge Young and Judge Sorokin by Lei Yin.(Paine, Matthew) (Entered: 12/29/2014)
12/30/2014	<u>79</u>	Judge William G. Young: ELECTRONIC ORDER entered denying <u>78</u> MOTION to Disqualify Judge Young and Judge Sorokin. (Paine, Matthew) (Entered: 12/31/2014)
01/16/2015	<u>80</u>	MANDATE of USCA as to <u>50</u> Notice of Appeal filed by Lei Yin. Appeal <u>50</u> , <u>64</u> Terminated (Paine, Matthew) (Entered: 01/20/2015)
01/20/2015	<u>81</u>	Third MOTION to Compel by Lei Yin. (Attachments: # <u>1</u> Exhibit - C88, # <u>2</u> Exhibit - C89, # <u>3</u> Exhibit - C90)(Paine, Matthew) (Entered: 01/21/2015)
01/23/2015	<u>82</u>	ANSWER to Complaint by Biogen-IDECA.(Blake, Daniel) (Entered: 01/23/2015)
01/26/2015	<u>83</u>	First Set of Interrogatories by Lei Yin. (Paine, Matthew) (Entered: 01/26/2015)
01/30/2015	<u>84</u>	Second Set of Interrogatories by Lei Yin. (Paine, Matthew) (Entered: 02/02/2015)

02/04/2015	<u>85</u>	Opposition re <u>81</u> MOTION to Compel (<i>Third</i>) filed by Biogen-IDEK, Integrated Resources, Inc.. (Attachments: # <u>1</u> Exhibit A)(Blake, Daniel) (Main Document 85 replaced on 2/5/2015) (Paine, Matthew). (Entered: 02/04/2015)
02/05/2015	<u>86</u>	Judge William G. Young: ELECTRONIC ORDER entered: denied. The case is referred to mediation within the Court at no expense to any party. All present deadlines remain in place. re <u>81</u> Motion to Compel (Paine, Matthew) (Entered: 02/05/2015)
02/05/2015	<u>87</u>	REFERRING CASE to Alternative Dispute Resolution as of February 2015. See Order ECF No. 86. (Paine, Matthew) (Entered: 02/05/2015)
02/11/2015	<u>88</u>	Objection to the Subpoena by Lei Yin. (Paine, Matthew) (Additional attachment(s) added on 2/12/2015: # <u>1</u> Exhibit C91, # <u>2</u> Exhibit C92) (Paine, Matthew). (Entered: 02/12/2015)
02/18/2015	<u>89</u>	Notice of assignment to ADR Provider. Judge M. Page Kelley appointed.(Garvin, Brendan) (Entered: 02/18/2015)
02/23/2015	<u>90</u>	Answer to Biogen IDEK Inc.'s First Set of Interrogatories by Lei Yin. (Paine, Matthew) (Entered: 02/24/2015)
02/26/2015	<u>91</u>	Response by Biogen-IDEK to <u>88</u> Objection by Plaintiff to Produce Medical Records and Cross-Motion for Production. (Blake, Daniel) (Entered: 02/26/2015)
02/26/2015	<u>92</u>	AFFIDAVIT in Support re <u>91</u> Response by Biogen to Objection by Plaintiff to Produce Medical Records and Cross-Motion for Production. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Blake, Daniel) (Entered: 02/26/2015)
02/27/2015	<u>93</u>	Judge William G. Young: ELECTRONIC ORDER entered: The Objection ECF No. <u>88</u> is DENIED and the Cross-Motion for Production ECF No. <u>91</u> is ALLOWED. (Paine, Matthew) (Entered: 02/27/2015)
03/02/2015	<u>94</u>	Answer to Biogen Inc.'s Second Set of Interrogatories by Lei Yin. (Paine, Matthew) (Entered: 03/03/2015)
03/11/2015	<u>95</u>	Answer to Biogen Document Request by Lei Yin. (Attachments: # <u>1</u> Exhibit C-93, # <u>2</u> Exhibit C94 - C99, # <u>3</u> Exhibit C100 - C105, # <u>4</u> Exhibit C106 - C111, # <u>5</u> Exhibit C112 - C117)(Paine, Matthew) (Entered: 03/16/2015)
03/24/2015	<u>96</u>	NOTICE by Biogen-IDEK of Corporate Name Change (Blake, Daniel) (Entered: 03/24/2015)
03/25/2015	<u>97</u>	NOTICE of Pro Bono Attorney Appearance for limited purpose of Mediation Proceedings by John M. Wozniak on behalf of Lei Yin (Wozniak, John) (Entered: 03/25/2015)
03/25/2015	<u>98</u>	Fourth MOTION to Compel Discovery Responses by Lei Yin.(Paine, Matthew) (Entered: 03/26/2015)
03/25/2015	<u>99</u>	Letter from Lei Yin Requesting a Subpoena. (Paine, Matthew) (Entered: 03/26/2015)
03/26/2015	<u>100</u>	Subpoena Issued and Mailed Plaintiff Lei Yin on March 26, 2015. (Paine, Matthew) (Entered: 03/26/2015)
04/09/2015	<u>101</u>	Opposition re <u>98</u> MOTION to Compel filed by Biogen Inc.. (Blake, Daniel) (Entered: 04/09/2015)

04/09/2015	<u>102</u>	AFFIDAVIT in Support re <u>101</u> Opposition to Motion . (Attachments: # <u>1</u> Exhibit A)(Blake, Daniel) (Entered: 04/09/2015)
04/10/2015	<u>103</u>	<p>Judge William G. Young: ORDER entered re <u>98</u> Fourth MOTION to Compel Discovery Responses.</p> <p>Motion is allowed as modified. The best antidote to discovery abuse is a prompt trial. Should any party move for one, the Court will accomodate.</p> <p>(Paine, Matthew) (Entered: 04/10/2015)</p>
04/13/2015	<u>104</u>	<p>ELECTRONIC NOTICE of ADR Conference: Alternative Dispute Resolution Hearing set for May 21, 2015 at 9:30 a.m. before Magistrate Judge Page Kelley in Courtroom 24 of the John Joseph Moakley U.S. Courthouse, at 1 Courthouse Way in Boston.</p> <p>INSTRUCTIONS - Counsel and principals are directed to be present and to have full settlement authority. They should be prepared to stay until 4:00 p.m. A brief mediation memorandum (five-six pages, including exhibits) addressing the strengths and weaknesses of the case, setting out what attempts the parties have made to settle prior to the ADR, and the filing party's settlement position should be submitted to patricia_mcdougall@mad.uscourts.gov no later than May 14, 2015, (preferably via email to patricia_mcdougall@mad.uscourts.gov or to her attention via hand delivery to the Chambers of Mag. Judge Kelley, Suite 7-420). The mediation memorandum should be marked "Confidential - Not for Docketing" and is not to be served upon opposing Parties. Counsel are asked to accommodate this date. In the event that you believe the case is not ripe for mediation at this time, or if the date poses a conflict, please confer with opposing counsel and email Zita Lovett and zita_lovett@mad.uscourts.gov and request another date. Please email Patricia MacDougall with any other mediation-related issues. (Lovett, Zita) Alternative Dispute Resolution Hearing set for 5/21/2015 09:30 AM in Courtroom 24 before Magistrate Judge M. Page Kelley.(Lovett, Zita) (Entered: 04/13/2015)</p>
04/16/2015	<u>105</u>	Subpoena Returned Executed with service on Biogen Inc.. (Attachments: # <u>1</u> Exhibit C118, # <u>2</u> Exhibit C119, # <u>3</u> Errata C120)(Paine, Matthew) (Entered: 04/16/2015)
04/20/2015	<u>106</u>	MOTION for Clarification re <u>103</u> Order on Motion to Compel, by Lei Yin.(Paine, Matthew) (Entered: 04/21/2015)
04/30/2015	<u>107</u>	<p>Judge William G. Young: ELECTRONIC ORDER entered re <u>106</u> Motion for Clarification.</p> <p>Upon reconsideration, the Court is disposed to order the production to Mr. Yin of his own lab notebook (3 months). Any objection to such order must be raised within 14 days of the date hereof.</p> <p>(Paine, Matthew) (Entered: 04/30/2015)</p>
05/04/2015	<u>108</u>	Emergency MOTION to Compel <i>Execution by Plaintiff of Authorizations for Release of Documents</i> by Biogen Inc. (Blake, Daniel) (Entered: 05/04/2015)
05/05/2015	<u>109</u>	<p>Judge William G. Young: ELECTRONIC ORDER entere re <u>108</u> Emergency MOTION to Compel Execution by Plaintiff of Authorizations for Release of Documents.</p> <p>Motion allowed. The plaintiff shall execute the requested authorizations by May 15, 2015 or he shall be precluded from arguing that he is totally disabled within the</p>

		meaning of the Social Security Act or introducing any Social Security or FDA documents or calling any FDA witnesses. (Paine, Matthew) (Entered: 05/05/2015)
05/08/2015	<u>110</u>	OBJECTION to Motion re <u>108</u> Emergency MOTION to Compel <i>Execution by Plaintiff of Authorizations for Release of Documents</i> filed by Lei Yin. (Paine, Matthew) (Entered: 05/08/2015)
05/08/2015	<u>111</u>	NOTICE of Taking Deposition by Lei Yin (Paine, Matthew) (Entered: 05/08/2015)
05/14/2015	<u>112</u>	RESPONSE TO COURT ORDER by Biogen Inc. re 107 Order on Motion for Clarification, . (Blake, Daniel) (Entered: 05/14/2015)
05/18/2015	<u>113</u>	EMERGENCY MOTION to Compel execution by Biogen of Production of a copy of notebook as ordered by the Court on 4/30/15, FILED. by Lei Yin.(Flaherty, Elaine) (Entered: 05/19/2015)
05/19/2015	<u>114</u>	Judge William G. Young: ORDER entered entered <u>113</u> Motion to Compel "The lab notebook in question shall be prepared forthwith to the Court for in camera inspection." (Sonnenberg, Elizabeth) (Entered: 05/19/2015)
05/20/2015	<u>115</u>	ELECTRONIC NOTICE OF RESCHEDULING Alternative Dispute Resolution: Due to counsel's unavailability on May 21, 2015, the parties assent to continue the mediation until set for 6/23/2015 09:30 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. (No further continuances will be granted).(Lovett, Zita) Modified on 5/20/2015 (Lovett, Zita). (Entered: 05/20/2015)
05/20/2015	<u>116</u>	NOTICE OF MANUAL FILING by Biogen Inc. a Notebook re <u>114</u> Order on Motion to Compel (adminn,) (Entered: 05/21/2015)
05/22/2015	<u>117</u>	Emergency MOTION to Compel by Biogen Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Blake, Daniel) (Entered: 05/22/2015)
05/28/2015	<u>118</u>	Judge William G. Young: ORDER entered re <u>117</u> Emergency MOTION to Compel: MOTION ALLOWED as modified. (Paine, Matthew) (Entered: 06/02/2015)
06/10/2015	<u>119</u>	MOTION to Compel and Discovery Status Report by Lei Yin.(Paine, Matthew) (Entered: 06/10/2015)
06/19/2015	<u>120</u>	Opposition re <u>119</u> MOTION to Compel <i>and Cross-Motion for Contempt and Related Relief</i> filed by Biogen Inc.. (Blake, Daniel) (Entered: 06/19/2015)
06/19/2015	<u>121</u>	AFFIDAVIT in Support re <u>120</u> Opposition to Motion <i>to Compel and Cross-Motion for Contempt and Related Relief</i> . (Blake, Daniel) (Additional attachment(s) added on 6/22/2015: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Paine, Matthew). (Entered: 06/19/2015)
06/23/2015	<u>122</u>	REPORT of Alternative Dispute Resolution Provider (Lovett, Zita) (Main Document 122 replaced on 6/24/2015) (Paine, Matthew). (Entered: 06/23/2015)
06/29/2015	<u>123</u>	MOTION for Extension of Time to September 15, 2015 to Defendant to Disclose Any Expert Witness <i>and Extension of Time to October 15, 2015 to Complete Expert Deposition(s)</i> by Biogen Inc..(Blake, Daniel) (Entered: 06/29/2015)

06/30/2015	124	Judge William G. Young: ELECTRONIC ORDER entered granting <u>123</u> MOTION for Extension of Time to September 15, 2015 to Defendant to Disclose Any Expert Witness and Extension of Time to October 15, 2015 to Complete Expert Deposition(s) (Paine, Matthew) (Entered: 06/30/2015)
07/02/2015	125	Judge William G. Young: ELECTRONIC ORDER entered denying <u>119</u> Motion to Compel (Paine, Matthew) (Entered: 07/02/2015)
07/02/2015	126	Judge William G. Young: ELECTRONIC ORDER entered granting <u>120</u> Cross-Motion for Related Relief filed by Biogen Inc. (Paine, Matthew) (Entered: 07/02/2015)
07/02/2015	<u>127</u>	Emergency MOTION to Compel Execution of Production Copy of Notebook, Provide Biogen Witness Statements Contact Information and Witness Statements, and Answer Written Questions to Biogen Witness (Part I and II) by Lei Yin.(Paine, Matthew) (Entered: 07/02/2015)
07/02/2015	<u>128</u>	OBJECTION re <u>123</u> MOTION for Extension of Time to September 15, 2015 to Defendant to Disclose Any Expert Witness <i>and Extension of Time to October 15, 2015 to Complete Expert Deposition(s)</i> filed by Lei Yin. (Paine, Matthew) (Entered: 07/02/2015)
07/06/2015	129	Judge William G. Young: ELECTRONIC ORDER entered re <u>127</u> Emergency MOTION to Compel Execution of Production Copy of Notebook, Provide Biogen Witness Statements Contact Information and Witness Statements, and Answer Written Questions to Biogen Witness (Part I and II). Motion denied. Biogen has provided the lab notebook for in camera inspection and the Court has done so. It appears to contain nothing of relevance. The Court will keep it secure and will provide it to the parties <u>during the trial</u> for the examination of witnesses. (Paine, Matthew) (Entered: 07/06/2015)
07/07/2015	<u>130</u>	NOTICE of Appearance by Lauren A. Appel on behalf of Biogen Inc. (Appel, Lauren) (Entered: 07/07/2015)
07/08/2015	<u>131</u>	MOTION for Leave to Appear Pro Hac Vice for admission of James P. Anelli Filing fee: \$ 100, receipt number 0101-5649207 by Biogen Inc.. (Attachments: # <u>1</u> Affidavit Certification of James P. Anelli to Appear Pro Hac Vice)(Appel, Lauren) (Entered: 07/08/2015)
07/08/2015	132	Judge William G. Young: ELECTRONIC ORDER entered granting <u>131</u> Motion for Leave to Appear Pro Hac Vice Added James P. Anelli. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Paine, Matthew) (Entered: 07/08/2015)
07/09/2015	<u>133</u>	MOTION for Clarification by Lei Yin. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Paine, Matthew) (Entered: 07/10/2015)
07/15/2015	<u>134</u>	MOTION for Reconsideration re 129 Order on Emergency MOTION to Compel Execution of Production Copy of Notebook, Provide Biogen Witness Statements Contact Information and Witness Statements, and Answer Written Questions to

		Biogen Witness (Part I and II) by Lei Yin.(Paine, Matthew) (Entered: 07/15/2015)
07/16/2015	<u>135</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Robert M. Pettigrew Filing fee: \$ 100, receipt number 0101-5662340 by Biogen Inc.. (Attachments: # <u>1</u> Affidavit Certification of Robert M. Pettigrew to Appear Pro Hac Vice)(Appel, Lauren) (Entered: 07/16/2015)
07/17/2015	136	Judge William G. Young: ELECTRONIC ORDER entered granting <u>135</u> Motion for Leave to Appear Pro Hac Vice Added Robert M. Pettigrew. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Paine, Matthew) (Entered: 07/17/2015)
07/20/2015	137	Judge William G. Young: ELECTRONIC ORDER entered: counsel having appeared for the plaintiff, this motion is denied without prejudice re <u>133</u> Motion for Clarification (Paine, Matthew) (Entered: 07/20/2015)
07/20/2015	138	Judge William G. Young: ELECTRONIC ORDER entered: counsel having appeared for the defendant, this motion is denied without prejudice re <u>134</u> Motion for Reconsideration (Paine, Matthew) (Entered: 07/20/2015)
07/27/2015	139	Judge William G. Young: ELECTRONIC ORDER entered VACATING re 137 Order on Motion for Clarification Entered on July 20, 2015. (Paine, Matthew) (Entered: 07/27/2015)
07/27/2015	140	Judge William G. Young: ELECTRONIC ORDER entered: motion denied. The Court's order is clear re <u>133</u> MOTION for Clarification filed by Lei Yin (Paine, Matthew) (Modified on 7/27/2015 to Correct CM/ECF Document Link) (Paine, Matthew). (Entered: 07/27/2015)
07/27/2015	<u>141</u>	Emergency MOTION for Extension of Time Regarding Discovery by Lei Yin.(Paine, Matthew) (Entered: 07/28/2015)
07/27/2015	<u>142</u>	Emergency MOTION to Appoint Counsel by Lei Yin.(Paine, Matthew) (Entered: 07/28/2015)
07/28/2015	143	Judge William G. Young: ELECTRONIC ORDER entered denying <u>142</u> Emergency Motion to Appoint Counsel (Paine, Matthew) (Entered: 07/28/2015)
07/29/2015	<u>144</u>	MOTION to Compel Biogen to Provide its Witness Contact Info and Answer Deposition Questions to Biogen Listed Witness by Lei Yin.(Paine, Matthew) (Entered: 07/29/2015)
08/03/2015	<u>145</u>	MOTION for Summary Judgment by Biogen Inc..(Appel, Lauren) (Entered: 08/03/2015)
08/03/2015	<u>146</u>	MEMORANDUM in Support re <u>145</u> MOTION for Summary Judgment filed by Biogen Inc.. (Appel, Lauren) (Entered: 08/03/2015)
08/03/2015	<u>147</u>	Statement of Material Facts L.R. 56.1 re <u>145</u> MOTION for Summary Judgment filed by Biogen Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit)(Appel, Lauren) (Entered: 08/03/2015)

08/03/2015	<u>148</u>	AFFIDAVIT in Support re <u>145</u> MOTION for Summary Judgment filed by Biogen Inc.. (Appel, Lauren) (Entered: 08/03/2015)
08/10/2015	<u>150</u>	ELECTRONIC NOTICE Setting Hearing on Motion <u>145</u> MOTION for Summary Judgment : Motion Hearing set for 10/20/2015 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 08/10/2015)
08/17/2015	<u>151</u>	Emergency MOTION for three Discovery Requests, and Two Objections to Defendants recent filings without informing me as required by law by Lei Yin.(Moore, Kellyann) (Entered: 08/18/2015)
08/31/2015	<u>152</u>	Opposition re <u>151</u> MOTION for Discovery filed by Biogen Inc.. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F)(Appel, Lauren) (Entered: 08/31/2015)
08/31/2015	<u>153</u>	Judge William G. Young: ELECTRONIC ORDER entered denying <u>141</u> Emergency MOTION for Extension of Time Regarding Discovery. (Paine, Matthew) (Entered: 08/31/2015)
09/01/2015	<u>154</u>	Opposition re <u>145</u> MOTION for Summary Judgment filed by Lei Yin. (Attachments: # <u>1</u> Exhibit C89, # <u>2</u> Exhibit C90, # <u>3</u> Exhibit C91, # <u>4</u> Exhibit C93)(Paine, Matthew) (Entered: 09/01/2015)
09/14/2015	<u>155</u>	Emergency MOTION To Adjust Schedule, Or, In The Alternative, To Bifurcate As To Liability And Damages by Biogen Inc.. (Attachments: # <u>1</u> Exhibit)(Appel, Lauren) (Entered: 09/14/2015)
09/14/2015	<u>156</u>	MOTION to Amend <i>Answer To Plaintiff's Amended Complaint</i> by Biogen Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Appel, Lauren) (Entered: 09/14/2015)
09/14/2015	<u>157</u>	MOTION for Extension of Time to 9/21/2015 to File Response/Reply as to <u>154</u> Opposition to Motion for Summary Judgment by Biogen Inc..(Appel, Lauren) (Entered: 09/14/2015)
09/15/2015	<u>158</u>	Judge William G. Young: ELECTRONIC ORDER entered denying <u>151</u> Emergency MOTION for three Discovery Requests, and Two Objections to Defendants recent filings without informing me as required by law. (Paine, Matthew) (Entered: 09/15/2015)
09/15/2015	<u>159</u>	MOTION to Strike <u>154</u> Opposition to Motion For Summary Judgment by Biogen Inc..(Appel, Lauren) (Entered: 09/15/2015)
09/15/2015	<u>160</u>	MEMORANDUM in Support re <u>159</u> MOTION to Strike <u>154</u> Opposition to Motion For Summary Judgment filed by Biogen Inc.. (Appel, Lauren) (Entered: 09/15/2015)
09/21/2015	<u>161</u>	Objection re <u>156</u> MOTION to Amend <i>Answer To Plaintiff's Amended Complaint</i> filed by Lei Yin. (Paine, Matthew) (Additional attachment(s) added on 9/22/2015: # <u>1</u> Exhibit C123, # <u>2</u> Exhibit C124, # <u>3</u> Exhibit C125, # <u>4</u> Exhibit C130) (Paine, Matthew). (Entered: 09/22/2015)
09/21/2015	<u>162</u>	Objection re <u>157</u> MOTION for Extension of Time to 9/21/2015 to File Response/Reply as to <u>154</u> Opposition to Motion for Summary Judgment filed by Lei Yin. (Paine, Matthew) (Entered: 09/22/2015)

09/21/2015	<u>163</u>	Objection re <u>155</u> Emergency MOTION To Adjust Schedule, Or, In The Alternative, To Bifurcate As To Liability And Damages filed by Lei Yin. (Paine, Matthew) (Entered: 09/22/2015)
09/28/2015	164	Judge William G. Young: ELECTRONIC ORDER entered denying <u>155</u> Emergency MOTION To Adjust Schedule, Or, In The Alternative, To Bifurcate As To Liability And Damages (Paine, Matthew) (Entered: 09/28/2015)
09/28/2015	165	Judge William G. Young: ELECTRONIC ORDER entered denying <u>156</u> MOTION to Amend Answer To Plaintiff's Amended Complaint (Paine, Matthew) (Entered: 09/28/2015)
09/28/2015	166	Judge William G. Young: ELECTRONIC ORDER entered denying <u>157</u> Motion for Extension of Time to File Response/Reply (Paine, Matthew) (Entered: 09/28/2015)
09/28/2015	<u>167</u>	RESPONSE to Motion re <u>159</u> MOTION to Strike <u>154</u> Opposition to Motion <i>For Summary Judgment</i> filed by Lei Yin. (Attachments: # <u>1</u> Exhibit C121, # <u>2</u> Exhibit C122, # <u>3</u> Exhibit C126, # <u>4</u> Exhibit C127, # <u>5</u> Exhibit C128, # <u>6</u> Exhibit C129, # <u>7</u> Exhibit C130, # <u>8</u> Exhibit C131, # <u>9</u> Exhibit C132, # <u>10</u> Exhibit C133, # <u>11</u> Exhibit C134, # <u>12</u> Exhibit C135, # <u>13</u> Exhibit C136, # <u>14</u> Exhibit C137, # <u>15</u> Exhibit C138, # <u>16</u> Exhibit C139, # <u>17</u> Exhibit C140)(Paine, Matthew) (Entered: 09/29/2015)
09/28/2015	<u>168</u>	CORRECTED EXHIBITS (C139) and (C140) re <u>167</u> Response to Motion by Lei Yin. (Paine, Matthew) (Entered: 09/29/2015)
10/05/2015	<u>169</u>	NOTICE of Appearance by Sarah B. Herlihy on behalf of Biogen Inc. (Herlihy, Sarah) (Entered: 10/05/2015)
10/08/2015	<u>170</u>	Judge William G. Young: ORDER entered. PROCEDURAL ORDER re pretrial/trial. Final Pretrial Conference set for 10/28/2015 02:30 PM in Courtroom 18 before Judge William G. Young.(Gaudet, Jennifer) (Entered: 10/08/2015)
10/14/2015	171	ELECTRONIC NOTICE Resetting Hearing on Motion <u>145</u> MOTION for Summary Judgment : Motion Hearing reset for 10/28/2015 02:30 PM in Courtroom 18 before Judge William G. Young. The motion hearing is rescheduled from 10/20/2015. If the case survives the motion hearing, the Court will proceed into the final pretrial conference after the motion hearing. (Gaudet, Jennifer) (Entered: 10/14/2015)
10/16/2015	<u>172</u>	MOTION to Withdraw as Attorney <i>by LeClairRyan, P.C. Counsel</i> by Biogen Inc..(Blake, Daniel) (Entered: 10/16/2015)
10/20/2015	173	Judge William G. Young: ELECTRONIC ORDER entered: MOTION DENIED. There is no occasion to rule on the cross motion at this time re <u>144</u> MOTION to Compel Biogen to Provide its Witness Contact Info and Answer Deposition Questions to Biogen Listed Witness. (Paine, Matthew) (Entered: 10/20/2015)
10/20/2015	174	Judge William G. Young: ELECTRONIC ORDER entered granting <u>172</u> Motion to Withdraw as Attorney. Attorney Daniel J. Blake; Robert M. Pettigrew; James P. Anelli and Lauren A. Appel terminated (Paine, Matthew) (Entered: 10/20/2015)
10/28/2015	<u>175</u>	PRETRIAL MEMORANDUM by Biogen Inc.. (Herlihy, Sarah) (Entered: 10/28/2015)
10/28/2015	176	Electronic Clerk's Notes for proceedings held before Judge William G. Young: Motion Hearing held on 10/28/2015 re <u>145</u> MOTION for Summary Judgment filed by Biogen Inc. After hearing from Mr. Yin and counsel for the defendants, the Court rules in favor of the defendants but will not issue a written decision for atleast 30 days to allow

		the plaintiff to file any appropriate materials in favor of his argument that may persuade the Court to change his ruling. If the Court does not change his ruling after 30 days, a written decision will enter and judgment shall enter for the defendants. The trial is continued without day. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Pro Se plaintiff, Brody and Herlihy for the defendants) (Gaudet, Jennifer) (Entered: 10/29/2015)
11/02/2015	<u>182</u>	NOTICE OF APPEAL as to 176 Order on Motion for Summary Judgment, 180 Order on Motion for Summary Judgment, <u>181</u> Judgment, <u>179</u> Order, by Lei Yin NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 11/23/2015. (Paine, Matthew) (Entered: 11/05/2015)
11/02/2015	<u>183</u>	MOTION for Leave to Appeal in forma pauperis by Lei Yin.(Paine, Matthew) (Entered: 11/05/2015)
11/04/2015	<u>177</u>	Transcript of Summary Judgment Hearing held on October 28, 2015, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 11/25/2015. Redacted Transcript Deadline set for 12/7/2015. Release of Transcript Restriction set for 2/2/2016. (Scalfani, Deborah) (Entered: 11/04/2015)
11/04/2015	178	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/caseinfo/transcripts.htm (Scalfani, Deborah) (Entered: 11/04/2015)
11/04/2015	<u>179</u>	Judge William G. Young: ORDER entered. Since the plaintiff eschews the opportunity to submit additional data in a desire "to move on to the next step," it is appropriate promptly to ALLOW the defendant's motion for summary judgment and enter judgment so that an appeal may be perfected. An opinion will follow. The plaintiff's motion to appeal in forma pauperis is ALLOWED. SO ORDERED... (Paine, Matthew) (Entered: 11/05/2015)
11/04/2015	180	Judge William G. Young: ELECTRONIC ORDER entered granting <u>145</u> Motion for Summary Judgment (Paine, Matthew) (Entered: 11/05/2015)
11/04/2015	<u>181</u>	Judge William G. Young: ORDER entered. JUDGMENT (Paine, Matthew) (Entered: 11/05/2015)
11/04/2015	184	Judge William G. Young: ELECTRONIC ORDER entered granting <u>183</u> Motion for Leave to Appeal in forma pauperis (Paine, Matthew) (Entered: 11/05/2015)
11/05/2015	<u>185</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>182</u> Notice of Appeal. (Paine, Matthew) (Entered: 11/05/2015)

11/06/2015	<u>186</u>	USCA Case Number 15-2336 for <u>182</u> Notice of Appeal filed by Lei Yin. (Paine, Matthew) (Entered: 11/06/2015)
12/04/2015	<u>187</u>	Judge William G. Young: ORDER entered. MEMORANDUM OF DECISION" For the foregoing reasons, on October 28, 2015, this Court GRANTED Biogens motion for summary judgment, ECF No. <u>145</u> ."(Sonnenberg, Elizabeth) (Entered: 12/04/2015)
12/04/2015	<u>188</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>182</u> Notice of Appeal Documents included: ECF No. 187 (Paine, Matthew) (Entered: 12/04/2015)
03/09/2016	<u>189</u>	Transcript of Motion to Dismiss Hearing held on September 19, 2014, before Judge William G. Young. COA Case No. 15-2336. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/30/2016. Redacted Transcript Deadline set for 4/11/2016. Release of Transcript Restriction set for 6/7/2016. (Scalfani, Deborah) (Entered: 03/09/2016)
03/09/2016	<u>190</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/caseinfo/transcripts.htm (Scalfani, Deborah) (Entered: 03/09/2016)
06/01/2016	<u>191</u>	Biogen Lab Notebook submitted in camera to Judge Young Returned to Counsel Herlihy on June 1, 2016 via FedEx. (Paine, Matthew) (Entered: 06/01/2016)
08/20/2018	<u>192</u>	USCA Judgment as to <u>182</u> Notice of Appeal filed by Lei Yin. AFFIRMED... (Paine, Matthew) (Entered: 08/21/2018)
10/23/2018	<u>193</u>	MANDATE of USCA as to <u>182</u> Notice of Appeal filed by Lei Yin. Appeal <u>182</u> Terminated (Paine, Matthew) (Entered: 10/24/2018)
12/07/2018	<u>194</u>	CaseAppealed to Supreme Court of the United States, Case Number 18-6965. (Paine, Matthew) (Entered: 12/12/2018)
02/19/2019	<u>195</u>	Order entered from the U.S. Supreme Court. The Petition for a Writ of Certiorari is Denied. (Paine, Matthew) (Entered: 02/22/2019)
03/11/2020	<u>196</u>	MOTION for Reconsideration re <u>187</u> Memorandum & ORDER, <u>181</u> Judgment by Lei Yin.(Paine, Matthew) (Entered: 03/12/2020)
03/17/2020	<u>197</u>	Judge William G. Young: ELECTRONIC ORDER entered re <u>196</u> Motion for Reconsideration. Treated as a motion to vacate the judgment, motion denied without prejudice to its renewal supported by detailed affidavits and evidence of the alleged tampering with the lab notebook. Moreover, there must be service of the motion on Biogen. (Paine, Matthew) (Entered: 03/17/2020)
03/24/2020	<u>198</u>	MOTION for Reconsideration re 197 Electronic Order, by Lei Yin. (Attachments: # <u>1</u> Exhibit)(Paine, Matthew) (Entered: 03/26/2020)
03/26/2020	<u>199</u>	NOTICE of Appearance by Jonathan R. Shank on behalf of Biogen Inc. (Shank, Jonathan) (Entered: 03/26/2020)

04/02/2020	<u>200</u>	Opposition re <u>198</u> MOTION for Reconsideration re 197 Order on Motion for Reconsideration, filed by Biogen Inc.. (Shank, Jonathan) (Entered: 04/02/2020)
04/03/2020	201	Judge William G. Young: ELECTRONIC ORDER entered denying <u>198</u> Motion for Reconsideration re 197 Electronic Order by Lei Yin. <i>Denied for all the reasons set forth in Biogen's response. Lin is not enjoined from further filings or appeal..</i> (Gaudet, Jennifer) (Entered: 04/03/2020)
04/29/2020	<u>202</u>	MOTION for Clarification and Motion Further for Reconsideration re 201 Electronic Order on Motion for Reconsideration. by Lei Yin.(Paine, Matthew) (Entered: 04/29/2020)
04/30/2020	203	Judge William G. Young: ELECTRONIC ORDER entered re <u>202</u> MOTION for Clarification re 201 Order on Motion for Reconsideration, MOTION for Reconsideration re 201 Order on Motion for Reconsideration, filed by Lei Yin. The electronic order entered 4/3/2020, docket entry #201, is vacated. Mr. Yin shall have 14 days to respond. (Gaudet, Jennifer) (Entered: 04/30/2020)
04/30/2020	204	Copy re 203 Order, mailed to Lei Yin on 4/30/2020. (Alves-Baptista, Antonia) (Entered: 04/30/2020)
05/06/2020	<u>205</u>	REPLY to Response to <u>198</u> MOTION for Reconsideration re 197 Order on Motion for Reconsideration, filed by Lei Yin. (Paine, Matthew) (Entered: 05/08/2020)
06/12/2020	206	Judge William G. Young: ELECTRONIC ORDER entered re <u>198</u> Motion for Reconsideration. After full consideration of the entire record, the motion for reconsideration is denied. (Paine, Matthew) (Entered: 06/12/2020)
06/18/2020	<u>207</u>	NOTICE OF APPEAL as to 206 Order on Motion for Reconsideration, Order on Motion for Clarification, by Lei Yin NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf . Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf . US District Court Clerk to deliver official record to Court of Appeals by 7/8/2020. (adminn,) (Entered: 06/20/2020)
06/23/2020	<u>208</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>207</u> Notice of Appeal. (Paine, Matthew) (Entered: 06/23/2020)
06/23/2020	209	USCA Case Number 20-1627 for <u>207</u> Notice of Appeal filed by Lei Yin. (Paine, Matthew) (Entered: 06/23/2020)
05/02/2022	<u>210</u>	USCA Judgment as to <u>207</u> Notice of Appeal, filed by Lei Yin (Paine, Matthew) (Entered: 05/03/2022)
02/01/2023	<u>211</u>	MANDATE of USCA as to <u>207</u> Notice of Appeal filed by Lei Yin. Appeal <u>207</u> Terminated (Paine, Matthew) (Entered: 02/02/2023)

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