



Shupe v. Rocket Companies, Inc. et al

2022 | Cited 0 times | E.D. Michigan | May 4, 2022

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

NORTHERN DIVISION ZOYA QAIYUM, individually and on behalf of all others similarly situated, Plaintiffs, Case No. 1:21-cv-11528 v. Honorable Thomas L. Ludington United States District Judge ROCKET COMPANIES, INC., JAY FARNER, JULIE BOOTH, ROBERT WALTERS, and DANIEL GILBERT, Defendants. _____/

ORDER AMENDING CASE CAPTION In June 2021, Plaintiff Zoya Qaiyum brought this securities class action, individually and on behalf of all others similarly situated, against Defendants Rocket Companies, Inc. and some of its senior officers and directors Jay Farner, Julie Booth, Robert Walters, and Daniel Gilbert. ECF No. 1. Plaintiff's Complaint alleges that Defendants violated 15 U.S.C. §§ 78j(b), (a) and 17 C.F.R. § 240.10b-5. *Id.* The next month, District Judge Paul Borman recused himself from the case under § 455, then it was randomly reassigned to District Judge Judith Levy. ECF No. 4.

In August 2021, six plaintiffs from later-filed Case No. 5:21-cv-11618 filed five motions to consolidate that case with this case, as well as to be appointed as the lead or co-lead plaintiff under 15 U.S.C. § 78u-4(a)(3)(B)(i), as amended by the Private Securities Litigation Reform Act of 1995 (PSLRA). See ECF Nos. 10 (Plaintiff Eric Asnara); 13 (Plaintiffs Richard Crosby Elwell and Dennis R. Tragesser); 14 (Plaintiff Richard Batson); 15 (Plaintiff Carl Shupe); 16 (Plaintiff Lang Lee). Case 1:21-cv-11528-TLL-APP ECF No. 33, PageID.717 Filed 05/04/22 Page 1 of 2

- 2 - In April 2022, Judge Levy consolidated the cases under Federal Rule of Civil Procedure 42(a)(2), but she did not determine which plaintiff should be the lead plaintiff under the PSLRA. See ECF Nos. 30; 31. Two days later, the case was reassigned to the undersigned.

On May 3, 2022, Plaintiff Qaiyum filed a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1), dismissing all her claims against Defendants. ECF No. 32. Yet numerous other plaintiffs remain, including the five groups of plaintiffs who have filed motions to be appointed as lead plaintiff. Thus, this Court will amend the case caption to reflect the remaining parties' proper names. See, e.g., *Al-Sadoon v. Lynch*, No. 1:21-CV-11438, 2022 WL 492971, at *11 (E.D. Mich. Feb. 17, 2022) (amending case caption sua sponte); *Bullard v. Hass*, No. 15-CV- 12370, 2016 WL 8731788, at *1 n.1 (E.D. Mich. June 10, 2016) (same).

Accordingly, it is ORDERED that the Clerk of the Court is DIRECTED to amend the case caption to reflect that Plaintiff's name is "CARL SHUPE, individually and on behalf of all others similarly



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situated.”

Dated: May 4, 2022 s/Thomas L. Ludington THOMAS L. LUDINGTON United States District Judge Case 1:21-cv-11528-TLL-APP ECF No. 33, PageID.718 Filed 05/04/22 Page 2 of 2

