

CLOSED,JOINT_ASSIGN,MHT-ClerkC

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:14-cv-00186-MHT-CSC**

Mitchell, et al. v. The City of Montgomery, et al. (JOINT
ASSIGN)
Assigned to: Honorable Judge Myron H. Thompson
Referred to: Honorable Judge Charles S. Coody
Cause: 42:1983 Civil Rights Act

Date Filed: 03/18/2014
Date Terminated: 12/12/2014
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Sharnalle Mitchell

represented by **Alec Karakatsanis**
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Plaintiff

Lorenzo Brown

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Joseph Mitchell McGuire
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Plaintiff

Courtney Tubbs

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Plaintiff

Tito Williams

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Tamara Dudley

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Plaintiff

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Plaintiff

Janet Edwards

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Plaintiff

Risko McDaniel

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Plaintiff

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Plaintiff

Carl Williams

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Plaintiff

Rayshone Williams

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V.

Defendant

The City of Montgomery

represented by **Robert David Segall**
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Defendant

Les Hayes, III

Honorable Judge, in his official capacity

Defendant

Milton Westry

Honorable Judge, in his official capacity

Defendant

Darron Hendley

Honorable Judge, in his official capacity

Defendant

Lloria James

Honorable Judge, in her official capacity

Movant

Angela McCullough

represented by **Martha Irene Morgan**
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Movant

Marquita Johnson

represented by **Martha Irene Morgan**
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Movant

Kenny Jones

represented by **Martha Irene Morgan**
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Movant

Algi Edwards

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Movant

Levon Agee

represented by **Martha Irene Morgan**
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Movant

Adrian Floyd

represented by **Martha Irene Morgan**
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Movant

Hassan Caldwell

represented by **Martha Irene Morgan**
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Movant**Devron James**represented by **Martha Irene Morgan**
(See above for address)
*ATTORNEY TO BE NOTICED***Movant****Ashely Scott**represented by **Martha Irene Morgan**
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*ATTORNEY TO BE NOTICED***Movant****Christopher Mooney**represented by **Martha Irene Morgan**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/18/2014	<u>1</u>	COMPLAINT against The City of Montgomery (Filing fee \$ 400.00 receipt number 4602031370), filed by Sharnalle Mitchell, Lorenzo Brown, Courtney Tubbs, Tito Williams. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Filing Fee Receipt)(dmn,) (Entered: 03/20/2014)
03/18/2014		DEMAND for Trial by Jury by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (dmn,) (This document has no pdf attached, see Doc. <u>1</u> for pdf.) (Entered: 03/20/2014)
03/18/2014	<u>2</u>	MOTION for Preliminary Injunction, and MOTION for Expedited Hearing by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (Attachments: # <u>1</u> Proposed Order)(dmn,) (Entered: 03/20/2014)
03/18/2014	<u>3</u>	Motion for Alec Karakatsanis to Appear Pro Hac Vice (Filing fee \$50.00 receipt number 4602031373) by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Pro Hac Vice Filing Fee)(dmn,) (Additional attachment(s) added on 4/2/2014: # <u>3</u> Certificate of Good Standing) (dmn,). (Entered: 03/20/2014)
03/18/2014	<u>4</u>	Corporate/Conflict Disclosure Statement by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (dmn,) (Additional attachment(s) added on 3/26/2014: # <u>1</u> Corporate Disclosure containing original signature received) (dmn,). (Entered: 03/20/2014)
03/20/2014		NOTICE of Assignment to Magistrate Judge mailed to counsel for Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (dmn,) (NO PDF attached) (Entered: 03/20/2014)
03/20/2014	<u>5</u>	Summons Issued; summons and complaint mailed CMRRR to The City of Montgomery. (dmn,) (Entered: 03/20/2014)
03/20/2014	<u>6</u>	Case reassigned to Honorable Judge Mark E. Fuller. Honorable Judge Charles S. Coody no longer assigned to the case as presiding judge. (dmn,) (Entered: 03/20/2014)
03/25/2014	<u>7</u>	Return Receipt Card showing service of complaint and summons signed by Steve Kelly for The City of Montgomery served on 3/24/2014, answer due 4/14/2014. (dmn,) (Entered: 03/25/2014)
04/02/2014	<u>8</u>	*TEXT ORDER* granting <u>3</u> Motion for Alec Karakatsanis to Appear Pro Hac Vice. Signed by Honorable Judge Mark E. Fuller on 4/2/2014. (dmn,) Modified on 4/2/2014 to reflect this is a "TEXT ORDER." (dmn,) (NO PDF attached) (Entered: 04/02/2014)
04/04/2014	<u>9</u>	ORDER that a Status Conference is set for 4/8/2014 at 01:15 PM (CST) by conference call arranged by counsel for the plaintiffs before Honorable Judge Mark E. Fuller on the <u>2</u> MOTION for Preliminary Injunction. The Court's contact number is

		334-792-3721 at the Federal Courthouse in Dothan, Alabama. Signed by Honorable Judge Mark E. Fuller on 4/4/2014. Copies furnished to calendar group, WR.(dmn,) (Entered: 04/04/2014)
04/08/2014		Minute Entry for proceedings held before Honorable Judge Mark E. Fuller: Status Conference held by telephone on 4/8/2014 (NO PDF ATTACHED) (war,) (Entered: 04/08/2014)
04/11/2014	<u>10</u>	ORDER: This cause is before the Court on Plaintiffs' <u>2</u> Motion for Preliminary Injunction and Expedited Hearing Request filed on 3/28/10214. A status conference was held on 4/8/2014 to address the timetable for expeditiously resolving Plaintiffs' request for a preliminary injunction. Pursuant to agreements made at the scheduling conference, the schedule is set as follows: (1) Defendant will submit a response to Plaintiff's <u>2</u> Motion for Preliminary Injunction on or before 4/23/2014; (2) Plaintiffs will then submit a reply on or before 4/29/2014; (3) Plaintiffs' <u>2</u> Motion for Preliminary Injunction is set for a hearing. Motion Hearing set for 5/1/2014 09:00 AM in Courtroom 2A before Honorable Judge Mark E. Fuller. Signed by Honorable Judge Mark E. Fuller on 4/11/2014. Copies furnished to calendar group, WR.(dmn,) (Entered: 04/11/2014)
04/14/2014	<u>11</u>	(STRICKEN pursuant to <u>19</u> ORDER) ANSWER to <u>1</u> Complaint, by The City of Montgomery.(Smithee, Stephanie) Modified on 5/2/2014 (djj,). (Entered: 04/14/2014)
04/15/2014	<u>12</u>	[VACATED PURSUANT TO COURT <u>24</u> ORDER.] RULE 26(f) ORDER directing the parties to file the Rule 26(f) report containing the proposed discovery plan as further set out in the order. Rule 26 Meeting Report due by 5/19/2014. Signed by Honorable Judge Mark E. Fuller on 4/15/2014. (dmn,) Modified on 5/16/2014 (dmn,). (Entered: 04/15/2014)
04/16/2014	<u>13</u>	Corporate/Conflict Disclosure Statement by The City of Montgomery. (Smithee, Stephanie) (Entered: 04/16/2014)
04/23/2014	<u>14</u>	RESPONSE to Motion re <u>2</u> MOTION for Preliminary Injunction MOTION for Hearing filed by The City of Montgomery. (Attachments: # <u>1</u> Exhibit 1--Case Action Summary, # <u>2</u> Exhibit 2--Kloess Affidavit)(Smithee, Stephanie) (Entered: 04/23/2014)
04/29/2014	<u>15</u>	REPLY to Response to Motion re <u>2</u> MOTION for Preliminary Injunction MOTION for Hearing filed by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4)(Karakatsanis, Alec) (Entered: 04/29/2014)
04/30/2014	<u>16</u>	NOTICE of Filing Declaration of Tito Williams (filed previously as an affidavit, Exhibit 10, to Plaintiffs' <u>1</u> Complaint) by Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs, Tito Williams (Attachments: # <u>1</u> Exhibit Declaration of Tito Williams)(Karakatsanis, Alec) Modified on 5/1/2014 to add additional text and create link to Doc. <u>1</u> . (dmn,) (Entered: 04/30/2014)
05/01/2014		ORAL ORDER granting <u>2</u> Motion for Preliminary Injunction. Entered by Honorable Judge Mark E. Fuller on 5/1/14. (war,) (Entered: 05/01/2014)
05/01/2014	<u>17</u>	Minute Entry for proceedings held before Honorable Judge Mark E. Fuller: Motion Hearing held on 5/1/2014 re <u>2</u> MOTION for Preliminary Injunction filed by Tito Williams, Lorenzo Brown, Sharnalle Mitchell, Courtney Tubbs (PDF available for court use only). (Court Reporter Patricia Starkie.) (war,) (Entered: 05/01/2014)
05/01/2014	<u>18</u>	PRELIMINARY INJUNCTION ORDER directing as follows: (1) The City of Montgomery is enjoined from collecting or attempting to collect all outstanding fines, fees, costs, surcharges or the outstanding balance of any monies owed to the City or to Judicial Correction Services, Inc. ("JCS") associated with traffic tickets by Sharnalle Mitchell, Lorenzo Brown, and Tito Williams until further order of the Court; (2) on or before 6/2/2014, the City shall submit to the Court a comprehensive plan, as further set out in order, which shall comply with all applicable federal and state laws and the Alabama Rules of Criminal Procedure; (3) On or before June 13, 2014, Plfs shall submit objections to the City's proposed plan; (4) the Court will hold a Hearing to address the adequacy of the City's current or proposed plan on 6/30/2014 @ 09:00 AM before Honorable Judge Mark E. Fuller, in Courtroom 2A, US Courthouse,

		Montgomery, AL; (5) Montgomery City Attorney Kim O. Fehl, Municipal Court Director Kenneth Nixon, Montgomery City Police Chief Kevin J. Murphy, and the Presiding Montgomery Municipal Court Judge shall be present in person for the June 30, 2014 hearing; (6) This Preliminary Injunction Order shall apply to the parties, the parties' officers, agents, servants, employees, and attorneys, and any other person who is in active concert or participation with the parties or the parties' officers, agents, servants, employees, and attorneys ; (7) Because the risk is low that the City will incur substantial expenses, costs, or damages during the pendency of this preliminary injunction, because Plfs are substantially likely to succeed on the merits, and because Plfs have limited financial resources, no security bond will be required under Rule 65(c) of the FRCP. Signed by Honorable Judge Mark E. Fuller on 5/1/14. (Attachments: # <u>1</u> civil appeals checklist). Furnished to calendar group & WR.(dgy,) (Entered: 05/01/2014)
05/02/2014	<u>19</u>	ORDER directing that the City's <u>11</u> Answer to Complaint is STRICKEN for violating the Federal Rules of Civil Procedure;The City shall file an Amended Answer that is compliant with Rule 8 by May 16, 2014, as further set out in order. Signed by Honorable Judge Mark E. Fuller on 5/2/14. (dgy,) (Entered: 05/02/2014)
05/05/2014	<u>20</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on May 1, 2014, before Judge Fuller. Court Reporter/Transcriber Starkie, Telephone number 334-262-1221. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 5/27/2014. Redacted Transcript Deadline set for 6/5/2014. Release of Transcript Restriction set for 8/4/2014. (dgy,) (Entered: 05/05/2014)
05/15/2014	<u>21</u>	NOTICE of Appearance by Shannon Lynn Holliday on behalf of The City of Montgomery (Holliday, Shannon) (Entered: 05/15/2014)
05/15/2014	<u>22</u>	NOTICE of Appearance by Robert David Segall on behalf of The City of Montgomery (Segall, Robert) (Entered: 05/15/2014)
05/15/2014	<u>23</u>	MOTION to Continue <i>DEADLINE FOR FILING ANSWER</i> by The City of Montgomery. (Holliday, Shannon). Corrected Event to MOTION for Extension of Time to File Answer on 5/16/2014 (qc/dgy,). (Entered: 05/15/2014)
05/16/2014	<u>24</u>	ORDER: Upon consideration of the <u>23</u> Unopposed Motion to Continue Deadline for Filing Answer filed on 5/15/2014, it is hereby ORDERED that the motion is GRANTED. Defendant shall either (a) file its answer to the Complaint no later than fourteen days after the filing of an amended complaint, or (b) in the event no amended complaint is filed, no later than 6/15/2014. It is further ORDERED that because the Court struck Defendant's Answer (Doc. <u>19</u>) the Court's <u>12</u> Rule 26(f) Order is VACATED. Signed by Honorable Judge Mark E. Fuller on 5/16/2014. (dmn,) (Entered: 05/16/2014)
05/23/2014	<u>25</u>	NOTICE of Appearance by Joseph Mitchell McGuire on behalf of All Plaintiffs (McGuire, Joseph) (Entered: 05/23/2014)
05/23/2014	<u>26</u>	AMENDED COMPLAINT <i>First Amended Class Action Complaint</i> against All Defendants, filed by Sharnalle Mitchell, Lorenzo Brown, Courtney Tubbs, Tito Williams, Tequila Ballard, Willie Williams, Thomas Ellis, Gavin Bullock, Kendrick Maull, Tamara Dudley, Jermaine Tyler, Janet Edwards, Risko McDaniel, Demetri Colvin, Carl Williams, Rayshone Williams. (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, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit, # <u>35</u> Exhibit)(Karakatsanis, Alec) Modified on 5/27/2014 to reflect this is an Amended complaint not an amendment. Wrong event code selected when originally filed. Also amended to add newly named plaintiffs. (dmn,) (Entered: 05/23/2014)
05/23/2014		***Attorney Matthew Swerdlin, Joseph Mitchell McGuire, and Alec Karakatsanis added for Tequila Ballard, Gavin Bullock, Demetri Colvin, Tamara Dudley, Janet

		Edwards, Thomas Ellis, Kendrick Maull, Risko McDaniel, Jermaine Tyler, Carl Williams, Rayshone Williams, and Willie Williams pursuant to <u>26</u> First Amended Class Action Complaint. (dmn,) (Entered: 05/28/2014)
05/28/2014	<u>27</u>	MOTION to Continue (<i>Unopposed</i>) June 2, 2014 Deadline Set Out in Preliminary Injunction Order (Doc. <u>18</u>) by The City of Montgomery. (Holliday, Shannon) Modified on 5/29/2014 to create actual hyperlink. (dmn,) (Entered: 05/28/2014)
05/29/2014	<u>28</u>	ORDER that a Status Conference is set for 6/5/2014 at 02:00 PM by conference call arranged by counsel for the defendant before Honorable Judge Mark E. Fuller. It is further ORDERED that the defendant's <u>27</u> Unopposed Motion to Continue June 2, 2014 Deadline Set Out in Preliminary Injunction Order is GRANTED to and including 6/6/2014. Signed by Honorable Judge Mark E. Fuller on 5/29/2014. Copies furnished to calendar group, WR.(dmn,) (Entered: 05/29/2014)
06/05/2014	<u>29</u>	MOTION to Relieve the City of its Obligation Under the <u>18</u> Preliminary Injunction Order to File a Plan or, in the alternative, for the Court to Treat Exhibit 1 to the Proposed Counterclaim in Cleveland and Watts as Satisfying that Obligation filed by The City of Montgomery. (Attachments: # <u>1</u> Exhibit A)(Holliday, Shannon) Modified on 6/5/2014 to clean up text. (dmn,) (Entered: 06/05/2014)
06/05/2014	<u>30</u>	ORDER that the Status Conference set for 6/5/2014 at 2:00 PM is RESET for 6/10/2014 at 02:00 PM by conference call arranged by counsel for the Defendant before Honorable Judge Mark E. Fuller. Signed by Honorable Judge Mark E. Fuller on 6/5/2014. Copies furnished to calendar group, WR.(dmn,) (Entered: 06/05/2014)
06/05/2014	<u>31</u>	ORDER re Defendant City of Montgomery's <u>29</u> Motion to Relieve the City of its Obligation under the Preliminary Injunction Order. It is ORDERED as follows: 1. Plaintiffs shall show cause in writing on or before 6/10/2014 at 12:00 P.M., as to why the motion should not be granted. Show Cause Response due by 6/10/2014. 2. The 6/6/2014 deadline for Defendant to submit its current or proposed plan as required under the <u>18</u> Preliminary Injunction Order and amended by the Court (Doc. <u>28</u>) is extended to and including 6/13/2014. 3. The remaining deadlines set forth in the Preliminary Injunction Order shall otherwise remain unchanged but the Court will address the parties' requests for any extensions at the Status Conference currently set for 6/10/2014 at 2:00 P.M. Signed by Honorable Judge Mark E. Fuller on 6/5/2014. (dmn,) (Entered: 06/05/2014)
06/06/2014	<u>32</u>	ANSWER to <u>26</u> First Amended Class Action Complaint by The City of Montgomery.(Holliday, Shannon) Modified on 6/9/2014 to reflect actual title and create link to Doc. <u>26</u> . (dmn,) (Entered: 06/06/2014)
06/09/2014	<u>33</u>	RULE 26(f) ORDER directing the parties to file the Rule 26(f) report containing the proposed discovery plan as further set out in the order. Rule 26 Meeting Report due by 7/10/2014. Signed by Honorable Judge Mark E. Fuller on 6/9/2014. (dmn,) (Entered: 06/09/2014)
06/09/2014	<u>34</u>	RESPONSE in Opposition to <u>29</u> MOTION to Relieve its Obligation Under the <u>18</u> Preliminary Injunction Order, <i>to File a Plan or, in the Alternative, for the Court to Treat Exhibit 1 to the Proposed Counterclaim in Cleveland an filed by Tequila Ballard, Lorenzo Brown, Gavin Bullock, Demetri Colvin, Tamara Dudley, Janet Edwards, Thomas Ellis, Kendrick Maull, Risko McDaniel, Sharnalle Mitchell, Courtney Tubbs, Jermaine Tyler, Carl Williams, Rayshone Williams, Tito Williams, Willie Williams.</i> (Attachments: # <u>1</u> Exhibit Municipal Court Revenue Surveys, # <u>2</u> Exhibit Mayor's Contract with JCS, Inc., # <u>3</u> Exhibit Nixon Deposition Excerpts, # <u>4</u> Exhibit Standard JCS, Inc. Notice, # <u>5</u> Exhibit JCS, Inc. Standard Conditions, # <u>6</u> Exhibit Hayes Deposition Excerpts, # <u>7</u> Exhibit Mayor's Contract with Public Defender)(Karakatsanis, Alec) Modified on 6/10/2014 to clean up text. (dmn,) (Entered: 06/09/2014)
06/10/2014		Minute Entry for proceedings held before Honorable Judge Mark E. Fuller: Status Conference held by telephone on 6/10/2014 (NO PDF ATTACHED). (war,) (Entered: 06/10/2014)
06/11/2014	<u>35</u>	ORDER: Pursuant to representations made by the parties at a status conference held on 6/10/2014, it is hereby ORDERED that the 7/10/2014 deadline for the parties to submit their Rule 26(f) report is extended to and including 9/8/2014. Rule 26 Meeting

		Report due by 9/8/2014. Signed by Honorable Judge Mark E. Fuller on 6/11/2014. (dmn,) (Entered: 06/11/2014)
06/11/2014	<u>36</u>	ORDER: On 6/10/2014, a telephone status conference was held addressing the Court's <u>18</u> Preliminary Injunction Order. Counsel for the parties in the above-styled action, as well as counsel for the parties in Cleveland v. City of Montgomery, Case No. 2:13-cv-732, and Watts v. City of Montgomery, et al., Case No. 2:13-cv-733 (hereinafter Cleveland/Watts), were present. In light of representations and agreements made at this status conference, it is hereby ORDERED as follows: 1. The June 30, 2014 hearing set forth in the Preliminary Injunction Order is CANCELLED. The Court will instead hold a Telephone Status Conference on 6/30/2014 at 09:00 AM by conference call arranged by counsel for Defendant before Honorable Judge Mark E. Fuller. No parties other than theattorneys for the parties in the above-styled action and in Cleveland/Watts are required to be present for the June 30, 2014 telephone conference. 2. All deadlines contained in the Preliminary Injunction Order are suspended indefinitely and the Preliminary Injunction Order is extended for 30 days. 3. The parties in the above-styled action and Cleveland/Watts shall be prepared todiscuss the status of Plaintiffs pending claims in their respective cases at the June 30, 2014 telephone conference. 4. The Clerk of Court shall also docket this order in Cleveland v. City of Montgomery, Case No. 2:13-cv-732. Signed by Honorable Judge Mark E. Fuller on 6/11/2014. Order docketed in Civil Acton No. 2:13-cv-732 as directed.(dmn,) (Entered: 06/11/2014)
06/30/2014	<u>37</u>	ORDER directing as follows: (1) a telephone Status Conference is set for 7/21/2014 @ 09:00 AM before Honorable Judge Mark E. Fuller, by conference call arranged by counsel for defendant; (2) directing the clerk to also docket this order in Cleveland v. City of Montgomery, et al., Case No. 2:13cv732, as further set out in order. Signed by Honorable Judge Mark E. Fuller on 6/30/14. Furnished to calendar group & WR.(djj,) (Entered: 06/30/2014)
06/30/2014		Minute Entry for proceedings held before Honorable Judge Mark E. Fuller: Status Conference held by telephone on 6/30/2014 (NO PDF ATTACHED) (war,) (Entered: 06/30/2014)
06/30/2014		Set Hearings: Status Conference set for 7/21/2014 @ 09:00 AM before Honorable Judge Mark E. Fuller, by telephone conference call (NO PDF attached-See Docket Entry <u>37</u>). (djj,) (Entered: 07/02/2014)
07/21/2014		Minute Entry for proceedings held before Honorable Judge Mark E. Fuller: Telephone Conference held on 7/21/2014 (NO PDF ATTACHED). (war,) (Entered: 07/21/2014)
07/21/2014	<u>38</u>	ORDER: On 7/21/2014, a telephone status conference was held addressing the Court's <u>18</u> Preliminary Injunction Order. It is ORDERED as follows: 1. The Preliminary Injunction Order is extended for 30 days. 2. A telephone Status Conference is set for 8/20/2014 at 02:00 PM by conference call arranged by counsel for Defendant before Honorable Judge Mark E. Fuller. 3. The Clerk of Court shall also docket this order in Cleveland v. City of Montgomery, et al, Case No. 2:13-cv-732. Signed by Honorable Judge Mark E. Fuller on 7/21/2014. Copies furnished to calendar group, WR.(dmn,) (Entered: 07/21/2014)
08/20/2014		Set Hearings: Status Conference set for 8/20/2014 02:00 PM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 08/20/2014)
08/20/2014	<u>39</u>	Case reassigned to Honorable Judge Myron H. Thompson. Honorable Judge Mark E. Fuller no longer assigned to the case as presiding judge. (dmn,) (Entered: 08/20/2014)
08/20/2014	<u>40</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 8/20/2014 (PDF available for court use only). (Recording Time 2:06 - 2:23.) (ag,) (Entered: 08/20/2014)
08/21/2014	<u>41</u>	ORDER: On 8/20/2014, a status conference was held pursuant to this court's <u>38</u> Order dated 7/21/2014. Counsel for the parties in the above-styled action, as well as counsel for the parties in Cleveland v. City of Montgomery, et al., Case No. 2:13-cv-732, and Watts v. City of Montgomery, et al., Case No. 2:13-cv-733, were present. Pursuant to the representations of the parties made at this status conference and by agreement of the parties, it is ORDERED as follows: 1. The courts preliminary injunction order (Doc. <u>18</u>) is extended until further order of the court. 2. The 9/8/2014 (Doc. <u>35</u>),

		deadline for the parties to submit their Rule 26(f) report is continued generally. 3. All outstanding motions are denied with leave to renew. 4. Another Status Conference is set for 10/3/2014 at 02:00 PM by telephone before Honorable Judge Myron H. Thompson. Counsel for defendant are to arrange for the conference to be conducted by telephone. Signed by Honorable Judge Myron H. Thompson on 8/21/2014. Copies furnished to calendar group, AG.(dmn,) (Entered: 08/21/2014)
10/02/2014	<u>42</u>	ORDER that the Status Conference set for 10/3/2014 is RESET for 10/6/2014 at 02:00 PM before Honorable Judge Myron H. Thompson. Signed by Honorable Judge Myron H. Thompson on 10/2/2014. Copies furnished to calendar group, AG.(dmn,) (Entered: 10/02/2014)
10/06/2014	<u>43</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Status Conference held by telephone on 10/6/2014 (PDF available for court use only). (Recording Time FTR: 2:05 PM – 2:10 PM.) (war,) (Entered: 10/06/2014)
10/07/2014	<u>44</u>	ORDER: Based on the representations of the parties made on the record on 10/6/2014, it is ORDERED that another Status Conference is set for 11/7/2014 at 02:00 PM by telephone before Honorable Judge Myron H. Thompson. Counsel for defendant are to arrange for the conference to be conducted by telephone. Signed by Honorable Judge Myron H. Thompson on 10/7/2014. Copies furnished to calendar group, AG.(dmn,) (Entered: 10/07/2014)
10/31/2014	<u>45</u>	STIPULATION of Dismissal (<i>Joint</i>) by The City of Montgomery, and All Plaintiffs. (Holliday, Shannon) Modified on 11/3/2014 to add additional filers. (dmn,) (Entered: 10/31/2014)
10/31/2014	<u>46</u>	MOTION for Joinder of Parties (<i>Unopposed</i>) by The City of Montgomery. (Holliday, Shannon) (Entered: 10/31/2014)
10/31/2014	<u>47</u>	Joint MOTION for Entry of Final Declaratory and Injunctive Relief by The City of Montgomery. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit A to Exh. 1)(Holliday, Shannon) (Entered: 10/31/2014)
11/07/2014	<u>48</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Status Conference held on 11/7/2014 (PDF available for court use only). (Recording Time FTR: 2:10 – 2:14.) (war,) (Entered: 11/07/2014)
11/17/2014	<u>49</u>	ORDER granting <u>46</u> Motion for Joinder, as further set out. Signed by Honorable Judge Myron H. Thompson on 11/17/14. (scn,) (Entered: 11/17/2014)
11/17/2014	<u>50</u>	ORDER directing that, pursuant to the joint stipulation of dismissal of plaintiffs' request for class certification and all requests for class-wide relief (doc. no. <u>45</u>), it is ORDERED that the request for class certification and all requests for class-wide relief are dismissed with prejudice. Signed by Honorable Judge Myron H. Thompson on 11/17/14. (scn,) (Entered: 11/17/2014)
11/17/2014	<u>51</u>	JUDGMENT GRANTING FINAL DECLARATORY AND INJUNCTIVE RELIEF directing that: (1) The parties joint motion for entry of final declaratory and injunctive relief (doc. no. <u>47</u>) is granted; (2) The parties to the agreement to settle declaratory and injunctive claims (settlement agreement), which is attached to this judgment, are to comply with its terms for the periods set out therein; (3) The plaintiffs request for declaratory and injunctive relief is resolved in full subject only to the further jurisdiction of this court to enforce the settlement agreement for the periods set out therein; (4) The plaintiffs are to notify this court of any material breaches of the settlement agreement after making full attempts to resolve the dispute with the parties as set out in the settlement agreement; the clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. Signed by Honorable Judge Myron H. Thompson on 11/17/14. (Attachments: # <u>1</u> Settlement Agreement)(scn,) (Entered: 11/17/2014)
11/17/2014	<u>52</u>	ORDER directing that another on-the-record status conference (regarding the remaining issues of damages and attorneys fees) is set for December 12, 2014, at 10:00 a.m., as further set out. Signed by Honorable Judge Myron H. Thompson on 11/17/14. (Furnished to Calendar/AG)(scn,) (Entered: 11/17/2014)
11/26/2014	<u>53</u>	ORDER: Based upon the representations of the parties made on the record on 11/7/2014, it is ORDERED that another on-the-record status conference (regarding

		the remaining issues of damages and attorneys' fees) is RESET for 12/12/2014, at 9:00 AM by telephone before Honorable Judge Myron H. Thompson. Counsel for defendants are to arrange for the conference to be conducted by telephone. Signed by Honorable Judge Myron H. Thompson on 11/26/2014. Copies furnished to calendar group, AG.(dmn,) (Entered: 11/26/2014)
12/01/2014	<u>54</u>	MOTION for Extension of Time to File <i>Motion for Attorneys Fees and Costs</i> by Tequila Ballard, Lorenzo Brown, Gavin Bullock, Demetri Colvin, Tamara Dudley, Janet Edwards, Thomas Ellis, Kendrick Maull, Risko McDaniel, Sharnalle Mitchell, Courtney Tubbs, Jermaine Tyler, Carl Williams, Rayshone Williams, Tito Williams, Willie Williams. (McGuire, Joseph) (Entered: 12/01/2014)
12/01/2014	<u>55</u>	ORDER that this matter be and is hereby set for a Mediation Conference on 12/19/2014 at 10:00 AM in Courtroom 4B in Montgomery, AL before Honorable Judge Charles S. Coody. It is further ORDERED that counsel and the parties or a representative with full authority to settle the case shall appear at and attend this conference. If counsel have not held a good faith, face-to-face settlement conference as required in the courts scheduling order, counsel shall hold this conference not less than seven days prior to the date set for mediation. On or before the close of business on December 17, 2014, each party shall provide the undersigned judge with a confidential mediation conference statement. Signed by Honorable Judge Charles S. Coody on 12/1/2014. Copies furnished to calendar group, WS. (dmn,) (Entered: 12/01/2014)
12/04/2014	<u>56</u>	ORDER that: (1) The plaintiffs' <u>54</u> Unopposed Motion for Extension of Time is granted. (2) Any motion for attorneys' fees and costs shall be filed by 12/31/2014, or within 14 days of final judgment on the plaintiffs' remaining claims, whichever is later. Signed by Honorable Judge Myron H. Thompson on 12/4/2014. (dmn,) (Entered: 12/04/2014)
12/12/2014	<u>57</u>	JUDGMENT: There are only two remaining issues in this litigation: damages and attorneys' fees. Because the parties have resolved the issue of damages, it is the ORDER, JUDGMENT, and DECREE of the court that the damages claim is dismissed. The resolution of the issue of attorneys' fees is continued generally, and the court retains jurisdiction to resolve that issue. With regard to the issue of attorneys' fees, it is ORDERED as follows: (1) Within seven days of the completion of their mediation of the issue of attorneys fees, the parties are to file a notice reflecting that mediation has been completed and indicating whether the issue of attorneys fees has been resolved. (2) If the parties do not resolve the issue of attorneys fees, the plaintiffs have 28 days after the filing of the mediation notice to file a motion for attorneys fees. The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to FRCO 58. This case is closed. Signed by Honorable Judge Myron H. Thompson on 12/12/2014. (Attachments: # <u>1</u> Civil Appeals Checklist)(dmn,) (Entered: 12/12/2014)
12/12/2014	<u>58</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 12/12/2014 (PDF available for court use only). (Recording Time FTR: 9:05 – 9:14.) (war,) (Entered: 12/12/2014)
12/16/2014	<u>59</u>	ORDER that the Mediation Conference presently set for 12/19/2014, be and is hereby RESET for 1/14/2015 at 10:00 AM in Courtroom 4B in Montgomery, AL before Honorable Judge Charles S. Coody. It is further ORDERED that counsel and the parties or a representative with full authority to settle the case shall appear at and attend this conference. The plaintiff should be prepared to present documents substantiating any claims for damages. If counsel have not held a good faith, face-to-face settlement conference as required in the courts scheduling order, counsel shall hold this conference not less than seven days prior to the date set for mediation. On or before the close of business on 1/12/2015, each party shall provide the undersigned judge with a confidential mediation conference statement. The statement should not be filed with the clerk's office and should not be served on the other parties. Signed by Honorable Judge Charles S. Coody on 12/16/2014. Copies furnished to calendar group, WS. (dmn,) (Entered: 12/16/2014)
01/14/2015		Minute Entry for proceedings held before Honorable Judge Charles S. Coody: Settlement Conference held on 1/14/2015 (No PDF Attached). (ws,) (Entered: 02/09/2015)

01/16/2015	<u>60</u>	JOINT NOTICE by The City of Montgomery, and Plaintiffs. (Holliday, Shannon) Modified on 1/20/2015 to add additional filers. (dmn,) (Entered: 01/16/2015)
04/02/2015	<u>61</u>	NOTICE by Lorenzo Brown, Gavin Bullock, Tamara Dudley, Janet Edwards, Jermaine Tyler, Carl Williams, Rayshone Williams, Tito Williams <i>Notice of Willful Violation of Court Order</i> (Karakatsanis, Alec) (Entered: 04/02/2015)
04/06/2015		Set Hearings: Telephone Conference set for 4/7/2015 08:00 AM by telephone before Honorable Judge Myron H. Thompson. (war,) (Entered: 04/06/2015)
04/07/2015	<u>62</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 4/7/2015 (PDF available for court use only). (Recording Time FTR: 8:07 AM – 8:28 AM.) (war,) (Entered: 04/07/2015)
04/07/2015	<u>63</u>	ORDER: Based on the representations made on the record today by the defendants that the defendants have taken corrective action, it is ORDERED that the court will not take any further action with regard to the allegations contained in the notice of willful violation of court order (doc. no. <u>61</u>). Signed by Honorable Judge Myron H. Thompson on 4/7/2015. (dmn,) (Entered: 04/07/2015)
11/13/2015	<u>64</u>	MOTION to Consolidate Cases pursuant to Rule 42(a) of the FRCP and/or to Reassign Case by Angela McCullough, Marquita Johnson, Kenny Jones, Algi Edwards, Levon Agee, Adrian Floyd, Hassan Caldwell, Devron James, Ashely Scott, Christopher Mooney. (Morgan, Martha) Modified on 11/16/2015 to reflect actual title. (dmn,) (Entered: 11/13/2015)
11/17/2015	<u>65</u>	ORDER: This cause is before the court on a motion to consolidate the case of McCullough, et al. v. City of Montgomery, et al., 2:15-cv-463-WKW, with this case. Because this case is closed and all issues have been resolved, it is ORDERED that the motion to consolidate (doc. no. <u>64</u>) is denied. Signed by Honorable Judge Myron H. Thompson on 11/17/2015. (dmn,) (Entered: 11/17/2015)