

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:09-cv-01062-CRC**

HARDY et al v. GOVERNMENT OF THE DISTRICT OF COLUMBIA

Assigned to: Judge Christopher R. Cooper

Cases: [1:13-cv-00569-CRC](#)

[1:13-cv-00686-ESH](#)

Cause: 28:1343 Violation of Civil Rights

Plaintiff

ANTHONY HARDY

*and Members of the Class, on behalf of
all others similarly situated*

Date Filed: 06/08/2009

Date Terminated: 06/20/2014

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

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Plaintiff

DONNELL MONTS

*and Members of the Class, on behalf of
all others similarly situated*

represented by **Henry A. Escoto**
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V.

Defendant

**GOVERNMENT OF THE DISTRICT
OF COLUMBIA**

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Date Filed	#	Docket Text
06/08/2009	<u>1</u>	COMPLAINT against GOVERNMENT OF THE DISTRICT OF COLUMBIA (Filing fee \$ 350, receipt number 4616021303) filed by ANTHONY HARDY, DONNELL MONTS. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 06/09/2009)
06/08/2009		Summons (2) Issued as to GOVERNMENT OF THE DISTRICT OF COLUMBIA (Adrian M. Fenty, Mayor). (rdj) (Entered: 06/09/2009)
06/08/2009	<u>2</u>	NOTICE of Appearance by Henry A. Escoto on behalf of ANTHONY HARDY, DONNELL MONTS (rdj) (Entered: 06/09/2009)
08/16/2009	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. GOVERNMENT OF THE DISTRICT OF COLUMBIA served on 8/5/2009, answer due 8/25/2009 (Escoto, Henry) (Entered: 08/16/2009)
08/19/2009	<u>4</u>	Consent MOTION for Extension of Time to File Answer <i>or Otherwise Respond to the Complaint</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 08/19/2009)

08/19/2009		MINUTE ORDER granting <u>4</u> Defendant's Motion for Extension of Time. Defendant shall file its Answer or otherwise respond to the Complaint no later than September 25, 2009. Signed by Judge Rosemary M. Collyer on 8/19/09. (lcrmc2) (Entered: 08/19/2009)
08/19/2009		Set/Reset Deadlines/Hearings: Answer to complaint due by 9/25/2009. (cdw) (Entered: 08/20/2009)
09/04/2009	<u>5</u>	NOTICE of Appearance by Sean Robert Day on behalf of all plaintiffs (Day, Sean) (Entered: 09/04/2009)
09/08/2009	<u>6</u>	MOTION to Certify Class by ANTHONY HARDY (Attachments: # <u>1</u> Exhibit Index of Exhibits, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 6A, # <u>8</u> Exhibit Exhibit 6B, # <u>9</u> Errata Exhibit 7, # <u>10</u> Exhibit Exhibit 7A, # <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, # <u>36</u> Exhibit, # <u>37</u> Exhibit, # <u>38</u> Exhibit, # <u>39</u> Exhibit, # <u>40</u> Exhibit, # <u>41</u> Exhibit, # <u>42</u> Exhibit, # <u>43</u> Exhibit, # <u>44</u> Exhibit, # <u>45</u> Exhibit, # <u>46</u> Exhibit, # <u>47</u> Exhibit, # <u>48</u> Exhibit, # <u>49</u> Exhibit, # <u>50</u> Text of Proposed Order)(Escoto, Henry) (Entered: 09/08/2009)
09/21/2009	<u>7</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>6</u> MOTION to Certify Class by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 09/21/2009)
09/22/2009		MINUTE ORDER granting <u>7</u> Defendant's Motion for Extension of Time. DC shall file its opposition to Plaintiffs' motion to certify class no later than September 30, 2009. Signed by Judge Rosemary M. Collyer on 9/22/09. (lcrmc2) (Entered: 09/22/2009)
09/22/2009		Set/Reset Deadlines: DC's response due by 9/30/2009. (cdw) (Entered: 09/22/2009)
09/25/2009	<u>8</u>	ANSWER to <u>1</u> Complaint with Jury Demand by GOVERNMENT OF THE DISTRICT OF COLUMBIA. Related document: <u>1</u> Complaint filed by ANTHONY HARDY, DONNELL MONTS.(Utiger, Robert) (Entered: 09/25/2009)
09/28/2009	<u>9</u>	Consent MOTION for Extension of Time to File Response/Reply to Plaintiffs' Motion to Certify the Class by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 09/28/2009)
09/28/2009		MINUTE ORDER granting <u>9</u> DC's Consent Motion for Extension of Time. DC shall file its response to Plaintiffs' motion to certify class no later than October 2, 2009. Signed by Judge Rosemary M. Collyer on 9/28/09. (lcrmc2) (Entered: 09/28/2009)
09/28/2009		Set/Reset Deadlines: Response to <u>6</u> due by 10/2/2009. (cdw) (Entered: 09/29/2009)
10/01/2009	<u>10</u>	ORDER FOR INITIAL SCHEDULING CONFERENCE. The Initial Scheduling Conference is set for November 20, 2009 at 10:45 a.m. Signed by Judge Rosemary M. Collyer on 10/1/09. (lcrmc2) (Entered: 10/01/2009)
10/01/2009		Set/Reset Hearings: Initial Scheduling Conference set for 11/20/2009 10:45 AM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 10/02/2009)
10/02/2009	<u>11</u>	Memorandum in opposition to re <u>6</u> MOTION to Certify Class filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Exhibit 1-9)(Utiger, Robert) (Entered: 10/02/2009)
10/08/2009	<u>12</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>6</u> MOTION to Certify Class by ANTHONY HARDY, DONNELL MONTS (Day, Sean) (Entered: 10/08/2009)
10/09/2009		MINUTE ORDER granting <u>12</u> Plaintiffs' Consent Motion for Extension of Time. Plaintiffs shall file their reply to Defendant's opposition to motion for class certification no later than November 9, 2009. Signed by Judge Rosemary M. Collyer on 10/9/09. (lcrmc2) (Entered: 10/09/2009)
10/09/2009		Set/Reset Deadlines: Plaintiff's Reply due by 11/9/2009. (cdw) (Entered: 10/15/2009)

11/09/2009	<u>13</u>	REPLY to opposition to motion re <u>6</u> MOTION to Certify Class filed by ANTHONY HARDY. (Attachments: # <u>1</u> Exhibit Eugene Brown Docket Sheet)(Escoto, Henry) Modified on 11/10/2009 to correct linkage (rdj). (Entered: 11/09/2009)
11/10/2009	<u>14</u>	MEET AND CONFER STATEMENT. (Day, Sean) (Entered: 11/10/2009)
11/20/2009		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Scheduling Conference held on 11/20/2009. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 11/20/2009)
11/20/2009		MINUTE ORDER. Pursuant to the status conference held in open Court on November 20, 2009, Defendant's oral motion to file a surreply to Plaintiffs' motion for class certification is GRANTED. Defendant shall file its surreply no later than December 21, 2009. Plaintiffs may file a response to the surreply no later than January 11, 2010. Oral argument on Plaintiffs' motion for class certification is scheduled for February 26, 2010 at 10:30 a.m. Signed by Judge Rosemary M. Collyer on 11/19/09. (lcrmc2) (Entered: 11/20/2009)
12/18/2009	<u>15</u>	Consent MOTION for Extension of Time to File Response/Reply <i>Sur-reply to Plaintiff's Motion for Class Certification</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 12/18/2009)
12/22/2009		MINUTE ORDER granting nunc pro tunc to December 21, 2009 <u>15</u> Defendant's Motion for Extension of Time. Defendant shall file its surreply no later than December 23, 2009. Signed by Judge Rosemary M. Collyer on 12/22/09. (lcrmc2) (Entered: 12/22/2009)
12/23/2009	<u>16</u>	SURREPLY to <i>Plaintiffs' Motion for Class Certification</i> filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Utiger, Robert) (Entered: 12/23/2009)
01/11/2010	<u>17</u>	SURREPLY to re <u>6</u> MOTION to Certify Class filed by ANTHONY HARDY. (Escoto, Henry) (Entered: 01/11/2010)
02/26/2010		NOTICE of Hearing: Oral Argument is reset for 3/10/2010 at 11:30 AM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 02/26/2010)
03/10/2010		MINUTE ORDER denying without prejudice <u>6</u> Plaintiffs' Motion to Certify Class for the reasons stated in open Court at a hearing on March 10, 2010. No later than March 24, 2010, the parties shall file a joint proposed class discovery plan, or if the parties cannot agree on a joint proposed plan, Plaintiffs shall file their proposed class discovery plan, and Defendant shall file its response no later than April 7, 2010. Signed by Judge Rosemary M. Collyer on 3/10/10. (lcrmc2) (Entered: 03/10/2010)
03/10/2010		Set/Reset Deadlines/Hearings: Class Discovery Plan due by 3/24/2010. Response due by 4/7/2010. (cdw) (Entered: 03/11/2010)
03/10/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Motion Hearing held on 3/10/2010 re <u>6</u> Motion to Certify Class. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 03/11/2010)
03/24/2010	<u>18</u>	MEMORANDUM re Order on Motion to Certify Class, by ANTHONY HARDY, DONNELL MONTS. (Attachments: # <u>1</u> Exhibit (Proposed) Notice of Deposition)(Day, Sean) (Entered: 03/24/2010)
04/07/2010	<u>19</u>	RESPONSE re <u>18</u> Memorandum <i>Regarding Plaintiff's' Proposed Discovery Plan</i> filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Utiger, Robert) (Entered: 04/07/2010)
04/08/2010		MINUTE ORDER. Having carefully reviewed the transcript of the hearing held in open Court on March 10, 2010, the Court approves <u>18</u> Plaintiffs' Notice of Deposition Duces Tecum. If the scope of the Notice presents further issues, the parties are directed to call Chambers to schedule a telephone conference and not to file further discovery papers. Signed by Judge Rosemary M. Collyer on 4/8/10. (lcrmc2) (Entered: 04/08/2010)
04/14/2010		MINUTE ORDER. Class discovery shall be completed no later than July 14, 2010. The Courtroom Deputy is directed to schedule a status conference for a date after July 14, 2010. Signed by Judge Rosemary M. Collyer on 4/14/10. (lcrmc2) (Entered: 04/14/2010)

04/14/2010		Set/Reset Deadlines/Hearings: Class Discovery closes 7/14/2010. (cdw) (Entered: 04/15/2010)
04/21/2010		NOTICE of Hearing: A Status Conference is set for 7/21/2010 at 10:00 AM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 04/21/2010)
07/21/2010		MINUTE ORDER. Pursuant to the status conference held in open court on July 21, 2010, Plaintiffs shall file a motion to certify class by no later than August 23, 2010. Defendant shall file an opposition by no later than September 27, 2010. Plaintiffs may file a reply by no later than October 12, 2010. Signed by Judge Rosemary M. Collyer on 7/21/2010. (lcrmc2) (Entered: 07/21/2010)
07/21/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 7/21/2010. (Court Reporter: Lisa Hand) (cdw) (Entered: 07/21/2010)
07/21/2010		Set/Reset Deadlines/Hearings: Plaintiff's Motion due by 8/23/2010. Defendant's Response due by 9/27/2010. Plaintiff's Reply due by 10/12/2010. (cdw) (Entered: 07/22/2010)
08/23/2010	<u>20</u>	Consent MOTION for Extension of Time to File <i>Motion for Class Certification</i> by ANTHONY HARDY, DONNELL MONTS (Day, Sean) (Entered: 08/23/2010)
08/23/2010	<u>21</u>	<p>TRANSCRIPT OF PROCEEDINGS before Judge Rosemary M. Collyer held on 7-21-10; Page Numbers: 1-12. Date of Issuance:8-23-10. Court Reporter/Transcriber Lisa Hand, Telephone number 202-354-3269, Court Reporter Email Address : lisa_hand@dcd.uscourts.gov.</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at ww.dcd.uscourts.gov.</p> <p>Redaction Request due 9/13/2010. Redacted Transcript Deadline set for 9/23/2010. Release of Transcript Restriction set for 11/22/2010.(Hand, Lisa) (Entered: 08/23/2010)</p>
08/24/2010		MINUTE ORDER granting <u>20</u> Plaintiffs' consent motion for extension of time nunc pro tunc to August 23, 2010. Plaintiffs shall file a motion for class certification by no later than August 30, 2010. Signed by Judge Rosemary M. Collyer on 8/24/2010. (lcrmc2) (Entered: 08/24/2010)
08/24/2010		Set/Reset Deadlines/Hearings: Plaintiff's Motion due by 8/30/2010. (cdw) (Entered: 08/25/2010)
08/30/2010	<u>22</u>	MOTION to Certify Class # 2 by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Exhibit Amended 1, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 7B, # <u>4</u> Exhibit 7C, # <u>5</u> Exhibit 26, # <u>6</u> Text of Proposed Order)(Day, Sean) (Entered: 08/30/2010)
09/24/2010	<u>23</u>	Consent MOTION for Extension of Time to File Response/Reply to <i>Plaintiffs' Renewed Motion for Class Certification</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 09/24/2010)
09/24/2010	<u>24</u>	Consent MOTION for Extension of Time to File Response/Reply <i>Plaintiffs' Renewed Motion for Class Certification</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Utiger, Robert) (Entered: 09/24/2010)
09/24/2010		MINUTE ORDER granting Defendant's consent motion for an extension of time <u>24</u> . Defendant shall file an opposition to the Plaintiffs' renewed motion to certify a class <u>22</u> by no later than October 4, 2010. Plaintiffs may file a reply by no later than October 19, 2010. Accordingly, Defendant's motion for an extension of time <u>23</u> is denied as

		moot. Signed by Judge Rosemary M. Collyer on 9/24/2010. (lcrmc2) (Entered: 09/24/2010)
09/24/2010		Set/Reset Deadlines/Hearings: Response to <u>22</u> due by 10/4/2010. Reply due by 10/19/2010. (cdw) (Entered: 09/27/2010)
10/04/2010	<u>25</u>	Memorandum in opposition to re <u>22</u> MOTION to Certify Class # 2 filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Utiger, Robert) (Entered: 10/04/2010)
10/19/2010	<u>26</u>	REPLY to opposition to motion re <u>22</u> MOTION to Certify Class # 2 filed by ANTHONY HARDY, DONNELL MONTS. (Day, Sean) (Entered: 10/19/2010)
01/19/2011		Case reassigned to U.S. District Judge Robert L. Wilkins. Judge Rosemary M. Collyer no longer assigned to the case. (ds) (Entered: 01/19/2011)
02/24/2011	<u>27</u>	MOTION for Suggestion of Mootness re <u>22</u> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Exhibit Judge Leon Opinion)(Rezneck, Daniel) Modified on 2/25/2011 modify event and add linkage(rdj). (Entered: 02/24/2011)
03/10/2011	<u>28</u>	Memorandum in opposition to re <u>27</u> MOTION filed by ANTHONY HARDY, DONNELL MONTS. (Day, Sean) (Entered: 03/10/2011)
04/19/2011		MINUTE ORDER directing Defendant to file by April 26, 2011 any Reply in support of its Motion for Suggestion of Mootness (Docket 27) or a notice indicating that Defendant does not intend to file a Reply. Signed by Judge Robert L. Wilkins on 4/19/2011. (tcb) (Entered: 04/19/2011)
04/21/2011	<u>29</u>	REPLY to opposition to motion re <u>27</u> MOTION filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Rezneck, Daniel) (Entered: 04/21/2011)
01/04/2012	<u>30</u>	NOTICE of Filing by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Exhibit Letter)(Escoto, Henry) (Entered: 01/04/2012)
02/01/2012		MINUTE ORDER: A Motion Hearing is hereby set for 2/15/2012 at 02:30 PM in Courtroom 17 before Judge Robert L. Wilkins. Signed by Judge Robert L. Wilkins on 2/1/12. (lclrlw1,) (Entered: 02/01/2012)
02/15/2012		Minute Entry for proceedings held before Judge Robert L. Wilkins: Motion Hearing held on 2/15/2012 re Plaintiff's <u>22</u> MOTION to Certify Class and Defendant's <u>27</u> MOTION for Suggestion of Mootness re <u>22</u> MOTION to Certify Class. Motions heard and taken under advisement. (Court Reporter Annie Shaw) (tcb) (Entered: 02/15/2012)
02/28/2012	<u>31</u>	MEMORANDUM OPINION re: Defendant's <u>27</u> MOTION for Suggestion of Mootness and <u>22</u> MOTION to Certify Class. Signed by Judge Robert L. Wilkins on 2/28/2012. (tcb). (Entered: 02/28/2012)
02/28/2012	<u>32</u>	ORDER: it is hereby: ORDERED that Plaintiffs Motion to Certify Class #2 is DENIED WITHOUT PREJUDICE. If they so wish, Plaintiffs may re-file their motion within 30 days of this Order in accordance with the Courts Memorandum Opinion; and it is, FURTHER ORDERED that Defendants Motion for Suggestion of Mootness is hereby DENIED. Signed by Judge Robert L. Wilkins on 2/28/2012. (tcb) (Entered: 02/28/2012)
03/29/2012	<u>33</u>	MOTION to Certify Class [<i>Second Renewed</i>] by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Exhibit 26-A, # <u>2</u> Exhibit 27, # <u>3</u> Exhibit 28, # <u>4</u> Exhibit 29, # <u>5</u> Exhibit 30, # <u>6</u> Text of Proposed Order)(Day, Sean) (Entered: 03/29/2012)
04/03/2012		NOTICE of Hearing on Motion <u>33</u> MOTION to Certify Class Second Renewed: Motion Hearing set for 6/18/2012 at 2:30 PM in Courtroom 17 before Judge Robert L. Wilkins. (tcb) (Entered: 04/03/2012)
04/03/2012	<u>34</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Text of Proposed Order)(Rezneck, Daniel) (Entered: 04/03/2012)
04/04/2012		MINUTE ORDER: Granting <u>34</u> Defendant's Motion for Extension of Time to File Response. Defendants time in which to respond to Plaintiffs' renewed motion for class

		certification <u>33</u> is extended to and including April 27, 2012. Signed by Judge Robert L. Wilkins on 4/4/12. (lrlw1) (Entered: 04/04/2012)
04/26/2012	<u>35</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Graham, Grace) (Entered: 04/26/2012)
04/27/2012	<u>36</u>	ORDER granting <u>35</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION to Certify Class [Second Renewed]; and it is further ORDERED that Defendants deadline to file its opposition to Plaintiffs Third Motion for Class Certification is May 2, 2012. Signed by Judge Robert L. Wilkins on 4/27/2012. (tcb) (Entered: 04/27/2012)
05/02/2012	<u>37</u>	Memorandum in opposition to re <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] filed by GOVERNMENT OF THE DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Text of Proposed Order)(Rezneck, Daniel) (Entered: 05/02/2012)
05/09/2012	<u>38</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Text of Proposed Order)(Day, Sean) (Entered: 05/09/2012)
05/10/2012	<u>39</u>	ORDER granting <u>38</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION to Certify Class [Second Renewed]; and it further ORDERED that Plaintiffs' deadline to file its reply to Defendant's Opposition is extended to June 8, 2012. Signed by Judge Robert L. Wilkins on 5/10/2012. (tcb) (Entered: 05/10/2012)
06/08/2012	<u>40</u>	REPLY to opposition to motion re <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] filed by ANTHONY HARDY, DONNELL MONTS. (Day, Sean) (Entered: 06/08/2012)
06/18/2012		Minute Entry for proceedings held before Judge Robert L. Wilkins: Motion Hearing held and concluded on 6/18/2012 re Plaintiff's <u>33</u> MOTION to Certify Class Second Renewed; Argument Heard and this matter is taken under advisement. (Court Reporter Pat Kaneshiro-Miller) (tcb) (Entered: 06/19/2012)
06/29/2012	<u>41</u>	NOTICE of Appearance by Chad Alan Naso on behalf of GOVERNMENT OF THE DISTRICT OF COLUMBIA (Naso, Chad) (Entered: 06/29/2012)
06/29/2012	<u>42</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to GOVERNMENT OF THE DISTRICT OF COLUMBIA. Attorney Grace Graham terminated. (Rezneck, Daniel) Modified on 6/29/2012 to withdraw Daniel Rezneck(rdj). (Entered: 06/29/2012)
07/05/2012	<u>43</u>	NOTICE of Filing by GOVERNMENT OF THE DISTRICT OF COLUMBIA re <u>33</u> MOTION to Certify Class [<i>Second Renewed</i>] (Naso, Chad) (Entered: 07/05/2012)
08/22/2012	<u>44</u>	MEMORANDUM AND OPINION re <u>33</u> MOTION to Certify Class [Second Renewed]. Signed by Judge Robert L. Wilkins on 8/22/2012. (tcb) (Entered: 08/22/2012)
08/22/2012	<u>45</u>	ORDER granting <u>33</u> MOTION to Certify Class [Second Renewed] ; and it is,FURTHER ORDERED that the parties meet and confer and submit a joint proposed order consistent with this Courts Memorandum Opinion and FED. R. CIV. P. 23(c)(1)(B) no later than Wednesday, August 29, 2012; and it is, FURTHER ORDERED that, no later than September 12, 2012, the parties shall meet and confer and file a joint proposed schedule for further proceedings. As this is a case that has been pending since 2009, the Court expects the parties to propose a schedule that will move this matter apace. Signed by Judge Robert L. Wilkins on 8/22/2012. (tcb) (Entered: 08/22/2012)
08/29/2012	<u>46</u>	NOTICE of Proposed Order by ANTHONY HARDY, DONNELL MONTS re <u>45</u> Order on Motion to Certify Class,, (Attachments: # <u>1</u> Text of Proposed Order)(Day, Sean) (Entered: 08/29/2012)
08/30/2012		MINUTE ORDER: The parties are hereby ORDERED to meet and confer and revise their Joint Proposed Order [Dkt. No. 46] to "define... the class claims, issues, or defenses" in accordance with Fed. R. Civ. P. 23(c)(1)(B). The parties are FURTHER ORDERED to file the revised Joint Proposed Order no later than 5:00 p.m. on August 31, 2012. Signed by Judge Robert L. Wilkins on 8/30/12. (lrlw2) (Entered: 08/30/2012)

		08/30/2012)
08/31/2012	<u>47</u>	NOTICE of Proposed Order by GOVERNMENT OF THE DISTRICT OF COLUMBIA, ANTHONY HARDY, DONNELL MONTS re <u>45</u> Order on Motion to Certify Class,, (Attachments: # <u>1</u> Text of Proposed Order)(Day, Sean) (Entered: 08/31/2012)
09/04/2012	<u>48</u>	ORDER ON CLASS CERTIFICATION. (SEE ORDER FOR FULL DETAILS). Signed by Judge Robert L. Wilkins on 9/4/2012. (tcb) (Entered: 09/04/2012)
09/12/2012	<u>49</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order PLAINTIFFS, # <u>2</u> Text of Proposed Order DEFENDANT)(Day, Sean) (Entered: 09/12/2012)
09/19/2012	<u>50</u>	SCHEDULING ORDER: Amended Pleadings due by 7/1/2013. Discovery due by 3/12/2013. Mediation to begin March 13, 2013 and conclude by 5/4/2013. Plaintiff Rule 26a2 due by 6/7/2013. Defendant Rule 26a2 due by 7/17/2013. Summary Judgment motions due by 9/12/2013. (SEE ORDER FOR FULL DETAILS). Signed by Judge Robert L. Wilkins on 9/19/2012. (tcb) (Entered: 09/19/2012)
11/15/2012	<u>51</u>	NOTICE of Appearance by Douglas Stuart Rosenbloom on behalf of GOVERNMENT OF THE DISTRICT OF COLUMBIA (Rosenbloom, Douglas) (Entered: 11/15/2012)
12/18/2012	<u>52</u>	Consent MOTION for Protective Order by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Rosenbloom, Douglas) (Entered: 12/18/2012)
12/20/2012		MINUTE ORDER granting <u>52</u> Consent MOTION for Protective Order. Signed by Judge Robert L. Wilkins on 12/20/2012. (tcb) (Entered: 12/20/2012)
12/20/2012	<u>53</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal. Signed by Judge Robert L. Wilkins on 12/20/2012. (tcb) (Entered: 12/20/2012)
01/17/2013	<u>54</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to GOVERNMENT OF THE DISTRICT OF COLUMBIA. Attorney Chad Alan Naso terminated. (Naso, Chad) (Entered: 01/17/2013)
03/04/2013	<u>55</u>	CASE RANDOMLY REFERRED to Magistrate Judge Alan Kay for Mediation from 3/13/2013 – 5/4/2013. (ls,) (Entered: 03/04/2013)
03/08/2013	<u>56</u>	ORDER setting a Settlement Conference for 4/19/2013, at 10:00 AM in Chambers [room 2333] before Magistrate Judge Alan Kay. Signed by Magistrate Judge Alan Kay on 03/08/13. (DM) (Entered: 03/08/2013)
03/11/2013	<u>57</u>	Joint MOTION for Extension of Time to Complete Discovery <i>on Class Identification</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Rosenbloom, Douglas) (Entered: 03/11/2013)
03/13/2013	<u>58</u>	ORDER granting <u>57</u> Joint MOTION for Extension of Time to Complete Discovery on Class Identification; and The Scheduling Order is AMENDED to EXTEND class identification discovery through Friday, April 5, 2013. Signed by Judge Robert L. Wilkins on 3/13/2013. (tcb) (Entered: 03/13/2013)
04/05/2013	<u>59</u>	Consent MOTION for Extension of Time to Complete Discovery (<i>re Class Identification</i>) by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Text of Proposed Order)(Day, Sean) (Entered: 04/05/2013)
04/10/2013	<u>60</u>	ORDER granting <u>59</u> Consent MOTION for Extension of Time to Complete Discovery (<i>re Class Identification</i>); Class identification discovery deadline is extended from April 5, 2013, to April 12, 2013; and Class identification discovery will be subject to (a) supplementation if additional relevant documents or information is discovered, and/or (b) re-opening for good cause shown. Signed by Judge Robert L. Wilkins on 4/10/2013. (tcb) (Entered: 04/10/2013)
04/12/2013		MINUTE ORDER canceling the mediation set for 04/19/13, at the request of counsel, and rescheduling the mediation for 5/3/2013, at 03:00 PM in Chambers [room 2333] before Magistrate Judge Alan Kay. Signed by Magistrate Judge Alan Kay on 04/12/13. (DM) (Entered: 04/12/2013)

05/03/2013		MINUTE ORDER: Based on the advice of Magistrate Judge Kay that the parties want more time to gather data and engage in mediation, the Court hereby stays the deadlines in the Scheduling Order (Dkt. No. 50) and extends the settlement negotiation period to July 2, 2013. The parties shall file a joint status report and proposed order to govern proceedings before the end of that period. Signed by Judge Robert L. Wilkins on 5/3/2013. (lclrw4) (Entered: 05/03/2013)
07/01/2013	<u>61</u>	Consent MOTION for Extension of Time to Complete Mediation by ANTHONY HARDY, DONNELL MONTS (Day, Sean) (Entered: 07/01/2013)
07/02/2013		MINUTE ORDER rescheduling Settlement Conference for 7/19/2013, at 02:00 PM in Chambers [room 2333] before Magistrate Judge Alan Kay. Please note that this new date is contingent upon the trial court's approval of an extension of mediation. Signed by Magistrate Judge Alan Kay on 07/02/13. (DM) (Entered: 07/02/2013)
07/03/2013		MINUTE ORDER granting <u>61</u> Consent MOTION for Extension of Time to Complete Mediation. Signed by Judge Robert L. Wilkins on 7/3/2013. (tcb) (Entered: 07/03/2013)
07/10/2013		MINUTE ORDER rescheduling the Settlement Conference which was previously set for 7/19/2013. The Settlement Conference is reset (at counsel's request) for 8/02/13, at 10:00 a.m. in chambers [room 2333] before Magistrate Judge Alan Kay. The parties are reminded that the mediation referral in this case was recently extended by the trial court up to and including August 2, 2013. Signed by Magistrate Judge Alan Kay on 07/10/13. (DM) (Entered: 07/10/2013)
08/02/2013		Minute Entry for proceedings held before Magistrate Judge Alan Kay: Settlement Conference held on 8/2/2013. (DM) (Entered: 08/05/2013)
08/14/2013	<u>62</u>	STATUS REPORT (<i>JOINT</i>) by ANTHONY HARDY, DONNELL MONTS. (Day, Sean) (Entered: 08/14/2013)
08/15/2013		MINUTE ORDER: Upon review of the parties' recent status report and their representation that they have reached a resolution of this matter in principle, the parties are directed to file a motion for preliminary settlement approval or a further joint status report by no later than September 30, 2013. Signed by Judge Robert L. Wilkins on 8/15/2013. (lclrw3) (Entered: 08/15/2013)
08/30/2013	<u>63</u>	NOTICE OF RELATED CASE by GOVERNMENT OF THE DISTRICT OF COLUMBIA. Case related to Case No. 13-569. (Graham, Grace) (Entered: 08/30/2013)
09/27/2013	<u>64</u>	Consent MOTION for Extension of Time to <i>Submit Settlement Documents</i> by ANTHONY HARDY, DONNELL MONTS (Day, Sean) (Entered: 09/27/2013)
10/01/2013		MINUTE ORDER: Plaintiffs' <u>64</u> Consent MOTION for Extension of Time to Submit Settlement Documents is hereby GRANTED. The parties are admonished to comply with the local rules in the future and submit a proposed order with ALL motions pursuant to Local Rule 7(c). Signed by Judge Robert L. Wilkins on 10/1/2013. (tcb) (Entered: 10/01/2013)
10/31/2013	<u>65</u>	Consent MOTION for Extension of Time to File <i>Consent Motion For Preliminary Approval of Settlement</i> by GOVERNMENT OF THE DISTRICT OF COLUMBIA (Rosenbloom, Douglas) (Entered: 10/31/2013)
11/01/2013	<u>66</u>	ORDER granting <u>65</u> Consent MOTION for Extension of Time to File Consent Motion For Preliminary Approval of Settlement; and The parties deadline to submit their motion for preliminary approval of the settlement agreement (and all supporting documents) in the above-captioned matter is extended to Monday, November 4, 2013. Signed by Judge Robert L. Wilkins on 11/1/2013. (tcb) (Entered: 11/01/2013)
11/04/2013	<u>67</u>	Consent MOTION for Settlement (<i>for Preliminary Approval of Settlement of Class Action</i>) by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Exhibit 1 Settlement Agreement, # <u>2</u> Exhibit 1-A Mail Notice, # <u>3</u> Exhibit 1-B Publication Notice, # <u>4</u> Exhibit 1-C Claim Form, # <u>5</u> Exhibit 1-D Reminder Postcard, # <u>6</u> Exhibit 1-E Agreed Proposed Order, # <u>7</u> Exhibit 2 MPD SOP 12-06, # <u>8</u> Exhibit 3 Kriegler CV, # <u>9</u> Text of Proposed Order Proposed Order)(Day, Sean) (Entered: 11/04/2013)

11/04/2013	<u>68</u>	Unopposed MOTION for Attorney Fees (<i>Preliminary Approval</i>) by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Day, Sean) (Entered: 11/04/2013)
11/21/2013		MINUTE ORDER: The parties shall appear on December 9, 2013 in Courtroom 27A for a hearing on the pending motion for settlement at DKT # <u>67</u> . Signed by Judge Robert L. Wilkins on 11/21/2013. (tcb) (Entered: 11/21/2013)
12/09/2013		Minute Entry for proceedings held before Judge Robert L. Wilkins: Motion Hearing held on 12/9/2013 re <u>67</u> Consent MOTION for Settlement (for Preliminary Approval of Settlement of Class Action); Parties directed to further meet and confer and submit a notice that states the parties agreement on the proposed order discussed on the record. Parties additionally to submit proposed order to the Court. (Court Reporter Chantal Geneus) (tcb) (Entered: 12/11/2013)
12/19/2013	<u>69</u>	NOTICE <i>Amending and Supplementing Documents per 12/9/13 hearing and 12/11/13 minute entry</i> by ANTHONY HARDY, DONNELL MONTS re <u>67</u> Consent MOTION for Settlement (<i>for Preliminary Approval of Settlement of Class Action</i>), <u>68</u> Unopposed MOTION for Attorney Fees (<i>Preliminary Approval</i>) (Attachments: # <u>1</u> Exhibit Amended Personalized Claim Form, # <u>2</u> Exhibit Generic Claim Form, # <u>3</u> Text of Proposed Order Amended Proposed Order for Preliminary Approval of Settlement, # <u>4</u> Text of Proposed Order Amended Proposed Order for Preliminary Approval of Attorneys' Fees)(Day, Sean) (Entered: 12/19/2013)
12/20/2013	<u>70</u>	NOTICE <i>re Amended Class Notice per 12/9/13 hearing and 12/11/13 minute entry</i> by ANTHONY HARDY, DONNELL MONTS re <u>67</u> Consent MOTION for Settlement (<i>for Preliminary Approval of Settlement of Class Action</i>), <u>69</u> Notice (Other),, <u>68</u> Unopposed MOTION for Attorney Fees (<i>Preliminary Approval</i>) (Attachments: # <u>1</u> Exhibit Amended Class Notice)(Day, Sean) (Entered: 12/20/2013)
12/20/2013	<u>71</u>	ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENT,CONDITIONALLY CERTIFYING SETTLEMENT CLASS,AND APPROVING CLASS NOTICE.(SEE ORDER FOR FULL DETAILS). Signed by Judge Robert L. Wilkins on 12/20/2013. (tcb) (Entered: 12/20/2013)
12/20/2013	<u>72</u>	ORDER PRELIMINARILY APPROVING FEE AWARD IN SETTLEMENT.(SEE ORDER FOR FULL DETAILS). Signed by Judge Robert L. Wilkins on 12/20/2013. (tcb) (Entered: 12/20/2013)
12/20/2013		MINUTE ORDER granting <u>67</u> Consent MOTION for Settlement (for Preliminary Approval of Settlement of Class Action). Signed by Judge Robert L. Wilkins on 12/20/2013. (tcb) (Entered: 12/20/2013)
12/20/2013		MINUTE ORDER granting <u>68</u> Unopposed MOTION for Attorney Fees (Preliminary Approval). Signed by Judge Robert L. Wilkins on 12/20/2013. (tcb) (Entered: 12/20/2013)
01/24/2014		Case reassigned to the Calendar Committee who will oversee it until it is reassigned to another judge. Judge Robert L. Wilkins has been elevated to the U.S. Court of Appeals for DC and is no longer assigned to the case. Any questions should be directed to Terri Barrett, formerly Judge Wilkins deputy clerk, at 202-354-3179 or terri_barrett@dcd.uscourts.gov. (ztnr,) (Entered: 01/24/2014)
02/07/2014	<u>73</u>	Consent MOTION for Final Approval and Fairness Hearing Date re <u>71</u> Order by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Text of Proposed Order)(Day, Sean) (Entered: 02/07/2014)
02/11/2014	<u>74</u>	ORDER granting <u>73</u> Consent MOTION for Final Approval and Fairness Hearing Date re 71 Order ; The Final Approval and Fairness Hearing is hereby scheduled for June 19, 2014 at 11:30 AM in Courtroom 23A. Signed by Judge Ellen S. Huvelle on behalf of the Calendar Committee on 2/11/2014. (tcb) (Entered: 02/12/2014)
04/07/2014		Case directly reassigned to Judge Christopher R. Cooper. Calendar Committee no longer assigned to the case. (gt,) (Entered: 04/07/2014)
05/01/2014		MINUTE ORDER: the Fairness Hearing scheduled for June 19, 2014, is VACATED and RESET for June 19, 2014 at 11:30 AM in Courtroom 27A before Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 5/1/2014. (lccrc1,)

		(Entered: 05/01/2014)
05/01/2014		Set/Reset Hearings: Fairness Hearing set for 6/19/2014 at 11:30 AM in Courtroom 27A before Judge Christopher R. Cooper. (tcb) (Entered: 05/01/2014)
06/16/2014	<u>75</u>	Consent MOTION for Settlement (<i>for Final Approval of Settlement of Class Action</i>) by ANTHONY HARDY, DONNELL MONTS (Attachments: # <u>1</u> Exhibit 1 (Class. Admin. Decl. and Exhibits), # <u>2</u> Exhibit 2 (CAFA Notice Letter), # <u>3</u> Exhibit 3 (Opt Out List), # <u>4</u> Text of Proposed Order)(Day, Sean) (Entered: 06/16/2014)
06/16/2014	<u>76</u>	Unopposed MOTION for Attorney Fees (<i>Final Approval</i>) by ANTHONY HARDY, DONNELL MONTS (Day, Sean) (Entered: 06/16/2014)
06/17/2014	<u>77</u>	ERRATA by DONNELL MONTS <u>75</u> Consent MOTION for Settlement (<i>for Final Approval of Settlement of Class Action</i>) filed by ANTHONY HARDY, DONNELL MONTS. (Attachments: # <u>1</u> Errata ECF 75-1 p. 6 add'l pages)(Day, Sean) (Entered: 06/17/2014)
06/19/2014		Minute Entry for proceedings held before Judge Christopher R. Cooper: Fairness Hearing held and concluded on 6/19/2014 re Parties <u>75</u> Consent MOTION for Settlement (<i>for Final Approval of Settlement of Class Action</i>) and Parties <u>76</u> Unopposed MOTION for Attorney Fees (<i>Final Approval</i>); Arguments heard and this matter is taken under advisement. (Court Reporter Cathryn Jones) (tcb) (Entered: 06/19/2014)
06/20/2014	<u>78</u>	MEMORANDUM OPINION AND ORDER OF FINAL APPROVAL OF CLASS ACTION SETTLEMENT re: Parties <u>75</u> Consent MOTION for Settlement (<i>for Final Approval of Settlement of Class Action</i>) and Parties <u>76</u> Unopposed MOTION for Attorney Fees (<i>Final Approval</i>); This Order shall constitute final judgment and have res judicata and collateral effect against all class members meeting the definition(s) above, except for those persons who have opted out (listed in Exhibit 3 to the Motion for Final Approval).(SEE ORDER FOR FULL DETAILS). Signed by Judge Christopher R. Cooper on 6/20/2014. (tcb) (Entered: 06/20/2014)
09/18/2014	<u>79</u>	NOTICE of Letter by ANTHONY HARDY, DONNELL MONTS (tcr) (Entered: 09/18/2014)
09/22/2014	<u>80</u>	NOTICE of Letter Re: Sydney Gross by ANTHONY HARDY, DONNELL MONTS (tcr) (Entered: 09/22/2014)