

CLOSED, CONSOL

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:09-cv-10504-MOB-DAS**

Houle et al v. Sampson et al
Assigned to: District Judge Marianne O. Battani
Referred to: Magistrate Judge Donald A Scheer
Cause: 28:1983 Civil Rights

Date Filed: 02/10/2009
Date Terminated: 04/30/2010
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kevin Houle

represented by **Michael J. Steinberg**
American Civil Liberties Union Fund of
Michigan
2966 Woodward Avenue
Detroit, MI 48201
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

Harvey Reese
TERMINATED: 06/08/2009

represented by **Paul D. Reingold**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TH
*a minor child by Rose Houle, Next Friend
- Consolidated from 09-10535*

represented by **Paul D. Reingold**
(See above for address)
LEAD ATTORNEY
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Vivek S. Sankaran
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*LEAD ATTORNEY
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Plaintiff

AR

*a minor child by Tonja Parker, Next
Friend – Consolidated from 09–10535
TERMINATED: 06/08/2009*

represented by **Paul D. Reingold**
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*LEAD ATTORNEY
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Vivek S. Sankaran
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Plaintiff

Rose Houle

*Next Friend of TH, a minor –
Consolidated from 09–10535*

represented by **Paul D. Reingold**
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Vivek S. Sankaran
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Plaintiff

Tonja Parker

*Next Friend of AR, a minor –
Consolidated from 09–10535*

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Plaintiff

RL

represented by **Vivek S. Sankaran**
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Plaintiff

Kristy Levy

represented by **Vivek S. Sankaran**
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Plaintiff

Kenneth Levy

represented by **Paul D. Reingold**
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ATTORNEY TO BE NOTICED

V.

Defendant

Barbara S Sampson

*chair of the Michigan Parole Board, and
the nine board members*

represented by **Kevin R. Himebaugh**
Michigan Department of Attorney General
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ATTORNEY TO BE NOTICED

Defendant

James Atterberry

represented by **Kevin R. Himebaugh**
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Defendant

Miguel Berrios

represented by **Kevin R. Himebaugh**
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Defendant

Charles Brown

represented by **Kevin R. Himebaugh**
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Defendant

Paul Condino

represented by **Kevin R. Himebaugh**
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Defendant

Stephen DeBoer

represented by **Kevin R. Himebaugh**
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Defendant

Artina Hardman

represented by **Kevin R. Himebaugh**
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Defendant

Anthony King

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Defendant

David Kleinhardt

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Defendant

Laurin Thomas

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Defendant

Jodi Deangelo

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Defendant

Lisa Gettys

represented by **Kevin R. Himebaugh**
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ATTORNEY TO BE NOTICED

Defendant

David Fountainrepresented by **Kevin R. Himebaugh**
(See above for address)
*ATTORNEY TO BE NOTICED***Defendant****John Sullivan**represented by **Kevin R. Himebaugh**
(See above for address)
*ATTORNEY TO BE NOTICED***Defendant****Soni Amos Warchock**represented by **Kevin R. Himebaugh**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/10/2009	<u>1</u>	COMPLAINT filed by Kevin Houle, Harvey Reese against Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, paul condino, Stephen DeBoer, Artina Hardman. Plaintiff requests summons issued. County of 1st Plaintiff: Wayne – County Where Action Arose: Wayne – County of 1st Defendant: Wayne. [Previously dismissed case: No] [Possible companion case(s): None] (Reingold, Paul) (Entered: 02/10/2009)
02/10/2009	<u>2</u>	APPLICATION to Proceed In Forma Pauperis by Kevin Houle. (Reingold, Paul) (Entered: 02/10/2009)
02/10/2009	<u>3</u>	APPLICATION to Proceed In Forma Pauperis by Harvey Reese. (Reingold, Paul) (Entered: 02/10/2009)
02/11/2009	<u>4</u>	NOTICE of Appearance by Michael J. Steinberg on behalf of Kevin Houle. (Steinberg, Michael) (Entered: 02/11/2009)
02/13/2009	<u>5</u>	ORDER granting <u>2</u> Application to Proceed In Forma Pauperis and denying request for service by the U.S. Marshal as to Kevin Houle. Signed by District Judge Marianne O Battani. (BSoc) (Entered: 02/13/2009)
02/13/2009	<u>6</u>	ORDER granting <u>3</u> Application to Proceed In Forma Pauperis and denying request for service by the U.S. Marshal as to Harvey Reese. Signed by District Judge Marianne O Battani. (BSoc) (Entered: 02/13/2009)
02/17/2009	<u>7</u>	ATTORNEY APPEARANCE: Miriam J. Aukerman appearing on behalf of Kevin Houle <i>and Harvey Reese</i> (Aukerman, Miriam) (Entered: 02/17/2009)
02/18/2009	<u>8</u>	SUMMONS Issued for *Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman* (SSch) (Entered: 02/18/2009)
02/19/2009	<u>9</u>	MOTION for Preliminary Injunction by Kevin Houle, Harvey Reese. (Reingold, Paul) (Entered: 02/19/2009)
02/19/2009	<u>10</u>	SUPPLEMENTAL BRIEF re <u>9</u> MOTION for Preliminary Injunction filed by Kevin Houle, Harvey Reese. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Ex. A Declaration of Harvey Resse, # <u>3</u> Exhibit Ex B Parole Conditions of Reese, # <u>4</u> Exhibit Ex C DOC Visitation History for Reese, # <u>5</u> Exhibit Ex D Psy. Report on Reese, # <u>6</u> Exhibit Ex E Letter from Aukerman to Parole Agent Bowker, # <u>7</u> Exhibit Ex F Letter from Bowker to Aukerman, # <u>8</u> Exhibit Ex G Declaration of Tonja Parker, # <u>9</u> Exhibit Ex H Declaration and CV of Marroquin re Reese, # <u>10</u> Exhibit Ex I Declaration of Houle, # <u>11</u> Exhibit Ex J Parole Conditions of Houle, # <u>12</u> Exhibit Ex K Doc Visitation History of Houle, # <u>13</u> Index of Exhibits Ex L Psy Report on Houle, # <u>14</u> Exhibit Ex M Declaration and CV of Fluent re Houle, # <u>15</u> Exhibit Ex N Declaration of Janoskey, # <u>16</u> Exhibit Ex O Declaration of Simpson, # <u>17</u> Exhibit Ex P Declaration of Rosenblum, # <u>18</u> Exhibit Ex Q List of Default Conditions of Parole by Mi Dept., # <u>19</u> Exhibit Ex R Operating Procedure: Order for Parole, # <u>20</u> Exhibit Ex S Operating Procedure 06.04.100: Probation/Parole Orientation Checklist) (Reingold,

		Paul) (Entered: 02/19/2009)
02/19/2009	<u>11</u>	EXHIBIT re <u>10</u> Supplemental Brief,,,, by Kevin Houle, Harvey Reese (Attachments: # <u>1</u> Exhibit Ex T MDOC Policy Directive 03.02.130) (Reingold, Paul) (Entered: 02/19/2009)
02/19/2009	<u>12</u>	EXHIBIT re <u>10</u> Supplemental Brief,,,, <u>11</u> Exhibit by Kevin Houle, Harvey Reese (Attachments: # <u>1</u> Exhibit Ex U Unpublished Cases Cited in the Brief) (Reingold, Paul) (Entered: 02/19/2009)
02/25/2009	<u>13</u>	CERTIFICATE of Service/Summons Returned Executed. Laurin Thomas served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>14</u>	CERTIFICATE of Service/Summons Returned Executed. David Kleinhardt served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>15</u>	CERTIFICATE of Service/Summons Returned Executed. Anthony King served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>16</u>	CERTIFICATE of Service/Summons Returned Executed. Artina Hardman served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>17</u>	CERTIFICATE of Service/Summons Returned Executed. Stephen DeBoer served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>18</u>	CERTIFICATE of Service/Summons Returned Executed. Paul Condino served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>19</u>	CERTIFICATE of Service/Summons Returned Executed. Charles Brown served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>20</u>	CERTIFICATE of Service/Summons Returned Executed. Miguel Berrios served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>21</u>	CERTIFICATE of Service/Summons Returned Executed. James Atterberry served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
02/25/2009	<u>22</u>	CERTIFICATE of Service/Summons Returned Executed. Barbara S Sampson served on 2/19/2009, answer due 3/11/2009. (Reingold, Paul) (Entered: 02/25/2009)
03/10/2009	<u>23</u>	NOTICE of hearing on <u>9</u> MOTION for Preliminary Injunction. Responses due by 4/7/2009 Replies due by 4/24/2009 Motion Hearing set for 6/3/2009 02:00 PM before District Judge Marianne O Battani. (CMot) (Entered: 03/10/2009)
03/12/2009	<u>24</u>	NOTICE of Appearance by Kevin R. Himebaugh on behalf of Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Himebaugh, Kevin) (Entered: 03/12/2009)
03/12/2009	<u>25</u>	MOTION to Dismiss <i>and/or</i> , MOTION for Summary Judgment by Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – OTIS Profile of Kevin Houle, # <u>3</u> Exhibit 2 – OTIS Profile of Harvey Dale Reese, Jr., # <u>4</u> Exhibit 3 – Special Conditions for Harvey Reese, # <u>5</u> Exhibit 4 – Affidavit of John Rubitschun) (Himebaugh, Kevin) (Entered: 03/12/2009)
03/13/2009	<u>26</u>	NOTICE of hearing on <u>25</u> MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment. Responses due by 4/7/2009 Replies due by 4/24/2009 Motion Hearing set for 6/3/2009 02:00 PM before District Judge Marianne O Battani. (CMot) (Entered: 03/13/2009)
04/03/2009	<u>27</u>	RESPONSE to <u>9</u> MOTION for Preliminary Injunction filed by Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Attachments: # <u>1</u> Exhibit 1 – Aff of Sampson) (Himebaugh, Kevin) (Entered: 04/03/2009)

04/06/2009	<u>30</u>	STIPULATION AND ORDER to Consolidate Cases Signed by District Judge Marianne O Battani. Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (BSoc) (Entered: 04/07/2009)
04/07/2009	<u>28</u>	RESPONSE to <u>25</u> MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment filed by Kevin Houle, Harvey Reese. (Attachments: # <u>1</u> Index of Exhibits Index, # <u>2</u> Exhibit Ex A Dec. of Harvey Reese, # <u>3</u> Exhibit Ex B Dec of Kevin Houle, # <u>4</u> Exhibit Ex C Dec of Tonja Reese, # <u>5</u> Exhibit Ex D Dec of Rose Houle, # <u>6</u> Exhibit, # <u>7</u> Exhibit Ex F Dec of Brandon Wilson) (Reingold, Paul) (Entered: 04/07/2009)
04/07/2009	<u>29</u>	EXHIBIT <i>Updated Signed copy</i> re <u>28</u> Response to Motion, by Kevin Houle, Harvey Reese (Attachments: # <u>1</u> Exhibit Ex E Signed Dec.) (Reingold, Paul) (Entered: 04/07/2009)
04/20/2009	<u>31</u>	REPLY to Response re (8 in 2:09-cv-10535-MOB-MKM) MOTION for Preliminary Injunction filed by TH, AR. Associated Cases: 2:09-cv-10535-MOB-MKM, 2:09-cv-10504-MOB-DAS (Sankaran, Vivek) (Entered: 04/20/2009)
04/24/2009	<u>32</u>	REPLY to Response re (9 in 2:09-cv-10504-MOB-DAS) MOTION for Preliminary Injunction, (8 in 2:09-cv-10535-MOB-MKM) MOTION for Preliminary Injunction filed by Kevin Houle, Harvey Reese, TH, Rose Houle, Tonja Parker. (Attachments: # <u>1</u> Exhibit Ex 1 Revised Conditions) Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (Reingold, Paul) (Entered: 04/24/2009)
04/24/2009	<u>33</u>	REPLY to Response re (25 in 2:09-cv-10504-MOB-DAS, 25 in 2:09-cv-10504-MOB-DAS) MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment, (21 in 2:09-cv-10535-MOB-MKM, 21 in 2:09-cv-10535-MOB-MKM) MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment filed by Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman, Barbara Sampson, Charles Brown. (Attachments: # <u>1</u> Index of Exhibits List of EXhibits, # <u>2</u> Exhibit 1 - Case Report for Kevin Houle, # <u>3</u> Exhibit 2 - Case Report for Harvey Reese) Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (Himebaugh, Kevin) (Entered: 04/24/2009)
05/28/2009	<u>34</u>	MOTION to Intervene <i>Ken Levy</i> by Kevin Houle, Harvey Reese, TH, Rose Houle, Tonja Parker, AR. (Attachments: # <u>1</u> Index of Exhibits Index of Exs, # <u>2</u> Exhibit Ex A Levy's Declaration, # <u>3</u> Exhibit Ex B Special Conditions of Parole for Levy, # <u>4</u> Exhibit Ex C Kristy Levy Declaration, # <u>5</u> Exhibit Ex D SOT Termination Report, # <u>6</u> Exhibit Ex E Psy Report of Dr Rosenberg) Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (Reingold, Paul) (Entered: 05/28/2009)
05/28/2009	<u>35</u>	MOTION to Intervene <i>R.L.</i> by TH, AR. Associated Cases: 2:09-cv-10535-MOB-MKM, 2:09-cv-10504-MOB-DAS (Sankaran, Vivek) (Entered: 05/28/2009)
06/03/2009		Minute Entry -Motion Hearing held on 6/3/2009 re (9 in 2:09-cv-10504-MOB-DAS) MOTION for Preliminary Injunction filed by Harvey Reese, Kevin Houle, (25 in 2:09-cv-10504-MOB-DAS, 25 in 2:09-cv-10504-MOB-DAS) MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment filed by Miguel Berrios, David Kleinhardt, Anthony King, Stephen DeBoer, Paul Condino, Charles Brown, James Atterberry, Artina Hardman, Barbara S Sampson, Laurin Thomas, (8 in 2:09-cv-10535-MOB-MKM) MOTION for Preliminary Injunction filed by AR, TH, (21 in 2:09-cv-10535-MOB-MKM, 21 in 2:09-cv-10535-MOB-MKM) MOTION to Dismiss <i>and/or</i> MOTION for Summary Judgment filed by Barbara Sampson, Miguel Berrios, David Kleinhardt, Anthony King, Paul Condino, Stephen DeBoer, Charles Brown, James Atterberry, Artina Hardman, Laurin Thomas before District Judge Marianne O Battani. (Court Reporter Allen Burnham) Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (CMot) (Entered: 06/04/2009)

06/08/2009	<u>36</u>	ORDER denying (25) Motion to Dismiss; denying (25) Motion for Summary Judgment in case 2:09-cv-10504-MOB-DAS; denying (21) Motion to Dismiss; denying (21) Motion for Summary Judgment in case 2:09-cv-10535-MOB-MKM. (REFER TO IMAGE FOR ADDITIONAL DETAILS). Signed by District Judge Marianne O Battani. Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (BThe) (Entered: 06/08/2009)
06/08/2009		Set/Reset Deadlines as to (9 in 2:09-cv-10504-MOB-DAS) MOTION for Preliminary Injunction, (8 in 2:09-cv-10535-MOB-MKM) MOTION for Preliminary Injunction. Motion Hearing set for 8/17/2009 02:30 PM before District Judge Marianne O Battani Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (BThe) (Entered: 06/08/2009)
06/08/2009	<u>37</u>	ORDER of Dismissal as to: Harvey Reese and AR terminated. Signed by District Judge Marianne O Battani. Associated Cases: 2:09-cv-10504-MOB-DAS, 2:09-cv-10535-MOB-MKM (BThe) (Entered: 06/08/2009)
07/08/2009	<u>38</u>	RESPONSE to <u>34</u> MOTION to Intervene <i>Ken Levy</i> filed by Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Himebaugh, Kevin) (Entered: 07/08/2009)
07/28/2009	<u>39</u>	STIPULATION AND ORDER Granting Leave to Amend re <u>1</u> Complaint. Signed by District Judge Marianne O Battani. (BThe) (Entered: 07/28/2009)
08/03/2009	<u>40</u>	SUPPLEMENTAL BRIEF re <u>27</u> Response to Motion, filed by Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1---Deposition of Barbara Sampson (Relevant Pages), # <u>3</u> Exhibit 2---Community Supervision of the Sex Offender (Jan 2000 Article), # <u>4</u> Exhibit 3---Sexual Abuse: A Journal of Research and Treatment) (Himebaugh, Kevin) (Entered: 08/03/2009)
08/05/2009	<u>41</u>	AMENDED COMPLAINT filed by RL, Kristy Levy, TH, Rose Houle against Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock, Anthony King, David Kleinhardt, Laurin Thomas, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Sankaran, Vivek) (Entered: 08/05/2009)
08/05/2009		REQUEST for SUMMONS for Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock. (Sankaran, Vivek) (Entered: 08/05/2009)
08/05/2009	<u>42</u>	AMENDED COMPLAINT of <i>plaintiffs Houle and Levy</i> filed by Kenneth Levy, Kevin Houle against all defendants. (Reingold, Paul) (Entered: 08/05/2009)
08/05/2009		REQUEST for SUMMONS for Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock. (Reingold, Paul) (Entered: 08/05/2009)
08/06/2009	<u>43</u>	SUMMONS Issued for *Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock* (DeSa) (Entered: 08/06/2009)
08/06/2009	<u>44</u>	SUMMONS Issued for *Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock* (DeSa) (Entered: 08/06/2009)
08/12/2009	<u>45</u>	MOTION for Preliminary Injunction by TH. (Sankaran, Vivek) Modified on 8/12/2009 (NHol). [NOT A MOTION - DOCUMENT IS A SUPPLEMENTAL BRIEF] (Entered: 08/12/2009)
08/12/2009	<u>46</u>	SUPPLEMENTAL BRIEF re <u>9</u> MOTION for Preliminary Injunction filed by Kenneth Levy, Kevin Houle. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Exhibit V - Follow-Up Declaration of Harvey Reese, # <u>3</u> Exhibit Exhibit W - Follow-up Declaration of Kevin Houle, # <u>4</u> Exhibit Exhibit X - Kevin Houle Special Condition 99.0, # <u>5</u> Exhibit Exhibit Y - Declaration of Rose Houle, # <u>6</u> Exhibit Exhibit Z - Follow-up Declaration of Rose Houle, # <u>7</u> Exhibit Exhibit AA - Declaration of T.H., # <u>8</u> Exhibit Exhibit BB - Declaration of William Starnes, Ph.D., # <u>9</u> Exhibit Exhibit CC - Declaration of Ken Levy, # <u>10</u> Exhibit Exhibit DD

		– Parole Conditions of Ken Levy, # <u>11</u> Exhibit Exhibit EE – Declaration of Kristy Levy, # <u>12</u> Exhibit Exhibit FF – Psychological Report of Matthew Rosenberg on Ken Levy, # <u>13</u> Index of Exhibits Exhibit GG – Declaration of Brandon Wilson, # <u>14</u> Exhibit Exhibit HH – Declaration and CV of Jill Levenson, Ph.D., # <u>15</u> Exhibit Exhibit II – OMNI Case Notes for Kevin Houle, # <u>16</u> Exhibit Exhibit JJ – Default Special Conditions Chart, # <u>17</u> Exhibit Exhibit KK – Deposition of Sandra Simmons, # <u>18</u> Exhibit Exhibit LL – Deposition of Barbara Sampson, # <u>19</u> Exhibit Exhibit MM – Deposition of Michael Glynn, # <u>20</u> Exhibit Exhibit NN – Deposition of John Rubitschun, # <u>21</u> Exhibit Exhibit OO – Declaration of David Taylor) (Reingold, Paul) (Entered: 08/12/2009)
08/12/2009	<u>47</u>	SUPPLEMENTAL BRIEF re <u>46</u> Supplemental Brief,,,,, filed by Kenneth Levy, Kevin Houle. (Attachments: # <u>1</u> Exhibit Exhibit PP – Parole Condition Authorization of Kevin Houle, # <u>2</u> Exhibit Exhibit QQ – Declaration of Ronnie Shackelford, # <u>3</u> Exhibit Exhibit RR – Declaration of Mark Prater) (Reingold, Paul). [DOCUMENT IS EXHIBITS PP, QQ AND RR IN SUPPORT OF SUPPLEMENTAL BRIEF]. Modified on 8/13/2009 (THal). (Entered: 08/12/2009)
08/14/2009	<u>48</u>	DECLARATION by Houle and Levy re <u>42</u> Amended Complaint, <u>41</u> Amended Complaint, filed by Kenneth Levy, Kevin Houle (Attachments: # <u>1</u> Document Continuation, # <u>2</u> Document Continuation, # <u>3</u> Document Continuation) (Reingold, Paul). [IMAGE CONTAINS SOME PAGES SCANNED SIDEWAYS – ATTORNEY INSTRUCTED TO REFILE CORRECTLY]. Modified on 8/14/2009 (THal). (Entered: 08/14/2009)
08/14/2009	<u>49</u>	DECLARATION by Houle and Levy re <u>42</u> Amended Complaint, <u>41</u> Amended Complaint, filed by Kenneth Levy, Kevin Houle (Attachments: # <u>1</u> Document Continuation, # <u>2</u> Document Continuation, # <u>3</u> Document Continuation) (Reingold, Paul) (Entered: 08/14/2009)
08/17/2009		Minute Entry –Settlement Conference held on 8/17/2009 before District Judge Marianne O Battani. (CMot) (Entered: 08/17/2009)
08/17/2009		Reset Deadlines as to <u>9</u> MOTION for Preliminary Injunction.(Motion Hearing reset for 9/17/2009 10:00 AM before District Judge Marianne O Battani), Set Scheduling Order Deadlines:(Settlement Conference set for 9/17/2009 10:00 AM before District Judge Marianne O Battani) (CMot) (Entered: 08/17/2009)
08/18/2009	<u>50</u>	EXHIBIT re <u>1</u> Complaint,, <u>31</u> Reply to Response to Motion, <u>10</u> Supplemental Brief,,,, <u>9</u> MOTION for Preliminary Injunction, <u>41</u> Amended Complaint, by TH (Sankaran, Vivek) (Entered: 08/18/2009)
08/25/2009	<u>51</u>	ATTORNEY APPEARANCE: Kevin R. Himebaugh appearing on behalf of Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock <i>with Certificate of Service</i> (Himebaugh, Kevin) (Entered: 08/25/2009)
08/27/2009	<u>52</u>	NOTICE of Appearance by Kevin R. Himebaugh on behalf of Jodi Deangelo. (Himebaugh, Kevin) (Entered: 08/27/2009)
09/17/2009		Minute Entry – Settlement Conference held on 9/17/2009, (Status Conference set for 2/23/2010 02:00 PM before District Judge Marianne O Battani) before District Judge Marianne O Battani. Disposition: HELD AND CONTINUED (BThe) (Entered: 09/17/2009)
09/24/2009	<u>53</u>	MOTION to Withdraw <u>9</u> MOTION for Preliminary Injunction by Kevin Houle. (Reingold, Paul) (Entered: 09/24/2009)
09/24/2009	<u>54</u>	NOTICE by Kevin Houle of withdrawal of <u>53</u> MOTION to Withdraw <u>9</u> MOTION for Preliminary Injunction, <u>9</u> MOTION for Preliminary Injunction. (Reingold, Paul) (Entered: 09/24/2009)
09/25/2009	<u>55</u>	NOTICE by TH, RL of withdrawal of <i>Plaintiffs' motion for Preliminary Injunction</i> . (Sankaran, Vivek) (Entered: 09/25/2009)
02/12/2010	<u>56</u>	Renewed MOTION to Intervene <i>and</i> , Renewed MOTION for Preliminary Injunction by Kevin Houle. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Ex A Letter Himebaugh, # <u>3</u> Exhibit Ex B Letter, # <u>4</u> Exhibit Ex C Himebaugh, # <u>5</u> Exhibit Ex D Letter Himebaugh 10.14.09, # <u>6</u> Exhibit Ex E Letter

		Himebaugh 9.24.09, # <u>7</u> Exhibit Ex F 2nd follow up, # <u>8</u> Exhibit Ex G Follow up, # <u>9</u> Exhibit Ex H Four Letters Alexander, # <u>10</u> Exhibit Ex I follow up, # <u>11</u> Exhibit Ex J Declaration of Clever, # <u>12</u> Exhibit Ex K Declaration Fogue, # <u>13</u> Exhibit Ex L Dec Poynter, # <u>14</u> Exhibit Ex M Decl Griffith, # <u>15</u> Exhibit Ex N Decl Perry, # <u>16</u> Exhibit Ex O Decl Hammonds, # <u>17</u> Exhibit Ex P Witaker v perdue, # <u>18</u> Exhibit Ex Q North Caroline v Demaio) (Reingold, Paul) (Entered: 02/12/2010)
02/19/2010	<u>57</u>	MOTION to Intervene, MOTION for Preliminary Injunction by TH. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Declaration of Debra LeBlanc (2/10/10), # <u>3</u> Exhibit Declaration of Z.L. (2/10/10)) (Sankaran, Vivek) (Entered: 02/19/2010)
02/22/2010	<u>58</u>	EXHIBIT <i>R</i> Supplemental Exhibit re <u>56</u> Renewed MOTION to Intervene <i>and</i> Renewed MOTION for Preliminary Injunction by Kevin Houle (Attachments: # <u>1</u> Exhibit Ex R Supplemental Ex. Declaration of LeBlanc) (Reingold, Paul) (Entered: 02/22/2010)
02/22/2010		ReSet Hearings: Status Conference reset for 3/25/2010 02:00 PM before District Judge Marianne O Battani (CMot) (Entered: 02/22/2010)
03/11/2010	<u>59</u>	EXHIBIT re <u>57</u> MOTION to Intervene MOTION for Preliminary Injunction by TH (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Supplemental Exhibit D. Declaration of Hannah Noland (2/23/10), # <u>3</u> Exhibit Supplemental Exhibit E. decl. of Sarah Griffith (2/22/10), # <u>4</u> Exhibit Supplemental Exhibit F. Decl. of D.G. (2/22/10), # <u>5</u> Exhibit Supplemental Exhibit C. Declaration of Samantha Houston (2/22/10)) (Sankaran, Vivek) (Entered: 03/11/2010)
03/25/2010	<u>60</u>	RESPONSE to <u>56</u> Renewed MOTION to Intervene <i>and</i> Renewed MOTION for Preliminary Injunction filed by Anthony King, David Kleinhart, Laurin Thomas, Jodi Deangelo, Lisa Gettys, David Fountain, John Sullivan, Soni Amos Warchock, Barbara S Sampson, James Atterberry, Miguel Berrios, Charles Brown, Paul Condino, Stephen DeBoer, Artina Hardman. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – E–mail to Shipman, # <u>3</u> Exhibit 2 – Parole Recommendations, # <u>4</u> Exhibit 3 – Case Report for Houle, # <u>5</u> Exhibit 4 – Screen Shot of Agent Note, # <u>6</u> Exhibit 5 – Case Report for Levy) (Himebaugh, Kevin) (Entered: 03/25/2010)
03/25/2010		Minute Entry – Status Conference held on 3/25/2010 before District Judge Marianne O Battani. (CMot) (Entered: 03/25/2010)
03/26/2010	<u>61</u>	SCHEDULING ORDER/BRIEFING SCHEDULE: Dispositive Motions filed by 4/26/2010; Responses due by 5/20/10; Replies due by 6/04/10; Oral Argument 6/17/10 at 3:00 p.m. Signed by District Judge Marianne O Battani. (CMot) (Entered: 03/26/2010)
04/08/2010	<u>62</u>	NOTICE TO WITHDRAW <u>56</u> Renewed MOTION to Intervene <i>and</i> Renewed MOTION for Preliminary Injunction by Kevin Houle. (Reingold, Paul) [DOCUMENT WAS FILED USING INCORRECT EVENT] Modified on 4/8/2010 (VLun). (Entered: 04/08/2010)
04/09/2010	<u>63</u>	NOTICE TO WITHDRAW <u>59</u> Exhibit, <u>57</u> MOTION to Intervene MOTION for Preliminary Injunction by TH. (Sankaran, Vivek) [DOCUMENT WAS FILED USING INCORRECT EVENT] Modified on 4/9/2010 (VLun). (Entered: 04/09/2010)
04/14/2010	<u>64</u>	TRANSCRIPT of Civil/Motion Hearing held on 6/3/2009. (Court Reporter/Transcriber: Allen T. Burnham) (Number of Pages: 60) Redaction Request due 5/5/2010. Redacted Transcript Deadline set for 5/17/2010. Release of Transcript Restriction set for 7/13/2010. 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, the transcript is publicly available. (Burnham, A) (Entered: 04/14/2010)
04/14/2010	<u>65</u>	Notice of Filing Transcript. (Burnham, A) (Entered: 04/14/2010)
04/30/2010	<u>66</u>	STIPULATED ORDER DISMISSING CASE With Prejudice and Without Costs. Signed by District Judge Marianne O Battani. (BThe) (Entered: 04/30/2010)