

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:11-cv-03659-DWF-TNL**

Karsjens et al v. Minnesota Department of Human Services et al
Assigned to: Judge Donovan W. Frank
Referred to: Magistrate Judge Tony N. Leung
Demand: \$750,000

Date Filed: 12/21/2011
Jury Demand: Both
Nature of Suit: 560 Civil Detainee:
Conditions of Confinement
Jurisdiction: Federal Question

rel Cases: [0:11-cv-01704-DWF-TNL](#)
[0:14-cv-00896-DWF-FLN](#)
[0:14-cv-02002-DWF-TNL](#)
[0:14-cv-02362-DWF-TNL](#)

Case in other court: USCA 8th Circuit, 15-01500
15-03485

Cause: 42:1983 Civil Rights Act

Special Master

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*former Chief Justice Eric J. Magnuson
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

American Public Media Group
TERMINATED: 08/07/2015

represented by **John P Borger**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Mary Andreleita Walker
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Randy M Lebedoff
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

The Associated Press
TERMINATED: 08/07/2015

represented by **John P Borger**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Mary Andreleita Walker
(See above for address)
TERMINATED: 08/07/2015
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Randy M Lebedoff
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

CBS Broadcasting Inc
TERMINATED: 08/07/2015

represented by **John P Borger**
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TERMINATED: 08/07/2015
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Mary Andreleita Walker
(See above for address)
TERMINATED: 08/07/2015
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Randy M Lebedoff
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TERMINATED: 08/07/2015
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Movant

KSTP-TV, LLC
TERMINATED: 08/07/2015

represented by **John P Borger**
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Movant

Minnesota Society of Professional Journalists, the
TERMINATED: 08/07/2015

represented by **John P Borger**
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Movant

MinnPost
TERMINATED: 08/07/2015

represented by **John P Borger**
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Movant

Public Record Media
TERMINATED: 08/07/2015

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Randy M Lebedoff
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TERMINATED: 08/07/2015
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Movant

**Reporters Committee for Freedom of
the Press, the**
TERMINATED: 08/07/2015

represented by **John P Borger**
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TERMINATED: 08/07/2015
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Randy M Lebedoff
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

The New York Times Company
TERMINATED: 08/07/2015

represented by **John P Borger**
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TERMINATED: 08/07/2015
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Randy M Lebedoff
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TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

Saint Paul Pioneer Press, the
TERMINATED: 08/07/2015

represented by **Mark R Anfinson**
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Fax: 612-827-3564

Email: mrانfinson@lawyersofminnesota.com
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

Times Media
TERMINATED: 08/07/2015
doing business as
Saint Cloud Times, the

represented by **Mark R Anfinson**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

**Minnesota Broadcasters Association,
the**
TERMINATED: 08/07/2015

represented by **Mark R Anfinson**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

Minnesota Newspaper Association, the
TERMINATED: 08/07/2015

represented by **Mark R Anfinson**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

**Minnesota Coalition on Government
Information, the**
TERMINATED: 08/07/2015

represented by **Mark R Anfinson**
(See above for address)
TERMINATED: 08/07/2015
LEAD ATTORNEY

Movant

Michael Benson
TERMINATED: 12/26/2013

represented by **Michael Benson**
1111 Hwy 73
Moose Lake, MN 55767
PRO SE

Date Filed	#	Docket Text
12/21/2011	<u>1</u>	42 USC 1983 COMPLAINT against All Defendants, filed by James Allen Barber, David LeRoy Gamble, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian Keith Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. Assigned to Judge Donovan W. Frank per 5th Division Prisoner List and referred to Magistrate Judge Janie S. Mayeron. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Cover Letter) (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>2</u>	Application to Proceed In Forma Pauperis in District Court filed by James Allen Barber. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>3</u>	Application to Proceed In Forma Pauperis in District Court filed by Craig Allen Bolte. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>4</u>	Application to Proceed In Forma Pauperis in District Court filed by Kaine Joseph Braun. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>5</u>	Application to Proceed In Forma Pauperis in District Court filed by Kenny S. Daywitt. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>6</u>	Application to Proceed In Forma Pauperis in District Court filed by Kevin John DeVillion. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>7</u>	Application to Proceed In Forma Pauperis in District Court filed by Bradley Wayne Foster. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)

12/21/2011	<u>8</u>	Application to Proceed In Forma Pauperis in District Court filed by David LeRoy Gamble. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>9</u>	Application to Proceed In Forma Pauperis in District Court filed by Brian Keith Hausfeld. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>10</u>	Application to Proceed In Forma Pauperis in District Court filed by Kevin Scott Karsjens. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>11</u>	Application to Proceed In Forma Pauperis in District Court filed by Peter Gerard Lonergan. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>12</u>	Application to Proceed In Forma Pauperis in District Court filed by James Matthew Noyer, Sr. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>13</u>	Application to Proceed In Forma Pauperis in District Court filed by James John Rud. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>14</u>	Application to Proceed In Forma Pauperis in District Court filed by Dennis Richard Steiner. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>15</u>	Application to Proceed In Forma Pauperis in District Court filed by Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>16</u>	Application for Temporary Restraining Order/Preliminary by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>17</u>	EXHIBITS A-C re <u>16</u> Application for Temporary Restraining Order/Preliminary by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>18</u>	MEMORANDUM in Support re <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>19</u>	AFFIDAVIT of Kevin Scott Karsjens in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>20</u>	AFFIDAVIT of Kevin Scott Karsjens in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibits 1-2, # <u>2</u> Exhibit 3)(akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>21</u>	AFFIDAVIT of David Leroy Gamble, Jr. in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>22</u>	AFFIDAVIT of Peter Gerard Lonergan in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>23</u>	MOTION for Appointment of Counsel by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
01/06/2012	<u>24</u>	MOTION for Class Certification Pursuant to Rule 23 by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)

01/06/2012	<u>25</u>	MEMORANDUM in Support re <u>24</u> MOTION for Class Certification Pursuant to Rule 23 filed by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>26</u>	INDEX of Affidavits filed. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>27</u>	AFFIDAVIT of Terry Carlson Allynn by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>28</u>	AFFIDAVIT of Kenneth Eugene Andreoff by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>29</u>	AFFIDAVIT of David B. Baker by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>30</u>	AFFIDAVIT of David Allan Bauer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>31</u>	AFFIDAVIT of Kevin Aaron Beaulieu by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>32</u>	AFFIDAVIT of Carmichael Deangelo Bedford by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>33</u>	AFFIDAVIT of Raymond John Booth, Jr. by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>34</u>	AFFIDAVIT of Bill Mathew Boots by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>35</u>	AFFIDAVIT of Tony Blaylock by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>36</u>	AFFIDAVIT of Michael Allen Brandt by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>37</u>	AFFIDAVIT of Roland Joseph Brant by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>38</u>	AFFIDAVIT of Joel Dewayne Brown by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>39</u>	AFFIDAVIT of Joshua Jeremiah Brundy by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>40</u>	AFFIDAVIT of Earl Buckner Jr. by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>41</u>	AFFIDAVIT of William Oliver Busick by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>42</u>	AFFIDAVIT of Brent Lee Cichon by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>43</u>	AFFIDAVIT of Jodie Ray Clews by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>44</u>	AFFIDAVIT of Samuel David Custer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>45</u>	AFFIDAVIT of Larry Franklin Dean by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>46</u>	AFFIDAVIT of Kenneth Wayne Delaney by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>47</u>	AFFIDAVIT of Antonio Robert Difronzo by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>48</u>	AFFIDAVIT of Daniel Doege by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)

01/06/2012	<u>49</u>	AFFIDAVIT of Kenneth Richard Domrose by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>50</u>	AFFIDAVIT of Timothy Felix Dougherty by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>51</u>	AFFIDAVIT of Steven L. Edwards by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>52</u>	AFFIDAVIT of Francis James Farley by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>53</u>	AFFIDAVIT of Joshua Adam Gardner by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>54</u>	AFFIDAVIT of Russell John Gifford by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>55</u>	AFFIDAVIT of Kristjan Robert Gislason by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>56</u>	AFFIDAVIT of Edward Harry Grayhill by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>57</u>	AFFIDAVIT of Scott Duane Gunderson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>58</u>	AFFIDAVIT of Robert Dale Hall by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>59</u>	AFFIDAVIT of Jude Wilson Halter by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>60</u>	AFFIDAVIT of Randy Earl Hammermeister by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>61</u>	AFFIDAVIT of Kenneth D. Hand by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>62</u>	AFFIDAVIT of Joseph Edwin Harju by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>63</u>	AFFIDAVIT of Steven James Hawkins by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>64</u>	AFFIDAVIT of Rodney Jon Heginger by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>65</u>	AFFIDAVIT of Charles Michael Hoban by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>66</u>	AFFIDAVIT of Michael Andrew Hofbauer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>67</u>	AFFIDAVIT of Michael St. John Hoffman by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>68</u>	AFFIDAVIT of Joshua R. Holmquist by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>69</u>	AFFIDAVIT of Christopher Jackson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>70</u>	AFFIDAVIT of Justin Casey Jacobson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>71</u>	AFFIDAVIT of David Wayne Hamilton by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>72</u>	AFFIDAVIT of Scott Phillip Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>73</u>	AFFIDAVIT of Peter William Johnson by Kevin Scott Karsjens. (jam) Modified on 1/10/2012 (jam). QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>74</u>	AFFIDAVIT of Kevin R. Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>75</u>	AFFIDAVIT of Kevin Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>76</u>	AFFIDAVIT of Michael Jones by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>77</u>	AFFIDAVIT of Steven Charles Kaelble by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). Modified text on 1/17/2012 (jam). (Entered: 01/10/2012)
01/06/2012	<u>78</u>	AFFIDAVIT of Tom Gary Karlson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>79</u>	AFFIDAVIT of Kevin Scott Karsjens by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>80</u>	AFFIDAVIT of Gene Lee Keller, Sr. by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>81</u>	AFFIDAVIT of Michael N. Kocur by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>82</u>	AFFIDAVIT of Brian Leland Koplin by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>83</u>	AFFIDAVIT of Mardell James Kutzke by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>84</u>	AFFIDAVIT of Jerome Anthony LaChapelle by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>85</u>	AFFIDAVIT of Steven Richard Landis by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>86</u>	AFFIDAVIT of Michael Anthony Lee by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>87</u>	AFFIDAVIT of Ernesto Longoria by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>88</u>	AFFIDAVIT of Nicholas Harold Luhmann by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>89</u>	AFFIDAVIT of Jeremy Allan Lund by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>90</u>	AFFIDAVIT of Andrew Gary Mallan by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>91</u>	AFFIDAVIT of Michael Edward Marlowe by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>92</u>	AFFIDAVIT of Richard Thomas Martinez by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>93</u>	AFFIDAVIT of Ricky L. Mason by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>94</u>	AFFIDAVIT of Jason Charles Melin by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>95</u>	AFFIDAVIT of Johsua Niven Mertz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>96</u>	AFFIDAVIT of Raymond Messer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>97</u>	AFFIDAVIT of Shawn Metzger by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>98</u>	AFFIDAVIT of James L. Moos by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>99</u>	AFFIDAVIT of Harley Morris by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>100</u>	AFFIDAVIT of Michael Mrozek by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>101</u>	AFFIDAVIT of Azeal Naudiz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>102</u>	AFFIDAVIT of Ryan Patrick Navratil by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>103</u>	AFFIDAVIT of Timothy Wayne Nygaard by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>104</u>	AFFIDAVIT of Michael Allen Olson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>105</u>	AFFIDAVIT of Clifford David Ostby by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>106</u>	AFFIDAVIT of Donald Iver Pohl by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>107</u>	AFFIDAVIT of Leon James Preston by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>108</u>	AFFIDAVIT of James Robert Puffer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>109</u>	AFFIDAVIT of Gerald Wayne Raisch by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>110</u>	AFFIDAVIT of James Lee Ray by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>111</u>	AFFIDAVIT of Norberto Salinas by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>112</u>	AFFIDAVIT of Jason Wayne Sand by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>113</u>	AFFIDAVIT of Timothy Richard Sarne-Brandt by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>114</u>	AFFIDAVIT of Allyn Lu Schlumbuser by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>115</u>	AFFIDAVIT of Dwight Lewis Shaw by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>116</u>	AFFIDAVIT of Shawn James Simons by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>117</u>	AFFIDAVIT of Eric Michael Sorenson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>118</u>	AFFIDAVIT of James Williams Stehlik by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>119</u>	AFFIDAVIT of Brian Leo Stirens by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>120</u>	AFFIDAVIT of Kent Lee Stricherz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>121</u>	AFFIDAVIT of Ryan Richard Swenson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>122</u>	AFFIDAVIT of Rahman Abdu Thomas by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>123</u>	AFFIDAVIT of Richard Tiffany by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>124</u>	AFFIDAVIT of Limous Titworth Jr. by Kevin Scott Karsjens. (jam) (Entered: 01/10/2012)
01/06/2012	<u>125</u>	AFFIDAVIT of Thomas Lee Tyler by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>126</u>	AFFIDAVIT of Martin Egene Wachtel by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>127</u>	AFFIDAVIT of Daniel L. Washington by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>128</u>	AFFIDAVIT of Byron Gerhardt Wegner by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>129</u>	AFFIDAVIT of Lance P. Wickner by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>130</u>	AFFIDAVIT of Michael Herbert Williams by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>131</u>	AFFIDAVIT of James Earl Williams by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>132</u>	AFFIDAVIT of Henry John Wilson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>133</u>	AFFIDAVIT of John Wohlsdorf by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>134</u>	AFFIDAVIT of Bradley Neil Woltjer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>135</u>	AFFIDAVIT of Timothy Cole Yepma by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>136</u>	AFFIDAVIT of Timothy Michael Zaudtke by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/12/2012	<u>137</u>	LETTER REFERRING Litigant to FBA Pro Se Project from Judge Donovan W. Frank. (BJS) cc: All 14 Plaintiffs. Modified on 1/13/2012 (lmb). (Entered: 01/12/2012)
01/20/2012	<u>138</u>	NOTICE of Appearance by Daniel E Gustafson on behalf of All Plaintiffs. (Gustafson, Daniel) (Entered: 01/20/2012)
01/24/2012	<u>140</u>	LETTER to Tiffany Sanders, FBA Pro Se Project Coordinator, from Kevin Scott Karsjens, filed by Kevin Scott Karsjens. (lmb) QC'd on 2/3/2012 (jmf). (Entered: 01/25/2012)
01/25/2012	<u>139</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 01/25/2012)
01/25/2012	141	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 2/2/2012 02:30 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 01/25/2012)
01/25/2012	<u>142</u>	ORDER. 1. Stay of All Cases Pending Resolution of Pending Motion for Class Certification in Civil No. 11-3659 (DWF/JSM). All current and future cases brought

		by an individual or group of individuals who has or have been civilly committed to the Minnesota Sex Offender Program are hereby STAYED in all respects, with the exception of Civil No. 11-3659 (DWF/JSM) and Civil No. 11-1704 (DWF/JJK), pending resolution of the motion for class certification in Civil No. 11-3659 (DWF/JSM), unless otherwise ordered by the Court. 2. Service. The Clerk of the United States District Court for the District of Minnesota is respectfully directed to provide a copy of this Order, via United States mail, to every unrepresented Plaintiff in all of the cases that are stayed. Signed by Chief Judge Michael J. Davis on 1/25/12.(BJS) (Entered: 01/25/2012)
02/02/2012	<u>143</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 2/2/2012. Next Status Conference to be held on 3/29/2012 at 2:30 p.m. (Court Reporter Jeanne Anderson) (BJS) (Entered: 02/03/2012)
02/03/2012	<u>144</u>	ORDER OF DIRECTION TO THE CLERK OF COURT FOR REASSIGNMENT OF MAGISTRATE JUDGE. Case reassigned to Magistrate Judge Jeffrey J. Keyes for all further proceedings. Magistrate Judge Janie S. Mayeron no longer assigned to case. NOTE: the new case number is 11cv3659 DWF/JJK . Please use this case number for all subsequent pleadings. Signed by Judge Donovan W. Frank on 2/3/2012. (JME) (Entered: 02/06/2012)
02/06/2012	<u>145</u>	AMENDED ORDER. 1. <u>Stay of All Cases Pending Resolution of Pending Motion for Class Certification in Civil No. 11-3659 (DWF/JJK)</u> . All current and future civil rights cases brought by an individual or group of individuals who has or have been civilly committed to the Minnesota Sex Offender Program are hereby STAYED in all respects, with the exception of Civil No. 11-3659(DWF/JJK) and Civil No. 11-1704 (DWF/JJK), pending resolution of the motion for class certification in Civil No. 11-3659 (DWF/JJK), unless otherwise ordered by the Court. 2. <u>Service</u> . The Clerk of the United States District Court for the District of Minnesota is respectfully directed to provide a copy of this Order, via United States mail, to every unrepresented Plaintiff in all of the cases that are stayed. (Written Opinion). Signed by Chief Judge Michael J. Davis on 2/6/12. Associated Cases: 0:11-cv-01704-DWF-JJK, 0:11-cv-03659-DWF-JJK(GRR) (Entered: 02/06/2012)
02/08/2012	<u>146</u>	ORDER. 1. Case No. 11-cv-1704 (DWF/JJK) is STAYED in all respects, unless and until otherwise ordered by the Court. 2. Plaintiffs shall serve and file an amended complaint in Case No. 11-cv-3659 (DWF/JJK) on or before February 29, 2012. 3. A status conference will be held in Case No. 11-cv-3659 (DWF/JJK) on March 29, 2012 at 2:30 p.m. in Chambers 724, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 4. Prior to the March 29, 2012 status conference, the parties shall make a good faith effort to resolve any outstanding issues related to service of process of the amended complaint and the terms of a protective order and shall discuss resolution of the pending motions for class certification and for a temporary restraining order in Case No. 11-cv-3659 (DWF/JJK). Signed by Judge Donovan W. Frank on 2/8/2012. (BJS) (Entered: 02/08/2012)
02/29/2012	<u>147</u>	STIPULATION <i>Regarding Extension of Time to File the Amended Complaint</i> by James Allen Barber, Elisabeth Barbo, Scott Benoit, Dennis Benson, Jim Berg, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Jane Doe, John Doe, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Lucinda Jesson, Susan Johnson, Kevin Scott Karsjens, Terry Kneisel, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Mehrdad Sabestari, Laurie Severson, Jean Seykora, Dennis Richard Steiner, Michael Tessner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 02/29/2012)
02/29/2012	<u>148</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 02/29/2012)
02/29/2012	149	ORDER (TEXT ONLY ENTRY): Pursuant to the stipulation of the parties (Doc. No. <u>147</u>), Plaintiffs' request for an extension of the deadline to file an Amended

		Complaint (Doc. No. <u>148</u>) is GRANTED. Plaintiffs shall file their Amended Complaint on or before March 15, 2012. Also pursuant to the stipulation of the parties, the status conference currently scheduled for March 29, 2012 is hereby CANCELLED. The status conference will be rescheduled for a date and time to be determined. Issued by Judge Donovan W. Frank on 2/29/2012. (TSS) (Entered: 02/29/2012)
03/05/2012	150	*TEXT ONLY ENTRY* NOTICE of Rescheduling Hearing: Status Conference now set for 4/16/2012 01:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 03/05/2012)
03/15/2012	<u>151</u>	AMENDED COMPLAINT against Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman, filed by James Allen Barber, David LeRoy Gamble, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. (Attachments: # <u>1</u> Certificate of Service) (Gustafson, Daniel) (Entered: 03/15/2012)
04/16/2012	152	*TEXT ONLY ENTRY* NOTICE to Attorneys: Preliminary Settlement Conference with Plaintiffs' counsel only set for 5/7/2012 03:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Confidential settlement letters due in chambers 5/4/12.(JEP) (Entered: 04/16/2012)
04/16/2012	153	*TEXT ONLY ENTRY* NOTICE to Attorney: Preliminary Settlement Conference with Defendants' counsel only set for 5/8/2012 03:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Confidential settlement letters due in chambers 5/4/12.(JEP) (Entered: 04/16/2012)
04/16/2012	<u>154</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 4/16/2012. Next Status Conference to be held on 5/30/2012 at 2:00 p.m., Chambers 724, St. Paul. (Court Reporter NA) (BJS) (Entered: 04/18/2012)
04/18/2012	155	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 5/30/2012 02:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 04/18/2012)
04/26/2012	<u>156</u>	NOTICE of Appearance by Max H Kieley on behalf of Dennis Benson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Kieley, Max) (Entered: 04/26/2012)
04/30/2012	<u>157</u>	STIPULATION <i>TO EXTEND TIME TO ANSWER</i> by all parties. (Kieley, Max) Modified filers on 4/30/2012 (lmb). (Entered: 04/30/2012)
04/30/2012	<u>158</u>	WAIVER OF SERVICE Returned Executed filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. Dennis Benson waiver sent on 4/12/2012, answer due 6/11/2012; Lucinda Jesson waiver sent on 4/12/2012, answer due 6/11/2012; Tom Lundquist waiver sent on 4/12/2012, answer due 6/11/2012; Kevin Moser waiver sent on 4/12/2012, answer due 6/11/2012; Ann Zimmerman waiver sent on 4/12/2012, answer due 6/11/2012. (Gustafson, Daniel) Modified text on 4/30/2012 (lmb). (Entered: 04/30/2012)
05/01/2012	<u>159</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER <i>TO EXTEND TIME TO ANSWER</i> by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/1/2012 (lmb). (Entered: 05/01/2012)
05/01/2012	<u>160</u>	ORDER re <u>157</u> Stipulation: IT IS HEREBY ORDERED that: 1. The parties Stipulation to Extend Time to Answer is adopted. 2. Defendants deadline to file an Answer is postponed until otherwise ordered by this Court. Signed by Magistrate Judge Jeffrey J. Keyes on 05/01/2012. (lmb) (Entered: 05/01/2012)

05/07/2012	<u>161</u>	Minute Entry: Preliminary Settlement Conference with Plaintiffs' Counsel Only for proceedings held before Magistrate Judge Jeffrey J. Keyes on 5/7/2012. No order to be issued. (Tape #n/a) (MMP) (Entered: 05/10/2012)
05/08/2012	<u>162</u>	Minute Entry: Preliminary Settlement Conference with Defendants' Counsel Only held before Magistrate Judge Jeffrey J. Keyes on 5/8/2012. No order to be issued. (Tape #n/a) (MMP) (Entered: 05/10/2012)
05/30/2012	<u>163</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 5/30/2012. Status Conference held. Settlement Conference order to issue. Settlement conference set for June 19, 2012, at 10 a.m., Chamber 646, St. Paul, Minnesota. (Court Reporter NA) (BJS) (Entered: 05/30/2012)
05/31/2012	<u>164</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER re <u>166</u> STIPULATION, by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/31/2012 (lmb). Modified text, link on 5/31/2012 (lmb). (Entered: 05/31/2012)
05/31/2012	<u>165</u>	ORDER FOR SETTLEMENT CONFERENCE AND STATUS CONFERENCE: Settlement Conference set for 6/19/2012 10:00 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Status Conference set for 6/19/2012 04:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. Signed by Magistrate Judge Jeffrey J. Keyes on 05/31/2012. (lmb) (Entered: 05/31/2012)
05/31/2012	<u>166</u>	STIPULATION by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/31/2012 (lmb). (Entered: 05/31/2012)
05/31/2012	<u>167</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 05/31/2012. (lmb) (Entered: 05/31/2012)
06/19/2012	<u>168</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 6/19/2012. No settlement reached. Settlement discussions will continue. (lmb) (Entered: 06/20/2012)
06/19/2012	<u>169</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 6/19/2012. Counsel to contact Judge Frank chambers to schedule motion hearing. (Court Reporter NA) (BJS) (Entered: 06/20/2012)
06/20/2012	<u>170</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 06/20/2012)
06/28/2012	<u>171</u>	Amended MOTION to Certify Class by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>172</u>	NOTICE OF HEARING ON MOTION <u>171</u> Amended MOTION to Certify Class : Motion Hearing set for 7/24/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>173</u>	MEMORANDUM in Support re <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis

		Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>174</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>175</u>	MOTION for Temporary Restraining Order by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>176</u>	NOTICE OF HEARING ON MOTION <u>175</u> MOTION for Temporary Restraining Order : Motion Hearing set for 7/24/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>177</u>	MEMORANDUM in Support re <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>178</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B)(Gustafson, Daniel) (Entered: 06/28/2012)
06/29/2012	<u>179</u>	Minute Entry: Telephone Conference held before Magistrate Judge Jeffrey J. Keyes on 6/29/2012 re: Settlement Discussions. No Settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 06/29/2012)
07/03/2012	<u>180</u>	ORDER ON APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES: Having considered the applications to proceed without prepayment of fees under 28 USC §1915, IT IS ORDERED that the applications at Doc. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 are: GRANTED. Signed by Magistrate Judge Jeffrey J. Keyes on 07/03/2012. (MMP) (Entered: 07/03/2012)
07/03/2012	<u>181</u>	ORDER/NOTICE OF SETTLEMENT Settlement Conference set for 7/20/2012 09:00 AM in Judge's Chambers 9E (MPLS) before Chief Mag. Judge Arthur J. Boylan. Signed by Chief Mag. Judge Arthur J. Boylan on 07/03/2012. (jz) (Entered: 07/03/2012)
07/05/2012	<u>182</u>	*TEXT ONLY ENTRY* NOTICE to Attorneys: On or before Wednesday, July 11, 2012, Plaintiffs' counsel shall submit a letter to Defendants indicating Plaintiffs' specific settlement proposal regarding less restrictive alternatives and conditions of confinement and their counter-proposal regarding treatment issues. On or before Tuesday, July 17, 2012, Defendants shall disclose who will be attending the July 20, 2012 Settlement Conference on Defendants' behalf. (dmm) (Entered: 07/05/2012)
07/10/2012	<u>183</u>	MOTION in opposition to Plaintiffs' motion for class certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service)(jam) Document QcD on 7/11/12. (RMS) (Entered: 07/10/2012)
07/11/2012	<u>184</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification Pursuant to Fed.R.Civ.P. 23(b)(2) by Raymond L. Semler. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QcD on 7/12/12. (RLR) Modified on 7/12/2012 (RLR). (Entered: 07/11/2012)
07/11/2012	<u>185</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb)

		Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>186</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, filed by M.D. Benson. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>187</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Terrance J. Friend. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>188</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by James D. Fries. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>189</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Hollis J. Larson. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>190</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification filed by Dennis D. Linehan. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>191</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Michael Pittman. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/13/2012	<u>192</u>	MEMORANDUM in Opposition re <u>183</u> MOTION in opposition to Plaintiffs' motion for class certification, filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figuroa, Ricardo) (Entered: 07/13/2012)
07/13/2012	<u>193</u>	AFFIDAVIT of Jessica J. Geil with attached Exhibits A–D re <u>192</u> Memorandum in Opposition to Motion for Class Certification by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figuroa, Ricardo) Modified on 7/16/2012 (akl). (Entered: 07/13/2012)
07/13/2012	<u>194</u>	MEMORANDUM in Opposition re <u>175</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Kieley, Max) (Entered: 07/13/2012)
07/13/2012	<u>195</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service, # <u>3</u> Envelope)(jam) Document QCd on 7/16/12. (RMS) (Entered: 07/13/2012)
07/13/2012	<u>196</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Cover Letter, # <u>3</u> Affidavit of Service, # <u>4</u> Envelope)(jam) Document QCd on 7/16/12. (RMS) (Entered: 07/16/2012)
07/17/2012	<u>197</u>	REPLY to Response to Motion re <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2012)
07/17/2012	<u>198</u>	Second AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 07/17/2012)
07/17/2012	<u>199</u>	REPLY to Response to Motion re <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis

		Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2012)
07/17/2012	<u>200</u>	Second AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 07/17/2012)
07/20/2012	<u>201</u>	Minute Entry for proceedings held before Chief Judge Arthur J. Boylan: Settlement Conference held on 7/20/2012. No settlement reached. Settlement discussions will continue. (kt) Modified on 7/23/2012 (kt). (Entered: 07/23/2012)
07/23/2012	<u>202</u>	ORDER/NOTICE of Settlement Conference set for 8/22/2012 09:00 AM in Judge's Chambers 9E (MPLS) before Magistrate Judge Arthur J. Boylan. Signed by Chief Mag. Judge Arthur J. Boylan on 7/23/12. (kt) Modified on 7/23/2012 (kt). (Entered: 07/23/2012)
07/24/2012	<u>203</u>	ORDER CERTIFYING CLASS PURSUANT TO FEDERAL RULE 23(b)(2). This case is certified as a class action under Federal Rule of Civil Procedure 23(b)(2). The Class consists of the following: All patients currently civilly committed in the Minnesota Sex Offender Program pursuant to Minn. Stat. § 253B. Gustafson Gluek PLLC shall serve as Class Counsel, and the above-named Plaintiffs shall serve as Class Representatives. (Written Opinion). Signed by Judge Donovan W. Frank on 7/24/2012. (BJS) (Entered: 07/24/2012)
07/24/2012	<u>204</u>	STIPULATION re <u>175</u> MOTION for Temporary Restraining Order by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 07/24/2012)
07/24/2012	<u>206</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 7/24/2012 re <u>171</u> Amended MOTION to Certify Class filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens, <u>188</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>187</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>185</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, <u>183</u> MOTION in opposition to Plaintiffs' motion for class certification,, <u>175</u> MOTION for Temporary Restraining Order filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, Christopher John Thuringer, James Matthew Noyer, Sr., Kevin Scott Karsjens, Peter Gerard Lonergan, <u>189</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>186</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, <u>196</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification,, <u>24</u> MOTION for Class Certification Pursuant to Rule 23 filed by Kevin Scott Karsjens, <u>190</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>191</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>195</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification,, <u>184</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification Pursuant to Fed.R.Civ.P. 23(b)(2). Written orders to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/27/2012)
07/26/2012	<u>205</u>	ORDER. 1. Plaintiffs' Application for Temporary Restraining Order/Preliminary (Doc. No. <u>16</u>) is DENIED as follows: a. To the extent the motion seeks relief with respect to legal storage space and searches, the motion is DENIED AS MOOT. b. In all other respects, the motion is DENIED. 2. Plaintiffs' Motion for Appointment of

		Counsel (Doc. No. <u>23</u>) is DENIED AS MOOT. 3. Plaintiffs' Motion for Temporary Restraining Order (Doc. No. <u>175</u>) is DENIED AS MOOT. 4. Unnamed Plaintiffs' Motions in Opposition to Plaintiffs' Motion for Class Certification (Doc. Nos. [183-91], [195-96]) are DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 7/26/2012. (BJS) (Entered: 07/26/2012)
08/06/2012	<u>207</u>	MOTION to Intervene. (Attachments: # <u>1</u> Complaint, # <u>2</u> Cover Letter, # <u>3</u> Affidavit of Service)(jam) Document QCd on 8/8/12. (RLR) (Entered: 08/06/2012)
08/15/2012	<u>208</u>	ORDER: 1. The Minnesota Commissioner of Human Services (Commissioner) shall create an advisory task force hereinafter referred to as the "Sex Offender Civil Commitment Advisory Task Force" (Task Force) that shall consist of up to 15 members and will expire two years from the date of appointment of the first member; 2. The Task Force shall examine and provide recommended legislative proposals to the Commissioner on the following topics: A. The civil commitment and referral process for sex offenders; B. Sex offender civil commitment options that are less restrictive than placement in a secure treatment facility; and C. The standards and processes for the reduction in custody for civilly committed sex offenders. 3. The Commissioner shall strive to appoint individuals to the Task Force that have knowledge of the sex offender civil commitment process and the Minnesota Sex Offender Program; including, to the extent possible: A. Current and former state legislators B. Active or retired Minnesota County Attorneys C. Active or retired Minnesota State Court judges D. Active or retired Minnesota law enforcement personnel E. Attorneys licensed in the State of Minnesota that represent or have represented patients or sex offenders F. The Minnesota Ombudsman for mental health G. Victim advocates H. Sex offender treatment professionals I. Minnesota Department of Corrections J. Minnesota County Commissioners K. Minnesota County Adult Social Services L. Academic Professionals 4. The Task Force shall provide the Commissioner with recommendations on less restrictive alternatives to placement in secure treatment facilities and the Task Force shall provide to the Commissioner a schedule setting forth its work on each of the remaining topics and any other topics it deems necessary to adequately address the area of sex offender civil commitment by December 3, 2012. The schedule shall specify the date(s) by which the task force will deliver further recommended legislative reforms to the Commissioner. 5. The formation of this Task Force shall not affect or impair the rights of the parties with respect to further settlement discussions or litigation in this matter. Signed by Chief Mag. Judge Arthur J. Boylan on 08/15/2012. (MMP) cc: Hollis J. Larson on 8/15/2012 (MMP). (Entered: 08/15/2012)
08/20/2012	209	*TEXT ONLY ENTRY* NOTICE to Attorneys: The LOCATION of the Settlement Conference on August 22, 2012, has been changed. The Settlement Conference will commence at 9:00 a.m. on August 22, 2012, in the Devitt Courtroom of the St. Paul Courthouse (1st Floor). (kat) cc: NEF to Hollis J. Larson. Modified on 8/21/2012 (lmb). (Entered: 08/20/2012)
08/21/2012	<u>210</u>	ORDER SETTING A DATE FOR DEFENDANTS TO ANSWER THE AMENDED COMPLAINT OR FILE A MOTION TO DISMISS AND SETTING A HEARING DATE FOR A MOTION TO DISMISS. Pursuant to the Order of this Court entered on May 1, 2012, adopting the parties' Stipulation to Extend Time to Answer and postponing Defendants' deadline to file an Answer until a date ordered by the Court, the Court now orders the Defendants to file an Answer or a Motion to Dismiss the Amended Complaint on or before September 21, 2012. A hearing on a Motion to Dismiss the Amended Complaint, if filed, is set for November 29, 2012, at 10:00 a.m. in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, MN 55101 before the Honorable Judge Donovan W. Frank. Signed by Judge Donovan W. Frank on 8/20/2012. (BJS) cc: Hollis J. Larson. Modified on 8/21/2012 (lmb). (Entered: 08/21/2012)
08/22/2012	<u>211</u>	Minute Entry for proceedings held before Chief Mag. Judge Arthur J. Boylan: Settlement Conference held on 8/22/2012. No settlement reached. Settlement discussions will continue. (jz) (Entered: 08/22/2012)
08/22/2012	<u>212</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE Settlement Conference set for 10/10/2012 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Chief Mag. Judge Arthur J. Boylan on 08/22/2012. (jz) (cc: Hollis J. Larson) Modified on 8/22/2012 (jz). (Entered: 08/22/2012)

08/22/2012	<u>213</u>	PRETRIAL SCHEDULING ORDER Amended Pleadings due by 1/15/2013. Discovery due by 11/1/2013. Motions (non-disp) due 11/15/2013. Motions (disp) due by 1/15/2014. Ready for trial due by 7/1/2014. Signed by Chief Mag. Judge Arthur J. Boylan on 08/22/2012. (jz) (cc: Hollis J. Larson) Modified on 8/22/2012 (jz). (Entered: 08/22/2012)
08/27/2012	<u>214</u>	MEMORANDUM in Opposition re <u>207</u> MOTION to Intervene filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) (Entered: 08/27/2012)
08/29/2012	<u>215</u>	COPY of LETTER from Kevin S. Karsjens to Gustafson Gluek PLLC. (jz) Document QCd on 9/5/2012. (rms) (Entered: 08/29/2012)
08/30/2012	<u>216</u>	MEMORANDUM in Opposition re <u>207</u> MOTION to Intervene filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 08/30/2012)
08/30/2012	<u>217</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>216</u> Memorandum in Opposition to Motion (Alpert, Steven) Modified on 8/31/2012 (akl). (Entered: 08/30/2012)
08/30/2012	<u>218</u>	MOTION FOR AND MEMORANDUM IN SUPPORT OF A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION by Hollis J. Larson. (Attachments: # <u>1</u> Affidavit of Service)(jz) (Additional attachment(s) added on 8/30/2012: # <u>2</u> Cover Letter) (jz). Document QCd on 9/13/2012. (rms) (Entered: 08/30/2012)
09/04/2012	<u>219</u>	LETTER TO MAGISTRATE JUDGE by Dennis Richard Steiner. (jam) Document QCd on 9/12/2012. (rms) (Entered: 09/04/2012)
09/07/2012	<u>220</u>	Plaintiffs' MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Modified on 9/11/2012 (jam). Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>221</u>	EXHIBITS re <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>222</u>	Plaintiffs' MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>223</u>	NOTICE OF HEARING ON MOTION <u>222</u> MOTION for Temporary Restraining Order : Motion Hearing set for 10/18/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>224</u>	MEMORANDUM in Support re <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>225</u>	EXHIBIT. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>226</u>	AFFIDAVIT of Alvin Lamm in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (Attachments: # <u>1</u> Exhibit(s))(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>227</u>	AFFIDAVIT of Terrance J. Friend in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (Attachments: # <u>1</u> Exhibit(s))(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>228</u>	AFFIDAVIT of Guy I. Greene in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>229</u>	AFFIDAVIT of Hayden Richards in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on

		9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>230</u>	AFFIDAVIT of Joseph Thompson in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>231</u>	AFFIDAVIT of Peter Allan Sr. in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>232</u>	AFFIDAVIT of Guy I. Greene in SUPPORT OF <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>233</u>	AFFIDAVIT of Dennis D. Linehan in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>234</u>	AFFIDAVIT of Joseph Thompson in SUPPORT OF <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>235</u>	LETTER from Joseph Thompson to Daniel E. Gustafson in re: Motion for Subclass. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>236</u>	AFFIDAVIT of Service (Attachments: # <u>1</u> Affidavit of Service, # <u>2</u> Cover Letter)(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/18/2012	<u>237</u>	ORDER. 1. Any future letters, motions, or other submissions on the behalf of class members shall be filed through Class Counsel. To be clear, individual class members or groups of class members shall not file any further pro se motions unless granted permission by the Court; and 2. If individual class members or groups of class members send letters, motions, or other submissions to Chambers or to the Clerks Office for filing in violation of this Order, the Clerk of Court is directed to return such letter, motion, or submission to the sender along with a copy of this Order. Signed by Judge Donovan W. Frank on 9/18/2012. (BJS) (cc: Hollis J. Larson) Modified on 9/19/2012 (akl). (Entered: 09/18/2012)
09/19/2012	<u>238</u>	LETTER TO MAGISTRATE JUDGE filed by Raymond David Irwin. (lmb) Document QC'd on 9/26/2012. (rms) (Entered: 09/20/2012)
09/21/2012	<u>239</u>	MOTION for Payment of Fees and Costs by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>240</u>	NOTICE OF HEARING ON MOTION <u>239</u> MOTION for Payment of Fees and Costs : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>241</u>	MEMORANDUM in Support re <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>242</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>243</u>	MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 09/21/2012)

09/21/2012	<u>244</u>	NOTICE OF HEARING ON MOTION <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>245</u>	MEMORANDUM in Support re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>246</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1–10, # <u>2</u> Exhibit(s) 11–16, # <u>3</u> Exhibit(s) 17–36)(Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>247</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> (Figueroa, Ricardo) (Entered: 09/21/2012)
09/25/2012	<u>248</u>	Minute Entry for proceedings held before Chief Magistrate Judge Arthur J. Boylan: Telephonic Status Conference held on 9/25/2012. (JMH) (Entered: 09/25/2012)
10/04/2012	<u>249</u>	MEMORANDUM in Opposition re <u>220</u> MOTION to create sub–class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) (Entered: 10/04/2012)
10/05/2012	<u>250</u>	ORDER REGARDING SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE. Signed by Chief Mag. Judge Arthur J. Boylan on 10/05/12. (TSS) (Entered: 10/05/2012)
10/05/2012	<u>251</u>	ORDER REGARDING ADDITIONAL EX–OFFICIO MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE. Signed by Judge Donovan W. Frank on 10/05/2012. (TSS) (Entered: 10/05/2012)
10/10/2012	<u>252</u>	Minute Entry: Settlement Conference proceedings held before Magistrate Judge Jeffrey J. Keyes on 10/10/2012. No settlement reached. Settlement discussions will continue. (Tape #n/a) (MMP) (Entered: 10/11/2012)
10/11/2012	<u>253</u>	ORDER REGARDING ADDITIONAL <i>EX–OFFICIO</i> MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE: The Court HEREBY ORDERS the following additional individual as a member Ex–Officio to the Task Force as designated by the Commissioner: 1. The Honorable Fred T. Friedman, Chief Public Defender, Sixth Judicial District, Duluth, Minnesota. Signed by Chief Mag. Judge Arthur J. Boylan on 10/11/2012. (lmb) cc: Hollis J. Larson. Modified on 10/11/2012 (lmb). (Entered: 10/11/2012)
10/15/2012	<u>254</u>	MEMORANDUM in Opposition re <u>222</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>255</u>	AFFIDAVIT of Ricardo Figueroa in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>256</u>	AFFIDAVIT of Bonnie Wold in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)

10/15/2012	<u>257</u>	AFFIDAVIT of Ann Zimmerman in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>258</u>	AFFIDAVIT of Service by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>254</u> Memorandum in Opposition to Motion, <u>256</u> Affidavit in Opposition to Motion, <u>257</u> Affidavit in Opposition to Motion, <u>255</u> Affidavit in Opposition to Motion (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>259</u>	MEMORANDUM in Opposition re <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 10/15/2012)
10/15/2012	<u>260</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>259</u> Memorandum in Opposition to Motion, (Alpert, Steven) (Entered: 10/15/2012)
10/16/2012	<u>261</u>	AFFIDAVIT of Peter Allan Sr in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) (Attachments: # <u>1</u> Cover Letter)(MMP) Document QC'd on 11/21/2012. (rms) (Entered: 10/16/2012)
10/17/2012	<u>262</u>	Minute Entry: Telephone Conference held before Magistrate Judge Jeffrey J. Keyes on 10/17/2012. Phone conference with Defendants' counsel regarding settlement. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 10/17/2012)
10/19/2012	<u>263</u>	MEMORANDUM in Opposition re <u>239</u> MOTION for Payment of Fees and Costs filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 10/19/2012)
10/19/2012	<u>264</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 11/5/2012 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 10/19/2012. (MMP) CC: Hollis J. Larson on 10/19/2012 (MMP). (Entered: 10/19/2012)
10/19/2012	<u>265</u>	MEMORANDUM in Opposition re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 10/19/2012)
10/31/2012	<u>266</u>	ORDER REGARDING ADDITIONAL EX-OFFICIO MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE: The Court HEREBY ORDERS the following additional individual as a member Ex-Officio to the Task Force as designated by the Commissioner: 1. John Harrington, Chief, Metro Transit Police Department. Signed by Chief Mag. Judge Arthur J. Boylan on 10/31/2012. (lmb) cc: Hollis J. Larson. Modified on 10/31/2012 (lmb). (Entered: 10/31/2012)
11/01/2012	<u>267</u>	MEMORANDUM in Support re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/01/2012)
11/02/2012	<u>268</u>	REPLY re <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/02/2012)

11/02/2012	<u>269</u>	MEMORANDUM in Opposition re <u>222</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>270</u>	AFFIDAVIT of Dr. David Paulson re <u>269</u> Memorandum in Opposition to Motion, <i>for a Temporary Restraining Order and Preliminary Injunction</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>271</u>	AFFIDAVIT of Ricardo Figueroa re <u>269</u> Memorandum in Opposition to Motion, <i>for a Temporary Restraining Order and Preliminary Injunction</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>272</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>269</u> Memorandum in Opposition to Motion, <u>270</u> Affidavit, <u>271</u> Affidavit. (Figueroa, Ricardo) Modified on 11/2/2012 (RLR). (Entered: 11/02/2012)
11/05/2012	<u>273</u>	Minute Entry: Settlement Conference with all counsel held before Magistrate Judge Jeffrey J. Keyes on 11/5/2012. No settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 11/06/2012)
11/06/2012	<u>274</u>	ORDER OF SETTLEMENT CONFERENCE: Settlement Conference set for 12/3/2012 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 11/06/2012. (MMP) cc: Hollis J. Larson on 11/6/2012 (MMP). (Entered: 11/06/2012)
11/09/2012	<u>275</u>	ORDER that: Accordingly, IT IS HEREBY ORDERED that: 1. The Minnesota Commissioner of Human Services ("Commissioner") shall create an evaluation team, hereinafter referred to as the "MSOP Program Evaluation Team" ("Evaluation Team"), consisting of five qualified sex offender clinical treatment professionals with the necessary knowledge and experience to evaluate sex offender treatment in a secure facility to be appointed by the Commissioner and subject to Court approval. The Evaluation Team shall include the three sex offender treatment experts contracted to perform the annual evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. The parties shall meet and confer on the potential candidates for the final two Evaluation Team positions prior to final appointment by the Commissioner. 2. The Commissioner shall forward to the Court the names of those professionals appointed by the Commissioner to the Evaluation Team for approval no later than December 1, 2012. 3. The focus of the Evaluation Team is to address possible program issues associated with client treatment phase progression ("phase progression"). The Evaluation Team shall review the treatment records of clients who have been participating for at least 36 months in a treatment phase and who have not yet advanced to the next treatment phase. The records reviewed shall include a random sampling of the records of at least 10% or 15 clients, whichever is higher, to a maximum of 25% of those clients identified above (at the discretion of the Evaluation Team). The Evaluation Team's review is to supplement the annual program evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. 4. As part of the Evaluation Team's investigation of phase progression, it may consider any topic it deems related to phase progression, such as: adequacy of staffing levels and staff training; the type and amount of treatment offered; individual treatment record documentation; individual treatment plan documentation; the accuracy of client placement and progression within each treatment phase; therapeutic environment, etc. 5. No later than April 15, 2013, the Evaluation Team shall prepare and provide the MSOP Executive Director, the Court, and counsel for the parties in this litigation, with Findings and Recommendations on phase progression. The Evaluation Team shall also determine and include in its report a recommendation on the need, scope, and frequency of any future MSOP treatment program evaluation. These Findings and Recommendations on phase progression may be in addition to and reported separately from the annual program evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. 6. The Executive Director shall respond in writing to the Evaluation Team's phase progression Findings and Recommendations within thirty (30) days of receiving the Findings and Recommendations and provide that written response to the Commissioner, the Court, and counsel for the parties. The Findings

		and Recommendations and the Executive Director's written responses shall also be made public. The Executive Director shall include a copy of the phase progression Findings and Recommendations, along with the Executive Directors written responses, to the Minnesota Legislature as part of MSOP's annual performance report submitted in January 2014 (see Minn. Stat. § 246B.035). 7. If at any time the Evaluation Team discovers in its review of files for phase progression an actual or possible violation of law, rule, or regulation, it shall immediately notify the Commissioner or the Chief Compliance Officer of the Minnesota Department of Human Services, the Court, and counsel for the parties. 8. The formation of the Evaluation Team shall not affect or impair the rights of the parties with respect to further settlement discussions or litigation in this matter. 9. In view of the formation of this Evaluation Team and continuing settlement discussions among the parties, all discovery in this matter shall be stayed for a period of sixty (60) days from the date of this Order. Signed by Magistrate Judge Jeffrey J. Keyes on 11/09/2012. (MMP) CC: Hollis J. Larson on 11/9/2012 (MMP). (Entered: 11/09/2012)
11/20/2012	<u>276</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman . (Figueroa, Ricardo) (Entered: 11/20/2012)
11/26/2012	<u>277</u>	*TEXT ONLY ENTRY* NOTICE of Cancellation of Hearing: <u>240</u> NOTICE OF HEARING ON MOTION <u>239</u> MOTION for Payment of Fees and Costs : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel), <u>244</u> NOTICE OF HEARING ON MOTION <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo). The motions at <u>239</u> and <u>243</u> have been termed and the hearing scheduled for November 29, 2012, has been canceled per joint letter from Counsel filed at Doc. No. <u>276</u> . (BJS) (cc: Hollis J. Larson) Modified on 11/26/2012 (akl). (Entered: 11/26/2012)
12/03/2012	<u>278</u>	Minute Entry: Settlement Conference held before Magistrate Judge Jeffrey J. Keyeson 12/3/2012. No Settlement reached. Settlement discussions will continue. (Court Reporter n/a) (MMP) (Entered: 12/04/2012)
12/04/2012	<u>279</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 1/15/2013 09:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 12/04/2012. (MMP) cc; Hollis J. Larson on 12/4/2012 (MMP). (Entered: 12/04/2012)
12/05/2012	<u>280</u>	ORDER.1. Hollis J. Larson's Motion to Intervene or to Consolidate (Doc. No. <u>207</u>) is DENIED. 2. Hollis J. Larson's Motion for a Temporary Restraining Order and Preliminary Injunction (Doc. No. <u>218</u>) is DENIED. 3. Unnamed Plaintiffs' Motion to Create Sub-Class (Doc. No. <u>220</u>) is DENIED. 4. Unnamed Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction (Doc. No. <u>222</u>) is DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 12/4/2012. (BJS)(cc: Hollis J. Larson) Modified on 12/5/2012 (akl). (Entered: 12/05/2012)
12/13/2012	<u>281</u>	ORDER REGARDING THE MSOP PROGRAM EVALUATION TEAM: SEE ORDER FOR DETAILS. Signed by Magistrate Judge Jeffrey J. Keyes on 12/13/2012. (MMP) (Entered: 12/13/2012)
01/09/2013	<u>282</u>	*TEXT ONLY ENTRY* NOTICE of Resetting of TIME ONLY for Settlement Conference: <u>279</u> ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 1/15/2013 09:30 AM reset for 1/15/2013 10:00 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. This is a time change only.(JEP) (Entered: 01/09/2013)
01/15/2013	<u>283</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 1/15/2013. No settlement reached. Settlement discussions will continue. (jam) (Entered: 01/15/2013)
01/15/2013	<u>284</u>	ORDER/NOTICE: A settlement conference on the topic of conditions of confinement will be held on February 14 and 15, 2013, starting at 9:30 a.m. each day, at the

		Minnesota Sex Offender Program Moose Lake, 1111 Highway 73, Moose Lake, Minnesota, before United States Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 1/15/13. (jam) (Entered: 01/16/2013)
01/24/2013	<u>285</u>	ORDER: all discovery in this matter shall be stayed for a period of sixty (60) days from the date of this Order. Signed by Magistrate Judge Jeffrey J. Keyes on 01/24/2013. (MMP) (Entered: 01/24/2013)
02/14/2013	<u>286</u>	Minute Entry: Settlement Conference with all counsel held before Magistrate Judge Jeffrey J. Keyes on 2/14/2013. No settlement reached. Settlement discussions will continue. (Tape #n/a) (MMP) (Entered: 02/19/2013)
02/15/2013	<u>287</u>	Minute Entry: Settlement Conference held with all counsel before Magistrate Judge Jeffrey J. Keyes on 2/15/2013. No settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 02/19/2013)
02/21/2013	<u>288</u>	DOCUMENT FILED IN ERROR. Modified on 2/22/2013 (TSS). (Entered: 02/21/2013)
02/26/2013	<u>289</u>	Minute Entry: Telephone Conference on held before Magistrate Judge Jeffrey J. Keyes on 2/26/2013. Re: Settlement Issues. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 02/26/2013)
02/26/2013	<u>290</u>	ORDER: IT IS HEREBY ORDERED that: SEE ORDER FOR DETAILS. Signed by Magistrate Judge Jeffrey J. Keyes on 02/26/2013. (MMP) (Entered: 02/26/2013)
03/20/2013	<u>291</u>	ORDER The Committee roster, first established by Court Order on February 26, 2013 (Doc. No. <u>290</u>), is amended to consist of the following individuals: Dan Gustafson or David Goodwin, Steve Alpert or Ricardo Figueroa, Nancy Johnston, Anne Barry, Jannine Hbert and/or Kevin Moser, Kevin Karsjens, Benjamin Alverson, Corey Michaels, Dennis Steiner. Signed by Magistrate Judge Jeffrey J. Keyes on 3/20/13. (GMW) (Entered: 03/20/2013)
03/22/2013	<u>292</u>	ORDER that 1. All discovery in this matter is hereby stayed for a period of ninty days from the date of this order; and 2. The Court may amend its Order staying discovery depending on the status of settlement discussions. Signed by Magistrate Judge Jeffrey J. Keyes on 3/22/13. (kt) (Entered: 03/22/2013)
04/09/2013	<u>293</u>	ORDER/NOTICE of Settlement Conference set for 5/16/2013 10:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 4/9/13. (kt) (Entered: 04/09/2013)
04/26/2013	<u>294</u>	LETTER TO MAGISTRATE JUDGE by Lucinda Jesson, Kevin Moser, Dennis Benson, Tom Lundquist, Ann Zimmerman, Greg Carlson. (Attachments: # <u>1</u> Exhibit(s) No. 1, # <u>2</u> Exhibit(s) No. 2, # <u>3</u> Exhibit(s) No. 3, # <u>4</u> Exhibit(s) No. 4)(Alpert, Steven) Modified on 4/29/2013 (kt). (Entered: 04/26/2013)
05/16/2013	<u>295</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 5/16/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 05/17/2013)
06/12/2013	<u>296</u>	NOTICE OF Status Conference set for 6/13/2013 09:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 6/12/13. (kt) (Entered: 06/12/2013)
06/13/2013	<u>297</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Status Conference held on 6/13/2013. (kt) (Entered: 06/13/2013)
06/20/2013	<u>298</u>	ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 6/20/13. (kt) (Entered: 06/20/2013)
07/18/2013	<u>299</u>	NOTICE OF SETTLEMENT CONFERENCE/ORDER Settlement Conference set for 7/29/2013 02:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 7/18/13. (GMW) (Entered: 07/18/2013)
07/29/2013	<u>300</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 7/29/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 07/30/2013)

08/08/2013	<u>301</u>	AMENDED COMPLAINT (<i>Second Amended Complaint</i>) against Dennis Benson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman, Nancy Johnston, Jannine Hebert. Filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian Keith Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. No summons requested. (Gustafson, Daniel) (Entered: 08/08/2013)
08/14/2013	<u>303</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 8/14/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 08/21/2013)
08/20/2013	<u>302</u>	NOTICE of Withdrawal as Attorney (Kieley, Max) (Entered: 08/20/2013)
08/20/2013	<u>304</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 8/20/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 08/21/2013)
08/21/2013	<u>305</u>	NOTICE of Scheduling Conference set for 9/10/2013 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 8/21/13. (kt) (Entered: 08/21/2013)
08/22/2013	<u>306</u>	MOTION for Declaratory Judgment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>307</u>	NOTICE OF HEARING ON MOTION <u>306</u> MOTION for Declaratory Judgment : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>308</u>	MEMORANDUM in Support re <u>306</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>309</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>306</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>310</u>	MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>311</u>	NOTICE OF HEARING ON MOTION <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>312</u>	MEMORANDUM in Support re <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>313</u>	MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>314</u>	NOTICE OF HEARING ON MOTION <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i>

		: Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>315</u>	MEMORANDUM in Support re <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>316</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A and B)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>317</u>	MOTION for Payment of Fees and Costs by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>318</u>	NOTICE OF HEARING ON MOTION <u>317</u> MOTION for Payment of Fees and Costs : at date and time to be determined. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>319</u>	MEMORANDUM in Support re <u>317</u> MOTION for Payment of Fees and Costs filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>320</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>317</u> MOTION for Payment of Fees and Costs filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>321</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, Dennis Richard Steiner, Christopher John Thuringer re <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>306</u> MOTION for Declaratory Judgment , <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>317</u> MOTION for Payment of Fees and Costs (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>322</u>	MOTION to Expedite <i>Discovery</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>323</u>	NOTICE OF HEARING ON MOTION <u>322</u> MOTION to Expedite <i>Discovery</i> : Motion Hearing set for 9/10/2013 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>324</u>	MEMORANDUM in Support re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>325</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>322</u> MOTION to Expedite <i>Discovery</i> (Gustafson, Daniel) (Entered: 08/22/2013)
08/29/2013	<u>326</u>	MEMORANDUM in Opposition re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 08/29/2013)

08/29/2013	<u>327</u>	AFFIDAVIT of Steven H. Alpert in OPPOSITION TO <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-8)(Alpert, Steven) (Entered: 08/29/2013)
09/09/2013	<u>328</u>	MEMORANDUM in Opposition re <u>317</u> MOTION for Payment of Fees and Costs filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>329</u>	MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>330</u>	NOTICE OF HEARING ON MOTION <u>329</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>331</u>	MEMORANDUM in Support re <u>329</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) (MOL support of Defs' motion to dismiss Plaintiffs' Second Amended Complaint) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>332</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>329</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) (<i>and to dismiss Plaintiffs' Second Amended Complaint</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-32)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>333</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>329</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) (<i>and to dismiss Plaintiffs' Second Amended Complaint</i>) (Figueroa, Ricardo) (Entered: 09/09/2013)
09/10/2013	<u>334</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Motion Hearing held on 9/10/2013 re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. (kt) (Entered: 09/10/2013)
09/10/2013	<u>335</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Scheduling Conference held on 9/10/2013. (kt) (Entered: 09/10/2013)
09/10/2013	336	TEXT-ONLY ORDER Magistrate Judge Jeffrey J. Keyes that (1) Plaintiffs Motion for Expedited Discovery (Doc. No. 322), is GRANTED as stated on the record.(2) A Scheduling Order will be filed separately. (kt) (Entered: 09/10/2013)
09/10/2013	<u>337</u>	SCHEDULING ORDER: Discovery due by 12/15/2013. Motions (non-disp) due 7/30/2014. Motions (disp) due by 11/15/2014. Ready for trial due by 4/15/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 9/10/13. (kt) (Entered: 09/10/2013)
09/11/2013	<u>338</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 9/11/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 09/11/2013)
09/16/2013	<u>339</u>	Joint MOTION to Adopt Briefing Schedule by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard

		Steiner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 09/16/2013)
09/24/2013	<u>340</u>	ORDER. Pursuant to the parties' Joint Motion to Adopt Briefing Schedule filed on September 16, 2013, (Doc. No. <u>339</u>), the Court further Orders the following Briefing Schedule related to these Motions: 1. Plaintiffs' Amended Motions Regarding Preliminary Injunctions and Declaratory Judgment and Defendants' Amended Motion to Dismiss and Supporting Memoranda and exhibits will be due on December 20, 2013. 2. Plaintiffs' Response to Defendants' Motion to Dismiss and Defendants' Response to Plaintiffs' Motions Regarding Preliminary Injunctions and Declaratory Judgment will be due on January 15, 2014. 3. Defendants' Reply to the Motion to Dismiss and Plaintiffs' Reply to the Motions Regarding Preliminary Injunctions and Declaratory Judgment will be due on January 31, 2014. Signed by Judge Donovan W. Frank on 9/24/2013. (BJS) (Entered: 09/24/2013)
09/27/2013	<u>341</u>	ORDER appointing David Ferleger as the Court's technical advisor in this litigation as a judicial adjunct. (See Order for details.) Signed by Judge Donovan W. Frank on 09/27/2013. (RLB) (Entered: 09/27/2013)
09/30/2013	<u>342</u>	TEXT ONLY ENTRY: ORDER. In light of the recent filings in this matter, the Court requests that Plaintiffs update the Court, by filing a brief letter on or before 5 p.m. on October 2, 2013, as to the status of each of the issues raised in their Motion for Payment of Fees and Costs (Doc. No. 317). Defendants may file a response to Plaintiffs' letter on or before 5 p.m. on October 4, 2013. Signed by Judge Donovan W. Frank on 9/30/2013. (BJS) (Entered: 09/30/2013)
10/01/2013	<u>343</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 10/01/2013)
10/04/2013	<u>344</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>pursuant to Doc. No. 342</i>). (Figueroa, Ricardo) (Entered: 10/04/2013)
10/09/2013	<u>345</u>	**TEXT ONLY ENTRY** The Court will consider and render a decision on Plaintiffs' Motion for Payment of Fees and Costs (Doc. No. <u>317</u>) on the papers and without a hearing. Signed by Judge Donovan W. Frank on 10/09/2013. (RLB) (Entered: 10/09/2013)
10/17/2013	<u>346</u>	ORDER/NOTICE of Settlement Conference set for 11/12/2013 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 10/17/13. (kt) (Entered: 10/17/2013)
10/25/2013	<u>347</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MOTION and Notice of Motion for Leave to Intervene of Right or Permissively and to file Class Action Complaint in Intervention by Stephen Danforth, Ronald Harrison, Michael Benson, Timothy Briesemeister, Raymond Leon Semler, Christopher Paul Jackson. (Attachments: # <u>1</u> Class Action Complaint in Intervention, # <u>2</u> Envelope)(JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>348</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MOTION and Notice of Motion for order determining that complaint in intervention proceed as class action by Dennis Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler. (JME) Modified on 10/25/2013 (JME). DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>349</u>	FILED IN ERROR – SEE ORDER <u>355</u> – Application to Proceed in District Court without Prepaying Fees or Costs filed by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)

10/25/2013	<u>350</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MEMORANDUM in Support re <u>348</u> MOTION for order determining that complaint in intervention proceed as class action filed by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>351</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Stephen Danforth in SUPPORT OF <u>348</u> MOTION for order determining that complaint in intervention proceed as class action filed by Stephen Danforth. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>352</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Stephen Danforth in SUPPORT OF <u>347</u> MOTION for Leave to Intervene of Right or Permissively and to file Class Action Complaint in Intervention filed by Stephen Danforth. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>353</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Service by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler re <u>352</u> Affidavit in Support of Motion, <u>350</u> Memorandum in Support of Motion, <u>348</u> MOTION for order determining that complaint in intervention proceed as class action, <u>351</u> Affidavit in Support of Motion, <u>347</u> MOTION to Alter/Amend/Supplement Pleadings (JME) DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>354</u>	ORDER. 1. To the extent Plaintiffs seek the appointment of expert witnesses for the benefit of the Court pursuant to Rule 706, the motion is GRANTED. The parties shall each submit nominations for such experts and identify the experts' respective areas of expertise and hourly rates. 2. To the extent Plaintiffs seek an order requiring Defendants to advance payment for Plaintiffs' discovery costs or other litigation fees, the motion is DENIED. 3. In all other respects, the motion is DENIED. Signed by Judge Donovan W. Frank on 10/25/2013. (BJS) (cc: 6 to Pro Se Plaintiffs) (Entered: 10/25/2013)
10/30/2013	<u>355</u>	ORDER. 1. The Clerk of Court shall mark the docket entries of each of the pro se submissions (Doc. Nos. [347–53]) as FILED IN ERROR. 2. The Clerk of Court shall return the pro se submissions (Doc. Nos. [347–53]) to the sender(s) along with a copy of the Courts September 18, 2012 Order (Doc. No. <u>237</u>). Signed by Judge Donovan W. Frank on 10/30/2013. (BJS)(cc: 6 to Pro Se Plaintiffs) Modified on 11/1/2013 (las). (Entered: 10/30/2013)
11/12/2013	<u>356</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 11/12/2013. No settlement reached. (kt) (Entered: 11/12/2013)
11/12/2013	<u>357</u>	AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 11/12/13. (kt) CC: Pro se parties. (kt) (Entered: 11/12/2013)
11/12/2013	<u>358</u>	NOTICE of Status Conference set for 12/17/2013 01:30 PM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 11/12/13. (kt) CC: Pro se parties. (kt) (Entered: 11/12/2013)
11/19/2013	<u>359</u>	NOTICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>310</u> MOTION for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members, <u>306</u> MOTION for Declaratory Judgment , <u>313</u> MOTION for Preliminary Injunction for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program (Plaintiffs' Notice of Withdrawal of Motions) (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>360</u>	MOTION for Declaratory Judgment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard

		Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>361</u>	NOTICE OF HEARING ON MOTION <u>360</u> MOTION for Declaratory Judgment : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>362</u>	MEMORANDUM in Support re <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>363</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A–C)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>364</u>	MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re–Evaluate Class Members</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>365</u>	NOTICE OF HEARING ON MOTION <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re–Evaluate Class Members</i> : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>366</u>	MEMORANDUM in Support re <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re–Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>367</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re–Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A–B)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>368</u>	MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>369</u>	NOTICE OF HEARING ON MOTION <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>370</u>	MEMORANDUM in Support re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>371</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A–C)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>372</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re–Evaluate Class Members</i> , <u>360</u>

		MOTION for Declaratory Judgment (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>373</u>	NOTICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>329</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i>) (<i>Defendants' Notice of Withdrawal of Motion to Dismiss</i>) (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>374</u>	MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>375</u>	NOTICE OF HEARING ON MOTION <u>374</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>376</u>	MEMORANDUM in Support re <u>374</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>377</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>374</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1–11, # <u>2</u> Exhibit(s) 12–31)(Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>378</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>374</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) (Figueroa, Ricardo) (Entered: 11/19/2013)
12/05/2013	<u>379</u>	LETTER TO DISTRICT JUDGE by ACLU of Minnesota and Dean Eric Janus regarding <i>Brief of Amicus Curiae</i> . (Attachments: # <u>1</u> Certificate of Service)(Nelson, Teresa) (Entered: 12/05/2013)
12/05/2013	<u>380</u>	MEMORANDUM in Opposition re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>381</u>	MEMORANDUM in Opposition re <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>382</u>	MEMORANDUM in Opposition re <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Placeholder for Redacted MOL)(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)
12/05/2013	<u>383</u>	AFFIDAVIT of Nathan Brennaman in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A, C, D, E, # <u>2</u> Placeholder for Exhibits B and F (Filed under seal))(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)
12/05/2013	<u>384</u>	AFFIDAVIT of Jessica Geil in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson,

		Jannine Hebert, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) Public Exhibits, # <u>2</u> Placeholder for Sealed Geil Affidavit, # <u>3</u> Placeholder for Sealed Exhibits to Geil Affidavit)(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)
12/05/2013	<u>385</u>	AFFIDAVIT of Jannine Hebert in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) (A-H))(Figueroa, Ricardo) DOCUMENT FILED IN ERROR – DOCUMENT RESTRICTED AS DOCUMENT SHOULD HAVE BEEN FILED UNDER SEAL. (kt) (Entered: 12/05/2013)
12/05/2013	<u>386</u>	AFFIDAVIT of Lauren A. Allen in OPPOSITION TO <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>387</u>	AFFIDAVIT of Lucinda Jesson in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A–D)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>388</u>	AFFIDAVIT of Anna Remiger in OPPOSITION TO <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>389</u>	MEMORANDUM in Opposition re <u>374</u> MOTION to Dismiss/General (<i>for lack of subject matter jurisdiction and failure to state a claim</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/05/2013)
12/05/2013	<u>390</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>383</u> Affidavit in Opposition to Motion, <u>381</u> Memorandum in Opposition to Motion, <u>382</u> Memorandum in Opposition to Motion, <u>384</u> Affidavit in Opposition to Motion,, <u>380</u> Memorandum in Opposition to Motion, <u>386</u> Affidavit in Opposition to Motion, <u>385</u> Affidavit in Opposition to Motion,, <u>387</u> Affidavit in Opposition to Motion,, <u>388</u> Affidavit in Opposition to Motion (Figueroa, Ricardo) (Entered: 12/05/2013)
12/06/2013	<u>391</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Regarding Request to Submit Brief of Amicus Curiae</i>). (Gustafson, Daniel) (Entered: 12/06/2013)
12/06/2013	<u>392</u>	CAMENDED CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>383</u> Affidavit in Opposition to Motion, <u>382</u> Memorandum in Opposition to Motion, <u>384</u> Affidavit in Opposition to Motion. (Figueroa, Ricardo) Modified on 12/9/2013 (kt). (Entered: 12/06/2013)
12/06/2013	<u>393</u>	ORDER APPOINTING EXPERTS UNDER RULE 706 OF THE FEDERAL RULES OF EVIDENCE. 1. By order of October 25, 2013 (Doc. No. 354), the Court required the parties to "each submit nominations for such [Fed. R. Evid. 706] experts and identify the experts' respective areas of expertise and hourly rates." (See Order for additional information and details.) Signed by Judge Donovan W. Frank on 12/6/2013. (BJS) cc: Pro Se Movants Modified text on 12/9/2013 (las). (Entered: 12/06/2013)

12/09/2013	<u>394</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Alpert, Steven) (Entered: 12/09/2013)
12/09/2013	<u>395</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>394</u> Letter to District Judge (Alpert, Steven) (Entered: 12/09/2013)
12/10/2013	<u>396</u>	Reply to Response to Motion re <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>397</u>	Reply to Response to Motion re <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>398</u>	Reply to Response to Motion re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>399</u>	Reply to Response to Motion re <u>374</u> MOTION to Dismiss/General <i>(for lack of subject matter jurisdiction and failure to state a claim)</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 12/10/2013)
12/11/2013	<u>400</u>	ORDER. 1. The ACLU and Dean Janus shall file their amicus brief on or before December 27, 2013. 2. Plaintiffs and Defendants may each file a written response to the amicus brief on or before January 3, 2014. (Written Opinion). Signed by Judge Donovan W. Frank on 12/11/2013. (BJS) cc: Pro Se Movants. Modified on 12/11/2013 (las). (Entered: 12/11/2013)
12/12/2013	401	TEXT ONLY ENTRY: NOTICE of Resetting of Status Conference: <u>358</u> Status Conference set for 12/17/2013 reset for 1/2/2014 03:00 PM in Judge's Chambers/Conference Room, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. (JEP) cc: Pro Se Movants. Modified on 12/13/2013 (las). (Entered: 12/12/2013)
12/16/2013	<u>402</u>	NOTICE of Appearance by Nathan A Brennaman on behalf of Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 12/16/2013)
12/16/2013	<u>403</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Alpert, Steven) (Entered: 12/16/2013)
12/18/2013	<u>404</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 12/18/2013. (Motions <u>360</u> , <u>364</u> , <u>368</u> , <u>374</u>) Matters taken under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 12/18/2013)
12/18/2013	405	TEXT ONLY ENTRY: ORDER In accordance with the parties' agreement at the December 18, 2013 hearing, the deadline for Plaintiffs and Defendants to respond to the amicus brief of the ACLU and Dean Janus (see Doc. No. <u>400</u>) is hereby extended to January 10, 2014. Signed by Judge Donovan W. Frank on 12/18/2013. (BJS) CC: pro se parties. (kt) (Entered: 12/18/2013)
12/23/2013	<u>406</u>	DOCUMENT FILED IN ERROR – DECLARATION of Stephen Danforth Supplementing and Supporting Motion of Proposed Intervenors for Leave to File Motions for Intervention and to Proceed as Class Action, Proposed Class Action Complaint in Intervention and Supporting Documents by Stephen Danforth. (Attachments: # <u>1</u> Declaration of Service, # <u>2</u> Envelope)(MMP) DOCUMENT QC'D ON 12/23/13 LGL Modified on 12/23/2013 (LGL). Modified on 12/27/2013 (jam). Documents sent back to Stephen Danforth on 12/27/2013 (jam). (Entered: 12/23/2013)

12/26/2013	<u>407</u>	ORDER re <u>406</u> Declaration, filed by Stephen Danforth. 1. The Clerk of Court shall mark the docket entry of the pro se submission (Doc. No. <u>406</u>) as FILED IN ERROR. 2. The Clerk of Court shall return the pro se submission (Doc. No. <u>406</u>) to the sender along with a copy of the Court's September 18, 2012 Order (Doc. No. <u>237</u>). Signed by Judge Donovan W. Frank on 12/26/2013. (BJS) cc: pro parties on 12/27/2013 (jam). (Entered: 12/26/2013)
12/27/2013	<u>408</u>	BRIEF of Amici Curiae Eric S. Janus and ACLU of Minnesota. (Attachments: # <u>1</u> Certificate of Service)(Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>409</u>	APPENDIX filed re <u>408</u> Brief of Amici Curiae Eric S. Janus and ACLU of Minnesota. (Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>410</u>	Declaration of Teresa J. Nelson in Support of <u>408</u> Brief filed by ACLU of Minnesota. (Attachments: # <u>1</u> Exhibit(s) 1 through 20)(Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>411</u>	Second Declaration of Teresa J. Nelson in Support of <u>408</u> Brief filed by ACLU of Minnesota. (Attachments: # <u>1</u> Exhibit(s))(Nelson, Teresa) (Entered: 12/27/2013)
01/02/2014	<u>412</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 01/02/2014)
01/02/2014	<u>413</u>	TRANSCRIPT of Motions Hearing held on 12/18/2013 before Judge Donovan W. Frank. (177 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 1/23/2014. Redacted Transcript Deadline set for 2/3/2014. Release of Transcript Restriction set for 4/2/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 01/02/2014)
01/02/2014	<u>414</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Status Conference held on 1/2/2014. (kt) (Entered: 01/02/2014)
01/09/2014	<u>415</u>	LETTER TO COUNSEL from Judge Donovan W. Frank regarding permission to file/submit an Amicus Brief. (Attachments: # <u>1</u> Letter Request from Thomas Evenstad)(BJS) (Entered: 01/09/2014)
01/10/2014	<u>416</u>	RESPONSE re <u>408</u> Brief of Amici Curiae Eric S. Janus and ACLU-MN filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/10/2014)
01/10/2014	<u>417</u>	RESPONSE re <u>408</u> Brief (to Amicus Curaie Brief) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/10/2014)
01/13/2014	<u>418</u>	AMENDED PRETRIAL SCHEDULING ORDER: Motions (non-disp) due 12/10/2014. Motions (disp) due by 3/20/2015. Ready for trial due by 7/30/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 1/13/14. (kt) (Entered: 01/13/2014)
01/14/2014	<u>419</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (Regarding response to the letter submitted to the Court by Thomas Evenstad seeking permission to file a Brief of Amicus Curiae and to be appointed as a consultant/paralegal for Gustafson Gluek PLLC in this matter). (Gustafson, Daniel) (Entered: 01/14/2014)
01/17/2014	<u>420</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (regarding Defs' response to Thomas Evenstad's request fo file amicus curiae brief and appointment as consultant/paralegal for Gustafon Gluek). (Brennaman, Nathan) (Entered: 01/17/2014)
01/22/2014	<u>421</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer Joint Letter re: Rule 706 Experts. (Gustafson,

		Daniel) (Entered: 01/22/2014)
02/06/2014	<u>422</u>	EXPERT PLAN dated February 3, 2014. (BJS) (Entered: 02/06/2014)
02/11/2014	423	TEXT ONLY ORDER: The Court DENIES AS MOOT the letter request of Thomas Evenstad to file an Amicus Brief in the matter of Kevin Scott Karsjens, et al. v. Minnesota Department of Human Services, et al., CV 11-3659 (DWF/JJK), as the letter itself shall be deemed by the Court to be an Amicus Letter Brief and it shall be filed as such in this matter. SO ORDERED. Signed by Judge Donovan W. Frank on 2/11/2014. (BJS) (Entered: 02/11/2014)
02/12/2014	<u>424</u>	LETTER TO DISTRICT JUDGE from E. George Widseth. (Attachment: # <u>1</u> Transcript of Civil Commitment Hearing of Thomas Ray Duvall; Attachment #2: <u>413</u> TRANSCRIPT of Motions Hearing held on 12/18/2013 before Judge Donovan W. Frank)(TSS) Document QC'd on 2/25/2014 (JGK). (Entered: 02/12/2014)
02/13/2014	<u>425</u>	Amicus Letter Brief filed by Thomas Evenstad. (TSS) (Entered: 02/13/2014)
02/13/2014	<u>426</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Brennaman, Nathan) (Entered: 02/13/2014)
02/20/2014	<u>427</u>	MEMORANDUM OPINION AND ORDER. 1. Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Doc. No. <u>374</u>) is GRANTED IN PART and DENIED IN PART as follows: a. With respect to Plaintiffs' equal protection claim, the motion is GRANTED. Count X of Plaintiffs' Second Amended Complaint (Doc. No. <u>301</u>) is thus DISMISSED. b. To the extent Plaintiffs may seek monetary damages against Defendants in their official capacities, the motion is GRANTED. c. In all other respects, Defendants' motion is DENIED. 2. Plaintiffs' Motion for Declaratory Judgment (Doc. No. <u>360</u>) is DENIED WITHOUT PREJUDICE. 3. Plaintiffs' Motion for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members (Doc. No. <u>364</u>) is DENIED WITHOUT PREJUDICE. 4. Plaintiffs' Motion for Preliminary Injunction for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program (Doc. No. <u>368</u>) is DENIED WITHOUT PREJUDICE. 5. With respect to the experts appointed pursuant to Rule 706 of the Federal Rules of Evidence (see Doc. No. <u>393</u>), the Court orders the following: a. The experts' work shall include, but shall not be limited to: i. Evaluating all class members ⁵⁴ and issuing reports and recommendations as to: (a) each class members current level of dangerousness (current risk assessment), including whether each class member poses a "real, continuing, and serious danger to society"; (b) whether each class member is actually eligible for discharge under the applicable statutory provisions or otherwise no longer meets the statutory criteria for initial commitment (or should otherwise be recommended for provisional or full discharge); (c) whether each class member is placed in the appropriate phase of treatment; (d) whether each class member would be a candidate for a less restrictive facility; and (e) the specific need and parameters for less restrictive alternative facilities, ⁵⁵ including the operation of such facilities; ii. Reviewing the current treatment program at MSOP and its implementation to determine whether the program meets professional standards of care and treatment for sex offenders and issuing recommendations as to any changes that should be made to the treatment program; and iii. Reviewing current MSOP policies and practices with regard to the conditions of confinement to determine whether they satisfy the balance between safety concerns and a therapeutic environment and making recommendations for any changes that should be made to the conditions of confinement at both the Moose Lake and St. Peter facility. iv. The experts shall also report to the Court on the following: (a) the current professional standards for the treatment of civilly committed sex offenders and the extent to which MSOP's program design reflects those standards; (b) how other civil commitment programs have reintegrated civilly committed sex offenders into the community, with particular attention to community relations; and (c) how other states, if any, are providing treatment and management of lower-functioning civilly committed sex offenders in community settings. b. The experts' work shall begin with, but will in no way be limited to, the following: i. Reviewing MSOP treatment and screening program/process; ii. Conducting site visits to St. Peter and Moose Lake and interviewing patients and staff at each facility; iii. Reviewing 20% to 25% of resident charts, with the aim of reviewing 100% of charts for those individuals in the Assisted Living Unit, the Alternative Program Units, and

		<p>the Young Adult Unit; and iv. Identifying residents who are not receiving appropriate services and making recommendations related thereto. c. In conducting their work, the experts shall have complete and unrestricted access to documents they may require, including the reference documents and MSOP policy documents set forth above as well as patient files and clinical documents. d. Within fourteen (14) days of the date of this Order, and in the format requested by the experts, Defendants shall provide the experts with all of the reference documents and MSOP policies and procedures requested by the experts. (See Doc. No. <u>422</u> .) e. DHS, and all officials, staff, consultants, and contractors for DHS, are directed to provide the appointed experts with full and complete access to all residents and staff as well as all relevant information, documents, and records requested by the experts. Such access shall include, but shall not be limited to, the following: i. Access to all patient files and related documentation; ii. Access to meet with, interview, or otherwise communicate with MSOP patients; iii. Access to all MSOP policymakers as well as all policies and related documentation; iv. Access to review the current conditions of confinement at MSOP and related policies and rules; v. Access to review all aspects of the current treatment program provided by MSOP; and vi. Access to privately meet with, interview, or otherwise communicate with DHS officials, staff, consultants, and contractors for DHS. vii. DHS shall also create and provide any aggregation or analysis of data requested by the appointed experts. f. In conducting their work, the experts may call upon the MPET members previously appointed by the Court (see Doc. No. <u>281</u>) as well as Roberta Opheim, Minnesota State Ombudsman for Mental Health and Developmental Disabilities, as necessary. g. The experts may convene meetings, confer with relevant individuals and groups, attend case-related court proceedings, and review all documents submitted to the Court. The parties shall henceforth serve the experts with all such papers. h. The experts shall have ex parte access to the Court and its Technical Advisor for logistical and organizational purposes, subject to the limitations of Rule 706. i. To facilitate the integrity and effectiveness of the experts work, their communications with one another and work product (such as draft documents, correspondence, e-mails, and conversations) shall be privileged, confidential, and not admissible. j. The experts' work will be overseen and coordinated by Magistrate Judge Jeffrey J. Keyes, with the assistance of the Court's Technical Advisor. k. The parties shall meet and confer, facilitated by the Court's Technical Advisor if necessary, to establish an interim budget deposit for the experts and a mechanism for payment. Without prejudice to subsequent adjustment, such costs shall be initially allocated to Defendants. (Written Opinion). Signed by Judge Donovan W. Frank on 2/19/2014. (BJS) (Entered: 02/20/2014)</p>
02/27/2014	<u>428</u>	NOTICE of Status Conference set for 3/12/2014 03:00 PM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 2/27/14. (kt) (Entered: 02/27/2014)
02/27/2014	<u>429</u>	STIPULATION re <u>301</u> Amended Complaint,, (<i>Stipulation for Extension of Time to Answer</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figuroa, Ricardo) (Entered: 02/27/2014)
02/27/2014	<u>430</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>429</u> Stipulation (Figuroa, Ricardo) (Entered: 02/27/2014)
02/27/2014	<u>431</u>	ORDER that Defendants shall have an extension of time to file an Answer to Plaintiff's Second Amended Complaint and must do so no later than 3/25/14. Signed by Magistrate Judge Jeffrey J. Keyes on 2/27/14. (kt) (Entered: 02/27/2014)
02/27/2014	<u>432</u>	NOTICE of Appearance by Scott H Ikeda on behalf of Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 02/27/2014)
03/12/2014	<u>433</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Hearing on Status of Discovery held on 3/12/2014. (kt) (Entered: 03/13/2014)
03/17/2014	<u>434</u>	ORDER. 1. The Rule 706 Experts shall submit on an approximately monthly basis, a single dated invoice to the Court for fees and expenses with copies to the parties. Each invoice shall include and aggregate separate invoices from each Expert. Documentation of expenses shall be included. The Technical Advisor may also

		submit such statements for his work. 2. A party may make an informal objection to an invoice for good cause shown, by sending an unfiled letter to the District Judge, Magistrate Judge, and the Court's Technical Advisor within five (5) days of the invoice, so that an effort may be made to resolve the objection. 3. The Court will review invoices and issue appropriate orders for payment from the Court's Registry. If no objection is filed by a party with the Court within ten (10) days of the date of the invoice, any objection to the invoice shall be considered permanently waived. 4. By agreement, the Department of Human Services shall make an interim budget deposit to the Registry of this Court in the amount of \$1,800,000 on account for the fees and expenses pursuant to this Order. 5. Upon the Court's order determining that the work under this Order has concluded, any balance remaining in the Registry account shall promptly be returned to the Department of Human Services. Signed by Judge Donovan W. Frank on 3/17/2014. (BJS) (Entered: 03/17/2014)
03/25/2014	<u>435</u>	<i>Defendants</i> ANSWER to Amended Complaint (<i>Second Amended Complaint</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 03/25/2014)
03/26/2014	<u>436</u>	RECEIPT number 44641077583 in the amount of \$1800000.00 issued to State of Minnesota. (kt)DOCUMENT QC'D ON 3/26/14 LGL Modified on 3/26/2014 (LGL). (Entered: 03/26/2014)
03/28/2014	<u>437</u>	DEMAND for Trial by Jury by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 03/28/2014)
04/03/2014	<u>438</u>	LETTER to Chief Judge Michael J. Davis from Stephen Danforth. (Attachments: # <u>1</u> Proposed Complaint, # <u>2</u> IFP, # <u>3</u> Motion for Leave To file, # <u>4</u> Declaration in Support, # <u>5</u> Motion to Intervene, # <u>6</u> Memorandum in Support, # <u>7</u> Declaration of Service, # <u>8</u> Proposed Motion for TRO, # <u>9</u> Declaration in Support, # <u>10</u> Proposed Order, # <u>11</u> Memorandum, # <u>12</u> Envelope)(TSS) (Additional attachment(s) added on 4/10/2014: # <u>13</u> Corrected Memorandum (Correction to Attachment 11)) (kt).DOCUMENT QC'D ON 4/14/14 LGL (Entered: 04/07/2014)
04/08/2014	<u>439</u>	ORDER re <u>438</u> Letter to Chief District Judge. Stephen Danforth's Motion to Intervene (Doc. No. <u>438</u>) is DENIED. Signed by Judge Donovan W. Frank on 4/8/2014. (BJS) cc: Stephen Danforth on 4/8/2014 (jam). (Entered: 04/08/2014)
04/10/2014		NOTICE OF DOCKETING CORRECTION for <u>438</u> Letter to District Judge: Memorandum (Attachment 11) rescanned to include missing pages. (kt) (Entered: 04/10/2014)
04/11/2014	<u>440</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$9,302.24; 2. Deborah McCulloch in the amount of \$7,078.07; 3. Michael Miner in the amount of \$4,527.50; and 4. Robin J. Wilson in the amount of \$8,926.34. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/11/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 4/11/2014 (JAM). (Entered: 04/11/2014)
04/15/2014	<u>441</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue a check to David Ferleger in the amount of \$697.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/15/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: financial on 4/16/2014 (JAM). (Entered: 04/15/2014)
04/21/2014	<u>442</u>	NOTICE OF STATUS CONFERENCE A Status Conference set for 5/7/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 04/21/2014. (JZ) (Entered: 04/21/2014)
04/22/2014	<u>443</u>	RECEIPT number 00419866 in the amount of \$4527.50. (kt)DOCUMENT QC'D ON 4/23/14 LGL Modified on 4/23/2014 (LGL). (Entered: 04/22/2014)
04/23/2014	<u>444</u>	NOTICE OF HEARING ON MOTION to <i>Compel Preservation and Production of Documents</i> Motion Hearing set for 5/7/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 04/23/2014)

04/24/2014	<u>445</u>	RECEIPT number 00420050 in the amount of \$697.50. (kt) (Qc'd on 5/1/14 by akl) (Entered: 04/24/2014)
04/24/2014	<u>446</u>	RECEIPT number 419914 in the amount of \$9302.24. (kt) (Qc'd on 5/1/14 by akl) (Entered: 04/24/2014)
04/25/2014	<u>447</u>	MOTION to Compel <i>Preservation and Production of Documents</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>448</u>	MEMORANDUM in Support re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>449</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-Q, # <u>2</u> Exhibit(s) R-T, # <u>3</u> Exhibit(s) U-V)(Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>450</u>	MEET and CONFER STATEMENT re <u>447</u> Motion to Compel, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>451</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents (Conventionally Filed Documents and Proposed Order)</i> (Gustafson, Daniel) (Entered: 04/25/2014)
04/28/2014	<u>452</u>	RECEIPT for check number 00419921 received in the amount of \$8,926.34. (JZ) DOCUMENT QC'd by KT on 5/1/14. (KT) (Entered: 04/28/2014)
04/28/2014	<u>453</u>	RECEIPT for check number 00419909 received in the amount of \$7,078.07. (JZ) QC'd on 4/30/2014 (JAM). (Entered: 04/28/2014)
05/01/2014	<u>454</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$2,700; 2. Deborah McCulloch in the amount of \$2,700; 3. Michael Miner in the amount of \$2,700; and 4. Robin J. Wilson in the amount of \$2,700. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/1/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 5/2/2014 (JAM). (Entered: 05/01/2014)
05/02/2014	<u>455</u>	MEMORANDUM in Opposition re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>456</u>	AFFIDAVIT of Scott H. Ikeda in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A-B; and E, # <u>2</u> Placeholder for Exhibits C-D (filed under seal))(Brennaman, Nathan) Sealed document received on 5/2/2014 (JGK). (Entered: 05/02/2014)
05/02/2014	<u>457</u>	AFFIDAVIT of Dennis L. Benson in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>458</u>	AFFIDAVIT of Steven H. Alpert in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman.

		(Attachments: # <u>1</u> Exhibit(s) A–B)(Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>459</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>456</u> Affidavit in Opposition to Motion, <u>458</u> Affidavit in Opposition to Motion, <u>457</u> Affidavit in Opposition to Motion, <u>455</u> Memorandum in Opposition to Motion, (Brennaman, Nathan) (Entered: 05/02/2014)
05/07/2014	<u>460</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Motion Hearing held on 5/7/2014 re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. (kt) (Entered: 05/07/2014)
05/07/2014	<u>461</u>	TEXT-ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) Plaintiffs' Motion to Compel Preservation and Production of Documents (Doc.No. 447), is GRANTED IN PART and DENIED IN PART as stated on the record. The motion is granted to the extent that Defendants must provide Plaintiffs' Counsel with a list of the recipients of each of the litigation holds issued relating to this matter. In addition, for any documents that Defendants discover have been lost, Defendants shall provide Plaintiffs with a detailed description of each document, the circumstances under which it was deleted, and the date of the deletion. The motion is otherwise denied without prejudice.(II) This Minute Order constitutes an Order of the Court. (kt) (Entered: 05/07/2014)
05/12/2014	<u>462</u>	RECEIPT number 00420926 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/13/14 LGL Modified on 5/13/2014 (LGL). (Entered: 05/12/2014)
05/13/2014	<u>463</u>	RECEIPT number 420882 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/14/14 LGL Modified on 5/14/2014 (LGL). (Entered: 05/13/2014)
05/19/2014	<u>464</u>	RECEIPT number 00420937 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/19/14 LGL Modified on 5/19/2014 (LGL). (Entered: 05/19/2014)
05/20/2014	<u>465</u>	RECEIPT number 420931 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/21/14 LGL Modified on 5/21/2014 (LGL). (Entered: 05/20/2014)
05/27/2014	<u>466</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$31,203.53; 2. Deborah McCulloch in the amount of \$23,487.13; 3. Michael Miner in the amount of \$13,875.54; and 4. Robin J. Wilson in the amount of \$29,795.67. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/27/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 5/28/2014 (JAM). (Entered: 05/27/2014)
06/02/2014	<u>467</u>	RECEIPT number 00421850 in the amount of \$13,875.54. (kt) (Entered: 06/02/2014)
06/02/2014	<u>468</u>	ORDER TO SHOW CAUSE (Written Opinion): Show Cause Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. Show Cause Response due by 6/11/2014. Signed by Judge Donovan W. Frank on 6/2/14. (kt) (Additional attachment(s) added on 6/2/2014: # <u>1</u> SEALED Exhibit) (kt). (Entered: 06/02/2014)
06/04/2014	<u>469</u>	MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>470</u>	MEMORANDUM in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (<i>Filed Under Seal</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/4/14LGL Modified on 6/4/2014 (LGL). (Entered: 06/04/2014)

06/04/2014	<u>471</u>	Declaration of Daniel E. Gustafson in Support of <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Exhibits A–C)(Gustafson, Daniel)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/4/14LGL Modified on 6/4/2014 (LGL). (Entered: 06/04/2014)
06/04/2014	<u>472</u>	NOTICE OF HEARING ON MOTION <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment : Motion Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>473</u>	MEET and CONFER STATEMENT re <u>469</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>474</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (Gustafson, Daniel) (Entered: 06/04/2014)
06/06/2014	<u>475</u>	RECEIPT number 00421873 in the amount of \$23,487.13. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/06/2014	<u>476</u>	RECEIPT number 00421876 in the amount of \$29,795.67. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/06/2014	<u>477</u>	RECEIPT number 421850 in the amount of \$13,875.54. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/09/2014	<u>478</u>	MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>479</u>	NOTICE OF HEARING ON MOTION <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility : Motion Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>480</u>	MEMORANDUM in Support re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility (<i>Filed Under Seal</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/9/14LGL Modified on 6/10/2014 (LGL). (Entered: 06/09/2014)
06/09/2014	<u>481</u>	Declaration of Daniel E. Gustafson in Support of <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Gustafson, Daniel)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/9/14LGL Modified on 6/10/2014 (LGL). (Entered: 06/09/2014)
06/09/2014	<u>482</u>	MEET and CONFER STATEMENT re <u>478</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>483</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility (Gustafson, Daniel) (Entered: 06/09/2014)
06/10/2014	<u>484</u>	RECEIPT number 421874 in the amount of \$31,203.53. (kt)DOCUMENT QC'D ON 6/11/14 LGL Modified on 6/11/2014 (LGL). (Entered: 06/10/2014)

06/11/2014	<u>485</u>	RESPONSE re <u>468</u> Order to Show Cause, (<i>public version</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for for Def's Response to Order to Show Cause, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>486</u>	AFFIDAVIT of nancy Johnston re <u>485</u> Response, (<i>public version</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for for Johnston Affidavit (filed under seal), # <u>2</u> Exhibit(s) 1-28 (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>487</u>	AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, (<i>public version</i>) by Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for for Nathan Brennaman Affidavit (filed under seal), # <u>2</u> Exhibit(s) 1-3 to Brennaman Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>488</u>	AFFIDAVIT of Elizabeth Barbo re <u>485</u> Response, (<i>public version</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Dr. Elizabeth Barbo Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>489</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>486</u> Affidavit, <u>487</u> Affidavit, <u>485</u> Response, <u>488</u> Affidavit, (Brennaman, Nathan) (Entered: 06/11/2014)
06/13/2014	<u>490</u>	MOTION for Leave to File Amicus Memorandum by Hennepin County. (Kirwin, John) Modified on 6/16/2014 (AKL). (Entered: 06/13/2014)
06/16/2014	<u>491</u>	Supplemental AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A to Supplemental Affidavit of Nathan Brennaman)(Brennaman, Nathan) Sealed document received on 6/16/2014 (JGK). (Entered: 06/16/2014)
06/16/2014	<u>492</u>	Supplemental AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A to Supplemental Affidavit of Nathan Brennaman, # <u>2</u> Certificate of Service)(Brennaman, Nathan) (Entered: 06/16/2014)
06/17/2014	<u>493</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer <i>re: Motion of Hennepin County Attorney for Leave to File Amicus Memorandum.</i> (Gustafson, Daniel) (Entered: 06/17/2014)
06/18/2014	<u>494</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>regarding Hennepin County motion to file amicus curiae brief</i>). (Brennaman, Nathan) (Entered: 06/18/2014)
06/18/2014	<u>495</u>	MEMORANDUM in Opposition re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility (<i>Redacted Memorandum</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Placeholder for Defendants' Response to Plaintiffs' Motion to Immediately Transfer R.B.)(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>496</u>	AFFIDAVIT of Nancy Johnston in OPPOSITION TO <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility <i>Redacted Affidavit and Exhibits</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for

		Affidavit of Nancy Johnston, # <u>2</u> Placeholder for Exhibits 1, 2, and 3 to Affidavit of Nancy Johnston)(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>497</u>	AFFIDAVIT of Jannine Hebert in OPPOSITION TO <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility <i>Filed Under Seal</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Affidavit of Jannine Hebert (filed under seal), # <u>2</u> Exhibit(s) A, # <u>3</u> Placeholder for Exhibit B to Jannine Hebert Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>498</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>497</u> Affidavit in Opposition to Motion, <u>495</u> Memorandum in Opposition to Motion, <u>496</u> Affidavit in Opposition to Motion, (Brennaman, Nathan) (Entered: 06/18/2014)
06/18/2014	<u>499</u>	TEXT ONLY ORDER. The Hennepin County Attorney has filed a motion for leave to submit a short amicus memorandum (Doc. No. <u>490</u>) relating to the Court's June 2, 2014 Order to Show Cause why E.T. should not be immediately released from MSOP (Doc. No. <u>468</u>). The parties do not object to the motion. (Doc. Nos. <u>493</u> and <u>494</u> .) As such, the motion for leave to file an amicus brief (Doc. No. <u>490</u>) is hereby GRANTED. The Hennepin County Attorney shall file an amicus memorandum, not to exceed 10 pages, by noon on June 23, 2014. Signed by Judge Donovan W. Frank on 6/18/2014. (BJS) (Entered: 06/18/2014)
06/18/2014	<u>500</u>	RESPONSE re <u>485</u> Response, <i>to Order to Show Cause</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 6/19/2014 (TSS). (Entered: 06/18/2014)
06/19/2014	<u>501</u>	MEMORANDUM by Hennepin County re <u>468</u> Order to Show Cause, <i>Amicus Curiae Memorandum of Hennepin County Attorney</i> filed by Hennepin County. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kirwin, John) (Entered: 06/19/2014)
06/23/2014	<u>502</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-2002(ADM/FLN) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank on 6/20/2014 and Judge Ann D. Montgomery 6/23/2014. (las) (Entered: 06/23/2014)
06/23/2014	<u>503</u>	Supplemental AFFIDAVIT of Dr. Elizabeth J. Barbo re <u>485</u> Response, <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>504</u>	Supplemental AFFIDAVIT of Dr. Elizabeth J. Barbo <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) Sealed document received on 6/23/2014 (JGK). (Entered: 06/23/2014)
06/23/2014	<u>505</u>	Supplemental AFFIDAVIT of Nancy Johnston <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Brennaman, Nathan) Sealed document received on 6/23/2014 (JGK). (Entered: 06/23/2014)
06/23/2014	<u>506</u>	Supplemental AFFIDAVIT of Nancy Johnston re <u>485</u> Response, <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>507</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>504</u> Affidavit, <u>505</u> Affidavit, <u>506</u> Affidavit, (Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>508</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$3,859.00 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 6/23/2014.

		(Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 6/24/2014 (JAM). (Entered: 06/23/2014)
06/25/2014	<u>509</u>	MEMORANDUM in Opposition re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 06/25/2014)
06/25/2014	<u>510</u>	AFFIDAVIT of Anna Remiger in OPPOSITION TO <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A)(Brennaman, Nathan) (Entered: 06/25/2014)
06/25/2014	<u>549</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 6/25/2014 re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens, <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, Christopher John Thuringer, James Matthew Noyer, Sr., Kevin Scott Karsjens, Peter Gerard Lonergan. Matters under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/10/2014)
06/26/2014	<u>511</u>	STIPULATION re <u>486</u> Affidavit, <u>468</u> Order to Show Cause, by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, Ann Zimmerman. Jointly Signed by Plaintiffs. (Figueroa, Ricardo) (Entered: 06/26/2014)
06/26/2014	<u>512</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, Ann Zimmerman re <u>511</u> Stipulation, (Figueroa, Ricardo) (Entered: 06/26/2014)
06/27/2014	<u>513</u>	ORDER APPROVING THE LIMITED UNSEALING OF RECORDS RELATED TO E.T. Signed by Magistrate Judge Jeffrey J. Keyes on 6/27/14. (AKL) (Entered: 06/27/2014)
06/27/2014	<u>514</u>	TEXT ONLY ORDER: The Court will conduct hearings in Scott Karsjens, et al. v. Minnesota Department of Human Services, et al., 11-CV-3659 (DWF/JJK), E.T. v. Lucinda Jesson, 14-CV-2002 (DWF/JJK), and any other matter deemed related, on Monday and Tuesday, July 14 & 15, 2014, at 9:00 AM in Courtroom 7C, St. Paul, before the Honorable Donovan W. Frank and the Honorable Jeffrey J. Keyes. SO ORDERED. Signed by Judge Donovan W. Frank on 6/27/2014.(BJS) (Entered: 06/27/2014)
06/27/2014	<u>515</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-2362(RHK/LIB) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank and Judge Richard H. Kyle on 06/27/2014. (TSS) (Entered: 06/27/2014)
06/27/2014	<u>516</u>	ORDER. 1. An evidentiary hearing in the above-captioned matters shall be held on July 14-15, 2014. The hearing shall commence at 9:00 a.m. on July 14, 2014 in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 2. All individuals who have issued reports regarding E.T. and R.B. in these matters shall be present to offer testimony at the hearing, unless otherwise agreed upon by the parties and approved by the Court. (See Order for additional information.) Signed by Judge Donovan W. Frank on 6/27/2014. (BJS) (Entered: 06/27/2014)

07/01/2014	<u>517</u>	STIPULATION <i>Regarding the Second Amended Protective Order</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Goodwin, David) (Entered: 07/01/2014)
07/01/2014	<u>518</u>	SECOND AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 7/1/14. (kt) (Entered: 07/01/2014)
07/01/2014	<u>519</u>	ORDER APPROVING STIPULATION REGARDING THE SECOND AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 7/1/14. (kt) (Entered: 07/01/2014)
07/01/2014	<u>520</u>	MOTION for Leave to File Reply/Surreply <i>Motion of Hennepin County Attorney for Leave to File Second Amicus Memorandum</i> by Hennepin County. (Kirwin, John) (Entered: 07/01/2014)
07/01/2014	<u>521</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Hennepin County Attorney's Request for Leave to File Second Brief of Amicus Curiae</i>). (Gustafson, Daniel) (Entered: 07/01/2014)
07/02/2014	<u>522</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>regarding Hennepin County's Motion to File Second Amicus Memorandum</i>). (Ikeda, Scott) (Entered: 07/02/2014)
07/02/2014	523	DOCUMENT FILED IN ERROR: NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) Modified on 7/2/2014 (TSS). (Entered: 07/02/2014)
07/02/2014	524	DOCUMENT FILED IN ERROR: NOTICE NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) Modified on 7/2/2014 (TSS). (Entered: 07/02/2014)
07/02/2014	525	**TEXT ONLY ENTRY ORDER. The Hennepin County Attorney has filed a motion for leave to file a second amicus memorandum (Doc. No. <u>520</u>) relating to the Court's Order to Show Cause why E.T. should not be immediately released from MSOP (Doc. No. <u>468</u>). The parties do not object to the motion (Doc. Nos. <u>521</u> and <u>522</u>). As such, the motion for leave to file a second amicus memorandum (Doc. No. <u>520</u>) is hereby GRANTED. The Hennepin County Attorney shall file a second amicus memorandum, not to exceed 10 pages, by 12:00 noon on July 9, 2014. Signed by Judge Donovan W. Frank on 07/02/2014. (RLB) (Entered: 07/02/2014)
07/02/2014	<u>526</u>	MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>527</u>	MEMORANDUM in Support re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>528</u>	Declaration of Daniel E. Gustafson in Support of <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1)(Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>529</u>	MEET and CONFER STATEMENT re <u>526</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 07/02/2014)

07/02/2014	<u>530</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 (Gustafson, Daniel) (Entered: 07/02/2014)
07/03/2014	<u>531</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 07/03/2014)
07/03/2014	<u>532</u>	TRANSCRIPT of Motions Hearing held on 06/25/2014 before Judge Donovan W. Frank. (89 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 7/24/2014. Redacted Transcript Deadline set for 8/4/2014. Release of Transcript Restriction set for 10/1/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/03/2014)
07/03/2014	533	**TEXT ONLY ENTRY ORDER. Plaintiffs have filed a Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 (Doc. No. <u>526</u>). Defendants shall file a response to this motion by 5:00 p.m. on July 8, 2014. Signed by Judge Donovan W. Frank on 07/03/2014. (RLB) (Entered: 07/03/2014)
07/07/2014	<u>534</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Winter, Aaron) (Entered: 07/07/2014)
07/07/2014	<u>535</u>	RECEIPT number 00422941 in the amount of \$3,859.00. (kt) (QC'd by akl on 7/10/14) (Entered: 07/07/2014)
07/08/2014	<u>536</u>	STIPULATION <i>To Transport E.T. and R.B. To July 14 & 15, 2014 Hearing</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>537</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>536</u> Stipulation (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>538</u>	ORDER that 1. The Minnesota Sex Offender Program shall transport E.T. and R.B. to Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, for attendance at the evidentiary hearing scheduled to commence on July 14, 2014, at 9:00 a.m.2. The Minnesota Sex Offender Program shall maintain custody over E.T. and R.B. at all times and shall return E.T. and R.B. upon completion of these proceedings. Signed by Magistrate Judge Jeffrey J. Keyes on 7/8/14. (kt) (Entered: 07/08/2014)
07/08/2014	<u>539</u>	MEMORANDUM in Opposition re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 07/08/2014)
07/08/2014	<u>540</u>	AFFIDAVIT of Dr. Elizabeth J. Barbo in OPPOSITION TO <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 07/08/2014)
07/08/2014	<u>541</u>	MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>542</u>	NOTICE OF HEARING ON MOTION <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing</i> : at date and time to be determined. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>543</u>	MEET and CONFER STATEMENT re <u>541</u> Motion in Limine filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin

		Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>544</u>	MEMORANDUM in Support re <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>545</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing</i> (Brennaman, Nathan) (Entered: 07/08/2014)
07/09/2014	<u>546</u>	MEMORANDUM by Hennepin County re <u>468</u> Order to Show Cause, <i>Second Amicus Curiae Memorandum of Hennepin County Attorney (Addressing Release Procedures)</i> filed by Hennepin County. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kirwin, John) (Entered: 07/09/2014)
07/09/2014	<u>547</u>	REPLY re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate) SEALED DOCUMENT RECEIEVED IN CLERKS OFFICE ON 7/9/14. (Gustafson, Daniel) Modified on 7/10/2014 (AKL). (Entered: 07/09/2014)
07/09/2014	<u>548</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>547</u> Reply (Gustafson, Daniel) (Entered: 07/09/2014)
07/10/2014	<u>550</u>	ORDER DEFINING THE PURPOSE AND SCOPE OF THE JULY 14 & 15, 2014 EVIDENTIARY HEARING. 1. Defendants' Motion in Limine for an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing (Karsjens, Civ. No. 11-3659, Doc. No. <u>541</u>), is GRANTED IN PART. The evidentiary hearing scheduled for July 14 and 15, 2014, is limited in scope to evidence relating to the opinions of all individuals, including the Rule 706 experts, who have issued reports or filed affidavits on E.T. and R.B in relation to the Karsjens § 1983 action. The evidence received at this hearing can be used, if relevant, to evaluate the class action claims in the Karsjens § 1983 action. The Court reserves the right to preserve the evidence insofar as it may pertain to the habeas matters. 2. Following the testimony as described in paragraph 1, the Court will hear argument from counsel in the Karsjens § 1983 action on Plaintiff's Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. § 253D.35 (Doc. No. 526), and separately will hear argument from the parties on the two habeas petitions in Civ. No. 14-2002 and Civ. No. 14-2362, including any argument on the exhaustion issues. 3. At the hearing, the Court would also like an update from counsel regarding E.T.'s July 2, 2014 SRB hearing, and an update on the current status of E.T. and R.B.s residence and living situation. Counsel should also be prepared to discuss modifying the schedule in the Karsjens § 1983 action. (Written Opinion). Signed by Judge Donovan W. Frank on 7/10/2014. (BJS) (Entered: 07/10/2014)
07/10/2014	<u>551</u>	Witness List by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/10/2014)
07/10/2014	<u>552</u>	Exhibit List (<i>Defendants' Exhibit List for July 14-15 Evidentiary Hearing</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/10/2014)
07/10/2014	<u>553</u>	Witness List by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/10/2014)

07/10/2014	<u>554</u>	Exhibit List by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/10/2014)
07/11/2014	<u>555</u>	Exhibit List (<i>Amended</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/11/2014)
07/13/2014	<u>556</u>	Exhibit List (<i>Second Amended</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/13/2014)
07/14/2014	<u>557</u>	Minute Entry for proceedings held before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes: Evidentiary Hearing held on 7/14/2014. Defendants' witnesses: Robin Wilson, Deb McCulloch, Michael Miner. Hearing continued to 07/15/2014 at 9:00 AM. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/15/2014)
07/15/2014	<u>558</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Evidentiary Hearing held on 7/15/2014. Witnesses: Michael Miner, Naomi Freeman, Nancy Johnston. Closing arguments; written order to be issued. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/16/2014)
07/16/2014	<u>559</u>	Court Exhibit List from Evidentiary Hearings of 7/14/2014 and 7/15/2014.(BJS) (Entered: 07/16/2014)
07/17/2014	<u>560</u>	REPLY re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2014)
07/18/2014	<u>561</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$6,966.00 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 7/18/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Financial on 7/21/2014 (JAM). (Entered: 07/18/2014)
07/18/2014	<u>562</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$27,122.25; 2. Deborah McCulloch in the amount of \$32,160.75; 3. Michael Miner in the amount of \$21,606.28; and 4. Robin J. Wilson in the amount of \$20,258.75. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 7/18/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Financial on 7/21/2014 (JAM). (Entered: 07/18/2014)
07/21/2014	<u>563</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that Case No. 14-CV-896 (JRT/TNL) be assigned to Judge Donovan W. Frank and Magistrate Judge Tony N. Leung. Signed by Judge Donovan W. Frank and Judge John R. Tunheim on 7/21/14. (JME) (Entered: 07/21/2014)
07/22/2014	564	TEXT ONLY ENTRY: NOTICE of Setting Hearing: Scheduling Status Conference set for 8/26/2014 04:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. (BJS) (Entered: 07/22/2014)
07/22/2014	<u>565</u>	AMENDED ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-896 (JRT/TNL) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank and Judge John R. Tunheim on 07/22/2014. (lmb) (Entered: 07/22/2014)
07/23/2014	566	TEXT ONLY ENTRY: NOTICE of Rescheduling Hearing: Scheduling Status Conference now set for 8/21/2014 08:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 07/23/2014)

07/25/2014	<u>567</u>	REPLY re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 (<i>Defendants' Surreply to Motion for Aftercare Plan</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 07/25/2014)
07/30/2014	<u>568</u>	NOTICE of Filing of Official Transcript. This filing has 2 transcript(s) associated with it. (JMA) (Entered: 07/30/2014)
07/30/2014	<u>569</u>	TRANSCRIPT of Evidentiary Hearing – Day One held on 07/14/2014 before Judge Donovan W. Frank. (193 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 8/20/2014. Redacted Transcript Deadline set for 9/2/2014. Release of Transcript Restriction set for 10/28/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/30/2014)
07/30/2014	<u>570</u>	TRANSCRIPT of Evidentiary Hearing – Day Two, held on 07/15/2014 before Judge Donovan W. Frank. (210 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 8/20/2014. Redacted Transcript Deadline set for 9/2/2014. Release of Transcript Restriction set for 10/28/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/30/2014)
07/31/2014	<u>571</u>	MEMORANDUM in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (<i>Redacted Version</i>) filed by All Plaintiffs. (Gustafson, Daniel). Modified text on 8/1/2014 (TSS). (Entered: 07/31/2014)
07/31/2014	<u>572</u>	MEMORANDUM in Support re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility (<i>Redacted Version</i>) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 07/31/2014)
07/31/2014	<u>573</u>	RESPONSE in Opposition <u>500</u> Response to the Court's June 2, 2014 Order to Show Cause – Redacted Version filed by All Plaintiffs. (Gustafson, Daniel) Modified on 7/31/2014 (kt). (Entered: 07/31/2014)
07/31/2014	<u>574</u>	REPLY in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs – Redacted Version filed by All Plaintiffs. (Gustafson, Daniel) Modified on 7/31/2014 (kt). (Entered: 07/31/2014)
07/31/2014	<u>575</u>	RECEIPT number 00424248 in the amount of \$32,160.75. (kt) (Entered: 08/01/2014)
08/01/2014	<u>576</u>	RECEIPT number 424217 in the amount of \$21606.28. (kt) (Entered: 08/01/2014)
08/01/2014	<u>577</u>	RECEIPT number 424258 in the amount of \$20,258.75. (kt) (Entered: 08/01/2014)
08/04/2014	<u>578</u>	Amended MOTION for Declaratory Judgment and to Immediately Transfer R.B. to an Appropriate Treatment Facility re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/04/2014)
08/07/2014	<u>579</u>	RECEIPT number 00424213 in the amount of \$6,966.00. (kt)DOCUMENT QC'D ON 8/7/14 LGL Modified on 8/7/2014 (LGL). (Entered: 08/07/2014)
08/11/2014	<u>580</u>	MEMORANDUM OPINION AND ORDER. 1. Plaintiff's Motion for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (Doc. No. <u>469</u>) is DENIED WITHOUT PREJUDICE; 2. Plaintiffs' Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. § 253D.35 (Doc. No. <u>526</u>) is DENIED WITHOUT PREJUDICE; 3. Plaintiffs' Amended Motion for Declaratory Judgment and to Immediately Transfer R.B. to an Appropriate Treatment Facility (Doc. No. <u>578</u>) is DENIED WITHOUT PREJUDICE; 4. Eric Terhaar's federal habeas case (Civ. No. 14-2002 (DWF/JJK)) is STAYED; 5. Rhonda Bailey's federal habeas case (Civ. No. 14-2362 (DWF/JJK)) is STAYED; 6. The parties shall meet with the Court on August 21, 2014, as previously scheduled (see Doc. No. 566), to discuss moving the

		trial date in this case to a date in 2014. (Written Opinion). Signed by Judge Donovan W. Frank on 8/11/2014. (BJS) (Entered: 08/11/2014)
08/11/2014	<u>581</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Welle, Adam) (Entered: 08/11/2014)
08/14/2014	<u>582</u>	LETTER from Judge Donovan W. Frank with copy of Rule 706 Expert Report attached. (Attachment: # <u>1</u> Attachment A)(BJS) (Entered: 08/14/2014)
08/19/2014	<u>583</u>	TEXT ONLY ENTRY: AMENDED NOTICE of Hearing: Scheduling Status Conference set for 8/21/2014 will now start at 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 08/19/2014)
08/21/2014	<u>584</u>	RECEIPT number 00424251 in the amount of \$27,122.25. (kt)DOCUMENT QC'D ON 8/21/14 LGL Modified on 8/21/2014 (LGL). (Entered: 08/21/2014)
08/21/2014	<u>585</u>	NOTICE of Scheduling Conference set for 9/9/2014 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (kt) (Entered: 08/21/2014)
08/21/2014	<u>586</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Scheduling Status Conference held on 8/21/2014. The Court requested simultaneous briefing to be filed by August 29, 2014, on the Seventh Amendment right to a jury trial. The report from the 706 Experts is due on November 15, 2014. The trial in this matter is set for February 9, 2015. No written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 08/22/2014)
08/25/2014	<u>587</u>	ORDER. 1. The Court respectfully requests the Rule 706 experts to complete their report by November 15, 2014, given the trial date that is currently set for February 9, 2015. 2. The Court respectfully directs that this Order be provided to the Rule 706 experts by e-mail in addition to an e-filing. Signed by Judge Donovan W. Frank on 8/25/2014. (BJS) (Entered: 08/25/2014)
08/27/2014	<u>588</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$9,559 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 08/26/2014. (Attachments: # <u>1</u> Exhibit(s) Attachment A)(RLB) cc: financial unit on 8/27/2014 (JAM). (Entered: 08/27/2014)
08/29/2014	<u>589</u>	MEMORANDUM by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Defendants' Memorandum of Law in Support of Its Jury Trial Demand</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 08/29/2014)
08/29/2014	<u>590</u>	MEMORANDUM by All Plaintiffs (<i>Plaintiffs' Memorandum in Support of Plaintiffs' Request for a Bench Trial for the First Phase of Trial</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/29/2014)
08/29/2014	<u>591</u>	Declaration of Daniel E. Gustafson in Support of <u>590</u> Memorandum, filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-B)(Gustafson, Daniel) (Entered: 08/29/2014)
09/02/2014	<u>592</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 09/02/2014)
09/02/2014	<u>593</u>	TRANSCRIPT of Scheduling Status Conference held on 08/21/2014 before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. (69 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 9/23/2014. Redacted Transcript Deadline set for 10/3/2014. Release of Transcript Restriction set for 12/1/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 09/02/2014)
09/02/2014	<u>594</u>	MEMORANDUM by All Plaintiffs re <u>589</u> Memorandum, (<i>Plaintiffs' Opposition to Defendants' Request for a Jury Trial</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 09/02/2014)

		09/02/2014)
09/02/2014	<u>595</u>	RESPONSE re <u>590</u> Memorandum, (<i>to Plaintiffs' Memorandum Regarding Defendants' Right to a Jury Trial</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 09/02/2014)
09/05/2014	<u>596</u>	RECEIPT number 00425777 in the amount of \$9,559.00. (kt)DOCUMENT QC'D ON 9/5/14 LGL Modified on 9/5/2014 (LGL). (Entered: 09/05/2014)
09/08/2014	<u>597</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$44,309.68; 2. Deborah McCulloch in the amount of \$37,196.28; 3. Michael Miner in the amount of \$29,726.97; and 4. Robin J. Wilson in the amount of \$38,995.14. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 9/8/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 9/9/2014 (JAM). (Entered: 09/08/2014)
09/09/2014	<u>598</u>	ORDER. IT IS HEREBY ORDERED that Defendants' request for a jury trial for Phase One <u>589</u> is DENIED and Plaintiffs' request for a bench trial for Phase One <u>590</u> is GRANTED. (Written Opinion.) Signed by Judge Donovan W. Frank on 09/09/2014. (RLB) (Entered: 09/09/2014)
09/09/2014	<u>599</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Initial Pretrial Conference held on 9/9/2014. Order to issue. (LPH) (Entered: 09/09/2014)
09/10/2014	<u>600</u>	AMENDED SCHEDULING ORDER: Discovery due by 11/14/2014. Ready for trial due by 2/9/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 9/10/14. (kt) (Entered: 09/10/2014)
09/18/2014	<u>601</u>	RECEIPT number 00426378 in the amount of \$37,196.28. (kt)DOCUMENT QC'D ON 9/18/14 LGL Modified on 9/18/2014 (LGL). (Entered: 09/18/2014)
09/18/2014	<u>602</u>	STIPULATION <i>Regarding Privileged and Confidential Information</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Kevin Karsjens, David Gamble, Jr., Kevin DeVillion,, Peter Lonergan, James Noyer, James Rud, James Barber, Craig Bolte, Dennis Steiner, and Kaine Braun, Christopher Thuringer, Kenny Daywitt, Bradley Foster, Brian Hausfeld. (Welle, Adam) (Entered: 09/18/2014)
09/18/2014	<u>604</u>	RECEIPT number 426348 in the amount of \$29,726.97. (kt)DOCUMENT QC'D ON 9/23/14 LGL Modified on 9/23/2014 (LGL). (Entered: 09/19/2014)
09/18/2014	<u>605</u>	RECEIPT number 426387 in the amount of \$38,995.14. (kt)DOCUMENT QC'D ON 9/23/14 LGL Modified on 9/23/2014 (LGL). (Entered: 09/19/2014)
09/19/2014	<u>603</u>	REPORT (<i>Plaintiffs' Proposal for Presentation of Evidence for Phase One Trial</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/19/2014)
09/22/2014	<u>606</u>	ORDER REGARDING PRIVILEGED AND CONFIDENTIAL INFORMATION. Signed by Magistrate Judge Jeffrey J. Keyes on 9/22/14. (kt) (Entered: 09/22/2014)
09/26/2014	<u>607</u>	REPORT (<i>Plaintiffs' Proposal for Issues to be Resolved by the Court Prior to Trial</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/26/2014)
09/26/2014	<u>608</u>	OBJECTION re <u>603</u> Report, <i>Defendants' Objections to Plaintiffs' Proposal for Presentation of Evidence for Phase One Trial</i>) filed by Tom Lundquist, Lucinda Jesson, Kevin Moser, Nancy Johnston, Ann Zimmerman, Dennis Benson, Jannine Hebert. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance

		Certificate)(Brennaman, Nathan) Modified on 9/26/2014 (AKL). (Entered: 09/26/2014)
09/26/2014	<u>609</u>	AFFIDAVIT of Nathan Brennaman re <u>608</u> Objection, by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A–C)(Brennaman, Nathan) (Entered: 09/26/2014)
09/29/2014	<u>610</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Plaintiffs' Motion to Compel</i>). (Attachments: # <u>1</u> Exhibit(s) 1–20, # <u>2</u> Exhibit(s) 21–41)(Gustafson, Daniel) (Entered: 09/29/2014)
09/29/2014	<u>611</u>	NOTICE OF HEARING ON MOTION (<i>Plaintiffs' Motion to Compel</i>) Motion Hearing set for 10/3/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 09/29/2014)
09/30/2014	<u>612</u>	RECEIPT number 00426382 in the amount of \$44309.68. (kt)DOCUMENT QC'D ON 9/30/14 LGL Modified on 9/30/2014 (LGL). (Entered: 09/30/2014)
09/30/2014	<u>613</u>	TEXT ONLY ORDER: Pursuant to the Court's Amended Scheduling Order (Doc. No. <u>600</u>), on September 26, 2014, Defendants filed objections to Plaintiffs' proposed Phase One trial issues (Doc. No. <u>608</u>). Defendants' objections include "trial of any claim that is not in the Second Amended Complaint" and "an expedited trial to the extent it would include new claims." The Court orders Plaintiffs to file a response to Defendants' objections by Monday, October 6, 2014, addressing (1) whether and how Plaintiffs' proposed Phase One issues correspond to claims contained in the Second Amended Complaint; and (2) whether Plaintiffs intend to request leave to file a Third Amended Complaint. Signed by Judge Donovan W. Frank on 9/30/2014. (BJS) (Entered: 09/30/2014)
10/01/2014	<u>614</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Attachments: # <u>1</u> Affidavit of Aaron Winter, # <u>2</u> Exhibit(s) A–D)(Brennaman, Nathan) (Entered: 10/01/2014)
10/02/2014	<u>615</u>	ORDER from the United States Court of Appeals for the Eighth Circuit: Counsel for the class representatives are hereby directed to file a response to the state defendants' petition for writ of mandamus. The response is due October 15, 2014. (kt) (Entered: 10/02/2014)
10/02/2014	<u>616</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Ikeda, Scott) (Entered: 10/02/2014)
10/03/2014	<u>617</u>	NOTICE of Cancellation of Hearing: <u>611</u> NOTICE OF HEARING ON MOTION (<i>Plaintiffs' Motion to Compel</i>) Motion Hearing set for 10/3/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel). (kt) (Entered: 10/03/2014)
10/06/2014	<u>618</u>	ORDER APPROVING AGREEMENT REGARDING DOCUMENT PRODUCTION AND 30(b)(6) DEPOSITION re <u>610</u> Letter to Magistrate Judge. Signed by Magistrate Judge Jeffrey J. Keyes on 10/6/14. (LPH) (Entered: 10/06/2014)
10/06/2014	<u>619</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$3,077.20 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 10/6/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 10/7/2014 (JAM). (Entered: 10/06/2014)
10/06/2014	<u>620</u>	RESPONSE re <u>608</u> Objection, (<i>Plaintiffs' Response to Defendants' Objections to Plaintiffs' Trial Issues</i>) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 10/06/2014)
10/06/2014	<u>621</u>	Declaration of Daniel E. Gustafson in Support of <u>620</u> Response filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 10/06/2014)

10/15/2014	<u>622</u>	MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>623</u>	MEMORANDUM in Support re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>624</u>	NOTICE OF HEARING ON MOTION <u>622</u> MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) : Motion Hearing set for 10/28/2014 10:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>625</u>	Declaration of Daniel E. Gustafson in Support of <u>622</u> MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-I)(Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>626</u>	MEET and CONFER STATEMENT re <u>622</u> Motion to Alter/Amend/Supplement Pleadings,, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>627</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>628</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) Modified text on 10/16/2014 (LPH). (Entered: 10/15/2014)
10/16/2014	<u>629</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) (Entered: 10/16/2014)
10/20/2014	<u>630</u>	RECEIPT number 427565 in the amount of \$3,077.20. (kt)DOCUMENT QC'D ON 10/21/14 LGL Modified on 10/21/2014 (LGL). (Entered: 10/20/2014)
10/20/2014	<u>631</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) (Entered: 10/20/2014)
10/22/2014	<u>632</u>	MOTION to Appear as Amicus Curiae by INTERNATIONAL HUMANITARIAN LAW INSTITUTE. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) Cover Letter)(Nickitas, Peter) (Entered: 10/22/2014)
10/22/2014	<u>633</u>	RESPONSE in Opposition re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings (<i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 10/22/2014)
10/27/2014	<u>634</u>	SECOND AMENDED ORDER. 1. Stay of All Cases Pending Resolution of the Karsjens Litigation. All current and future civil rights cases brought by an individual or group of individuals who has or have been civilly committed to the MSOP that are sufficiently related to Karsjens, are hereby STAYED in all respects, pending

		resolution of the Karsjens litigation, or until further order of the Court. 2. Service. The Clerk of the United States District Court for the District of Minnesota is respectfully directed to file this Order in each stayed case and provide a copy of this Order, via United States mail, to every Plaintiff in all of the cases that are stayed. Signed by Chief Judge Michael J. Davis on 10/27/2014. (BJS) (Entered: 10/27/2014)
10/28/2014	635	AMENDED COMPLAINT (<i>Third Amended Complaint</i>) against Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian K. Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. No summons requested. (Gustafson, Daniel) (Entered: 10/28/2014)
10/28/2014	636	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: granting 622 Motion to Alter/Amend/Supplement Pleadings. (kt) (Entered: 10/28/2014)
10/28/2014	637	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs Motion for Leave to File a Third Amended Complaint and For Dismissal of Damages Claims Without Prejudice (Doc. No. 622), is GRANTED to the extent that Plaintiffs may file a Third Amended Complaint as proposed. Defendants' request for the Court to condition granting the motion to amend on dismissing the damages claims with prejudice is denied. This Court renders no opinion as to whether future claims made by individual Plaintiffs would be tolled.(II) This Minute Order constitutes an Order of the Court.(kt) (Entered: 10/28/2014)
10/31/2014	638	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 10/31/2014. (kt) (Entered: 10/31/2014)
10/31/2014	639	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Defendants may audio and videotape some group treatmentsessions of the Class members. The audio and videotapes shall be made availableunder the Protective Order with appropriate designation to the parties' experts and theRule 706 experts upon request. Notice of the sessions to be taped shall be providedbeforehand to Plaintiffs' counsel.(II) This Minute Order constitutes an Order of the Court.(kt) (Entered: 10/31/2014)
11/04/2014	640	LETTER TO DISTRICT JUDGE: RESPONSE re 632 MOTION to Appear as Amicus Curiae filed by All Plaintiffs. (Gustafson, Daniel) Modified text on 11/4/2014 (lmb). (Entered: 11/04/2014)
11/05/2014	641	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (LAS) (Entered: 11/05/2014)
11/05/2014	642	TRANSCRIPT of Motions Hearing held on 10/28/2014 before Magistrate Judge Jeffrey J. Keyes. (31 pages). Transcriber: Lori Simpson (E-mail: Lori_Simpson@mnd.uscourts.gov. Telephone: (612) 664-5104). Redaction Request due 11/26/2014. Redacted Transcript Deadline set for 12/8/2014. Release of Transcript Restriction set for 2/3/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (LAS) (Entered: 11/05/2014)
11/06/2014	643	RESPONSE re 632 MOTION to Appear as Amicus Curiae (<i>Letter Response to Motion to File Amicus Curiae Trial Brief</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 11/06/2014)
11/06/2014	644	STIPULATION <i>Regarding Limited Extension of the Discovery Deadline</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Gustafson, Daniel) (Entered: 11/06/2014)
11/06/2014	646	USCA MANDATE from the United States Court of Appeals for the Eighth Circuit. Formal mandate issued. (kt) (Entered: 11/07/2014)

11/07/2014	<u>645</u>	USCA JUDGMENT from the United States Court of Appeals for the Eighth Circuit: Petition for Writ of Mandamus has been considered by the court and is denied. Mandate shall issue forthwith. (kt) (Entered: 11/07/2014)
11/07/2014	<u>647</u>	FINAL PRETRIAL ORDER. (See Order for deadlines and details.) Signed by Judge Donovan W. Frank on 11/7/2014. (BJS) (Entered: 11/07/2014)
11/07/2014	648	TEXT ONLY ORDER: The International Humanitarian Law Institute (IHLI) has filed a motion for leave to submit an amicus brief regarding the right to a jury trial in civil commitment proceedings (Doc. No. <u>632</u>). Although the parties do not formally object to IHLI's motion, both parties contend that the subject matter of the proposed amicus brief is not within the scope of the current litigation (Doc. Nos. <u>640</u> and <u>643</u>). The Court concludes that the proposed amicus brief seeks to address issues that are not presently before the Court in this case. Accordingly, the motion for leave to file an amicus brief (Doc. No. <u>632</u>) is hereby DENIED. Signed by Judge Donovan W. Frank on 11/7/2014. (BJS) (Entered: 11/07/2014)
11/07/2014	<u>649</u>	ORDER: 1. The discovery deadline will be extended beyond November 14, 2014, for the limited purpose of completing the depositions of Defendants Nancy Johnston and Jannine Hbert and to allow Plaintiffs responses to Defendants' Third Set of Interrogatories and Document Requests; 2. These depositions will be scheduled for dates that are mutually agreeable to the Parties, but in no event shall they be completed later than November 26, 2014; 3. The report generated by the court-appointed experts that is due to be issued on November 15, 2014, shall not be an exhibit to, asked about, or discussed in the depositions of Ms. Johnston or Ms. Hbert. Signed by Magistrate Judge Jeffrey J. Keyes on 11/7/14. (kt) (Entered: 11/07/2014)
11/10/2014	<u>650</u>	APPEAL/OBJECTION OF MAGISTRATE JUDGE DECISION to District Judge re <u>636</u> Order on Motion to Alter/Amend/Supplement Pleadings, Motion Hearing (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 11/10/2014)
11/12/2014	<u>651</u>	MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 11/12/2014)
11/12/2014	<u>652</u>	NOTICE OF HEARING ON MOTION <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) : at date and time to be determined. (Brennaman, Nathan) (Entered: 11/12/2014)
11/12/2014	<u>653</u>	MEMORANDUM in Support re <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 11/12/2014)
11/12/2014	<u>654</u>	MEET and CONFER STATEMENT re <u>651</u> Motion to Dismiss/General filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 11/12/2014)
11/12/2014	<u>655</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) (Brennaman, Nathan) (Entered: 11/12/2014)
11/14/2014	<u>656</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Ikeda, Scott) (Entered: 11/14/2014)
11/17/2014	<u>657</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Response to Defendants' November 14, 2014 Letter</i>). (Gustafson, Daniel) (Entered: 11/17/2014)

11/17/2014	<u>658</u>	RULE 706 EXPERT REPORT AND RECOMMENDATIONS. (BJS) (Entered: 11/18/2014)
11/19/2014	<u>659</u>	RESPONSE re <u>650</u> APPEAL/OBJECTION OF MAGISTRATE JUDGE DECISION to District Judge re <u>636</u> Order on Motion to Alter/Amend/Supplement Pleadings, Motion Hearing filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2014)
11/20/2014	660	TEXT ONLY ORDER. On November 12, 2014, counsel for Defendants called the Court to request an expedited hearing on their Partial Motion to Dismiss (Doc. No. <u>651</u>). In response to the request, the Court directed Defendants to "file a two–page letter outlining their request for the expedited hearing" and allowed Plaintiffs an opportunity to respond to the request. On November 14, 2014, Defendants filed a letter to the Court in which they appear to rescind their request for an expedited hearing. (Doc. No. <u>656</u> .) The Court respectfully directs the parties to the Final Pretrial Order (Doc. No. <u>647</u>) scheduling provisions, which contemplates hearing argument on dispositive motions on January 14, 2015 and ruling on the motions before the February 3, 2015 pretrial conference. Signed by Judge Donovan W. Frank on 11/20/2014. (BJS) (Entered: 11/20/2014)
11/26/2014	<u>661</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 11/26/2014)
11/26/2014	<u>662</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>response to Doc. 661</i>). (Ikeda, Scott) (Entered: 11/26/2014)
12/01/2014	<u>663</u>	NOTICE of Phone Conference set for 12/2/2014 04:30 PM before Magistrate Judge Jeffrey J. Keyes. (kt) (Entered: 12/01/2014)
12/01/2014	<u>664</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 12/01/2014)
12/01/2014	<u>665</u>	ORDER. 1. Defendants' objections (Doc. No. <u>650</u>) to Magistrate Judge Jeffrey J. Keyes's October 28, 2014 Order are OVERRULED. 2. Magistrate Judge Jeffrey J. Keyes's October 28, 2014 Order (Doc. No. <u>636</u>) is AFFIRMED. (Written Opinion). Signed by Judge Donovan W. Frank on 12/01/2014. (BJS) (Entered: 12/01/2014)
12/01/2014	<u>666</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Document Production</i>). (Gustafson, Daniel) (Entered: 12/01/2014)
12/02/2014	<u>667</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Defs' response to Plaintiffs' 12–1–14 ltr to Court</i>). (Ikeda, Scott) (Entered: 12/02/2014)
12/02/2014	<u>668</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Attachments: # <u>1</u> Exhibit(s) 1)(Ikeda, Scott) (Entered: 12/02/2014)
12/02/2014	<u>669</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 12/2/2014. (kt) (Entered: 12/03/2014)
12/02/2014	670	TEXT ONLY ENTRY: Oral ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs letter request (Doc. No. 664), is DENIED. (II) In response to Plaintiffs letter request at Doc. No. 666 and Defendants' response at Doc. No. 667, Plaintiffs shall submit their short letter brief on the issue no later than noon CST on Wednesday, December 3, 2014, and Defendants shall submit their short letter

		brief in response no later than noon CST on Friday, December 5, 2014. After reading Defendants' response, Plaintiffs shall notify the Court as to whether the issue is resolved or whether they would like a phone hearing scheduled with the Court. (III) This Minute Order constitutes an Order of the Court. (kt) (Entered: 12/03/2014)
12/03/2014	<u>671</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Document Production</i>). (Attachments: # <u>1</u> Exhibit(s) A–F, # <u>2</u> Exhibit(s) G–H, # <u>3</u> Exhibit(s) I, # <u>4</u> Exhibit(s) J–N, # <u>5</u> Exhibit(s) O–R)(Gustafson, Daniel) (Entered: 12/03/2014)
12/03/2014	<u>672</u>	STIPULATION (<i>re: Briefing Schedule for Defendants' Partial Motion to Dismiss the Third Amended Complaint</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Gustafson, Daniel) (Entered: 12/03/2014)
12/03/2014	<u>673</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>response – joint expert depositions</i>). (Brennaman, Nathan) (Entered: 12/03/2014)
12/04/2014	<u>674</u>	ORDER REGARDING BRIEFING SCHEDULE FOR DEFENDANTS' PARTIAL MOTION TO DISMISS THIRD AMENDED COMPLAINT. 1. Plaintiffs' brief in response to Defendants' Motion to Dismiss Third Amended Complaint (Doc. No. <u>651</u>) shall be filed by December 16, 2014. 2. Defendants' reply brief regarding Defendants' Motion to Dismiss Third Amended Complaint (Doc. No. <u>651</u>) shall be filed by December 30, 2014. Signed by Judge Donovan W. Frank on 12/4/2014. (BJS) (Entered: 12/04/2014)
12/05/2014	<u>675</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>document production</i>). (Winter, Aaron) (Entered: 12/05/2014)
12/05/2014	<u>676</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Document Production</i>). (Gustafson, Daniel) (Entered: 12/05/2014)
12/08/2014	<u>677</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$35,850.00; 2. Deborah McCulloch in the amount of \$37,063.44; 3. Michael Miner in the amount of \$37,814.00; and 4. Robin J. Wilson in the amount of \$36,450.00. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 12/8/2014. (Attachment: # <u>1</u> Attachment A)(BJS) cc: Finance on 12/9/2014 (JAM). (Entered: 12/08/2014)
12/09/2014	<u>678</u>	STIPULATION re <u>418</u> Scheduling Order <i>STIPULATION TO A LIMITED EXTENSION OF THE NON-DISPOSITIVE MOTION DEADLINE</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Kevin Scott Karjens; David Leroy Gamble, Jr.; Kevin John DeVillion, Peter Gerard Lonergan; James Matthew Noyer, Sr.; James John Rud, James Allen Barber; Craig Allen Bolte; Dennis Richard Steiner, Kaine Joseph Braun; Brian Christopher John Thuringer; Kenny S. Daywitt, and Bradley Wayne Foster; Brian K. Hausfeld. (Winter, Aaron) (Entered: 12/09/2014)
12/09/2014	<u>679</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>678</u> Stipulation,, (Winter, Aaron) (Entered: 12/09/2014)

12/10/2014	<u>680</u>	ORDER APPROVING THE LIMITED EXTENSION OF THE NON-DISPOSITIVE MOTION DEADLINE. Signed by Magistrate Judge Jeffrey J. Keyes on 12/10/14. (kt) (Entered: 12/10/2014)
12/10/2014	<u>681</u>	MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>682</u>	NOTICE OF HEARING ON MOTION <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> : Motion Hearing set for 12/15/2014 04:30 PM before Magistrate Judge Jeffrey J. Keyes. (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>683</u>	MEMORANDUM in Support re <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>684</u>	AFFIDAVIT of SCOTT H. IKEDA in SUPPORT OF <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>685</u>	MEET and CONFER STATEMENT re <u>681</u> Motion for Miscellaneous Relief filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>686</u>	MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>687</u>	NOTICE OF HEARING ON MOTION <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i> : (by telephone) Motion Hearing set for 12/15/2014 04:30 PM before Magistrate Judge Jeffrey J. Keyes. (Ikeda, Scott) Modified on 12/11/2014 (JAM). (Entered: 12/10/2014)
12/10/2014	<u>688</u>	PLACEHOLDER FOR MEMORANDUM in Support re <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) Sealed document received on 12/10/2014 (JGK). Modified on 12/11/2014 (kt). (Entered: 12/10/2014)
12/10/2014	<u>689</u>	AFFIDAVIT of Scott H. Ikeda in SUPPORT OF <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>) filed by Ann Zimmerman. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit(s) Placeholder for Ex. 2 filed under seal, # <u>3</u> Exhibit(s) 3-6, # <u>4</u> Exhibit(s) Placeholder for Exs. 7-12 filed under seal)(Ikeda, Scott) Sealed document received on 12/10/2014 (JGK). Modified on 12/11/2014 (kt). (Entered: 12/10/2014)
12/10/2014	<u>690</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Motion to Compel Personal Emails</i>). (Attachments: # <u>1</u> Exhibit(s) A-B, # <u>2</u> Placeholder for Exhibits C-F, # <u>3</u> Exhibit(s) G-K, # <u>4</u> Placeholder for Exhibit L)(Gustafson, Daniel)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 12/11/14LGL Modified on 12/12/2014 (LGL). (Entered: 12/10/2014)
12/10/2014	<u>691</u>	MEET and CONFER STATEMENT re <u>686</u> Motion for Miscellaneous Relief, filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 12/10/2014)

12/10/2014	<u>692</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>689</u> Affidavit in Support of Motion, <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>), <u>691</u> Meet and Confer Statement, <u>688</u> Memorandum in Support of Motion, <u>687</u> Notice of Hearing on Motion, (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>693</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>690</u> Letter to Magistrate Judge,, (Gustafson, Daniel) (Entered: 12/10/2014)
12/10/2014	<u>694</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> (Ikeda, Scott) (Entered: 12/10/2014)
12/10/2014	<u>695</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>) (Ikeda, Scott) (Entered: 12/10/2014)
12/12/2014	<u>696</u>	MEMORANDUM in Opposition re <u>686</u> MOTION Miscellaneous relief <i>Defs' MOL Support of Motion to Remove "Confidential" Designations from Deposition Transcripts of Plaintiffs</i>) (<i>Filed Under Seal</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) SEALED DOCUMENT RECEIVED IN CLERK'S OFFICE 12/15/14. Modified on 12/16/2014 (JAM). (Entered: 12/12/2014)
12/12/2014	<u>697</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>696</u> Memorandum in Opposition to Motion, (Gustafson, Daniel) (Entered: 12/12/2014)
12/12/2014	<u>698</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Response to Doc. 690</i>). (Attachments: # <u>1</u> Affidavit of Aaron Winter, # <u>2</u> Exhibit(s) 1-4 to Affidavit of Aaron Winter)(Winter, Aaron) (Entered: 12/12/2014)
12/12/2014	<u>699</u>	MEMORANDUM in Opposition re <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/12/2014)
12/12/2014	<u>700</u>	AFFIDAVIT of David A. Goodwin in OPPOSITION TO <u>681</u> MOTION miscellaneous relief <i>DEFENDANTS' MOTION SEEKING RELIEF FOR SPOILIATION</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-B, # <u>2</u> Placeholder for Exhibit C, # <u>3</u> Exhibit(s) D-N, # <u>4</u> Placeholder for Exhibits O-R, # <u>5</u> Exhibit(s) S, # <u>6</u> Exhibit(s) T, # <u>7</u> Exhibit(s) U)(Gustafson, Daniel) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE 12/15/14. Modified on 12/16/2014 (JAM). (Entered: 12/12/2014)
12/12/2014	<u>701</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>699</u> Memorandum in Opposition to Motion, (Gustafson, Daniel) (Entered: 12/12/2014)
12/12/2014	<u>702</u>	LETTER TO DISTRICT JUDGE by Ann Zimmerman . (Ikeda, Scott) (Entered: 12/12/2014)

12/15/2014	<u>703</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Plaintiffs' Expert Facility Visit & Deposition Location</i>). (Gustafson, Daniel) (Entered: 12/15/2014)
12/15/2014	<u>704</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Welle, Adam) (Entered: 12/15/2014)
12/15/2014	<u>705</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 12/15/2014. (kt) (Entered: 12/16/2014)
12/15/2014	706	TEXT ONLY ENTRY by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs' letter request to compel Defendants to collect and produce relevant documents from custodian's personal email accounts (Doc. No. 690), is DENIED. (II) As stated on the record, Defendants' Motion Seeking Relief for Spoliation (Doc. No. 681), is DENIED. (III) As stated on the record, Defendants' Motion to Remove Confidential Designations from Deposition Transcripts of Plaintiffs (Doc. No. 686), is GRANTED IN PART, DENIED IN PART, and DENIED IN PART AS MOOT. Specifically, it is hereby ordered that: a. Regarding the DeVillion deposition at 77:21-78:17, the motion is granted and the confidential designation shall be lifted. b. Regarding the DeVillion deposition at 86:23-87:2 and 87:13-87:25, the motion is granted and the confidential designation shall be lifted. c. Regarding the DeVillion deposition at 168:9-13, 168:18-169:1, 169:5-7, 169:20, 169:25-170:1, 170:9, 170:13-14, and 172:20-24, the motion is granted and the confidential designation shall be lifted. d. Regarding the Barber deposition at 57:14-58:10 and 59:11-63:14, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. e. Regarding the Lonergan deposition at 192:17-194:20, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. f. Regarding the Lonergan deposition at 236:25-240:24, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. g. Regarding the Rud deposition at 66:6-67:19, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. h. Regarding the Rud deposition at 143:14-146:19, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. i. Regarding the Barber deposition at 83:12-16, the motion is granted and the confidential designation shall be lifted. j. Regarding the Braun deposition at 22:16-22:21, the motion is granted and the confidential designation shall be lifted. k. Regarding the DeVillion deposition at 127:6-130:3, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. l. Regarding the Lonergan deposition at 142:24-143:14 and 147:20-151:18, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. m. Regarding the Lonergan deposition at 152:16-153:25, the motion is denied. The Confidential designation shall remain for pretrial purposes unless otherwise ordered by the Court. n. Regarding all other deposition designations raised in the motion, the motion is denied as moot. o. Defendants' request for Plaintiffs to designate the remaining eight named Plaintiffs' depositions by December 19, 2014, is granted. (IV) As stated on the record, Plaintiffs' letter request for their experts to be allowed to visit the MSOP facilities (Doc. No. 703), is DENIED. (V) This Minute Order constitutes an Order of the Court. (kt) (Entered: 12/16/2014)
12/16/2014	<u>707</u>	MEMORANDUM in Opposition re <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/16/2014)
12/16/2014	708	TEXT ONLY ENTRY: NOTICE to Attorneys: The Court hereby approves Defendants' letter request (Doc. No. <u>702</u>) for a word limit extension from 12,000 words to 27,000 words for both their opening memorandum and reply memorandum in support of their motion for summary judgment. (BJS) (Entered: 12/16/2014)

12/17/2014	<u>709</u>	RECEIPT number 00431160 in the amount of \$37,814.00. (kt)DOCUMENT QC'D ON 12/18/14 LGL Modified on 12/18/2014 (LGL). (Entered: 12/17/2014)
12/17/2014	<u>710</u>	RECEIPT number 431194 in the amount of \$36,450.00. (kt)DOCUMENT QC'D ON 12/18/14 LGL Modified on 12/18/2014 (LGL). (Entered: 12/17/2014)
12/18/2014	<u>711</u>	RECEIPT number 00431189 in the amount of \$37,063.44. (kt)DOCUMENT QC'D ON 12/19/14 LGL Modified on 12/19/2014 (LGL). (Entered: 12/18/2014)
12/18/2014	<u>712</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>discovery</i>). (Attachments: # <u>1</u> Affidavit of Nathan Brennaman, # <u>2</u> Exhibit(s) 1-4 to Brennaman Affidavit, # <u>3</u> Exhibit(s) 5-6 to Brennaman Affidavit)(Brennaman, Nathan) (Entered: 12/18/2014)
12/18/2014	<u>713</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: Defendants' Privilege Log</i>). (Attachments: # <u>1</u> Exhibit(s) A Part 1, # <u>2</u> Exhibit(s) A Part 2)(Gustafson, Daniel) (Entered: 12/18/2014)
12/19/2014	<u>714</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>in Response to Defendants' December 18, 2014 Letter</i>). (Attachments: # <u>1</u> Exhibit(s) A Part 1, # <u>2</u> Exhibit(s) A Part 2, # <u>3</u> Exhibit(s) B, # <u>4</u> Exhibit(s) C, # <u>5</u> Exhibit(s) D-F)(Gustafson, Daniel) (Entered: 12/19/2014)
12/19/2014	<u>715</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Response to Doc. 713</i>) (<i>privilege log</i>). (Winter, Aaron) (Entered: 12/19/2014)
12/19/2014	<u>716</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 12/19/2014. (kt) (Entered: 12/22/2014)
12/19/2014	<u>717</u>	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs' letter requesting an order compelling Defendants to amend their privilege log or produce documents (Doc. No. 713), is GRANTED IN PART and DENIED IN PART. Specifically, it is hereby ordered that Plaintiffs must meet and confer with Defendants and identify a narrow list of documents they need more information on. The list must be provided to Defendants by January 15, 2015. (II) An order will issue separately on Defendants' letter requesting complete answers on various discovery requests (Doc. No. 712). (III) This Minute Order constitutes an Order of the Court.(kt) (Entered: 12/22/2014)
12/22/2014	<u>718</u>	ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 12/22/14. (kt) (Entered: 12/22/2014)
12/23/2014	<u>719</u>	MOTION for Summary Judgment by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 12/23/2014)
12/23/2014	<u>720</u>	NOTICE OF HEARING ON MOTION <u>719</u> MOTION for Summary Judgment : Motion Hearing set for 1/14/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Brennaman, Nathan) (Entered: 12/23/2014)
12/23/2014	<u>721</u>	MEMORANDUM in Support re <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 12/23/2014)
12/23/2014	<u>722</u>	AFFIDAVIT of Jessica J. Geil in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) Placeholder for Ex. 2 to Geif Aff. (filed under seal), # <u>3</u> Exhibit(s) 3, # <u>4</u>

		Exhibit(s) Placeholder for Exs. 4–5 to Geil Aff. (filed under seal), # <u>5</u> Exhibit(s) 6, # <u>6</u> Exhibit(s) Placeholder for Exs. 7–8 to Geil Aff. (filed under seal), # <u>7</u> Exhibit(s) 9, # <u>8</u> Exhibit(s) Placeholder for Exs. 10–13 to Geil Aff. (filed under seal), # <u>9</u> Exhibit(s) 14, # <u>10</u> Exhibit(s) Placeholder for Ex. 15 to Geil Aff. (filed under seal))(Brennaman, Nathan) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 12/23/2014 (LPH). (Entered: 12/23/2014)
12/23/2014	<u>723</u>	AFFIDAVIT of Lauren Herbert in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Lauren Herbert Affidavit (filed under seal), # <u>2</u> Exhibit(s) Placeholder for Herbert Exs. 1–11 (filed under seal))(Brennaman, Nathan) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 12/23/2014 (LPH). (Entered: 12/23/2014)
12/23/2014	<u>724</u>	AFFIDAVIT of Nathan Brennaman in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1–10b, # <u>2</u> Exhibit(s) 11–18, # <u>3</u> Exhibit(s) 19–21, # <u>4</u> Exhibit(s) 22–39 (filed under seal), # <u>5</u> Exhibit(s) 40)(Brennaman, Nathan) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 12/23/2014 (LPH). (Entered: 12/23/2014)
12/23/2014	<u>725</u>	AFFIDAVIT of Nancy Johnston in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1–23)(Brennaman, Nathan) (Entered: 12/23/2014)
12/23/2014	<u>726</u>	AFFIDAVIT of Jannine Hebert in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for to Hebert Aff (filed under seal), # <u>2</u> Exhibit(s) 1–3, # <u>3</u> Exhibit(s) Placeholder Ex. 4 to Hebert Aff (attorneys' eyes only), # <u>4</u> Exhibit(s) 5–7, # <u>5</u> Exhibit(s) Placeholder Exs. 8–49 to Hebert Aff. (filed under seal), # <u>6</u> Exhibit(s) 50–53)(Brennaman, Nathan) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 12/23/2014 (LPH). (Entered: 12/23/2014)
12/23/2014	<u>727</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>719</u> MOTION for Summary Judgment (Brennaman, Nathan) (Entered: 12/23/2014)
12/23/2014	<u>728</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>725</u> Affidavit in Support of Motion, <u>719</u> MOTION for Summary Judgment , <u>724</u> Affidavit in Support of Motion, <u>723</u> Affidavit in Support of Motion, <u>726</u> Affidavit in Support of Motion,, <u>722</u> Affidavit in Support of Motion,, <u>721</u> Memorandum in Support of Motion, <u>720</u> Notice of Hearing on Motion (Brennaman, Nathan) (Entered: 12/23/2014)
12/29/2014	<u>729</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: underlying expert material</i>). (Gustafson, Daniel) (Entered: 12/29/2014)
12/29/2014	<u>730</u>	APPEAL/OBJECTION OF MAGISTRATE JUDGE DECISION to District Judge re 706 Order (Text Only). (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) Modified on 12/29/2014 (kt). (Entered: 12/29/2014)
12/29/2014	<u>731</u>	RECEIPT number 431191 in the amount of \$35,850.00. (kt)DOCUMENT QC'D ON 12/30/14 LGL Modified on 12/30/2014 (LGL). (Entered: 12/30/2014)
12/30/2014	732	TEXT ONLY ORDER: On December 29, 2014, Defendants filed objections to the Magistrate Judge's Minute Order entered on December 16, 2014, denying Defendants' Motion Seeking Relief from Spoliation. (Doc. No. <u>730</u> .) Plaintiffs shall file a response to Defendants objections by 12:00 p.m. on January 7, 2015. Signed by Judge Donovan W. Frank on 12/30/2014. (BJS) (Entered: 12/30/2014)

12/30/2014	<u>733</u>	Reply to Response to Motion re <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 12/30/2014)
12/31/2014	<u>734</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Defs' expert notes</i>). (Winter, Aaron) (Entered: 12/31/2014)
01/05/2015	<u>735</u>	LETTER to Request Permission to Exceed Word/Line Limits . (Gustafson, Daniel) (Entered: 01/05/2015)
01/05/2015	<u>736</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 1/5/2015. (kt) (Entered: 01/05/2015)
01/05/2015	<u>737</u>	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs' letter requesting the production of a list of interviewees and notes not produced by Defendants' Experts (Doc. No. 729), is GRANTED. Specifically, it is hereby ordered that the subject list and interview notes must be produced by Friday, January 9, 2015. (II) This Minute Order constitutes an Order of the Court.(kt) (Entered: 01/05/2015)
01/06/2015	<u>738</u>	RESPONSE re <u>730</u> APPEAL/OBJECTION OF MAGISTRATE JUDGE DECISION to District Judge re <u>705</u> Telephone Conference, 706 Order (Text Only), filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) Modified on 1/7/2015 (JAM). (Entered: 01/06/2015)
01/06/2015	<u>739</u>	TEXT ONLY NOTICE to Attorneys: The Court hereby approves Plaintiffs' letter request (Doc. No. <u>735</u>) for a word limit extension from 12,000 words to 27,000 words for their memorandum in opposition to Defendants' motion for summary judgment. (BJS) (Entered: 01/06/2015)
01/06/2015	<u>740</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Brennaman, Nathan) (Entered: 01/06/2015)
01/06/2015	<u>741</u>	MEMORANDUM in Opposition re <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>742</u>	DECLARATION of Karla M. Gluek in OPPOSITION TO <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Exhibits 1-28)(Gustafson, Daniel) Modified on 1/7/2015 (kt).SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 1/7/15LGL Modified on 1/7/2015 (LGL). (Entered: 01/06/2015)
01/06/2015	<u>743</u>	DECLARATION of James Barber in OPPOSITION TO <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) Modified on 1/7/2015 (kt). (Entered: 01/06/2015)
01/06/2015	<u>744</u>	DECLARATION of Craig Bolte in OPPOSITION TO <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) Modified on 1/7/2015 (kt). (Entered: 01/06/2015)
01/06/2015	<u>745</u>	DECLARATION of Kaine Braun in OPPOSITION TO <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) Modified on 1/7/2015 (kt). (Entered: 01/06/2015)
01/06/2015	<u>746</u>	DECLARATION of Kenny Daywitt in OPPOSITION TO <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) Modified on 1/7/2015 (kt). (Entered: 01/06/2015)
01/06/2015	<u>747</u>	DECLARATION of Kevin DeVillion in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>748</u>	DECLARATION of Bradley Foster in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)

01/06/2015	<u>749</u>	DECLARATION of David Gamble, Jr. in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>750</u>	DECLARATION of Brian Hausfeld in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>751</u>	DECLARATION of Kevin Karsjens in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>752</u>	DECLARATION of Peter Lonergan in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>753</u>	DECLARATION of James Noyer in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>754</u>	DECLARATION of James Rud in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>755</u>	DECLARATION of Dennis Steiner in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>756</u>	DECLARATION of Christopher Thuringer in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>757</u>	DECLARATION of Daniel E. Gustafson in Opposition to <u>719</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8, # <u>9</u> Exhibit(s) 9, # <u>10</u> Exhibit(s) 10, # <u>11</u> Exhibit(s) 11a, # <u>12</u> Exhibit(s) 11b, # <u>13</u> Exhibit(s) 12-22, # <u>14</u> Exhibit(s) 23-24, # <u>15</u> Exhibit(s) 25, # <u>16</u> Exhibit(s) 26-33, # <u>17</u> Exhibit(s) 34-47, # <u>18</u> Exhibit(s) 48, # <u>19</u> Exhibit(s) 49-51, # <u>20</u> Exhibit(s) 52, # <u>21</u> Exhibit(s) 53-64, # <u>22</u> Exhibit(s) 65, # <u>23</u> Exhibit(s) 66-75, # <u>24</u> Exhibit(s) 76, # <u>25</u> Exhibit(s) 77, # <u>26</u> Exhibit(s) 78-82, # <u>27</u> Exhibit(s) 83-85, # <u>28</u> Exhibit(s) 86-90, # <u>29</u> Exhibit(s) 91-94, # <u>30</u> Exhibit(s) 95-98, # <u>31</u> Exhibit(s) 99-101, # <u>32</u> Exhibit(s) 102-107)(Gustafson, Daniel) (Entered: 01/06/2015)
01/06/2015	<u>758</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>741</u> Memorandum in Opposition to Motion (Gustafson, Daniel) (Entered: 01/06/2015)
01/09/2015	<u>759</u>	ORDER. 1. Phase One will begin on February 9, 2015 and continue, if necessary, through February 20, 2015, with a break on February 16, 2015 for Presidents' Day. 2. The scope of Phase One is clearly described in the Final Pretrial Order. (See Doc. No. 647 at 2.) As provided in the Final Pretrial Order, the parties shall file their statements of the case, which "shall indicate the facts that the party intends to prove and any unresolved substantive, evidentiary, and procedural issues," by January 28, 2015. (See id. at 3.) 3. The parties shall e-file and e-mail their respective witness lists to the Court by 4:30 p.m. on January 15, 2015, and deliver two courtesy copies of the witness lists to the Court by 10:00 a.m. on January 16, 2015. The list shall include the names and addresses of the witnesses, along with a short statement of the substance of the expected testimony of each witness. Only witnesses so listed shall be permitted to testify, unless good cause is shown. 4. The parties shall provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial. 5. The dispositive motions hearing set before this Court on January 14, 2015, shall commence at 9:00 a.m. The Court has set aside 2.5 hours for presentation of both dispositive motions, with 45 minutes allotted to each party for Defendants Motion for Summary Judgment (Doc. No. 719) and up to 30 minutes allotted to each party for Defendants' Partial Motion to Dismiss Third Amended Complaint (Doc. No. 651). However, the parties may agree to a different assignment of time for each motion based on the total amount of time available. Signed by Judge Donovan W. Frank on 1/9/2015. (BJS) (Entered: 01/09/2015)
01/09/2015	<u>760</u>	Reply to Response to Motion re <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count

		Compliance Certificate)(Brennaman, Nathan) (Entered: 01/09/2015)
01/09/2015	<u>761</u>	Supplemental AFFIDAVIT of Nathan Brennaman in SUPPORT OF <u>719</u> MOTION for Summary Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-6)(Brennaman, Nathan) (Entered: 01/09/2015)
01/12/2015	<u>762</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>trial schedule</i>). (Brennaman, Nathan) (Entered: 01/12/2015)
01/13/2015	<u>763</u>	ORDER. 1. Defendants' objections (Doc. No. <u>730</u>) to Magistrate Judge Jeffrey J. Keyes's December 15, 2014 Orders are OVERRULED. 2. Magistrate Judge Jeffrey J. Keyes's December 15, 2014 Text Only Order (Doc. No. <u>706</u>) and Minute Entry (Doc. No. <u>705</u>) are AFFIRMED. (Written Opinion). Signed by Judge Donovan W. Frank on 1/13/2015. (BJS) (Entered: 01/13/2015)
01/13/2015	<u>764</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>re: trial schedule</i>). (Gustafson, Daniel) (Entered: 01/13/2015)
01/14/2015	<u>765</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 1/14/2015 re <u>651</u> MOTION to Dismiss/General (<i>Defendants' Partial Motion to Dismiss Third Amended Complaint</i>) filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert, <u>719</u> MOTION for Summary Judgment filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert. Matters taken under advisement; written order to issue. (Court Reporter Debra Beauvais) (BJS) (Entered: 01/14/2015)
01/15/2015	<u>766</u>	Witness List by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/15/2015)
01/15/2015	<u>767</u>	Witness List by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/15/2015)
01/16/2015	<u>768</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$11,508.60 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 1/16/2015. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 1/20/2015 (JAM). (Entered: 01/16/2015)
01/23/2015	<u>769</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>exhibits</i>). (Brennaman, Nathan) (Entered: 01/23/2015)
01/26/2015	<u>770</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Plaintiffs response to Defendants' January 23, 2015 letter re exhibit lists</i>). (Gustafson, Daniel) (Entered: 01/26/2015)
01/27/2015	<u>771</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>exhibits</i>). (Brennaman, Nathan) (Entered: 01/27/2015)
01/27/2015	772	TEXT ONLY ORDER: The Court is in receipt of the parties' letters to the Court at Doc. Nos. <u>769</u> , <u>770</u> , and <u>771</u> . Consistent with the terms of the November 7, 2014 Final Pretrial Order (Doc. No. <u>647</u>), the Court directs the parties to submit electronic copies of their respective exhibit lists to the Court by 4:30 p.m. on January 28, 2015,

		with courtesy hard copies to the Court by 10:00 a.m. on January 29, 2015. Any remaining issues, including issues regarding witness testimony, will be addressed at the Pretrial Conference on February 3, 2015. Signed by Judge Donovan W. Frank on 1/27/2015. (BJS) (Entered: 01/27/2015)
01/28/2015	<u>773</u>	List of Deposition Testimony (<i>Plaintiffs' Deposition Designations</i>) submitted by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>774</u>	Exhibit List (<i>Defendants' Exhibit List and Objections to Plaintiffs' Exhibit List</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>775</u>	STATEMENT OF CASE as to Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>776</u>	List of Deposition Testimony (<i>Defendants' Deposition Designations</i>) submitted by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>777</u>	MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>778</u>	MEMORANDUM in Support re <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>779</u>	MOTION in Limine (<i>to exclude theTestimony of Dr. Michael F. Caldwell</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>780</u>	MEMORANDUM in Support re <u>779</u> MOTION in Limine (<i>to exclude theTestimony of Dr. Michael F. Caldwell</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>781</u>	MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>782</u>	MEMORANDUM in Support re <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>783</u>	MOTION in Limine (<i>to Exclude Evidence of Non-Classwide Issues</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>784</u>	MEMORANDUM in Support re <u>783</u> MOTION in Limine (<i>to Exclude Evidence of Non-Classwide Issues</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>785</u>	MOTION in Limine (<i>to Exclude Evidence Unrelated to Official-Capacity Claims</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)

01/28/2015	<u>786</u>	MEMORANDUM in Support re <u>785</u> MOTION in Limine (<i>to Exclude Evidence Unrelated to Official–Capacity Claims</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>787</u>	MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>788</u>	MEMORANDUM in Support re <u>787</u> MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>789</u>	MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>790</u>	MEMORANDUM in Support re <u>789</u> MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>791</u>	NOTICE OF HEARING ON MOTION <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>), <u>779</u> MOTION in Limine (<i>to exclude theTestimony of Dr. Michael F. Caldwell</i>), <u>783</u> MOTION in Limine (<i>to Exclude Evidence of Non–Classwide Issues</i>), <u>789</u> MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>), <u>785</u> MOTION in Limine (<i>to Exclude Evidence Unrelated to Official–Capacity Claims</i>), <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>), <u>787</u> MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>) : Motion Hearing set for 2/3/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>792</u>	AFFIDAVIT of Nathan Brennaman in SUPPORT OF <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>), <u>785</u> MOTION in Limine (<i>to Exclude Evidence Unrelated to Official–Capacity Claims</i>), <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>), <u>789</u> MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>), <u>783</u> MOTION in Limine (<i>to Exclude Evidence of Non–Classwide Issues</i>), <u>787</u> MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>), <u>779</u> MOTION in Limine (<i>to exclude theTestimony of Dr. Michael F. Caldwell</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8, # <u>9</u> Exhibit(s) 9, # <u>10</u> Exhibit(s) 10, # <u>11</u> Exhibit(s) 11, # <u>12</u> Exhibit(s) 12, # <u>13</u> Exhibit(s) 13, # <u>14</u> Exhibit(s) 14, # <u>15</u> Exhibit(s) 15)(Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>793</u>	MEET and CONFER STATEMENT re <u>781</u> Motion in Limine, <u>783</u> Motion in Limine, <u>785</u> Motion in Limine, <u>787</u> Motion in Limine, <u>777</u> Motion in Limine, <u>779</u> Motion in Limine, <u>789</u> Motion in Limine filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>794</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>), <u>783</u> MOTION in Limine (<i>to Exclude Evidence of Non–Classwide Issues</i>), <u>785</u> MOTION in Limine (<i>to Exclude Evidence Unrelated to Official–Capacity Claims</i>), <u>787</u> MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>), <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>), <u>779</u> MOTION in Limine (<i>to exclude theTestimony of Dr. Michael F. Caldwell</i>), <u>789</u> MOTION in Limine (<i>to Exclude Previously</i>

		<i>Undisclosed Witnesses</i>) (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>795</u>	Exhibit List (<i>Plaintiffs' Exhibit List</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>796</u>	STATEMENT OF CASE as to James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>797</u>	Proposed Findings of Fact by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/28/2015)
01/28/2015	<u>798</u>	MOTION in Limine (<i>re: Prior Offenses</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>799</u>	NOTICE OF HEARING ON MOTION <u>798</u> MOTION in Limine (<i>re: Prior Offenses</i>) : Motion Hearing set for 2/3/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>800</u>	MEMORANDUM in Support re <u>798</u> MOTION in Limine (<i>re: Prior Offenses</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>801</u>	MEET and CONFER STATEMENT re <u>798</u> Motion in Limine, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>802</u>	Proposed Findings of Fact by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>803</u>	MOTION Requesting the Court to Take Judicial Notice by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>804</u>	NOTICE OF HEARING ON MOTION <u>803</u> MOTION Requesting the Court to Take Judicial Notice : Motion Hearing set for 2/3/2015 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>805</u>	MEMORANDUM in Support re <u>803</u> MOTION Requesting the Court to Take Judicial Notice filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>806</u>	Declaration of Daniel E. Gustafson in Support of <u>803</u> MOTION Requesting the Court to Take Judicial Notice filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u> Exhibit(s) 8, # <u>9</u> Exhibit(s) 9)(Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>807</u>	MEET and CONFER STATEMENT re <u>803</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/28/2015)
01/28/2015	<u>808</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis

		Richard Steiner, Christopher John Thuringer re <u>798</u> MOTION in Limine (<i>re: Prior Offenses</i>), <u>803</u> MOTION Requesting the Court to Take Judicial Notice (Gustafson, Daniel) (Entered: 01/28/2015)
01/29/2015	<u>809</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>with attachments</i>) (<i>exhibit list</i>). (Brennaman, Nathan) (Entered: 01/29/2015)
01/29/2015	<u>810</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Plaintiffs response to Defendants' January 29, 2015 letter re Court staff's email</i>). (Gustafson, Daniel) (Entered: 01/29/2015)
01/29/2015	<u>838</u>	LETTER TO DISTRICT JUDGE from Nathan Brennaman. (AKL) Document QC'd on 2/12/2015 (JGK). (Entered: 02/09/2015)
01/30/2015	<u>811</u>	MEMORANDUM in Opposition re <u>783</u> MOTION in Limine (<i>to Exclude Evidence of Non-Classwide Issues</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>812</u>	MEMORANDUM in Opposition re <u>785</u> MOTION in Limine (<i>to Exclude Evidence Unrelated to Official-Capacity Claims</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>813</u>	MEMORANDUM in Opposition re <u>787</u> MOTION in Limine (<i>to Exclude Evidence Related to the Sex Offender Civil Commitment Advisory Task Force</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>814</u>	MEMORANDUM in Opposition re <u>789</u> MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>815</u>	DECLARATION of Daniel E. Gustafson in Opposition to <u>789</u> MOTION in Limine (<i>to Exclude Previously Undisclosed Witnesses</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1-5)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>816</u>	OBJECTION re <u>776</u> List of Deposition Testimony (<i>Plaintiffs' Objections and Counterdesignations to Defendants' Deposition Designations</i>) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>817</u>	MEMORANDUM in Opposition re <u>779</u> MOTION in Limine (<i>to exclude the Testimony of Dr. Michael F. Caldwell</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>818</u>	MEMORANDUM in Opposition re <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>819</u>	MEMORANDUM in Opposition re <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>820</u>	DECLARATION of Daniel E. Gustafson in Opposition to <u>781</u> MOTION in Limine (<i>to Exclude Testimony of Gregory J. Van Rybroek</i>), <u>777</u> MOTION in Limine (<i>to Exclude Testimony of Dean R. Cauley</i>), <u>779</u> MOTION in Limine (<i>to exclude the Testimony of Dr. Michael F. Caldwell</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1-3)(Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>821</u>	Exhibit List (<i>Defendants' Exhibit List and Objections to Plaintiffs' Exhibits</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 01/30/2015)

01/30/2015	<u>822</u>	Exhibit List (<i>Plaintiffs' First Amended Exhibit List with Defendants' Objections</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 01/30/2015)
01/30/2015	<u>823</u>	MEMORANDUM in Opposition re <u>803</u> MOTION Requesting the Court to Take Judicial Notice filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/30/2015)
01/30/2015	<u>824</u>	MEMORANDUM in Opposition re <u>798</u> MOTION in Limine (<i>re: Prior Offenses</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/30/2015)
01/30/2015	<u>825</u>	AFFIDAVIT of Nathan Brennaman in OPPOSITION TO <u>798</u> MOTION in Limine (<i>re: Prior Offenses</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-3)(Brennaman, Nathan) (Entered: 01/30/2015)
01/30/2015	<u>826</u>	OBJECTION re <u>773</u> List of Deposition Testimony, (<i>Defendants' Objections and Counterdesignations to Plaintiffs' Deposition Designations</i>) filed by Tom Lundquist, Lucinda Jesson, Kevin Moser, Nancy Johnston, Ann Zimmerman, Dennis Benson, Jannine Hebert. (Brennaman, Nathan) (Entered: 01/30/2015)
01/30/2015	<u>827</u>	LR7.1/LR72.2 WORD COUNT COMPLIANCE CERTIFICATE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>823</u> Memorandum in Opposition to Motion,. (Brennaman, Nathan) (Entered: 01/30/2015)
02/02/2015	<u>828</u>	MEMORANDUM OPINION AND ORDER. 1. Defendants' Partial Motion to Dismiss the Third Amended Complaint (Doc. No. <u>651</u>) is DENIED. 2. Defendants' Motion for Summary Judgment (Doc. No. <u>719</u>) is DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 2/2/2015. (BJS) (Entered: 02/02/2015)
02/03/2015	<u>829</u>	NOTICE of Appearance by Lucia G Massopust on behalf of All Plaintiffs. (Massopust, Lucia) (Entered: 02/03/2015)
02/03/2015	<u>831</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Pretrial Conference held on 2/3/2015. Matters taken under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 02/04/2015)
02/04/2015	<u>830</u>	NOTICE of Appearance by Eric S Taubel on behalf of All Plaintiffs. (Taubel, Eric) (Entered: 02/04/2015)
02/05/2015	<u>832</u>	ORDER. 1. Plaintiffs' Motion in Limine to Exclude Irrelevant Evidence Relating to any Class Member's Sexual Offenses Prior to his or her Civil Commitment or Evidence Related to any Class Member's Civil Commitment Proceeding (Doc. No. <u>798</u>) is DENIED. Such evidence is presumptively admissible subject to the Court's analysis of Article 4 and Rule 104 of the Federal Rules of Evidence. 2. Plaintiffs' Motion Requesting the Court to Take Judicial Notice of Documents Pertinent to this Matter (Doc. No. <u>803</u>) is DENIED under Rule 201. However, the following evidence is presumptively admissible pursuant to the Court's Rule 702, Rule 703, Rule 807, Rule 403, and Rule 102 analysis, subject to any objections that Defendants may raise at trial: (i) the State of Minnesota's Office of the Legislative Auditor's March 2011 Evaluation Report ("OLA Report"); (ii) the MSOP Program Evaluation Teams February 2013 Report ("MPET Report"); and (iii) the Sex Offender Civil Commitment Advisory Task Force's December 2012 and December 2013 Reports ("Task Force Reports"). To the extent either party believes any of the remaining evidence referenced in Plaintiffs' motion is admissible notwithstanding the Court's ruling, the Court reserves the right to revisit the issue of the admissibility of such evidence at or before trial. (See Order for additional information.) (Written Opinion). Signed by Judge Donovan W. Frank on 2/5/2015. (BJS) (Entered: 02/05/2015)

02/06/2015	<u>833</u>	STIPULATION <i>to Transport Craig Bolte to Trial on February 11, 2015</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Gustafson, Daniel) (Entered: 02/06/2015)
02/06/2015	<u>834</u>	STIPULATION <i>to Transport Dennis Steiner to Trial on February 11, 2015</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Gustafson, Daniel) (Entered: 02/06/2015)
02/08/2015	<u>835</u>	Exhibit List (<i>Plaintiffs' Second Amended Exhibit List</i>) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 02/08/2015)
02/09/2015	<u>836</u>	ORDER TO TRANSPORT CRAIG BOLTE ON FEBRUARY 11, 2015 FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Craig Bolte to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial on February 11, 2015, commencing at 9:00 a.m. 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Craig Bolte for the duration of the court proceedings on February 11, 2015. The United States Marshal shall return Craig Bolte to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/09/2015. (BJS) (Entered: 02/09/2015)
02/09/2015	<u>837</u>	ORDER TO TRANSPORT DENNIS STEINER ON FEBRUARY 11, 2015 FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Dennis Steiner to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial on February 11, 2015, commencing at 9:00 a.m. 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Dennis Steiner for the duration of the court proceedings on February 11, 2015. The United States Marshal shall return Dennis Steiner to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/09/2015. (BJS) (Entered: 02/09/2015)
02/09/2015	<u>839</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial begun on 2/9/2015. Plaintiffs' witness Deb McColluch. Trial to resume on Tuesday, 2/10/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 02/10/2015)
02/10/2015	<u>840</u>	AMENDED ORDER TO TRANSPORT CRAIG BOLTE ON FEBRUARY 12, 2015 FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Craig Bolte to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial on February 12, 2015, commencing at 9:00 a.m. 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Craig Bolte for the duration of the court proceedings on February 12, 2015. The United States Marshal shall return Craig Bolte to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/10/2015. (BJS) (Entered: 02/10/2015)
02/10/2015	<u>841</u>	AMENDED ORDER TO TRANSPORT DENNIS STEINER ON FEBRUARY 12, 2015 FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Dennis Steiner to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial on February 12, 2015, commencing at 9:00 a.m. 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Dennis Steiner for the duration of the court proceedings on February 12, 2015. The United States Marshal shall return

		Dennis Steiner to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/10/2015. (BJS) (Entered: 02/10/2015)
02/10/2015	<u>842</u>	STIPULATION <i>to Transport Eric Terhaar to Trial on February 13, 2015</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/10/2015)
02/10/2015	<u>843</u>	STIPULATION <i>to Transport Christopher Thuringer to Trial on February 13, 2015</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/10/2015)
02/10/2015	<u>847</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/10/2015. Plaintiffs' witnesses Deb McColluch, Robin Wilson. Trial continued to 2/11/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 02/12/2015)
02/11/2015	<u>844</u>	RECEIPT re Check Number 00433283 in the amount of \$11,508.60. (lmb) Modified text on 2/11/2015 (lmb). DOCUMENT QC'd by KT on 2/11/15. (kt) (Entered: 02/11/2015)
02/11/2015	<u>845</u>	STIPULATION <i>to Transport Craig Bolte to Trial</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/11/2015)
02/11/2015	<u>846</u>	STIPULATION <i>to Transport Dennis Steiner to Trial</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/11/2015)
02/11/2015	<u>848</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/11/2015. Plaintiffs' witness Robin Wilson. Trial Continued to 2/12/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 02/12/2015)
02/12/2015	<u>849</u>	ORDER TO TRANSPORT CRAIG BOLTE FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Craig Bolte to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Craig Bolte. The United States Marshal shall return Mr. Bolte to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/12/2015. (BJS) (Entered: 02/12/2015)
02/12/2015	<u>850</u>	ORDER TO TRANSPORT DENNIS STEINER FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Dennis Steiner to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the

		parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Dennis Steiner. The United States Marshal shall return Mr. Steiner to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/12/2015. (BJS) (Entered: 02/12/2015)
02/12/2015	<u>851</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/12/2015. Plaintiffs' witness Dr. Naomi Freeman. Trial to resume on 2/13/2015. (Court Reporter Jeanne Anderson/Carla Bebault/Lori Simpson) (BJS) (Entered: 02/13/2015)
02/13/2015	<u>852</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/13/2015. Plaintiffs' witnesses: Lucinda Jesson, Dr. Naomi Freeman, Dr. Michael Miner. Trial to continue Tuesday, 2/17/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) Modified text on 2/13/2015 (lmb). (Entered: 02/13/2015)
02/13/2015	<u>853</u>	ORDER TO TRANSPORT ERIC TERHAAR FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Eric Terhaar to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Eric Terhaar. The United States Marshal shall return Mr. Terhaar to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/13/2015. (BJS) (Entered: 02/13/2015)
02/13/2015	<u>854</u>	ORDER TO TRANSPORT CHRISTOPHER THURINGER FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Christopher Thuringer to the Warren E. Burger Federal Building and United States Courthouse, 2316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Christopher Thuringer. The United States Marshal shall return Mr. Thuringer to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/13/2015. (BJS) (Entered: 02/13/2015)
02/17/2015	<u>855</u>	STIPULATION to Transport Matthew Manahl to Trial by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/17/2015)
02/17/2015	<u>856</u>	STIPULATION to Transport Kevin Karsjens to Trial by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/17/2015)
02/17/2015	<u>857</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$10,350; 2. Deborah McCulloch in the amount of \$9,326.02; 3. Michael Miner in the amount of \$5,741.66; and 4. Robin J. Wilson in the amount of \$12,389.38. Signed by Judge Donovan W. Frank on 2/17/2015. (Attachments: # <u>1</u> Attachment A)(BJS) cc:

		Finance on 2/18/2015 (JAM). (Entered: 02/17/2015)
02/17/2015	<u>858</u>	ORDER TO TRANSPORT KEVIN KARSJENS FOR TRIAL.1. The Minnesota Sex Offender Program shall transport Kevin Karsjens to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759.) 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Kevin Karsjens. The United States Marshal shall return Mr. Karsjens to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/17/2015. (BJS) (Entered: 02/17/2015)
02/17/2015	<u>859</u>	ORDER TO TRANSPORT MATTHEW MANAHL FOR TRIAL.1. The Minnesota Sex Offender Program shall transport Matthew Manahl to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and February 27, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759.) 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Matthew Manahl. The United States Marshal shall return Mr. Manahl to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 2/17/2015. (BJS) (Entered: 02/17/2015)
02/17/2015	<u>860</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/17/2015. Plaintiffs' witnesses: Dr. Michael Miner, Dennis Steiner. Trial to resume on 2/18/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (BJS) (Entered: 02/17/2015)
02/18/2015	<u>861</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/19/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (RLB) Modified on 2/25/2015 (JAM). (Entered: 02/19/2015)
02/19/2015	<u>862</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/19/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (RLB) Modified on 2/25/2015 (JAM). (Entered: 02/20/2015)
02/20/2015	<u>865</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/20/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (RLB) Modified on 2/25/2015 (JAM). (Entered: 02/24/2015)
02/23/2015	<u>863</u>	STIPULATION <i>to Transport Bradley Foster to Trial</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by All Defendants. (Gustafson, Daniel) (Entered: 02/23/2015)
02/23/2015	<u>864</u>	ORDER TO TRANSPORT BRADLEY FOSTER FOR TRIAL re <u>863</u> Stipulation, filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. Signed by Judge Donovan W. Frank on 02/23/2015. (RLB) (Entered: 02/23/2015)
02/23/2015	<u>866</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/24/2015. Plaintiffs' witnesses: Dr. Dean Cauley, Dr. Mischelle Vietanen, Jannine Hebert. Trial to continue on 2/23/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (RLB) Modified on 2/25/2015 (JAM). (Entered: 02/24/2015)

02/24/2015	<u>869</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/24/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (RLB) (Entered: 02/27/2015)
02/25/2015	<u>867</u>	ORDER REGARDING DEPOSITION DESIGNATIONS OF DENNIS L. BENSON. Signed by Judge Donovan W. Frank on 02/25/2015. (Attachments: # <u>1</u> Exhibit(s) A)(RLB) (Entered: 02/25/2015)
02/25/2015	<u>870</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/25/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (RLB) (Entered: 02/27/2015)
02/26/2015	<u>868</u>	RECEIPT number 434764 in the amount of \$9326.02. (kt) DOCUMENT QC'd by KT on 2/27/15. (kt) (Entered: 02/26/2015)
02/26/2015	<u>871</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/26/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (RLB) Modified on 3/2/2015 (JAM). (Entered: 02/27/2015)
02/27/2015	<u>872</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 2/27/2015. (Court Reporter Carla Bebault/Lori Simpson) (RLB) (Entered: 02/27/2015)
02/27/2015	<u>873</u>	ORDER. Pursuant to Rule 52(c), and based on the entire record in this case, IT IS HEREBY ORDERED that Defendants Motion for Judgment on Partial Findings is DENIED. Signed by Judge Donovan W. Frank on 02/27/2015. (RLB) (Entered: 02/27/2015)
03/02/2015	<u>874</u>	STIPULATION to Transport James Rud to Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel E. Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/02/2015)
03/02/2015	<u>875</u>	STIPULATION to Transport Peter Lonergan for Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel E. Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/02/2015)
03/02/2015	<u>876</u>	STIPULATION to Transport Kevin Karsjens for Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel E. Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/02/2015)
03/02/2015	<u>877</u>	ORDER TO TRANSPORT KEVIN KARSJENS FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Kevin Karsjens to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Kevin Karsjens. The United States Marshal shall return Mr. Karsjens to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 3/2/2015. (BJS) (Entered: 03/02/2015)
03/02/2015	<u>878</u>	ORDER TO TRANSPORT PETER LONERGAN FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Peter Lonergan to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Peter Lonergan. The United States Marshal shall return Mr. Lonergan to the custody of the Minnesota Sex Offender

		Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 3/2/2015. (BJS) (Entered: 03/02/2015)
03/02/2015	<u>879</u>	ORDER TO TRANSPORT JAMES RUD FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport James Rud to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over James Rud. The United States Marshal shall return Mr. Rud to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 3/2/2015. (BJS) (Entered: 03/02/2015)
03/02/2015	<u>880</u>	NOTICE OF APPEAL TO 8TH CIRCUIT by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Filing fee \$ 505, receipt number 0864-4323357. (Attachments: # <u>1</u> Appeal Information Form (Form A), # <u>2</u> Appeal Information Form (Form B), # <u>3</u> Certificate of Service)(Brennaman, Nathan) (Entered: 03/02/2015)
03/02/2015	<u>881</u>	RECEIPT number 434761 in the amount of \$5741.66. (kt) DOCUMENT QC'd by KT on 3/3/15. (kt) (Entered: 03/02/2015)
03/02/2015	<u>883</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/2/2015. Defendants' witness Nancy Johnston. Trial to resume on 3/3/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (BJS) (Entered: 03/04/2015)
03/03/2015	<u>882</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit, <u>880</u> . (JAM) (Entered: 03/03/2015)
03/03/2015	<u>884</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/3/2015. Defendants' witnesses Kevin Karsjens, Peter Lonergan. Trial to resume on 3/4/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (BJS) (Entered: 03/04/2015)
03/04/2015	<u>885</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/4/2015. Defendants' witnesses: Peter Lonergan, James Rud, Jannine Hebert. Trial to resume on 3/5/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (BJS) (Entered: 03/05/2015)
03/05/2015	<u>887</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/5/2015. Defendants' witness: Jannine Hebert. Trial to resume on 3/9/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 03/09/2015)
03/09/2015	<u>886</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$5,471.70 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 3/9/2015. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 3/9/2015 (JAM). (Entered: 03/09/2015)
03/09/2015	<u>888</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/9/2015. Defendants' witnesses: Haley Fox, Peter Puffer. Trial continued to 3/10/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 03/09/2015)
03/09/2015	<u>889</u>	USCA Case Number 15-1500 for <u>880</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert. (AKL) (Entered: 03/10/2015)
03/10/2015	<u>890</u>	Recieved from Richard D. Sletten, Clerk of the United States District Court, District of Minnesota; check number 00434765 in the amount of \$10,350.00. (AKL) (Entered: 03/10/2015)

03/10/2015	<u>891</u>	ORDER. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the designations and objections relating to the Video Deposition of James Haaven taken on October 17, 2014. Signed by Judge Donovan W. Frank on 3/10/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 03/10/2015)
03/10/2015	<u>892</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/10/2015. Defendants' witnesses: Peter Puffer, Dr. Elizabeth Barbo, James Berg, Shelby Richardson. Trial continued to 3/11/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 03/11/2015)
03/11/2015	<u>893</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/11/2015. Defendant's witnesses: Shelby Richardson, Ann Zimmerman, Anne Pascucci, Dennis Benson (via video deposition). Trial continued to 3/12/2015. (Court Reporter Jeanne Anderson/Carla Bebault) (BJS) (Entered: 03/11/2015)
03/12/2015	<u>894</u>	STIPULATION to Transport Lorenzo Thomas Sims, Jr. to Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/12/2015)
03/12/2015	<u>895</u>	STIPULATION to Transport Jason Anthony Hayzlett to Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel E. Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/12/2015)
03/12/2015	<u>896</u>	STIPULATION to Transport Wayne Nicolaison for Trial by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Daniel E. Gustafson on behalf of Plaintiffs. (Ikeda, Scott) (Entered: 03/12/2015)
03/12/2015	<u>897</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (DKB) (Entered: 03/12/2015)
03/12/2015	<u>898</u>	TRANSCRIPT of Motions Hearing held on 1/14/2015 before Judge Donovan W. Frank. (107 pages). Court Reporter: Debra Beauvais (E-mail: Debra_Beauvais@mnd.uscourts.gov / Telephone: 612-664-5102). Redaction Request due 4/2/2015. Redacted Transcript Deadline set for 4/13/2015. Release of Transcript Restriction set for 6/10/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (DKB) (Entered: 03/12/2015)
03/12/2015	<u>899</u>	ORDER TO TRANSPORT JASON ANTHONY HAYZLETT FOR TRIAL1. The Minnesota Sex Offender Program shall transport Jason Anthony Hayzlett to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Jason Anthony Hayzlett. The United States Marshal shall return Mr. Hayzlett to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 03/12/2015. (BJS) (Entered: 03/12/2015)
03/12/2015	<u>900</u>	ORDER TO TRANSPORT WAYNE NICOLAISON FOR TRIAL. 1. The Minnesota Sex Offender Program shall transport Wayne Nicolaison, to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Wayne Nicolaison. The United States Marshal shall return Mr. Nicolaison to the custody of the

		Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 03/12/2015. (BJS) (Entered: 03/12/2015)
03/12/2015	<u>901</u>	ORDER TO TRANSPORT LORENZO THOMAS SIMS, JR. 1. The Minnesota Sex Offender Program shall transport Lorenzo Thomas Sims, Jr., to the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota ("the Courthouse"), for attendance at trial between February 9, 2015 and March 25, 2015, at a specific day and time requested by counsel. Either party calling the witness shall request the witness's transport with at least one full business day's notice and shall provide such notice to opposing counsel. Nothing in this Order modifies the parties' obligation to "provide at least 48 hours notice to opposing counsel of the witnesses to be called at trial." (Doc. No. 759). 2. Upon arrival at the Courthouse, the United States Marshal shall assume custody over Lorenzo Thomas Sims, Jr. The United States Marshal shall return Mr. Sims to the custody of the Minnesota Sex Offender Program upon completion of his testimony or as otherwise directed by the Court. Signed by Judge Donovan W. Frank on 03/12/2015. (BJS) (Entered: 03/12/2015)
03/12/2015	<u>902</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/12/2015. Defendant's witnesses: Thomas McCartney, Jane Romaine, David Bornus, Elizabeth Peterson. Trial continues 3/16/2015. (Court Reporter Jeanne Anderson/Paula Richter) (BJS) (Entered: 03/12/2015)
03/13/2015	<u>903</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 03/13/2015)
03/13/2015	<u>904</u>	TRANSCRIPT of Final Pretrial Conference held on 02/03/2015 before Judge Donovan W. Frank. (203 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 4/3/2015. Redacted Transcript Deadline set for 4/13/2015. Release of Transcript Restriction set for 6/11/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 03/13/2015)
03/16/2015	<u>905</u>	NOTICE OF HEARING: Hearing set for 3/18/2015 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. Please be advised that a hearing has been scheduled for March 18, 2015 at 8:30 a.m. before Judge Donovan W. Frank on the following trial and post-trial issues: (1) the March 11, 2015 inquiry from the Rule 706 Experts, which the Court has not yet addressed, and the parties' respective responses to the inquiry; (2) the submission of written closing arguments; (3) the submission of any amended proposed findings of fact and conclusions of law; (4) the scope of the Courts Order on Phase One of Trial; (5) the scheduling of an additional hearing regarding proposed remedies, if necessary; and (6) the scheduling of Phase Two of Trial, if necessary.(BJS) (Entered: 03/16/2015)
03/16/2015		NOTICE to USCA of subsequent filing in a civil case, Re: Transcript, <u>898</u> , Bench Trial – Continued, <u>893</u> , Order <u>900</u> , Notice of Hearing <u>905</u> , Transcript <u>904</u> , Order <u>891</u> , Order <u>899</u> , Stipulation, <u>895</u> , Bench Trial – Continued, <u>892</u> , Receipt <u>890</u> , Stipulation <u>896</u> , Notice of Filing of Official Transcript <u>903</u> , Stipulation <u>894</u> , Order <u>901</u> , Notice of Filing of Official Transcript <u>897</u> . (lmb) (Entered: 03/16/2015)
03/16/2015	<u>906</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/16/2015. Defendants' witnesses: Wayne Nicolaison, Jason Hayzlett, Kevin Moser, Dennis Benson (via videodeposition continued from 3/11/2015). Trial continued to 3/17/2015. (Court Reporter Jeanne Anderson/Lori Simpson) (BJS) (Entered: 03/20/2015)
03/17/2015	<u>907</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial continued on 3/17/2015. Defendants' witness: Dr. Lauren Herbert. Trial continued to 3/18/2015. (Court Reporter Jeanne Anderson/Paula Richter) (BJS) (Entered: 03/20/2015)
03/18/2015	<u>908</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Bench Trial completed on 3/18/2015. (Court Reporter Jeanne Anderson) (BJS) (Entered: 03/20/2015)

03/23/2015	<u>909</u>	RECEIPT number 435740 in the amount of \$5471.70. (kt) Qc'd on 3/25/2015 (AKL). (Entered: 03/23/2015)
03/23/2015	<u>910</u>	ORDER REGARDING DEPOSITION DESIGNATIONS OR SUSAN PERSONS. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the designations and objections relating to the Deposition of Susan Persons taken on October 3, 2014. Signed by Judge Donovan W. Frank on 3/23/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 03/23/2015)
03/23/2015	<u>911</u>	ORDER REGARDING DEPOSITION DESIGNATIONS OF JENNIFER L. JONES. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the designations and objections relating to the Videotaped Deposition of Jennifer L. Jones taken on October 20, 2014. Signed by Judge Donovan W. Frank on 3/23/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 03/23/2015)
03/24/2015	<u>912</u>	AMENDED ORDER REGARDING DEPOSITION DESIGNATIONS OF JENNIFER L. JONES. Absent stipulation of the parties, the Court makes the rulings as listed on Exhibit A, attached hereto, with respect to the designations and objections relating to the Videotaped Deposition of Jennifer L. Jones taken on October 20, 2014. Signed by Judge Donovan W. Frank on 3/24/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 03/24/2015)
03/25/2015	<u>913</u>	RECEIPT number 434766 in the amount of \$12389.38. (kt) Qc'd on 3/26/2015 (AKL). (Entered: 03/25/2015)
03/27/2015	<u>914</u>	Proposed Findings of Fact by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 03/27/2015)
03/31/2015	<u>915</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$28,862.02; 2. Deborah McCulloch in the amount of \$28,438.55; 3. Michael Miner in the amount of \$24,692.43; and 4. Robin J. Wilson in the amount of \$27,458.60. The checks are to be drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 3/31/2015. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 03/31/2015)
03/31/2015	<u>916</u>	ORDER REGARDING DEFENDANTS' DEPOSITION DESIGNATIONS OF SUSAN PERSONS' DEPOSITION. Signed by Judge Donovan W. Frank on 3/31/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 03/31/2015)
04/02/2015	<u>917</u>	DEPOSITION TRANSCRIPT of Proceedings held on August 11, 2014 (Dennis L. Benson) (Redacted). (Gustafson, Daniel) (Entered: 04/02/2015)
04/06/2015	<u>918</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$6,976.70 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 4/6/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 04/06/2015)
04/07/2015	<u>919</u>	DEPOSITION TRANSCRIPT of Proceedings held on October 17, 2014. (Brennaman, Nathan) (Entered: 04/07/2015)
04/08/2015	<u>920</u>	PLAINTIFFS' FINAL EXHIBIT LIST. (BJS) (Entered: 04/08/2015)
04/08/2015	<u>921</u>	DEFENDANTS' FINAL EXHIBIT LIST. (BJS) (Entered: 04/08/2015)
04/10/2015	<u>922</u>	RECEIPT number 437400 in the amount of \$27,458.60. (kt) QC'd on 4/16/2015 (JAM). (Entered: 04/10/2015)
04/10/2015	<u>923</u>	RECEIPT number 437381 in the amount of \$24,692.43. (kt) QC'd on 4/16/2015 (JAM). (Entered: 04/10/2015)
04/10/2015	<u>924</u>	RECEIPT number 437393 in the amount of \$28,438.55. (kt) QC'd on 4/16/2015 (JAM). (Entered: 04/10/2015)
04/10/2015	<u>925</u>	MOTION to Dismiss/ <i>General Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice</i> by James Allen Barber, Craig Allen Bolte, Kaine

		Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 04/10/2015)
04/10/2015	<u>926</u>	NOTICE OF HEARING ON MOTION <u>925</u> MOTION to Dismiss/ <i>General Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice</i> : at date and time to be determined. (Gustafson, Daniel) (Entered: 04/10/2015)
04/10/2015	<u>927</u>	MEMORANDUM in Support re <u>925</u> MOTION to Dismiss/ <i>General Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 04/10/2015)
04/10/2015	<u>928</u>	MEET and CONFER STATEMENT re <u>925</u> Motion to Dismiss/General, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 04/10/2015)
04/10/2015	<u>929</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>925</u> MOTION to Dismiss/ <i>General Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice</i> (Gustafson, Daniel) (Entered: 04/10/2015)
04/10/2015	<u>930</u>	BRIEF <i>Defendants' Closing Argument</i> . (Brennaman, Nathan) (Entered: 04/10/2015)
04/10/2015	<u>931</u>	Proposed Findings of Fact by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 04/10/2015)
04/13/2015	932	TEXT ONLY ORDER: On April 10, 2015, Plaintiffs filed a Motion to Dismiss Counts IV, XI, XII, and XIII of the Third Amended Complaint. (Doc. No. <u>925</u>). Defendants shall file a response to Plaintiffs' motion by 4:30 p.m. on April 17, 2015. Upon receipt of Defendants' response, the Court will issue an Order without hearing. Signed by Judge Donovan W. Frank on 4/13/2015. (BJS) (Entered: 04/13/2015)
04/15/2015	<u>933</u>	BRIEF (<i>Plaintiffs' Reply Closing Argument</i>). (Gustafson, Daniel) (Entered: 04/15/2015)
04/16/2015	<u>934</u>	RECEIPT number 437396 in the amount of \$28,862.02. (kt) (Entered: 04/17/2015)
04/17/2015	<u>935</u>	NOTICE of Filing of Official Transcript. This filing has 25 transcript(s) associated with it. (JMA) (Entered: 04/17/2015)
04/17/2015	<u>936</u>	TRANSCRIPT of Court Trial, Volume I, held on 02/09/2015 before Judge Donovan W. Frank. (218 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>937</u>	TRANSCRIPT of Court Trial, Volume II, held on 02/10/2015 before Judge Donovan W. Frank. (246 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>938</u>	TRANSCRIPT of Court Trial, Volume III, held on 02/11/2015 before Judge Donovan W. Frank. (223 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>939</u>	TRANSCRIPT of Court Trial, Volume IV held on 02/12/2015 before Judge Donovan W. Frank. (221 pages). Court Reporter: Jeanne Anderson (E-mail:

		Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>940</u>	TRANSCRIPT of Court Trial, Volume V, held on 02/13/2015 before Judge Donovan W. Frank. (179 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>941</u>	TRANSCRIPT of Court Trial, Volume VI, held on 02/17/2015 before Judge Donovan W. Frank. (248 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>942</u>	TRANSCRIPT of Court Trial, Volume VII, held on 02/18/2015 before Judge Donovan W. Frank. (287 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>943</u>	TRANSCRIPT of Court Trial, Volume VIII, held on 02/19/2015 before Judge Donovan W. Frank. (274 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>944</u>	TRANSCRIPT of Court Trial, Volume IX, held on 02/20/2015 before Judge Donovan W. Frank. (270 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>945</u>	TRANSCRIPT of Court Trial, Volume X, held on 02/23/2015 before Judge Donovan W. Frank. (240 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>946</u>	TRANSCRIPT of Court Trial, Volume XI, held on 02/24/2015 before Judge Donovan W. Frank. (265 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>947</u>	TRANSCRIPT of Court Trial, Volume XII held on 02/25/2015 before Judge Donovan W. Frank. (258 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>948</u>	TRANSCRIPT of Court Trial, Volume XIII, held on 02/26/2015 before Judge Donovan W. Frank. (147 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)

04/17/2015	<u>949</u>	TRANSCRIPT of Court Trial, Volume XIV held on 02/27/2015 before Judge Donovan W. Frank. (121 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>950</u>	TRANSCRIPT of Court Trial, Volume XV, held on 03/02/2015 before Judge Donovan W. Frank. (232 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>951</u>	TRANSCRIPT of Court Trial, Volume XVI held on 03/03/2015 before Judge Donovan W. Frank. (268 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>952</u>	TRANSCRIPT of Court Trial, Volume XVII held on 03/04/2015 before Judge Donovan W. Frank. (259 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>953</u>	TRANSCRIPT of Court Trial, Volume XVIII held on 03/05/2015 before Judge Donovan W. Frank. (248 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>954</u>	TRANSCRIPT of Court Trial, Volume XIX held on 03/09/2015 before Judge Donovan W. Frank. (206 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>955</u>	TRANSCRIPT of Court Trial, Volume XX, held on 03/10/2015 before Judge Donovan W. Frank. (249 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>956</u>	TRANSCRIPT of Court Trial, Volume XXI, held on 03/11/2015 before Judge Donovan W. Frank. (118 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>957</u>	TRANSCRIPT of Court Trial, Volume XXII, held on 03/12/2015 before Judge Donovan W. Frank. (149 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>958</u>	TRANSCRIPT of Court Trial, Volume XXIII, held on 03/16/2015 before Judge Donovan W. Frank. (256 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of

		Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>959</u>	TRANSCRIPT of Court Trial, Volume XXIV, held on 03/17/2015 before Judge Donovan W. Frank. (95 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>960</u>	TRANSCRIPT of Court Trial, Volume XXV, held on 03/18/2015 before Judge Donovan W. Frank. (48 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 04/17/2015)
04/17/2015	<u>961</u>	MEMORANDUM in Opposition re <u>925</u> MOTION to Dismiss/General <i>Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 04/17/2015)
04/20/2015	<u>962</u>	RECEIPT number 437719 in the amount of \$6,976.70. (JDF) DOCUMENT QC'D on 4/27/2015 (las). (Entered: 04/21/2015)
04/24/2015	<u>963</u>	ORDER. 1. The Court defers ruling on Plaintiffs' Motion to Dismiss Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice (Doc. No. <u>925</u>). 2. Pursuant to Rule 62.1, the Court indicates that it will partially grant Plaintiffs' motion and dismiss Counts IV, XI, XII, and XIII with prejudice upon remand. (Written Opinion). Signed by Judge Donovan W. Frank on 4/24/2015. (BJS) (Entered: 04/24/2015)
05/06/2015	<u>964</u>	ORDER of USCA as to <u>880</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 05/11/2015)
06/09/2015	965	TEXT ONLY NOTICE: The Court's Findings of Fact, Conclusions of Law, and Order in this matter will be filed on or around 11:00 a.m. on Wednesday, June 17, 2015. (BJS) (Entered: 06/09/2015)
06/17/2015	<u>966</u>	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER. 1. Plaintiffs' request for declaratory relief with respect to Counts I and II of their Third Amended Complaint (Doc. No. <u>635</u>) is GRANTED. 2. The parties shall participate in a Remedies Phase pre-hearing conference on August 10, 2015, at 9:00 a.m., to discuss the relief that they find appropriate with respect to both Counts I and II, in light of the above requirements and recommendations. In addition to counsel for the parties, the Court urges the following individuals to be present and participate in the pre-hearing conference: Governor Mark B. Dayton; Representative Kurt L. Daudt (Speaker of the House); Senator Thomas M. Bakk (Majority Leader of the Senate); Attorney General Lori Swanson; Commissioner Lucinda E. Jesson; Deputy Commissioner Anne M. Barry; Robin Vue Benson (DHS attorney); Jannine Hbert; Nancy Johnston; former Chief Justice Eric J. Magnuson (Chair of the Task Force); former Chief Judge James M. Rosenbaum (Vice Chair of the Task Force); the Honorable Joanne M. Smith (Task Force Member); Minnesota Commissioner of Corrections Tom Roy (Task Force Member); Eric S. Janus (Dean of William Mitchell College of Law and Task Force Member); Kelly Lyn Mitchell (Executive Director of the Sentencing Guidelines Commission and Task Force Member); Mark A. Ostrem (Olmstead County Attorney and Task Force Member); Ryan B. Magnus (defense attorney and Task Force Member); John Kirwin (Assistant Hennepin County Attorney); and Donna Dunn (Executive Director of the Minnesota Coalition Against Sexual Assault and Task Force Member). ¹⁴ The conference will be presided over by the undersigned, along with United States Magistrate Judge Jeffrey J. Keyes. The conference will take place in the 7th Floor Conference Room, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 3. Counts VIII, IX, and X, will be tried in the second phase of trial ("Phase Two"). Phase Two will be

		addressed at the Remedies Phase pre-hearing conference on August 10, 2015. 4. Counts IV, XI, XII, and XIII will be addressed under separate Order. (Written Opinion). Signed by Judge Donovan W. Frank on 6/15/2015. (BJS) (Entered: 06/17/2015)
06/17/2015	<u>967</u>	ORDER. 1. The Court intends to grant Plaintiffs' Motion to Dismiss Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice (Doc. No. <u>925</u>) on the condition that the motion be dismissed with prejudice. 2. Plaintiffs may refuse the Court's Rule 41(a)(2) dismissal condition and withdraw their motion on or before June 26, 2015. Failure to timely withdraw the motion shall constitute a binding election to accept the condition of dismissal with prejudice. 3. Pursuant to Rule 23(e), if the Rule 41(a)(2) motion is not withdrawn, the Court will hold a fairness hearing on the dismissal of Counts IV, XI, XII, and XIII on August 10, 2015, at 2:00 p.m., in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 4. Counsel for Plaintiffs is directed to give notice of the hearing and the proposed dismissal to the class members by mail on or before July 20, 2015. The parties shall negotiate the content of the class notice and shall submit a joint proposed notice to the Court on or before July 8, 2015. If the parties are unable to agree on the content of the notice, the parties shall each submit a proposed notice, together with briefing not to exceed ten pages per party, on or before July 13, 2015.(Written Opinion). Signed by Judge Donovan W. Frank on 6/17/2015. (BJS) (Entered: 06/17/2015)
06/17/2015	<u>968</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Brennaman, Nathan) (Entered: 06/17/2015)
06/18/2015	969	TEXT ONLY ORDER. The Court invites the following individuals to attend the Remedies Phase pre-hearing conference in this matter on August 10, 2015: (1) Jeanne Ronayne (acting Executive Director of the Minnesota Coalition Against Sexual Assault); (2) Nathaniel J. Reitz (acting Executive Director of the Minnesota Sentencing Guidelines Commission); and (3) Roberta Opheim (Ombudsman for Mental Health and Developmental Disabilities). Signed by Judge Donovan W. Frank on 6/18/2015. (BJS) (Entered: 06/18/2015)
06/22/2015	<u>970</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 06/22/2015)
06/23/2015	<u>971</u>	ORDER. 1. The parties shall each file simultaneous briefs, not to exceed ten (10) pages per side, regarding the narrow issue of whether an appeal is appropriate at this time under Rule 54(b) or 28 U.S.C. § 1292(b), by July 1, 2015. 2. The parties may each file simultaneous response briefs, not to exceed five (5) pages per side, by July 9, 2015. 3. The Court reserves the right to set a hearing on the parties' briefs if necessary. Signed by Judge Donovan W. Frank on 6/23/2015. (BJS) (Entered: 06/23/2015)
07/01/2015	<u>972</u>	BRIEF (<i>Memorandum in Opposition to Defendants' Request for an Appeal Under Rule 54(b) or 28 U.S.C. § 1292(b)</i>). (Gustafson, Daniel) (Entered: 07/01/2015)
07/01/2015	<u>973</u>	BRIEF (<i>Defendants' Brief Regarding Certification Under 28 U.S.C. 1292(b) or, in the Alternative, Under Fed. R. Civ. P. 54(b)</i>) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 07/01/2015)
07/01/2015	<u>974</u>	AFFIDAVIT in Support re <u>973</u> Brief, (<i>Affidavit of Scott H. Ikeda</i>). (Attachments: # <u>1</u> Exhibit(s) A-C)(Ikeda, Scott) (Entered: 07/01/2015)
07/09/2015	<u>975</u>	REPLY re <u>973</u> Brief, (<i>Plaintiffs' Reply Memorandum in Opposition to Defendants' Brief Regarding Certification Under 28 U.S.C. 1292(b) or, in the Alternative, Under Fed. R. Civ. P. 54(b)</i>) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 07/09/2015)
07/09/2015	<u>976</u>	REPLY re <u>972</u> Brief (<i>Defendants' Reply Brief Regarding Certification under 28 U.S.C. 1292(b) or, in the Alternative Under Fed.R.Civ.P. 54(b)</i>) filed by Dennis

		Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 07/09/2015)
07/09/2015	<u>977</u>	AFFIDAVIT in Support re <u>976</u> Reply, (<i>Second Affidavit of Scott H. Ikeda</i>). (Attachments: # <u>1</u> Exhibit(s) Cover Page, # <u>2</u> Exhibit(s) A-K, # <u>3</u> Exhibit(s) L-Q)(Ikeda, Scott) (Entered: 07/09/2015)
07/13/2015	<u>978</u>	NOTICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (<i>Notice of Voluntary Dismissal of Claims and Fairness Hearing to Individuals Civilly Committed to the MN Sex Offender Program</i>) (Ikeda, Scott) (Entered: 07/13/2015)
07/13/2015	<u>979</u>	BRIEF (<i>Defendants' Brief Regarding Class Notice of Dismissal of Counts IV, XI, XII, and XIII With Prejudice</i>). (Ikeda, Scott) (Entered: 07/13/2015)
07/13/2015	<u>980</u>	BRIEF (<i>Memorandum in Support of Plaintiffs' Version of Class Notice Regarding Dismissal of Counts IV, XI, XII, and XIII</i>). (Gustafson, Daniel) (Entered: 07/13/2015)
07/13/2015	<u>981</u>	Declaration of Daniel E. Gustafson in Support of <u>980</u> Brief filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 07/13/2015)
07/17/2015	<u>982</u>	ORDER REGARDING CLASS NOTICE. (See Order for details.) Signed by Judge Donovan W. Frank on 07/17/2015. (RLB) (Entered: 07/17/2015)
07/20/2015	<u>983</u>	NOTICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Notice of Mailing of Class Notice</i>) (Gustafson, Daniel) (Entered: 07/20/2015)
07/22/2015	<u>984</u>	MEMORANDUM OPINION AND ORDER. Defendants' request for certification of appeal pursuant to 28 U.S.C. § 1292(b) or, alternatively, Rule 54(b) (Doc. No. 973) is DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 9/22/2015. (BJS) (Entered: 07/22/2015)
07/23/2015	<u>985</u>	ORDER APPOINTING SPECIAL MASTER. 1. The Court appoints former Chief Justice Eric J. Magnuson as Special Master in this matter pursuant to Rule 53 of the Federal Rules of Civil Procedure. Pursuant to Rule 53, and the Court's inherent authority to seek assistance in order to administer its cases efficiently, economically, and in the interests of justice, the Court concludes that the appointment of a Special Master in this case is necessary to coordinate the efforts of the parties following the Court's determination of Defendants' liability on Counts I and II of Plaintiffs Third Amended Complaint (Doc. No. 635), to accommodate the public interest in achieving prompt and just solutions to the serious constitutional problems identified by the Court, and to lessen the expense and strain of resources on the Court and the parties in a case of this magnitude. 2. In his role as Special Master, Eric J. Magnuson is authorized to provide oversight of the injunctive relief imposed by the Court with respect to Counts I and II of Plaintiffs' Third Amended Complaint (Doc. No. 635), and is further authorized to perform any ancillary acts necessary to properly perform his duties under this Order and under Rule 53. Under Rule 53(c), Special Master Magnuson "has the authority to regulate all proceedings and take all appropriate measures to perform fairly and efficiently" his assigned duties. The role of Special Master Magnuson is viewed by the Court as a nonadversarial role and, as such, the Court assumes and expects that the parties will cooperate and communicate with Special Master Magnuson. 3. Special Master Magnuson has agreed to serve in a pro bono capacity at no cost to the parties or expense to the Court. Because Special Master Magnuson has agreed to serve in a pro bono capacity, all fees and compensation for the time and services rendered shall be his responsibility, and will not be borne by the parties in this matter. 4. The Court reserves the right to amend this Order at any time, upon notice to the parties, and an opportunity to be heard. Signed by Judge Donovan W. Frank on 7/23/2015. (BJS) (Entered: 07/23/2015)
07/29/2015	<u>986</u>	ORDER. 1. The August 10, 2015 conference will take place in the Fifth Floor Conference Room, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 2. Similar to other Rule 16 scheduling conferences, and to plan and discuss pending issues, the August 10, 2015 conference will be closed to the public to allow the Court to hear and assess remedy proposals in

		advance of the public Remedies Phase hearing. 3. The August 10, 2015 conference will be presided over by the undersigned, United States Magistrate Judge Jeffrey J. Keyes, and former Chief Justice Eric J. Magnuson, who will be serving as Special Master in a pro bono capacity to oversee the injunctive relief imposed by the Court with respect to Counts I and II. 4. Following the August 10, 2015 conference, the Court will establish a schedule regarding next steps in this proceeding. (Written Opinion). Signed by Judge Donovan W. Frank on 7/29/2015. (BJS) (Entered: 07/29/2015)
07/29/2015	987	TEXT ONLY ORDER: Pursuant to the request of Senator Thomas M. Bakk, the Court invites the following individuals to attend the August 10, 2015 conference: (1) Senator Katie Sieben; (2) Senator Ron Latz; (3) Senator Tony Lourey; (4) Senator Kathy Sheran; (5) Senator Michelle R. Bensen; (6) Senator Julie A. Rosen; and (7) Senator Warren Limmer. Signed by Judge Donovan W. Frank on 7/29/2015. (BJS) (Entered: 07/29/2015)
08/03/2015	988	TEXT ONLY ORDER: The Court invites Representative Tina Liebling (Task Force Member) to attend the conference in this matter on August 10, 2015. Signed by Judge Donovan W. Frank on 8/3/2015. (BJS) (Entered: 08/03/2015)
08/05/2015	989	TEXT ONLY ORDER: Pursuant to the request of Representative Paul Thissen, the Court invites the following individuals to attend the August 10, 2015 conference: (1) Representative Debra Hilstrom (DFL Lead on the Public Safety and Crime Prevention Policy and Finance Committee); and (2) Representative Dan Schoen (Member of the Health and Human Services Finance and Public Safety Committees). Signed by Judge Donovan W. Frank on 8/5/2015. (BJS) (Entered: 08/05/2015)
08/05/2015	<u>990</u>	LETTER TO DISTRICT JUDGE by INTERNATIONAL HUMANITARIAN LAW INSTITUTE <i>Requesting leave to participate in remedies phase hearing of Aug. 10, 2015.</i> (Attachments: # <u>1</u> Exhibit(s) 1)(Nickitas, Peter) (Entered: 08/05/2015)
08/06/2015	<u>991</u>	NOTICE of Appearance by Mary Andreleita Walker and John Borger on behalf of Star Tribune Media Company LLC, American Public Media Group, The Associated Press, Inc., CBS Broadcasting Inc, KSTP-TV, LLC, The Minnesota Society of Professional Journalists, MinnPost, Public Record Media, The Reporters Committee for Freedom of the Press. (Walker, Mary) Modified text on 8/6/2015 (lmb). (Entered: 08/06/2015)
08/06/2015	<u>992</u>	NOTICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Notice of Objections Received by Plaintiffs' Counsel</i>) (Gustafson, Daniel) (Entered: 08/06/2015)
08/06/2015	<u>993</u>	Declaration of Daniel E. Gustafson in Support of <u>992</u> Notice (Other), filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C)(Gustafson, Daniel) (Entered: 08/06/2015)
08/06/2015	<u>994</u>	OBJECTIONS to Order entered on 6/17/15 at Doc. No. <u>967</u> . (LPH) (Entered: 08/06/2015)
08/06/2015	<u>995</u>	NOTICE of Appearance by Mary Andreleita Walker on behalf of The New York Times Company. (Walker, Mary) (Entered: 08/06/2015)
08/06/2015	<u>996</u>	MOTION to Intervene <i>and Motion of News Organizations for Access to Court Proceedings</i> by American Public Media Group, CBS Broadcasting Inc, KSTP-TV, LLC, MinnPost, Public Record Media, Star Tribune Media Company LLC, The Associated Press, Inc., The Minnesota Society of Professional Journalists, The New York Times Company, The Reporters Committee for Freedom of the Press, the Saint Paul Pioneer Press, Times Media d/b/a the Saint Cloud Times, the Minnesota Broadcasters Association, the Minnesota Newspaper Association, the Minnesota Coalition on Government Information. (Walker, Mary) Modified filers on 8/7/2015 (lmb). (Entered: 08/06/2015)
08/06/2015	<u>997</u>	MEMORANDUM in Support re <u>996</u> MOTION to Intervene <i>and Motion of News Organizations for Access to Court Proceedings</i> filed by American Public Media

		Group, CBS Broadcasting Inc, KSTP-TV, LLC, MinnPost, Public Record Media, Star Tribune Media Company LLC, The Associated Press, Inc., The Minnesota Society of Professional Journalists, The New York Times Company, The Reporters Committee for Freedom of the Press. EXHIBITS FILED IN ERROR-WILL REFILE AS SEPARATE ENTRY. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3)(Walker, Mary) Modified text on 8/7/2015 (lmb). (Entered: 08/06/2015)
08/06/2015	<u>998</u>	TEXT ONLY ORDER: On August 5, 2015, the International Humanitarian Law Institute (IHLI) submitted a letter to the Court requesting permission to attend the August 10, 2015 conference in order to "be included in discussion of remedies [and] to assist the Court in considering []particular Equal Protection issues more carefully." (Doc. No. 990, Ex. 1.) The IHLI previously filed a motion for leave to submit an amicus brief regarding the right to a jury trial in civil commitment proceedings under the Equal Protection Clause (Doc. No. 632), which the Court denied because the subject matter of the proposed amicus brief was not within the scope of the current litigation (Doc. No. 648). The Court respectfully denies the IHLI's present request for the same reasons. Signed by Judge Donovan W. Frank on 8/6/2015. (BJS) (Entered: 08/06/2015)
08/07/2015	<u>999</u>	LR7.1/LR72.2 WORD COUNT COMPLIANCE CERTIFICATE by American Public Media Group, CBS Broadcasting Inc, KSTP-TV, LLC, MinnPost, Minnesota Society of Professional Journalists, the, Public Record Media, Reporters Committee for Freedom of the Press, the, Star Tribune Media Company LLC, The Associated Press, The New York Times Company re <u>997</u> Memorandum in Support of Motion,, (Walker, Mary) (Entered: 08/07/2015)
08/07/2015	<u>1000</u>	DECLARATION of Leita Walker re <u>997</u> Memorandum in Support of Motion,, by American Public Media Group, CBS Broadcasting Inc, KSTP-TV, LLC, MinnPost, Minnesota Society of Professional Journalists, the, Public Record Media, Reporters Committee for Freedom of the Press, the, Star Tribune Media Company LLC, The Associated Press, The New York Times Company . (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3)(Walker, Mary) (Entered: 08/07/2015)
08/07/2015	<u>1001</u>	NOTICE of Appearance by Mark R Anfinson on behalf of Minnesota Newspaper Association, the. (Anfinson, Mark) (Entered: 08/07/2015)
08/07/2015	<u>1002</u>	ORDER. 1. The News Organizations' motion (Doc. No. <u>996</u>) is DENIED, consistent with the terms of this Order. (Written Opinion) Signed by Judge Donovan W. Frank on 8/7/2015. (BJS) (Entered: 08/07/2015)
08/10/2015	<u>1003</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Remedies Pre-Hearing Conference held on 8/10/2015. (Court Reporter NA) (BJS) (Entered: 08/10/2015)
08/10/2015	<u>1004</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 8/10/2015 re <u>925</u> MOTION to Dismiss/General Counts IV, XI, XII, and XIII of the Third Amended Complaint Without Prejudice filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. Written Order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 08/10/2015)
08/10/2015	<u>1005</u>	ORDER. 1. Plaintiffs' Motion to Dismiss Counts IV, XI, XII, and XIII of the Third Amended Complaint (Doc. No. <u>925</u>) is GRANTED. 2. The objections filed by Plaintiff Class Members (Doc. Nos. <u>993</u> & <u>994</u>) are respectfully OVERRULED. 3. Counts IV, XI, XII, and XIII of the Third Amended Complaint (Doc. No. <u>635</u>) are DISMISSED WITH PREJUDICE. Signed by Judge Donovan W. Frank on 8/10/2015. (BJS) (Entered: 08/10/2015)
08/12/2015	<u>1006</u>	SCHEDULING ORDER. 1. Plaintiffs shall file their remedy proposals and their supporting brief with the Court no later than August 20, 2015. 2. Defendants shall file their remedy proposals and their supporting brief with the Court no later than September 21, 2015. 3. Plaintiffs shall file their reply brief with the Court no later than September 25, 2015. 4. The Court shall hear arguments from the parties on their remedy proposals on September 30, 2015, at 9:00 a.m., in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert

		Street, St. Paul, Minnesota. 5. It would be in the best interests of everyone, including the public at large, if the State of Minnesota began preparing now to solve the previously determined and identified constitutional infirmities in the Minnesota Sex Offender Program ("MSOP") and its corresponding statutory scheme. The Court has previously identified a variety of specific measures for Defendants to implement in order to remedy the constitutional deficiencies at the heart of this case in a way that will protect and promote public safety and the civil commitment and criminal justice systems operation. For example, the state could: (i) create assessment teams and enter contracts to provide independent, periodic risk assessments; (ii) develop transitional services; (iii) establish facilities to be used for less restrictive alternative options; and (iv) design a statewide public education plan on civil commitment, alternative facilities, provisional discharge conditions, and risk of re-offense data, as much of the information that is being stated publicly is either inaccurate, unfounded, or misleading. Recognizing the history of the states failure to meet minimum constitutional requirements, as well as the continuing injury and harm resulting from these serious violations, the Court notes that, at some point, if the state proves unwilling or incapable of remedying the constitutional violations, to which insufficient funding is not a defense, that failure may demand a more forceful solution. Any delay by the state to prepare for the inevitable relief to be imposed by the Court in light of the previously determined constitutional violations would only increase the risk to public safety. (Written Opinion). Signed by Judge Donovan W. Frank on 8/12/2015. (BJS) (Entered: 08/12/2015)
08/13/2015		NOTICE to USCA of subsequent filing in a civil case re: <u>964</u> ORDER of USCA: <u>967</u> Order issued on 06/17/2015 by Judge Donovan W. Frank, and <u>1005</u> Order issued on 08/10/2015 by Judge Donovan W. Frank.(TSS) (Entered: 08/13/2015)
08/14/2015	<u>1007</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Brennaman, Nathan) (Entered: 08/14/2015)
08/17/2015	1008	TEXT ONLY ORDER: Absent further order of the Court, the Rule 706 Experts are hereby discharged from their duties in this matter. Signed by Judge Donovan W. Frank on 8/17/2015. (BJS) (Entered: 08/17/2015)
08/19/2015	<u>1009</u>	BRIEF (<i>Plaintiffs' Remedies Proposal and Brief in Support of the Remedies Proposal</i>). (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/19/2015)
08/19/2015	<u>1010</u>	Declaration of Daniel E. Gustafson in Support of <u>1009</u> Brief filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 08/19/2015)
08/20/2015	<u>1011</u>	THIRD AMENDED STAY ORDER. 1. Stay of Cases Pending Resolution of Civil No. 11-3659 (DWF/JJK). All current and future civil rights cases brought by an individual or group of individuals who has or have been civilly committed to the Minnesota Sex Offender Program that are sufficiently related to Karsjens et al. v. Jesson et al., Civil No. 11-3659 (DWF/JJK), are hereby STAYED in all respects, pending the litigation in Karsjens, or until further order of the Court stating otherwise. 2. Service. The Clerk of the United States District Court for the District of Minnesota is respectfully directed to file this Order in each stayed case and provide a copy of this Order, via United States mail, to every Plaintiff in all of the cases that are stayed. Signed by Chief Judge John R. Tunheim (Cc: Plaintiffs via U.S. mail on 8/21/15.)(TSS) (Entered: 08/20/2015)
09/02/2015	<u>1012</u>	ORDER. 1. Technical Advisor David Ferleger is hereby discharged from his duties in this matter. Having satisfied all of his obligations in this proceeding, the Court thanks the Technical Advisor for his assistance and technical advisement in this matter. Signed by Judge Donovan W. Frank on 9/2/2015. (BJS) (Entered: 09/02/2015)
09/04/2015	<u>1013</u>	MOTION to Appear as Amicus Curiae <i>for Leave to File Amicus Memorandum Concerning Remedies</i> by Hennepin County. (Kirwin, John) (Entered: 09/04/2015)
09/04/2015	<u>1014</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 09/04/2015)

09/04/2015	<u>1015</u>	USCA JUDGMENT as to <u>880</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 09/08/2015)
09/04/2015	<u>1016</u>	MANDATE of USCA as to <u>880</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Tom Lundquist, Dennis Benson, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 09/08/2015)
09/08/2015	<u>1017</u>	MOTION to Appear as Amicus Curiae <i>Concerning Remedies</i> by ACLU of Minnesota. (Nelson, Teresa) (Entered: 09/08/2015)
09/08/2015	<u>1018</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 09/08/2015)
09/09/2015	1019	TEXT ONLY ORDER: 1. The Hennepin County Attorney's Motion for Leave to File Amicus Memorandum Concerning Remedies (Doc. No. <u>1013</u>) is GRANTED. 2. The Hennepin County Attorney is granted leave to file an amicus brief not to exceed 6,000 words by September 14, 2015. Signed by Judge Donovan W. Frank on 9/9/15. (BJS) (Entered: 09/09/2015)
09/09/2015	1020	TEXT ONLY ORDER: 1. Eric Janus and The American Civil Liberties Union of Minnesota's Motion for Leave to File Brief of Amici Curiae Concerning Remedies (Doc. No. <u>1017</u>) is GRANTED. 2. Eric Janus and The American Civil Liberties Union of Minnesota are granted leave to file an amicus brief not to exceed 6,000 words by September 14, 2015. Signed by Judge Donovan W. Frank on 9/9/15. (BJS) (Entered: 09/09/2015)
09/14/2015	<u>1021</u>	BRIEF of Amici Curiae Eric Janus and ACLU-MN. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Nelson, Teresa) (Entered: 09/14/2015)
09/14/2015	<u>1022</u>	Declaration of Teresa Nelson in Support of <u>1021</u> Brief filed by ACLU of Minnesota. (Attachments: # <u>1</u> Exhibit(s))(Nelson, Teresa) (Entered: 09/14/2015)
09/14/2015	<u>1023</u>	MEMORANDUM by Hennepin County <i>Amicus Curiae Memorandum of Hennepin County Attorney Addressing Remedies</i> filed by Hennepin County. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kirwin, John) (Entered: 09/14/2015)
09/15/2015	<u>1024</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$405 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 9/15/2015. (Attachments: # <u>1</u> Attachment A)(BJS) cc: finance on 9/15/2015 (JAM). (Entered: 09/15/2015)
09/21/2015	<u>1025</u>	LETTER TO DISTRICT JUDGE by Hennepin County . (Kirwin, John) (Entered: 09/21/2015)
09/21/2015	<u>1026</u>	BRIEF <i>Defendants' Brief on Remedies (pursuant to Doc. 1006)</i> . (Brennaman, Nathan) (Entered: 09/21/2015)
09/21/2015	<u>1027</u>	AFFIDAVIT of Lucinda Jesson re <u>1026</u> Brief (<i>Defendants' Brief on Remedies</i>) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A)(Brennaman, Nathan) (Entered: 09/21/2015)
09/21/2015	<u>1028</u>	RECEIPT number 445868 in the amount of \$405.00. (kt) Qc'd on 10/2/2015 (AKL). (Entered: 09/21/2015)
09/24/2015	<u>1029</u>	REPLY re <u>1009</u> Brief (<i>Plaintiffs' Reply Brief in Support of Remedies Proposal</i>) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 09/24/2015)

09/30/2015	<u>1030</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Remedies Hearing held on 9/30/2015. Matter under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 09/30/2015)
10/06/2015	<u>1031</u>	REVIEW OF INVOICES SUBMITTED BY THE JENSEN SETTLEMENT AGREEMENT COURT MONITOR AND KARSJENS LITIGATION TECHNICAL ADVISOR dated September 29, 2015. (BJS) (Entered: 10/07/2015)
10/07/2015	<u>1032</u>	LETTER from David Ferleger dated October 7, 2015, in Re: Review of Invoices Submitted by the Jensen Settlement Agreement Court Monitor and Karsjens Litigation Technical Advisor. (BJS) (Entered: 10/07/2015)
10/13/2015	<u>1033</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 10/13/2015)
10/13/2015	<u>1034</u>	TRANSCRIPT of Remedies Hearing held on 09/30/2015 before Judge Donovan W. Frank. (89 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 11/3/2015. Redacted Transcript Deadline set for 11/13/2015. Release of Transcript Restriction set for 1/11/2016. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 10/13/2015)
10/29/2015	<u>1035</u>	FIRST INTERIM RELIEF ORDER. 1. Defendants are hereby enjoined as follows: a. Defendants must promptly conduct independent risk and phase placement reevaluation of all current patients at the MSOP. These independent risk assessments shall determine whether each patient (1) continues to meet the constitutional standard for commitment as set forth in Call v. Gomez, 535 N.W.2d 312 (Minn. 1995); (2) could be appropriately transferred or provisionally discharged; (3) could be housed in or monitored by a less restrictive alternative; and (4) is in the proper treatment phase. Defendants must complete these assessments according to the following time lines: i. Within 30 days, Defendants shall complete reevaluations of the six individuals in the Alternative Program who were designated for transfer to Cambridge, Eric Terhaar, and Rhonda Bailey. ii. Within 30 days, Defendants shall submit a detailed plan for approval by the Special Master for the reevaluations of the elderly, individuals with substantive physical or intellectual disabilities, and juvenile-only offenders. The plan must identify the individuals who will be reevaluated, the independent evaluators who will conduct the evaluations, and a detailed schedule for these reevaluations to be completed by a presumptive deadline of April 1, 2016, subject to modification by the Court based on the recommendations of the Special Master taking into account any submissions of the parties. iii. Within 60 days, Defendants shall submit a detailed plan for approval by the Special Master for the reevaluations of all remaining individuals at the MSOP. The presumptive completion deadline for these reevaluations is December 31, 2017, subject to modification by the Court based on the recommendations of the Special Master taking into account any submissions of the parties. b. If the independent risk assessment for any patient concludes that the patient should be fully discharged, transferred, or receive a reduction in custody, the MSOP must seek the release or reduction in custody of that patient to the appropriate placement by immediately filing a petition with the Special Review Board. See Minn. Stat. § 253D.27, subd. 2. Should Defendants wish to challenge the finding that a patient should be fully discharged, transferred, or receive a reduction in custody, the burden shall be on Defendants to prove that such individual's commitment and/or current level of custody is appropriate by clear and convincing evidence. See Minn. Stat. § 253D.28, subd. 2(d). Defendants must provide access to experienced independent counsel and professional experts to all petitioners. Defendants must ensure that the Special Review Board and Supreme Court Appeal Panel hearings following the independent risk assessments proceed in a timely manner and in no case conclude more than 120 days after the petition has been filed on behalf of a patient. c. Defendants must ensure that less restrictive alternatives are available to accommodate all individuals found eligible for a reduction in custody. For individuals found eligible for discharge, Defendants must provide transitional services and discharge planning needed to facilitate the individual's successful transition into the community. d. Following each treatment phase placement reevaluation identified in part a., above, Defendants shall immediately move any individual who is determined to be in an improper treatment phase into the proper treatment phase. If Defendants wish to object to the movement of any individual, the matter must be submitted to the Special Master for resolution. e. Defendants shall establish a plan to conduct annual,

		<p>independent risk assessments to determine whether each client still satisfies the civil commitment requirements and whether each client's treatment phase placement is proper. Parts b., c., and d. shall apply equally to the results of these subsequent annual assessments. f. Within 30 days, Defendants must submit a plan to the Special Master for approval by the Court providing for how they will complete the actions identified in parts b., c., and d., and e., above. Should Defendants seek an alternate deadline, they must prove to the Court why a later deadline is proper. 2. Special Master former Minnesota Supreme Court Chief Justice Eric J. Magnuson shall have authority to monitor compliance with the remedies identified above. The Special Master shall also have the authority to implement and enforce the injunctive relief imposed by the Court and to mediate any dispute between the parties with regard to the implementation of the remedies. Mediation of disputes by the Special Master shall be binding upon the parties. 3. This First Interim Relief Order contemplates that the Court will order further specific relief against Defendants. Subsequent orders by this Court may require Defendants to make improvements to the MSOP's treatment structure and discharge process, to conduct training for MSOP employees on the constitutional standards for commitment, to require periodic evaluation of the MSOP's treatment program by external experts, or to develop a statewide public education campaign to educate the public about Minnesota's sex offender civil commitment scheme, among other things. The Court may also revisit the relief ordered above in the event that Defendants fail to act on these requirements. 4. The Court shall retain jurisdiction over the Parties for 5 years from the date of final judgment, unless the Court orders otherwise. 5. If Defendants fail to fully comply with this Order, the Court reserves the right to issue an injunction enjoining the enforcement of the Act and precluding civil commitments under the Act and to issue an order to show cause why Defendants should not be held in contempt. (Written Opinion). Signed by Judge Donovan W. Frank on 10/28/2015. (BJS) Modified text on 10/29/2015 (JDF). (Entered: 10/29/2015)</p>
10/29/2015	<u>1036</u>	<p>NOTICE OF APPEAL TO 8TH CIRCUIT as to <u>1035</u> Order, <u>966</u> Order, by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman. Filing fee \$ 505, receipt number AMNDC-4627469. (Attachments: # <u>1</u> Form A). (Brennaman, Nathan) Modified text on 10/30/2015 (lmb). (Entered: 10/29/2015)</p>
10/29/2015	<u>1037</u>	<p>MOTION to Stay or Suspend Court's October 29, 2015 Order Pending Appeal by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman. (Brennaman, Nathan) (Entered: 10/29/2015)</p>
10/29/2015	<u>1038</u>	<p>NOTICE OF HEARING ON MOTION <u>1037</u> MOTION to Stay or Suspend Court's October 29, 2015 Order Pending Appeal : at date and time to be determined. (Brennaman, Nathan) (Entered: 10/29/2015)</p>
10/29/2015	<u>1039</u>	<p>MEMORANDUM in Support re <u>1037</u> MOTION to Stay or Suspend Court's October 29, 2015 Order Pending Appeal filed by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 10/29/2015)</p>
10/29/2015	<u>1040</u>	<p>MEET and CONFER STATEMENT re <u>1037</u> Motion to Stay filed by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman. (Brennaman, Nathan) (Entered: 10/29/2015)</p>
10/29/2015	<u>1041</u>	<p>CERTIFICATE OF SERVICE ON PROPOSED ORDER by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman re <u>1037</u> MOTION to Stay or Suspend Court's October 29, 2015 Order Pending Appeal (Brennaman, Nathan) (Entered: 10/29/2015)</p>
10/30/2015	<u>1042</u>	<p>TRANSMITTAL OF APPEAL LETTER TO U.S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit <u>1036</u> . (lmb) (Entered: 10/30/2015)</p>
11/02/2015	<u>1043</u>	<p>Revised TRANSMITTAL OF APPEAL LETTER TO U.S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit <u>1036</u> . (lmb) (Entered: 11/02/2015)</p>
11/02/2015	1044	<p>USCA Case Number 15-3485 for <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Lucinda Jesson, Jannine</p>

		Hebert. (JAM) (Entered: 11/03/2015)
11/04/2015	<u>1045</u>	MEMORANDUM in Opposition re <u>1037</u> MOTION to Stay or Suspend Court's October 29, 2015 Order Pending Appeal filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/04/2015)
11/09/2015	1046	TEXT ONLY NOTICE to Attorneys: The Court will consider and render a decision on Defendants' Motion to Stay or Suspend the Court's October 29, 2015 Order Pending Appeal (Doc. No. 1037) on the papers and without a hearing. Signed by Judge Donovan W. Frank on 11/09/2015. (BJS) (Entered: 11/09/2015)
11/12/2015	<u>1047</u>	LETTER TO DISTRICT JUDGE by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman . (Attachments: # <u>1</u> Attachment to Letter)(Brennaman, Nathan) (Entered: 11/12/2015)
11/13/2015	<u>1048</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Response to Doc No. 1047</i>). (Gustafson, Daniel) (Entered: 11/13/2015)
11/13/2015	<u>1049</u>	TRANSCRIPT REQUEST by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman for proceedings held on 7/24/2012 before Judge Donovan W. Frank. (Brennaman, Nathan) (Entered: 11/13/2015)
11/13/2015	1050	TEXT ONLY ORDER: The Court has received and considered the letter submissions of Defendants (Doc. No. <u>1047</u>) and Plaintiffs (Doc. No. <u>1048</u>). Defendants have requested the Court to clarify its imposition of a "temporary stay" while Defendants' Motion to Stay or Suspend the Court's October 29, 2015 Order Pending Appeal (Doc. No. 1037) is under advisement. (Doc. No. 1047.) Defendants have also requested that "if [the Court] ultimately denies their Motion, [it] grant an additional temporary stay during the Eighth Circuit's consideration of a stay." (Id.) The Court hereby orders that: 1. The "temporary stay" of the Court's First Interim Relief Order is effective as of October 29, 2015 until the Court issues its Order granting or denying Defendants' motion. 2. In the event that the Court denies Defendants' motion, Defendants' request for an additional temporary stay during the Eighth Circuit's consideration of a possible forthcoming stay motion is [DENIED]. Signed by Judge Donovan W. Frank on 11/13/15. (BJS) (Entered: 11/13/2015)
11/16/2015	<u>1051</u>	LETTER TO DISTRICT JUDGE by Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman (<i>Placeholder for 11-12-15 correspondence to district judge filed under seal</i>). (Attachments: # <u>1</u> Certificate of Service (for 11-12-15 correspondence filed under seal))(Brennaman, Nathan) SEALED DOCUMENT RECEIVED IN CLERK'S OFFICE on 11/17/2015 (LPH). (Entered: 11/16/2015)
11/16/2015	<u>1052</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (<i>Placeholder for Plaintiffs' Response to Defendants' November 12, 2015 Correspondence (Doc. No. 1051)</i>). (Attachments: # <u>1</u> Certificate of Service)(Gustafson, Daniel) Sealed document received on 11/17/2015 (SAE). (Entered: 11/16/2015)
11/20/2015	<u>1053</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 11/20/2015)
11/20/2015	<u>1054</u>	TRANSCRIPT of Motions Hearing held on 07/24/2012 before Judge Donovan W. Frank. (38 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651-848-1221). Redaction Request due 12/11/2015. Redacted Transcript Deadline set for 12/21/2015. Release of Transcript Restriction set for 2/18/2016. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 11/20/2015)

11/23/2015	<u>1055</u>	ORDER. 1. Defendants' Motion to Stay or Suspend the Court's October 29, 2015 Order Pending Appeal (Doc. No. <u>1037</u>) is DENIED. 2. All deadlines imposed in the Court's First Interim Relief Order, (Doc. No. 1035 at 39–42), are modified to be effective from the date of this Order. (Written Opinion) Signed by Judge Donovan W. Frank on 11/23/2015. (BJS) (Entered: 11/23/2015)
11/24/2015	<u>1056</u>	ORDER of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 11/25/2015)
12/02/2015	<u>1057</u>	ORDER of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 12/03/2015)
12/15/2015	<u>1058</u>	ORDER of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 12/16/2015)
01/11/2016	<u>1059</u>	ORDER of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit: Daniel E. Gustafson's motion to file a brief in excess of limits set forth in FRAP Rule 32(a)(A) and (B) is granted. Daniel E. Gustafson may file a brief not to exceed 20,000 words. (received electronically from COA) (AKL) (Entered: 01/12/2016)
01/22/2016	<u>1060</u>	NOTICE to USCA of subsequent filing in a civil case, Re: Transcript, <u>940</u> , Transcript, <u>952</u> , Transcript, <u>947</u> , Transcript, <u>956</u> , Transcript, <u>944</u> , Transcript, <u>938</u> , Transcript, <u>951</u> , Transcript, <u>943</u> , Transcript, <u>957</u> , Transcript, <u>942</u> , Transcript, <u>937</u> , Transcript, <u>946</u> , Transcript, <u>959</u> , Transcript, <u>954</u> , Transcript, <u>945</u> , Transcript, <u>941</u> , Transcript, <u>953</u> , Transcript, <u>950</u> , Transcript, <u>936</u> , Transcript, <u>948</u> , Transcript, <u>958</u> , Transcript, <u>960</u> , Transcript, <u>939</u> , Transcript, <u>949</u> , Transcript, <u>955</u> . 25 TRANSCRIPTS SENT UNDER SEPARATE COVER. (AKL) (Entered: 01/22/2016)
01/26/2016	<u>1061</u>	ORDER of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Lucinda Jesson, Jannine Hebert (received electronically from COA) (kt) (Entered: 01/27/2016)
02/16/2016	<u>1062</u>	NOTICE of Withdrawal as Attorney (<i>Lucia G. Massopust</i>) (Gustafson, Daniel) (Entered: 02/16/2016)
03/23/2016	1063	TEXT ONLY ENTRY: CLERK'S NOTICE OF REASSIGNMENT. Due to the retirement of Magistrate Judge Keyes, this case is reassigned to Magistrate Judge Tony N. Leung. Magistrate Judge Jeffrey J. Keyes no longer assigned to the case. NOTE: the new case number is 11-cv-3659 DWF/TNL . Please use this case number for all subsequent pleadings. (kt) (Entered: 03/23/2016)
03/23/2016		NOTICE to USCA of subsequent filing in a civil case, Re: Notice to Attorney – JJK Case Reassigned, 1063 , Notice of Withdrawal as Attorney <u>1062</u> . (kt) (Entered: 03/23/2016)
04/14/2016	<u>1064</u>	ORDER LIFTING STAY. Signed by Chief Judge John R. Tunheim on 04/14/2016. (lmb) (Entered: 04/15/2016)
05/17/2016	<u>1065</u>	NOTICE of Withdrawal as Attorney (Brennaman, Nathan) (Entered: 05/17/2016)
11/16/2016	<u>1066</u>	LETTER from Judge Donovan W. Frank to Kevin Scott Karsjens regarding filing documents. (BJS) cc: Karsjens by Chambers. Modified text on 11/17/2016 (ACH). (Entered: 11/16/2016)
11/17/2016	<u>1067</u>	LETTER TO DISTRICT JUDGE by Jannine Hebert, Emily Johnson Piper, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman . (Ikeda, Scott) (Entered: 11/17/2016)
01/03/2017	<u>1068</u>	Opinion of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Emily Johnson Piper, Jannine Hebert (kt) (Entered: 01/03/2017)
01/03/2017	<u>1069</u>	USCA JUDGMENT as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Emily Johnson Piper, Jannine Hebert (received electronically from COA) (kt) (Entered: 01/03/2017)

01/06/2017	<u>1070</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 1/6/2017. (Court Reporter Jeanne Anderson) (RLB) (Entered: 01/06/2017)
03/01/2017	<u>1071</u>	MANDATE of USCA as to <u>1036</u> Notice of Appeal to 8th Circuit, filed by Ann Zimmerman, Nancy Johnston, Kevin Moser, Peter Puffer, Emily Johnson Piper, Jannine Hebert (received electronically from COA) (kt) (Entered: 03/01/2017)
03/14/2017	1072	TEXT ONLY ORDER: The parties shall meet and confer to establish a briefing schedule on the following issues: (1) whether this case should remain stayed, in whole or in part, pending further appeal; (2) whether the other stayed cases in the District with substantially similar claims should remain stayed pending further appeal; (3) the next steps in this case on remaining Phase I claims if these claims are not stayed; and (4) the next steps in this case on Phase II claims if these claims are not stayed. The parties shall submit the proposed briefing schedule, including proposed brief length limits, to the Court no later than March 21, 2017. If the parties cannot agree on a schedule by this date, the Court will impose a schedule. The Court reserves the right to set oral argument on these issues. This case shall remain temporarily stayed pending the submission and resolution of the briefing identified above. Signed by Judge Donovan W. Frank on 3/14/2017. (BJS) (Entered: 03/14/2017)
03/15/2017	<u>1073</u>	Records Returned from USCA: Transcript: 25 Vols. (KNK) (Entered: 03/15/2017)
03/31/2017	<u>1074</u>	BRIEF (<i>Plaintiffs' Case Status Brief</i>) filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer.(Gustafson, Daniel) (Entered: 03/31/2017)
03/31/2017	<u>1075</u>	BRIEF (<i>Defendants' Case Status Brief</i>) filed by Jannine Hebert, Emily Johnson Piper, Nancy Johnston, Kevin Moser, Peter Puffer, Ann Zimmerman.(Ikeda, Scott) (Entered: 03/31/2017)
03/31/2017	<u>1076</u>	AFFIDAVIT in Support re <u>1075</u> Brief (<i>Defendants' Case Status Brief</i>). (Attachments: # <u>1</u> Exhibit(s) 1-3)(Ikeda, Scott) (Entered: 03/31/2017)