

**U.S. District Court**  
**United States District Court for the Western District of Missouri (Jefferson City)**  
**CIVIL DOCKET FOR CASE #: 2:05-cv-04173-FJG**

Taylor v. Crawford et al  
Assigned to: Chief District Judge Fernando J. Gaitan, Jr  
Referred to: Magistrate Judge William A. Knox  
Case in other court: 8th Circuit, 06-01397  
8th Circuit, 06-02914  
Supreme Court of the United States,  
07-00303

Date Filed: 07/28/2005  
Date Terminated: 10/16/2006  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

**Plaintiff**

**Michael Taylor**

represented by **Donald B Verrilli**  
Jenner &Block  
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202-639-6000  
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**John William Simon**  
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*ATTORNEY TO BE NOTICED*

V.

**Intervenor Plaintiff**

**Richard D Clay**  
*TERMINATED: 01/30/2006*

represented by **Jennifer Herndon**  
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#122  
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Email: [elizcar@bellsouth.net](mailto:elizcar@bellsouth.net)  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Reginald Clemons**  
*TERMINATED: 01/31/2006*

represented by **Mark G. Arnold**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Larry Crawford**  
*Director, MO Dept. of Corrections*

represented by **Michael Pritchett**  
Missouri Attorney General  
P.O. Box 899  
Jefferson City, MO 65102  
573/751-8864  
Fax: (573) 751-9456  
Email: [mike.pritchett@ago.mo.gov](mailto:mike.pritchett@ago.mo.gov)

**Defendant**

**James D Purkett**  
 Superintendent, Eastern Reception  
 Diagnostic & Correctional Center

represented by **Michael Pritchett**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Defendant**

**John Does**  
 1-666 (Anonymous Executioners)

Date Filed	#	Docket Text
06/03/2005	<u>1</u>	COMPLAINT <i>VERIFIED</i> for Preliminary Injunctive Relief, Declaratory Injunctive Relief, and Permanent Injunctive Relief against all defendants (Filing fee \$250 receipt number IFP) Service due by 10/3/2005, filed by John William Simon on behalf of Michael Taylor.(Simon, John) (Entered: 06/03/2005)
06/03/2005	<u>2</u>	Motion for Leave to Proceed IFP filed by John William Simon on behalf of Michael Taylor.(Simon, John) Modified on 6/6/2005 to correct docket text(Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>3</u>	Memorandum in Support of Motion for Leave to Proceed IFP filed by John William Simon on behalf of Michael Taylor. (Attachments: # <u>1</u> Affidavit Affidavit of Indigence in Support of Motion for Leave to Proceed IFP)(Simon, John) Modified on 6/6/2005 to correct docket text(Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>4</u>	CERTIFICATE of counsel of Tendering of Waivers of Service of Process by John William Simon on behalf of Michael Taylor (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> )(Simon, John) (Entered: 06/03/2005)
06/03/2005	<u>5</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Notice of Filing of Exhibit 1 (Attachments: # <u>1</u> Exhibit 1 Heath Declaration# <u>2</u> Exhibit 1, Heath Exhibit 1, Curriculum Vitae)(Simon, John) Modified on 6/6/2005 to correct docket text (Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>6</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Exhibit 2 (Attachments: # <u>1</u> Exhibit Exhibit 2, Lubarsky Declaration# <u>2</u> Exhibit Lubarsky Exhibit 2, Curriculum Vitae# <u>3</u> Exhibit Lubarsky Exhibit 2, Lancet Article)(Simon, John) Modified on 6/6/2005 to correct docket text (Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>7</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Exhibits 3-7 (Attachments: # <u>1</u> Exhibit 3# <u>2</u> Exhibit 4# <u>3</u> Exhibit 5# <u>4</u> Exhibit 6# <u>5</u> Exhibit 7)(Simon, John) Modified on 6/6/2005 to correct docket text(Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>8</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Exhibits 8-10 (Attachments: # <u>1</u> Exhibit 8, Affidavit re Filing of IRR in Brown# <u>2</u> Exhibit 9 Defendants' Motion to Dismiss Exhibit in Brown# <u>3</u> Exhibit 10 Declaration of Michael Lenza# <u>4</u> Exhibit 10, Declaration Exhibit 1, Curriculum Vitae of Jan 2005)(Simon, John) Modified on 6/6/2005 to correct docket text (Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>9</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Exhibit 11 (Attachments: # <u>1</u> Exhibit 11)(Simon, John) Modified on 6/6/2005 to correct docket text (Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>10</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, Exhibits 12-15 (Attachments: # <u>1</u> Exhibit 12# <u>2</u> Exhibit 13# <u>3</u> Exhibit 14# <u>4</u> Exhibit 15)(Simon, John) Modified on 6/6/2005 to correct docket text (Bax, Laura). (Entered: 06/03/2005)
06/03/2005	<u>11</u>	Supplement to complaint by Michael Taylor Exhibits 16-17 (Attachments: # <u>1</u> Exhibit 16# <u>2</u> Exhibit 17)(Simon, John) Modified on 6/6/2005 to correct docket text(Bax, Laura). (Entered: 06/03/2005)

06/03/2005	<u>12</u>	Supplement to complaint by Michael Taylor re <u>1</u> Complaint, <i>Exhibit 18</i> (Attachments: # <u>1</u> Exhibit 18)(Simon, John) Modified on 6/6/2005 to correct docket text(Bax, Laura). (Entered: 06/03/2005)
06/06/2005		MOTION for leave to proceed in forma pauperis filed by John William Simon on behalf of Michael Taylor. Suggestions in opposition/response due by 6/21/2005 unless otherwise directed by the court. This document is filed as document #2. (Bax, Laura) (Entered: 06/06/2005)
06/06/2005	<u>13</u>	ORDER REFERRING CASE to Magistrate Judge Knox. Signed by Judge Scott O. Wright on 6/6/05. (Bax, Laura) (Entered: 06/06/2005)
06/10/2005	<u>14</u>	SUGGESTIONS in support re MOTION for leave to proceed in forma pauperis <i>Supplemental Memorandum with Certified Inmate Account Statement Attached</i> filed by John William Simon on behalf of Plaintiff Michael Taylor. (Attachments: # <u>1</u> Exhibit Certified Inmate Account Statement)(Related document(s)[]) (Simon, John) (Entered: 06/10/2005)
06/14/2005	<u>15</u>	Inmate ACCOUNT STATEMENT by Michael Taylor. Fee calculated. (James, Carrie) (Entered: 06/14/2005)
07/07/2005	<u>16</u>	NOTICE of appearance by Michael Pritchett on behalf of Larry Crawford, James D Purkett (Pritchett, Michael) (Entered: 07/07/2005)
07/15/2005	<u>17</u>	MOTION to intervene filed by Jennifer Herndon on behalf of Richard D Clay Suggestions in opposition/response due by 8/1/2005 unless otherwise directed by the court (Herndon, Jennifer) (Entered: 07/15/2005)
07/28/2005	<u>18</u>	ORDER granting [] motion for leave to proceed in forma pauperis, assessing initial fee of \$26.80; granting <u>17</u> motion to intervene. Signed by Judge William A. Knox on 7/28/2005. (Bode, Kay) Modified on 8/11/2005 to correct docket text (Bode, Kay). (Entered: 07/28/2005)
07/29/2005		NOTICE of hearing: Telephone Status Conference regarding the issue of preliminary injunctive relief set for 8/1/2005 09:00 AM in Magistrate Courtroom, Jefferson City (WAK) before William Knox. The Court will initiate the call to all parties.(James, Carrie) (Entered: 07/29/2005)
07/29/2005		Motion for Reconsideration of Order <u>18</u> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Attachments: # Exhibit A)(Related document(s) <u>18</u> ) (Pritchett, Michael) document deleted and refiled correctly as a motion. (Entered: 07/29/2005)
07/29/2005	<u>30</u>	MOTION for reconsideration <u>18</u> filed by Michael Pritchett on behalf of Larry Crawford, James D Purkett Suggestions in opposition/response due by 8/11/2005 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit) refiled by the court as a motion(Price, Jackie) (Entered: 08/25/2005)
07/31/2005	<u>20</u>	MOTION for discovery <i>to shorten time</i> filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 8/15/2005 unless otherwise directed by the court (Simon, John) (Entered: 07/31/2005)
07/31/2005	<u>21</u>	SUGGESTIONS in support re <u>20</u> MOTION for discovery <i>to shorten time</i> filed by John William Simon on behalf of Plaintiff Michael Taylor. (Attachments: # <u>1</u> Exhibit 1 SCOMO Threatened# <u>2</u> Exhibit 2 Defts Kept Vernon on Gurney 3 Hours)(Related document(s) <u>20</u> ) (Simon, John) (Entered: 08/01/2005)
08/01/2005	<u>22</u>	NOTICE of filing by Michael Taylor re <u>21</u> Suggestions in Support of Motion,, <u>20</u> MOTION for discovery <i>to shorten time on Sunday, July 31, 2005, with certification of telephone conversation on Friday, July 29, 2005</i> (Simon, John) (Entered: 08/01/2005)
08/01/2005	<u>23</u>	Minute Entry for proceedings held before Judge William A. Knox : TELEPHONE CONFERENCE held on 8/1/2005. (Court Reporter L. Bax) (Bax, Laura) (Entered: 08/01/2005)
08/01/2005	<u>24</u>	NOTICE of hearing: Discovery Hearing set for 8/18/2005 10:00 AM in Magistrate Courtroom, Jefferson City (WAK) before William Knox. Text only entry – no document is attached.(Bax, Laura) (Entered: 08/01/2005)

08/10/2005	<u>25</u>	NOTICE of appearance by Elizabeth Unger Carlyle on behalf of Richard D Clay (Carlyle, Elizabeth) (Entered: 08/10/2005)
08/10/2005	<u>26</u>	NOTICE of filing by Richard D Clay re 19 Response to order, <i>Suggestions in Opposition to Motion for Reconsideration of Order Granting Leave to Intervene</i> (Carlyle, Elizabeth) (Entered: 08/10/2005)
08/18/2005	27	NOTICE of telephone Status Conference set for 9/7/2005 10:45 AM in Magistrate Courtroom, Jefferson City (WAK) before William Knox. Court will initiate the call. Conflicts and questions should be directed to Jackie at 573-636-4015. TEXT ENTRY ONLY – no document is attached.(Price, Jackie) (Entered: 08/18/2005)
08/18/2005	<u>28</u>	Minute Entry for proceedings held before Judge William A. Knox : DISCOVERY HEARING held on 8/18/2005. (Court Reporter L. Bax) (Bax, Laura) (Entered: 08/18/2005)
08/18/2005	<u>29</u>	EXHIBIT INDEX from hearing by Michael Taylor. (Bax, Laura) (Entered: 08/18/2005)
08/25/2005		<b>NOTICE OF DOCKET MODIFICATION.</b> A modification has been made to document #19 filed on 7/29/05 as Response to Order. A document has been deleted from the entry. The court has copied and refiled this document as a motion. This is a text entry only – no document is attached. (Price, Jackie) (Entered: 08/25/2005)
08/25/2005	<u>31</u>	ORDER denying <u>20</u> motion for discovery, denying <u>30</u> motion for reconsideration. Signed by Judge William A. Knox on 8/25/2005. (Bode, Kay) (Entered: 08/25/2005)
08/30/2005	<u>32</u>	MOTION for protective order <i>as a result of Objections to Interrogatories</i> filed by Michael Pritchett on behalf of Larry Crawford, James D Purkett Suggestions in opposition/response due by 9/14/2005 unless otherwise directed by the court (Pritchett, Michael) (Entered: 08/30/2005)
08/30/2005	<u>33</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 08/30/2005)
09/01/2005	34	NOTICE of TELEPHONE CONFERENCE set for 9/7/2005 10:30 AM in Magistrate Courtroom, Jefferson City (WAK) before William Knox. Court will initiate the call. TEXT ENTRY ONLY – no document is attached.(Price, Jackie) (Entered: 09/01/2005)
09/07/2005	<u>35</u>	Minute Entry for proceedings held before Judge William A. Knox : TELEPHONE CONFERENCE held on 9/7/2005. (Court Reporter /CRD J Russel.) (Russel, Jeri) (Entered: 09/07/2005)
09/12/2005	<u>36</u>	AMENDED COMPLAINT by <i>both plaintiffs</i> against all defendants filed by John William Simon on behalf of Michael Taylor. (Attachments: # <u>1</u> Exhibit 19 Crawford Partial Responses to Interrogatories# <u>2</u> Exhibit 20 Dr Groner Curriculum Vitae# <u>3</u> Exhibit 21 Johnston Evidentiary Hearing# <u>4</u> Exhibit 22 Medical Ethics Rule on Executions)(Simon, John) (Entered: 09/12/2005)
09/13/2005	<u>37</u>	SUGGESTIONS in opposition re <u>32</u> MOTION for protective order <i>as a result of Objections to Interrogatories in which the defendants seek to keep board certified executioner surgeon's name from even the counsel for the plaintiffs</i> filed by John William Simon on behalf of Plaintiff Michael Taylor. Reply suggestions due by 9/28/2005 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit 23 Supplemental Interrogatories)(Related document(s) <u>32</u> ) (Simon, John) (Entered: 09/13/2005)
09/26/2005	<u>38</u>	MOTION to dismiss case filed by Michael Pritchett on behalf of Larry Crawford, James D Purkett Suggestions in opposition/response due by 10/11/2005 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Pritchett, Michael) (Entered: 09/26/2005)
09/26/2005	<u>39</u>	SUGGESTIONS in support re <u>32</u> MOTION for protective order <i>as a result of Objections to Interrogatories Defendants' Reply to Plaintiffs' Response (Doc. No. 37)</i> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Related document(s) <u>32</u> ) (Pritchett, Michael) (Entered: 09/26/2005)

09/28/2005	<u>40</u>	MOTION for extension of time <i>To Rile Responses to Pltf's Supplemental Interrogatories to Defendant Crawford</i> filed by Michael Pritchett on behalf of Larry Crawford Suggestions in opposition/response due by 10/13/2005 unless otherwise directed by the court (Pritchett, Michael) (Entered: 09/28/2005)
09/30/2005	<u>41</u>	ORDER granting <u>40</u> motion for extension of time until 10/5/2005 to file response to supplemental interrogatories to Larry Crawford. Signed by Judge William A. Knox on 9/30/2005. (Bode, Kay) (Entered: 09/30/2005)
10/05/2005	<u>42</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett <i>of mailing Defendant Crawford's Answers to Plaintiff's Supplemental Interrogatories</i> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 10/05/2005)
10/12/2005	<u>43</u>	SUGGESTIONS in opposition re <u>38</u> MOTION to dismiss case filed by Elizabeth Unger Carlyle on behalf of Plaintiff Michael Taylor. Reply suggestions due by 10/27/2005 unless otherwise directed by the court (Attachments: # <u>1</u> motion for overlength pleading# <u>2</u> Declaration concerning ECF failure# <u>3</u> Exhibit–Unpublished opinions cited in pleading)(Related document(s) <u>38</u> ) (Carlyle, Elizabeth) (Entered: 10/12/2005)
10/12/2005	<u>44</u>	MOTION for leave to file excess pages filed by Elizabeth Unger Carlyle on behalf of Richard D Clay Suggestions in opposition/response due by 10/27/2005 unless otherwise directed by the court (Russel, Jeri) <b>originally attached incorrectly to document <u>43</u></b> (Entered: 10/13/2005)
10/24/2005	<u>45</u>	REPLY SUGGESTIONS re <u>38</u> MOTION to dismiss case " <i>DEFENDANTS' REPLY TO PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO DISMISS</i> " filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Related document(s) <u>38</u> ) (Pritchett, Michael) Modified on 10/25/2005 to correct event name(Russel, Jeri). (Entered: 10/24/2005)
10/31/2005	<u>46</u>	ORDER granting <u>32</u> motion for protective order. Signed by Judge William A. Knox on 10/31/2005. (Bode, Kay) (Entered: 10/31/2005)
11/16/2005	<u>47</u>	ORDER granting <u>44</u> motion for leave to file excess pages. Signed by Judge William A. Knox on 11/16/2005. (Bode, Kay) (Entered: 11/16/2005)
11/18/2005	<u>48</u>	CERTIFICATE OF SERVICE by Larry Crawford <i>of Mailing Supplemental Answers to Plaintiff's First Interrogatories and Responses to Supplemental Interrogatories</i> , filed by Michael Pritchett on behalf of Defendant Larry Crawford.(Pritchett, Michael) (Entered: 11/18/2005)
12/12/2005	<u>49</u>	REPORT AND RECOMMENDATION that claims filed by Michael Taylor and Richard Clay be dismissed under Rule 41(b) for failure to comply with court orders. Objections to RRdue by 12/22/2005. Signed by Judge William A. Knox on 12/12/2005. (Bode, Kay) (Entered: 12/12/2005)
12/14/2005		RECEIPT number 234625 in the amount of \$26.80 issued to John William Simon. (Carr, Lori) (Entered: 12/14/2005)
12/14/2005	<u>50</u>	MOTION to vacate <u>49</u> REPORT AND RECOMMENDATIONS re <u>36</u> Amended Complaint, filed by Michael Taylor, <i>or, in the Alternative, Written Exceptions to It</i> filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 12/29/2005 unless otherwise directed by the court (Related document(s) <u>49</u> ) (Simon, John) (Entered: 12/14/2005)
12/22/2005	<u>51</u>	Consent MOTION for extension of time <i>to file objections to report and recommendations</i> filed by Elizabeth Unger Carlyle on behalf of Richard D Clay Suggestions in opposition/response due by 1/6/2006 unless otherwise directed by the court (Carlyle, Elizabeth) (Entered: 12/22/2005)
12/28/2005	<u>52</u>	ORDER vacating, in part, <u>49</u> Report and Recommendation; granting <u>50</u> Motion to vacate; directing monthly payments be made from prison account of Michael Anthony Taylor. Signed by Judge William A. Knox on 12/28/2005. (Bode, Kay) Modified on 12/28/2005 to correct of docket text. (Bode, Kay) (Entered: 12/28/2005)

12/28/2005	<u>53</u>	ORDER granting <u>51</u> motion for extension of time until 1/10/2006 to file exceptions to 12/12/2005 report and recommendation. Signed by Judge William A. Knox on 12/28/2005. (Bode, Kay) (Entered: 12/28/2005)
12/28/2005	<u>54</u>	ORDER denying <u>38</u> defendants' motion to dismiss case. Signed by Judge Scott O. Wright on 12-28-05. (Morse, Judy) (Entered: 12/28/2005)
01/03/2006	<u>55</u>	NOTICE of filing by Larry Crawford, James D Purkett " <i>Defendants' Notice of Setting of Execution</i> " (Pritchett, Michael) (Entered: 01/03/2006)
01/11/2006	56	NOTICE of telephone conference set for 1/17/2006 at 9:15 AM before William Knox. Court will initiate the conference call. TEXT ENTRY ONLY – no document is attached. (Price, Jackie) (Entered: 01/11/2006)
01/11/2006	57	<b>**AMENDED**</b> NOTICE of telephone conference – conference RESET for <b>**1/18/2006 at 9:45 AM**</b> before William Knox. NO DOCUMENT ATTACHED (Price, Jackie) (Entered: 01/11/2006)
01/12/2006	<u>58</u>	ANSWER to Amended Complaint filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 01/12/2006)
01/17/2006	<u>59</u>	Second MOTION for extension of time <i>to file objections to report &amp; recommendations</i> filed by Elizabeth Unger Carlyle on behalf of Richard D Clay Suggestions in opposition/response due by 2/1/2006 unless otherwise directed by the court (Carlyle, Elizabeth) Additional attachment(s) added on 1/18/2006 (James, Carrie). (Entered: 01/17/2006)
01/17/2006		Document #60 has been deleted and attached as a proposed OBJECTION to <u>49</u> Report and Recommendations to document #59. Originally filed by Elizabeth Unger Carlyle on behalf of Intervenor Plaintiff Richard D Clay. (Attachments: # )(Related document(s) <u>49</u> ) (Carlyle, Elizabeth) Modified on 1/18/2006 (James, Carrie). (Entered: 01/17/2006)
01/18/2006		<b>NOTICE OF DOCKET MODIFICATION.</b> A modification has been made to the document filed on 1/17/06 as Objections to RA document has been deleted from the entry and attached to document 59. This is a text entry only – no document is attached. (James, Carrie) (Entered: 01/18/2006)
01/18/2006	<u>60</u>	MOTION to stay ( <i>closest ECF category</i> ), <i>actually Application for Court Order</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 2/2/2006 unless otherwise directed by the court (Simon, John) (Entered: 01/18/2006)
01/18/2006	<u>61</u>	Minute Entry for proceedings held before Judge William A. Knox : TELEPHONE CONFERENCE held on 1/18/2006. (Court Reporter Price.) (Price, Jackie) Additional attachment(s) added on 1/19/2006 (Price, Jackie). (Entered: 01/19/2006)
01/19/2006	<u>62</u>	ORDER granting <u>60</u> plaintiffs' motion for court order, plaintiff shall not be executed until further order of this court, hearing on merits set for 2/21/06, possibly going into 2/22/06. Signed by Judge Scott O. Wright on 1-19-2006. (Morse, Judy) (Entered: 01/19/2006)
01/19/2006	<u>63</u>	NOTICE OF APPEAL by Larry Crawford, James D Purkett. Filing fee \$ 255, receipt number 1175618. (Pritchett, Michael) (Entered: 01/19/2006)
01/20/2006	<u>64</u>	TRANSMISSION of Notice of Appeal and docket sheet to US Court of Appeals re <u>63</u> Notice of Appeal (Bax, Laura) (Entered: 01/20/2006)
01/20/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Fri Jan 20 09:42:47 CST 2006 (Bax, Laura) (Entered: 01/20/2006)
01/20/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Fri Jan 20 09:43:15 CST 2006 (Bax, Laura) (Entered: 01/20/2006)
01/23/2006	65	TRANSCRIPT of Status Conference held on 1/18/06 before Judge William Knox. Court Reporter: Price. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Price, Jackie) (Entered: 01/23/2006)

01/23/2006	85	TRANSCRIPT of Telephone Status Hearing held on 9/7/2005 before Judge William A Knox. Court Reporter: J Russel. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Russel, Jeri) (Entered: 02/16/2006)
01/24/2006		USCA Case Number from 8th Circuit is 06–1278 for <u>63</u> Notice of Appeal filed by James D Purkett,, Larry Crawford, <b>THIS IS A TEXT ENTRY ONLY – NO DOCUMENT IS ATTACHED.</b> (Bax, Laura) (Entered: 01/24/2006)
01/24/2006	<u>66</u>	CERTIFICATE OF SERVICE by Larry Crawford of <i>Mailing "Defendant Crawford's Supplemental Answer to Plaintiffs' Interrogatory No. 6n"</i> filed by Michael Pritchett on behalf of Defendant Larry Crawford.(Pritchett, Michael) (Entered: 01/24/2006)
01/27/2006	<u>67</u>	SUGGESTIONS in support re <u>59</u> Second MOTION for extension of time <i>to file objections to report &amp; recommendations (Supplement)</i> filed by Elizabeth Unger Carlyle on behalf of Intervenor Plaintiff Richard D Clay. (Attachments: # <u>1</u> )(Related document(s) <u>59</u> ) (Carlyle, Elizabeth) (Entered: 01/27/2006)
01/27/2006	<u>68</u>	MOTION to intervene filed by Mark G. Arnold on behalf of Reginald Clemons Suggestions in opposition/response due by 2/13/2006 unless otherwise directed by the court (Arnold, Mark) (Entered: 01/27/2006)
01/27/2006	<u>69</u>	SUGGESTIONS in support re <u>68</u> MOTION to intervene filed by Mark G. Arnold on behalf of Intervenor Plaintiff Reginald Clemons. (Related document(s) <u>68</u> ) (Arnold, Mark) (Entered: 01/27/2006)
01/30/2006	<u>70</u>	ORDER transferring case to District Judge Fernando J. Gaitan, Jr., Signed by Chief Judge Dean Whipple on 1/30/06. (Diefenbach, Tracy) (Entered: 01/30/2006)
01/30/2006	<u>71</u>	MOTION to dismiss party <i>Richard D. Clay</i> filed by Elizabeth Unger Carlyle on behalf of Richard D Clay Suggestions in opposition/response due by 2/14/2006 unless otherwise directed by the court (Carlyle, Elizabeth) (Entered: 01/30/2006)
01/30/2006		Proceedings held before Judge Fernando J. Gaitan Jr.: TELEPHONE CONFERENCE regarding status of case held on 1/30/2006 at approx. 10:10 a.m. (Text Only Entry – No Document Attached.) (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 01/30/2006)
01/30/2006	<u>72</u>	MOTION to withdraw document <u>68</u> MOTION to intervene, <u>69</u> Suggestions in Support of Motion <i>to Intervene</i> filed by Mark G. Arnold on behalf of Reginald Clemons Suggestions in opposition/response due by 2/14/2006 unless otherwise directed by the court (Related document(s) <u>68</u> , <u>69</u> ) (Arnold, Mark) (Entered: 01/30/2006)
01/30/2006	<u>73</u>	SUGGESTIONS in support re <u>72</u> MOTION to withdraw document <u>68</u> MOTION to intervene, <u>69</u> Suggestions in Support of Motion <i>to Intervene</i> filed by Mark G. Arnold on behalf of Intervenor Plaintiff Reginald Clemons. (Related document(s) <u>72</u> ) (Arnold, Mark) (Entered: 01/30/2006)
01/30/2006		Proceedings held before Judge Fernando J. Gaitan Jr.: status TELEPHONE CONFERENCE held on 1/30/2006 at approximately 2:30 p.m. Court granted Doc. #71 motion to dismiss – Intervenor Plaintiff Richard D Clay terminated. (Text Only Entry – No Document Attached.) (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 01/31/2006)
01/30/2006	<u>74</u>	Minute Entry for proceedings held before Judge Fernando J. Gaitan Jr.: EVIDENTIARY HEARING (conducted via telephone) held on 1/30/2006 – continued to 1/31/06. (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 01/31/2006)
01/31/2006	<u>75</u>	Minute Entry for proceedings held before Judge Fernando J. Gaitan Jr.: EVIDENTIARY HEARING (conducted via telephone) held on 1/31/2006. (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 01/31/2006)
01/31/2006	<u>76</u>	ORDER that the Court finds that neither the chemicals used by the State of Missouri for lethal injection nor the procedure employed to administer these injections constitutes cruel and unusual punishment. While the plaintiff suggests a different approach to lethal injection, he does not prove that the current method used by Missouri violates the Eighth Amendment to the Constitution. Further the Court is not

		persuaded that the use of the femoral vein for the administration of the lethal injection violates applicable standards of the Eighth Amendment. The Court also does not find that Missouri physicians who are involved in administering the lethal injections are violating their ethical obligations nor that the procedure is violative of the Thirteenth Amendment. Motions terminated: granting # <u>72</u> Reginald Clemons' MOTION to withdraw document. Signed by Judge Fernando J. Gaitan Jr. on 1/31/06. (Enss, Rhonda) (Entered: 01/31/2006)
01/31/2006	<u>77</u>	CLERK'S JUDGMENT (Enss, Rhonda). (Entered: 01/31/2006)
01/31/2006	<u>78</u>	MOTION for leave to appeal <i>in forma pauperis</i> filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 2/15/2006 unless otherwise directed by the court (Simon, John) (Entered: 01/31/2006)
01/31/2006	<u>79</u>	SUGGESTIONS in support re <u>78</u> MOTION for leave to appeal <i>in forma pauperis</i> filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>78</u> ) (Simon, John) (Entered: 01/31/2006)
01/31/2006	<u>80</u>	NOTICE OF APPEAL by Michael Taylor. Filing fee \$ 255, receipt number IFP. (Simon, John) (Entered: 01/31/2006)
01/31/2006	<u>83</u>	EXHIBIT INDEX by Larry Crawford, James D Purkett, John Does. (Carr, Lori) (Entered: 02/01/2006)
02/01/2006	<u>81</u>	ORDER denying # <u>78</u> petitioner's motion for leave to appeal in forma pauperis. Signed by Judge Fernando J. Gaitan Jr. on 2/1/06. (Enss, Rhonda) (Entered: 02/01/2006)
02/01/2006	<u>82</u>	TRANSMISSION of Notice of Appeal and docket sheet to US Court of Appeals re <u>80</u> Notice of Appeal (James, Carrie) (Entered: 02/01/2006)
02/01/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Wed Feb 1 10:50:44 CST 2006 (James, Carrie) (Entered: 02/01/2006)
02/01/2006		USCA Case Number from 8th Circuit is 06-1397 for <u>80</u> Notice of Appeal filed by Michael Taylor, <b>THIS IS A TEXT ENTRY ONLY - NO DOCUMENT IS ATTACHED.</b> (Bax, Laura) (Entered: 02/01/2006)
02/09/2006		RECEIPT number 238137 in the amount of \$39.70 issued to Michael Taylor as payment on the d/c filing fee; balance due is \$183.50. (Bax, Laura) (Entered: 02/09/2006)
02/14/2006	<u>84</u>	ORDER of US COURT OF APPEALS of 1/29/06 (James, Carrie) (Entered: 02/14/2006)
02/16/2006	86	TRANSCRIPT of Status Conference held on 8/1/05 before Judge William A Knox. Court Reporter: L Bax. This is a text entry only - no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Russel, Jeri) (Entered: 02/16/2006)
02/16/2006	87	TRANSCRIPT of Status Conference held on 8/18/05 before Judge William A Knox. Court Reporter: L Bax. This is a text entry only - no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Russel, Jeri) (Entered: 02/16/2006)
03/10/2006		RECEIPT number 238227 in the amount of \$16.70 issued to plaintiff. Bal due on d/c fee: \$166.80. (James, Carrie) (Entered: 03/10/2006)
04/10/2006		RECEIPT number 237029 in the amount of \$26.70 issued to Michael Taylor as payment on the d/c filing fee; balance due is \$140.10. (Bax, Laura) (Entered: 04/10/2006)
04/11/2006	88	TRANSCRIPT of 10:00 A.M. Teleconference held on January 30, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Donna M. Turner. This is a text entry only - no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 04/11/2006)

04/11/2006	89	TRANSCRIPT of 2:30 P.M. Teleconference held on January 30, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Donna M. Turner. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 04/11/2006)
04/11/2006	90	TRANSCRIPT of 4:00 P.M. Teleconference (Testimony of Dr. Dershwitz & Dr. Groner) held on January 30, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Donna M. Turner. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 04/11/2006)
04/11/2006	91	TRANSCRIPT of Teleconference (Testimony of Dr. Mark Heath and Terry Moore) held on January 31, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Donna M. Turner. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 04/11/2006)
04/27/2006	<u>194</u>	ORDER of US COURT OF APPEALS – The case is remanded with instructions that the hearing be reconvened before Judge Gaitan. (Jones, Robin) (Entered: 06/20/2006)
04/28/2006	<u>92</u>	ORDER – status Telephone Conference set for 5/1/2006 at 10:00 AM before Fernando Gaitan. Signed by Judge Fernando J. Gaitan Jr. on 4/28/06. (Enss, Rhonda) (Entered: 04/28/2006)
05/01/2006	<u>93</u>	NOTICE of filing by Michael Taylor of <i>Applications for Admission Pro Hac Vice of Jenner &amp; Block Counsel</i> (Attachments: # <u>1</u> Supplement Verilli Application # <u>2</u> Supplement Hellman App # <u>3</u> Supplement Berger App) (Simon, John) (Entered: 05/01/2006)
05/01/2006	<u>94</u>	Motion to allow Matthew Hellman to appear pro hac vice (Pro Hac fee \$50 receipt number 1255882) filed by John William Simon on behalf of Michael Taylor (Simon, John) (Entered: 05/01/2006)
05/01/2006	<u>95</u>	Motion to allow Eric Berger to appear pro hac vice (Pro Hac fee \$50 receipt number 1255891) filed by John William Simon on behalf of Michael Taylor (Simon, John) (Entered: 05/01/2006)
05/01/2006	<u>96</u>	Motion to allow Donald Verilli to appear pro hac vice (Pro Hac fee \$50 receipt number 1255896) filed by John William Simon on behalf of Michael Taylor (Simon, John) (Entered: 05/01/2006)
05/01/2006		Proceedings held before Judge Fernando J. Gaitan Jr.: Status TELEPHONE CONFERENCE held on 5/1/2006. (Text Only Entry – No Document Attached.) (Court Reporter Katie Wirt.) (Enss, Rhonda) (Entered: 05/01/2006)
05/02/2006		***Remark – 4 volumes of transcripts returned from USCA (Bax, Laura) (Entered: 05/02/2006)
05/02/2006		ORDER granting <u>94</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Eric Berger for Michael Taylor, Matthew S Hellman for Michael Taylor, Donald B Verrilli for Michael Taylor allowed to appear pro hac vice. <b>This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached.</b> , granting <u>95</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Eric Berger for Michael Taylor, Matthew S Hellman for Michael Taylor, Donald B Verrilli for Michael Taylor allowed to appear pro hac vice. <b>This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached.</b> , granting <u>96</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Eric Berger for Michael Taylor, Matthew S Hellman for Michael Taylor, Donald B Verrilli for Michael Taylor allowed to appear pro hac vice. <b>This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached.</b> (Russel, Jeri) (Entered: 05/02/2006)
05/02/2006	<u>97</u>	ORDER that parties shall be prepared to discuss with the Court during the 1:30 p.m. conference scheduled for May 2, 2006, a timetable to complete the discovery which the Court has allowed. The parties should note that all discovery is subject to the time

		limitations imposed by the Eighth Circuit and must be completed within thirty days from the date of the Eighth Circuit's opinion. Signed by Judge Fernando J. Gaitan Jr. on 5/2/06. (Enss, Rhonda) (Entered: 05/02/2006)
05/02/2006		Proceedings held before Judge Fernando J. Gaitan Jr.: TELEPHONE CONFERENCE held on 5/2/2006. (Text Only Entry – No Document Attached.) (Court Reporter Katie Wirt.) (Enss, Rhonda) (Entered: 05/02/2006)
05/02/2006	<u>98</u>	MOTION for reconsideration re <u>97</u> Order, filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 5/17/2006 unless otherwise directed by the court (Related document(s) <u>97</u> ) (Simon, John) (Entered: 05/02/2006)
05/03/2006	<u>99</u>	SUGGESTIONS in opposition re <u>98</u> MOTION for reconsideration re <u>97</u> Order, filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. Reply suggestions due by 5/18/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit # <u>2</u> # <u>3</u> # <u>4</u> Exhibit # <u>5</u> # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>2</u> )(Related document(s) <u>98</u> ) (Pritchett, Michael) (Entered: 05/03/2006)
05/04/2006	<u>100</u>	REPLY SUGGESTIONS to motion re <u>98</u> MOTION for reconsideration re <u>97</u> Order, filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>98</u> ) (Simon, John) (Entered: 05/04/2006)
05/04/2006	<u>101</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Interrogatories Served 5-4-2006</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/04/2006)
05/04/2006	<u>102</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Request for Admissions Served 5-4-2006</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/04/2006)
05/04/2006	<u>103</u>	Motion to allow Ginger Anders to appear pro hac vice (Pro Hac fee \$50 receipt number 1259459) filed by John William Simon on behalf of Michael Taylor (Simon, John) (Entered: 05/04/2006)
05/05/2006		ORDER granting <u>103</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Ginger Anders for Michael Taylor allowed to appear pro hac vice. <b>This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached.</b> Signed by Judge Unassigned on 5/5/06. (James, Carrie) Modified on 5/5/2006 (James, Carrie). (Entered: 05/05/2006)
05/05/2006	<u>104</u>	ORDER denying <u>98</u> plaintiff's motion for reconsideration. Signed by Judge Fernando J. Gaitan Jr. on 5/5/06. (Enss, Rhonda) (Entered: 05/05/2006)
05/05/2006	<u>105</u>	CERTIFICATE OF SERVICE by Michael Taylor relating to <i>First Request for Production of Documents After Remand</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/05/2006)
05/08/2006	<u>106</u>	ORDER – Defendants will provide responses to plaintiff's interrogatories, requests for admission and document production requests by 5:00 p.m. on Friday May 12, 2006. With regard to the inspection of the execution chamber, the inspection will take place on May 15, 2006. Plaintiff's expert witness Dr. Heath will be permitted to attend the inspection. Defendants will also provide a knowledgeable individual who can identify the various pieces of equipment in the chamber and state their function. Defendants will provide a videographer who will preserve this for the record. Plaintiff will submit interrogatories to the John Doe defendants on May 17, 2006. The State will respond on May 22, 2006. Signed by Judge Fernando J. Gaitan Jr. on 5/8/06. (Rosa, Patricia) (Entered: 05/08/2006)
05/08/2006		Proceedings held before Judge Fernando J. Gaitan Jr.: TELEPHONE CONFERENCE held on 5/8/2006. (Text Only Entry – No Document Attached.) (Court Reporter Donna Turner.) (Enss, Rhonda) Modified on 5/9/2006 to reflect correct date of 5/8/06 that conference was held (Enss, Rhonda). (Entered: 05/09/2006)
05/09/2006		RECEIPT number 243117 in the amount of \$31.70 issued to Michael Taylor, bal due on d/c fee: \$108.40. (James, Carrie) (Entered: 05/09/2006)

05/11/2006	<u>107</u>	ORDER – hearing to be held on 6/12/2006 at 9:00 AM in Courtroom 7C, Kansas City (FJG). Parties shall submit to the Court by 6/2/06 pre–trial briefs of ten pages or less and the parties' briefs shall identify what issues they will address at the hearing, identify what witnesses will be testifying at the hearing and describe how each witnesses' testimony relates to the issues raised. Signed by Judge Fernando J. Gaitan Jr. on 5/11/06. (Enss, Rhonda) (Entered: 05/11/2006)
05/12/2006	108	TRANSCRIPT of Teleconference held on May 1, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Kathleen M. Wirt. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 05/12/2006)
05/12/2006	109	TRANSCRIPT of Teleconference held on May 2, 2006 before Judge Fernando J. Gaitan, Jr. Court Reporter: Kathleen M. Wirt. This is a text entry only – no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Jones, Robin) (Entered: 05/12/2006)
05/12/2006	<u>110</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 05/12/2006)
05/17/2006	<u>111</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Post–Remand Interrogatories to John Doe I</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/17/2006)
05/17/2006	<u>112</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Post–Remand Interrogatories to John Doe II</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/17/2006)
05/17/2006	<u>113</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Post–Remand Interrogatories to John Doe III</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/17/2006)
05/17/2006	<u>114</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Post–Remand Interrogatories to John Doe IV</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/17/2006)
05/17/2006	<u>115</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Post–Remand Interrogatories to John Doe V</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/17/2006)
05/17/2006	<u>119</u>	MOTION for discovery and MOTION for reconsideration re <u>116</u> Order filed by John William Simon on behalf of Michael Taylor. Suggestions in opposition/response due by 6/1/2006 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Related document(s) <u>116</u> ) (Jones, Robin) (Entered: 05/19/2006)
05/17/2006	<u>120</u>	SUGGESTIONS in opposition re <u>119</u> MOTION for discovery and MOTION for reconsideration re <u>116</u> Order filed by Michael Pritchett on behalf of Defendants Larry Crawford and James D Purkett. Reply suggestions due by 6/1/2006 unless otherwise directed by the court. (Related document(s) <u>119</u> ) (Jones, Robin) (Entered: 05/19/2006)
05/18/2006	<u>116</u>	ORDER denying plaintiff's request for additional discovery and for a telephone conference. Signed by Judge Fernando J. Gaitan Jr. on 5/18/06. (Enss, Rhonda) (Entered: 05/18/2006)
05/18/2006	<u>117</u>	MOTION for reconsideration re <u>116</u> Order <i>Denying Follow–Up Discovery in Light of Misstatements of Amounts of Sodium Pentothal Actually Used by John Does I &amp; II</i> filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/2/2006 unless otherwise directed by the court (Related document(s) <u>116</u> ) (Simon, John) Modified on 6/15/2006 to reflect motion denied 5/19/06 per #123 (Enss, Rhonda). (Entered: 05/18/2006)
05/18/2006	<u>121</u>	SUPPLEMENTAL SUGGESTIONS in opposition re <u>119</u> MOTION for discovery and MOTION for reconsideration re <u>116</u> Order filed by Michael Pritchett on behalf of Defendants Larry Crawford and James D Purkett. (Related document(s) <u>119</u> ) (Jones, Robin) (Entered: 05/19/2006)

05/19/2006	<u>118</u>	SUGGESTIONS in opposition re <u>117</u> MOTION for reconsideration re <u>116</u> Order <i>Denying Follow-Up Discovery in Light of Misstatements of Amounts of Sodium Pentothal Actually Used by John Does I &amp; II</i> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. Reply suggestions due by 6/5/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>117</u> ) (Pritchett, Michael) (Entered: 05/19/2006)
05/19/2006	<u>122</u>	REPLY SUGGESTIONS to motion re <u>117</u> MOTION for reconsideration re <u>116</u> Order <i>Denying Follow-Up Discovery in Light of Misstatements of Amounts of Sodium Pentothal Actually Used by John Does I &amp; II</i> , i.e., <i>reply in support of motion for reconsideration</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>117</u> ) (Simon, John) (Entered: 05/19/2006)
05/19/2006	<u>123</u>	ORDER denying <u>119</u> motion for reconsideration. The Court finds there is no reason to depart from the discovery process which is currently in place. Therefore, the Court hereby denies plaintiff's Motion for Reconsideration of the Court's May 18, 2006 Order. Signed by Judge Fernando J. Gaitan Jr. on May 19, 2006. (Jones, Robin) (Entered: 05/19/2006)
05/19/2006	<u>141</u>	MOTION for order to Depose Operations Officer filed by John William Simon on behalf of Michael Taylor. Suggestions in opposition/response due by 6/5/2006 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit A)(Jones, Robin) Modified on 5/24/2006 to reflect motion was ruled by Document <u>125</u> (Jones, Robin). (Entered: 05/24/2006)
05/19/2006	<u>142</u>	SUGGESTIONS in opposition re <u>141</u> MOTION for order to Depose Operations Officer filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Related document(s) <u>141</u> ) (Jones, Robin) (Entered: 05/24/2006)
05/22/2006	<u>124</u>	NOTICE to take deposition of Larry Crawford filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/22/2006	<u>125</u>	ORDER denying plaintiff's request to depose the Operations Officer. Signed by Judge Fernando J. Gaitan Jr. on 5/22/06. (Carr, Lori) (Entered: 05/22/2006)
05/22/2006	<u>126</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>re Supplemental Interrogatories to John Doe I</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/22/2006	<u>127</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>re Supplemental Interrogatories to John Doe II</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/22/2006	<u>128</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>re Supplemental Interrogatories to John Doe III</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/22/2006	<u>129</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>re Supplemental Interrogatories to John Doe IV</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/22/2006	<u>130</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>re Supplemental Interrogatories to John Doe V</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/22/2006)
05/23/2006	<u>131</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett <i>of Sending on 5/22/06 John Doe I-V's Answers to Plaintiff's First Interrogatories</i> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 05/23/2006)
05/23/2006		DESIGNATION of Defendants' Expert Witnesses by Larry Crawford, James D Purkett. (Pritchett, Michael) Modified on 5/24/2006 <a href="#">Document deleted because #133 is a duplicate</a> (Russel, Jeri). (Entered: 05/23/2006)
05/23/2006	<u>133</u>	DESIGNATION of Defendants' Expert Witnesses (#132 filed in wrong category) by Larry Crawford, James D Purkett, Larry Crawford, James D Purkett filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett, Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 05/23/2006)

05/23/2006	<u>134</u>	MOTION to take deposition from John Does I-V filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/7/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit Exhibit A-1# <u>2</u> Exhibit Exhibit A-2# <u>3</u> Exhibit Exhibit A-3# <u>4</u> Exhibit Exhibit A-4# <u>5</u> Exhibit Exhibit B# <u>6</u> Exhibit Exhibit C# <u>7</u> Exhibit Exhibit D# <u>8</u> Exhibit Exhibit E# <u>9</u> Exhibit Exhibit F)(Simon, John) Modified on 6/15/2006 to reflect motion granted and denied in part per #159 filed 5/26/06 & #161 filed 5/30/06 (Enss, Rhonda). (Entered: 05/23/2006)
05/23/2006	<u>135</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Report of Expert Mark J.S. Heath</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/23/2006)
05/23/2006	<u>136</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Report of Expert Thomas K. Henthorn</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/23/2006)
05/23/2006	<u>137</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Report of Expert Stephen Paul Johnson</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/23/2006)
05/24/2006	<u>138</u>	MOTION to expedite filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/8/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Affidavit Declaration of Matthew S. Hellman)(Simon, John) Modified on 6/15/2006 to reflect motion moot (Enss, Rhonda). (Entered: 05/24/2006)
05/24/2006	<u>139</u>	SUGGESTIONS in opposition re <u>134</u> MOTION to take deposition from John Does I-V filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. Reply suggestions due by 6/8/2006 unless otherwise directed by the court (Related document(s) <u>134</u> ) (Pritchett, Michael) (Entered: 05/24/2006)
05/24/2006		<b>NOTICE OF DOCKET MODIFICATION.</b> A modification has been made to the document filed on May 23, 2006 as Designation of Expert Witness. A document has been deleted from the entry because a duplicate document was filed as document <u>133</u> . This is a text entry only – no document is attached. (Russel, Jeri) (Entered: 05/24/2006)
05/24/2006	<u>140</u>	REPLY SUGGESTIONS to motion re <u>134</u> MOTION to take deposition from John Does I-V , i.e., <i>Reply in Support of Foregoing Motion</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>134</u> ) (Simon, John) (Entered: 05/24/2006)
05/24/2006	<u>143</u>	SUGGESTIONS in opposition re <u>163</u> MOTION for order to take deposition <i>Suggestion In Opposition to (Letter) Motion to Allow Deposition</i> (Hawke, Stephen) Modified on 5/31/2006 to correct event title and add document link (Jones, Robin). (Entered: 05/24/2006)
05/24/2006	<u>144</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett <i>Defendants John Doe I, II, III, IV &amp; V Certificate of Service of Answerst to Plaintiff's Supplemental Interrogaories</i> filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett.(Pritchett, Michael) (Entered: 05/24/2006)
05/24/2006	<u>145</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Transcript of Deposition of Larry Crawford, with Transcript Itself at Beginning of PDF File</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 05/24/2006)
05/24/2006	<u>163</u>	MOTION for order to take deposition of Dr. Mark Dershwitz filed by John William Simon on behalf of Michael Taylor. (Related document(s) <u>143</u> , <u>146</u> ) (Jones, Robin) (Entered: 05/31/2006)
05/25/2006	<u>146</u>	REPLY SUGGESTIONS to motion re <u>163</u> MOTION for order to take deposition filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>163</u> ) (Simon, John) Modified on 5/31/2006 to correct document event link (Jones, Robin). (Entered: 05/25/2006)
05/25/2006	<u>147</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Word Index to Crawford Deposition Transcript, with Index Appearing at Front of PDF File Containing Certificate</i> , filed by John William Simon on behalf of Plaintiff Michael

		Taylor.(Simon, John) (Entered: 05/25/2006)
05/25/2006	<u>148</u>	ORDER that John Doe No. 1 answer the interrogatories on or before 3:00 p.m. Thursday May 25, 2006. The responses shall be answered truthfully under penalty of perjury. Signed by Judge Fernando J. Gaitan Jr. on 5/25/06. (Enss, Rhonda) (Entered: 05/25/2006)
05/25/2006	<u>149</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>with Heath Report &amp; Exhibits</i> filed by John William Simon on behalf of Plaintiff Michael Taylor. (Attachments: # <u>1</u> Exhibit B (A being in the same file as the certificate and report)# <u>2</u> Exhibit C–G)(Simon, John) (Entered: 05/25/2006)
05/25/2006	<u>150</u>	CERTIFICATE OF SERVICE by Michael Taylor , <i>with Johnson Report Itself</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) Modified on 5/26/2006 to correct name of report (Jones, Robin). (Entered: 05/25/2006)
05/25/2006	<u>151</u>	CERTIFICATE OF SERVICE by Michael Taylor , <i>with Henthorn Report Itself and Exhibits A–F Plus Figures Thereto as Attachments</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B–1# <u>3</u> Exhibit B–2# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Supplement Figures (Numbered))(Simon, John) (Entered: 05/25/2006)
05/25/2006	<u>152</u>	RESPONSE to order re <u>148</u> Order filed by Stephen David Hawke on behalf of Defendants Larry Crawford, James D Purkett. (Related document(s) <u>148</u> ) (Hawke, Stephen) (Entered: 05/25/2006)
05/25/2006	<u>153</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendant John Doe I's Answers to Plaintiff's Supplemental Interrogatories</i> (Pritchett, Michael) (Entered: 05/25/2006)
05/25/2006	<u>154</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendant John Doe II's Answers to Plaintiff's Supplemental Interrogatories</i> (Pritchett, Michael) (Entered: 05/25/2006)
05/25/2006	<u>155</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendant John Doe III's Answers to Plaintiff's Supplemental Interrogatories</i> (Pritchett, Michael) (Entered: 05/25/2006)
05/25/2006	<u>156</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendant John Doe IV's Answers to Plaintiff's Supplemental Interrogatories</i> (Pritchett, Michael) (Entered: 05/25/2006)
05/25/2006	<u>157</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendant John Doe V's Answers to Plaintiff's Supplemental Interrogatories</i> (Pritchett, Michael) (Entered: 05/25/2006)
05/25/2006	<u>158</u>	Supplemental MOTION to take deposition from Does I–V <i>with Declaration of Mark J.S. Heath, M.D., in Support</i> filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/9/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Declaration of Mark J.S. Heath, M.D.)(Simon, John) Modified on 6/15/2006 to reflect motion granted and denied part per #159 filed 5/26/06 & #161 filed 5/30/06 (Enss, Rhonda). (Entered: 05/25/2006)
05/26/2006	<u>159</u>	ORDER re <u>134</u> plaintiff's MOTION to take deposition from John Does I–V and <u>158</u> plaintiff's Supplemental MOTION to take deposition from Does I–V – <i>plaintiff shall electronically file his response to the Court's Order on or before 5:00 p.m. Friday May 26, 2006. The Court will review the questions proposed and will advise the parties by early next week whether a deposition will be allowed and if so how it will be conducted. Signed by Judge Fernando J. Gaitan Jr. on 5/26/06. (Enss, Rhonda) (Entered: 05/26/2006)</i>
05/26/2006	<u>160</u>	MOTION for reconsideration re <u>159</u> Order., <i>and Questions as Directed by It</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/12/2006 unless otherwise directed by the court (Related document(s) <u>159</u> ) (Simon, John) (Entered: 05/26/2006)

05/30/2006	<u>161</u>	ORDER denying <u>160</u> plaintiff's motion for reconsideration. An anonymous deposition of John Doe No. 1 will take place on Monday June 5, 2006 at 1:00 p.m. in Kansas City, Missouri. John Doe No. 1 will be present at the Courthouse in Kansas City, Missouri. Each side will be permitted to have one attorney present at the deposition. The plaintiff will be given two hours to question John Doe No. 1 on the three subject areas previously discussed and covered within the list which was previously submitted to the Court by plaintiff. Counsel for the State will be given a reasonable time to question the witness, not to exceed that time allowed to plaintiff. Discovery has been extended to allow this deposition only. The deadline for the parties to submit their pre-trial briefs has been extended to Thursday June 8, 2006. Signed by Judge Fernando J. Gaitan Jr. on 5/30/06. (Enss, Rhonda) (Entered: 05/30/2006)
05/30/2006	<u>162</u>	CERTIFICATE OF SERVICE by Larry Crawford, James D Purkett <i>of Expert Report by Dr. Dershwitz</i> filed by Stephen David Hawke on behalf of Defendants Larry Crawford, James D Purkett.(Hawke, Stephen) (Entered: 05/30/2006)
05/31/2006	<u>164</u>	ORDER denying <u>163</u> plaintiff's motion to depose Dr. Mark Dershwitz. Signed by Judge Fernando J. Gaitan Jr. on 5/31/06. (Enss, Rhonda) (Entered: 05/31/2006)
05/31/2006	<u>165</u>	Supplemental MOTION to take deposition from Dershwitz , <i>i.e., Supplement to Motion to Take Deposition of Mark Dershwitz As Plaintiff Is Entitled to Do Under Mandatory Language of Federal Rules, With Exhibit A</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/15/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit Expert Report)(Simon, John) (Entered: 05/31/2006)
05/31/2006	<u>166</u>	NOTICE of filing by Larry Crawford <i>Expert report of Dr. Mark Dershwitz</i> (Hassell, Andrew) (Entered: 05/31/2006)
06/01/2006	<u>167</u>	MOTION for reconsideration re <u>164</u> Order on Motion for Miscellaneous Relief , <i>i.e., to Motion to Reconsider Denial of Right to Take Deposition of Expert as Guaranteed by the Federal Rules of Civil Procedure and Other Law</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/16/2006 unless otherwise directed by the court (Related document(s) <u>164</u> ) (Simon, John) (Entered: 06/01/2006)
06/01/2006	<u>168</u>	MOTION for reconsideration re <u>161</u> Order on Motion for Reconsideration,,, <i>i.e., Motion to Reconsider the Specific Outstanding Limits on Deposition of John Doe I</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/16/2006 unless otherwise directed by the court (Related document(s) <u>161</u> ) (Simon, John) (Entered: 06/01/2006)
06/01/2006	<u>169</u>	ORDER re <u>167</u> plaintiff's MOTION to reconsider <u>164</u> Order Denying plaintiff's motion to depose Dr. Dershwitz. Plaintiff shall submit in camera proposed questions to this Court for review no later than Friday, 6/2/06, at 10:00 a.m. Signed by Judge Fernando J. Gaitan Jr. on 6/1/06. (Enss, Rhonda) (Entered: 06/01/2006)
06/01/2006	<u>170</u>	SUGGESTIONS in opposition re <u>167</u> MOTION for reconsideration re <u>164</u> Order on Motion for Miscellaneous Relief , <i>i.e., to Motion to Reconsider Denial of Right to Take Deposition of Expert as Guaranteed by the Federal Rules of Civil Procedure and Other Law</i> , filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. Reply suggestions due by 6/16/2006 unless otherwise directed by the court (Related document(s) <u>167</u> ) (Pritchett, Michael) (Entered: 06/01/2006)
06/02/2006	<u>171</u>	SUGGESTIONS in opposition re <u>168</u> MOTION for reconsideration re <u>161</u> Order on Motion for Reconsideration,,, <i>i.e., Motion to Reconsider the Specific Outstanding Limits on Deposition of John Doe I</i> , filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. Reply suggestions due by 6/19/2006 unless otherwise directed by the court (Related document(s) <u>168</u> ) (Pritchett, Michael) (Entered: 06/02/2006)
06/02/2006	<u>172</u>	ORDER granting in part and denying in part <u>168</u> plaintiff's motion for reconsideration. Signed by Judge Fernando J. Gaitan Jr. on 6/2/06. (Enss, Rhonda) (Entered: 06/02/2006)
06/02/2006	<u>173</u>	REPLY SUGGESTIONS to motion re <u>167</u> MOTION for reconsideration re <u>164</u> Order on Motion for Miscellaneous Relief , <i>i.e., to Motion to Reconsider Denial of</i>

		<i>Right to Take Deposition of Expert as Guaranteed by the Federal Rules of Civil Procedure and Other Law</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor. (Related document(s) <u>167</u> ) (Simon, John) (Entered: 06/02/2006)
06/02/2006	<u>174</u>	ORDER conditionally denying <u>165</u> plaintiff's supplemental motion to take deposition of Dr. Dershwitz and conditionally denying <u>167</u> plaintiff's motion to reconsider order denying plaintiff's motion to depose Dr. Dershwitz. Signed by Judge Fernando J. Gaitan Jr. on 6/2/06. (Enss, Rhonda) (Entered: 06/02/2006)
06/02/2006	<u>175</u>	MOTION for order Apply the 10/31/05 protective order, Doc. #46, to the 6/5/06 depo of John Doe filed by Michael Pritchett on behalf of Larry Crawford, James D Purkett Suggestions in opposition/response due by 6/19/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit)(Pritchett, Michael) (Entered: 06/02/2006)
06/02/2006	<u>176</u>	NOTICE to take deposition of John Doe I filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 06/02/2006)
06/02/2006	<u>177</u>	SUGGESTIONS in opposition re <u>175</u> MOTION for order Apply the 10/31/05 protective order, Doc. #46, to the 6/5/06 depo of John Doe , <i>i.e., Plaintiff's Suggestions in Opposition to Applying Protective Order Beyond Sensitive Identifying Information, Precisely Defined, and in Particular to Extending It to the Entire Deposition as the Defendants Suggest</i> , filed by John William Simon on behalf of Plaintiff Michael Taylor. Reply suggestions due by 6/19/2006 unless otherwise directed by the court (Related document(s) <u>175</u> ) (Simon, John) (Entered: 06/03/2006)
06/05/2006	<u>178</u>	ORDER – As previously directed, the parties will submit to the Court pre–trial briefs of ten pages or less identifying what issues they will present at the hearing and what witnesses will be testifying. The briefs shall also describe how each witnesses testimony relates to the issues raised. The parties shall file their briefs on or before 10:00 a.m. on June 8, 2006. Signed by Judge Fernando J. Gaitan Jr. on 6/5/06. (Enss, Rhonda) (Entered: 06/05/2006)
06/05/2006	<u>179</u>	Minute Entry for proceedings held before Judge Fernando J. Gaitan Jr.: Closed HEARING/Anonymous deposition held on 6/5/2006. Motions terminated: Court orally rules <u>175</u> plaintiff's MOTION for order to Apply the 10/31/05 protective order, Doc. #46, to the 6/5/06 depo of John Doe. (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 06/06/2006)
06/05/2006	<u>180</u>	PLAINTIFF'S EXHIBIT INDEX of June 5, 2006 Closed Hearing. (Jones, Robin) (Entered: 06/06/2006)
06/07/2006	<u>181</u>	ORDER Regarding Time Limitations for Hearing. Signed by Judge Fernando J. Gaitan Jr. on 6/7/06. (Enss, Rhonda) (Entered: 06/07/2006)
06/08/2006	<u>182</u>	NOTICE of filing by Larry Crawford, James D Purkett <i>Defendants' Pre–Trial Brief</i> (Pritchett, Michael) (Entered: 06/08/2006)
06/08/2006	<u>183</u>	PRETRIAL MEMORANDUM by Michael Taylor. (Simon, John) (Entered: 06/08/2006)
06/09/2006	<u>184</u>	MAIL RETURNED as undeliverable. Mail sent to Eric Berger. Reason for return is not legible. (Related document(s) <u>104</u> ) (James, Carrie) (Entered: 06/09/2006)
06/09/2006	<u>185</u>	MOTION for reconsideration re <u>181</u> Order <i>Truncating This Hearing Too</i> , filed by John William Simon on behalf of Michael Taylor Suggestions in opposition/response due by 6/26/2006 unless otherwise directed by the court (Related document(s) <u>181</u> ) (Simon, John) (Entered: 06/09/2006)
06/09/2006	<u>186</u>	ORDER denying <u>185</u> plaintiff's motion for reconsideration. Signed by Judge Fernando J. Gaitan Jr. on 6/9/06. (Enss, Rhonda) (Entered: 06/09/2006)
06/09/2006	<u>187</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>of Supplemental Report of Mark Heath with Report Itself as Part of PDF File</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 06/09/2006)
06/09/2006	<u>188</u>	CERTIFICATE OF SERVICE by Michael Taylor <i>of Supplemental Report of Dr. Johnson with Report Itself in Same PDF File</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 06/09/2006)

06/09/2006	<u>189</u>	CERTIFICATE OF SERVICE by Michael Taylor of <i>Supplemental Report of Dr. Henthorn</i> filed by John William Simon on behalf of Plaintiff Michael Taylor.(Simon, John) (Entered: 06/09/2006)
06/12/2006	<u>190</u>	Minute Entry for proceedings held before Judge Fernando J. Gaitan Jr.: DAY 1 OF BENCH TRIAL held on 6/12/2006. Court until recess on Tuesday, 6/13/2006. (Court Reporter Donna Turner.) (Jones, Robin) (Entered: 06/13/2006)
06/13/2006	<u>191</u>	Minute Entry for proceedings held before Judge Fernando J. Gaitan Jr.: BENCH TRIAL completed on 6/13/2006. Matter taken under advisement. No post-trial briefs to be filed. (Court Reporter Donna Turner.) (Jones, Robin) (Entered: 06/13/2006)
06/13/2006	<u>192</u>	DEFENDANTS' EXHIBIT INDEX of Bench Trial. (Jones, Robin) (Entered: 06/13/2006)
06/13/2006	<u>193</u>	PLAINTIFF'S EXHIBIT INDEX of Bench Trial. (Jones, Robin) (Entered: 06/13/2006)
06/26/2006	<u>195</u>	ORDER that the Court hereby AMENDS its previous order of January 31, 2006 and ORDERS the Department of Corrections for the State of Missouri to prepare a written protocol for the implementation of lethal injections which incorporates the provisions in the order. Signed by Judge Fernando J. Gaitan Jr. on June 26, 2006. (Jones, Robin) Modified on 6/26/2006 to reflect certified order mailed to US Court of Appeals and faxed to Potosi Correctional Center, Eastern Reception Diagnostic Center at Bonne Terre, Governor for the State of Missouri and Missouri Attorney General for the State of Missouri (Jones, Robin). (Entered: 06/26/2006)
07/07/2006	<u>196</u>	Consent MOTION for extension of time <i>to move for fees</i> filed by Matthew S. Hellman on behalf of Michael Taylor Suggestions in opposition/response due by 7/24/2006 unless otherwise directed by the court (Hellman, Matthew) (Entered: 07/07/2006)
07/07/2006	<u>197</u>	ORDER granting <u>196</u> plaintiff's motion for extension of time. Plaintiff shall file his motion for attorney's fees and costs no later than August 4, 2006. Signed by Judge Fernando J. Gaitan Jr. on 7/7/06. (Enss, Rhonda) (Entered: 07/07/2006)
07/11/2006		RECEIPT number 243317 in the amount of \$42.70 issued to DOC for Michael Taylor as payment on d/c fee. District fee balance due \$65.70. <b>Original fee ordered \$250.</b> (Russel, Jeri) (Entered: 07/11/2006)
07/14/2006	<u>198</u>	RESPONSE to order re <u>195</u> Order,, filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Related document(s) <u>195</u> ) (Pritchett, Michael) (Entered: 07/14/2006)
07/17/2006	<u>199</u>	MOTION for leave to file <i>Opposition to State's Submission of Proposed Execution Protocol</i> filed by Matthew S. Hellman on behalf of Michael Taylor Suggestions in opposition/response due by 8/1/2006 unless otherwise directed by the court (Hellman, Matthew) (Entered: 07/17/2006)
07/17/2006	<u>200</u>	ORDER granting <u>199</u> plaintiff's motion for leave to file opposition to State's proposed protocol no later than 7/24/06 at 12:00 p.m. Signed by Judge Fernando J. Gaitan Jr. on 7/17/06. (Enss, Rhonda) (Entered: 07/17/2006)
07/24/2006	<u>201</u>	NOTICE OF APPEAL by Larry Crawford, James D Purkett. Filing fee \$ 455, receipt number 243354. (Pritchett, Michael) (Entered: 07/24/2006)
07/24/2006	<u>202</u>	SUGGESTIONS in opposition re <u>199</u> MOTION for leave to file <i>Opposition to State's Submission of Proposed Execution Protocol</i> filed by Matthew S. Hellman on behalf of Plaintiff Michael Taylor. Reply suggestions due by 8/8/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit Declaration of Dr. Mark Heath# <u>2</u> Exhibit Exhibit 1 to Heath Declaration# <u>3</u> Exhibit Exhibit 2 to Heath Declaration# <u>4</u> Exhibit Exhibit 3 to Heath Declaration# <u>5</u> Exhibit Exhibit 4 to Heath Declaration# <u>6</u> Exhibit Exhibit 5 to Heath Declaration# <u>7</u> Exhibit Exhibit 6 to Heath Declaration)(Related document(s) <u>199</u> ) (Hellman, Matthew) (Entered: 07/24/2006)
07/25/2006	<u>203</u>	ORDER regarding <u>198</u> , <u>195</u> , and <u>202</u> – as this case is now before the Eighth Circuit, the Court is confident that the parties will present their positions on the revised protocol to that Court. Signed by Judge Fernando J. Gaitan Jr. on 7/25/06. (Enss,

		Rhonda) Modified on 7/25/2006 to reflect order faxed to 8th Circuit Court of Appeals (Enss, Rhonda). (Entered: 07/25/2006)
07/25/2006	<u>204</u>	TRANSMISSION of Notice of Appeal and docket sheet to US Court of Appeals re <u>201</u> Notice of Appeal (Bax, Laura) (Entered: 07/25/2006)
07/25/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Tue Jul 25 16:25:54 CDT 2006 (Bax, Laura) (Entered: 07/25/2006)
07/26/2006	<u>205</u>	Consent MOTION for extension of time <i>to move for fees</i> filed by Matthew S. Hellman on behalf of Michael Taylor Suggestions in opposition/response due by 8/10/2006 unless otherwise directed by the court (Hellman, Matthew) (Entered: 07/26/2006)
07/26/2006	<u>206</u>	ORDER granting <u>205</u> plaintiffs' motion for extension of time. Plaintiff shall file its motion for attorney's fees and costs no later than September 1, 2006. Signed by Judge Fernando J. Gaitan Jr. on 7/26/06. (Enss, Rhonda) (Entered: 07/26/2006)
07/31/2006		USCA Case Number from 8th Circuit is 06-2914 for <u>201</u> Notice of Appeal filed by James D Purkett,, Larry Crawford, <b>THIS IS A TEXT ENTRY ONLY - NO DOCUMENT IS ATTACHED.</b> (Bax, Laura) (Entered: 07/31/2006)
07/31/2006	<u>207</u>	NOTICE of appearance by C. John Pleban on behalf of Michael Taylor (Pleban, C.) (Entered: 07/31/2006)
08/08/2006		RECEIPT number 243399 in the amount of \$21.70 issued to Taylor as payment on the d/c filing fee. Bal due \$44.00. Original fee ordered \$250.00. (Bax, Laura) (Entered: 08/08/2006)
08/14/2006	<u>208</u>	USCA JUDGMENT AND MANDATE as to <u>201</u> Notice of Appeal filed by James D Purkett,, Larry Crawford,, <u>80</u> Notice of Appeal filed by Michael Taylor, with mandate issued on 08/09/06. It is ordered and adjudged that the appeals are remanded to the district court for further proceedings. (Attachments: # <u>1</u> Opinion# <u>2</u> Attachment)(Anderson, Christy) (Entered: 08/14/2006)
08/15/2006	<u>209</u>	ORDER - State shall file a reply to the plaintiff's objections to the revised protocol on or before 8/29/2006. Signed by Judge Fernando J. Gaitan Jr. on 8/15/06. (Enss, Rhonda) (Entered: 08/15/2006)
08/29/2006	<u>210</u>	NOTICE of filing by Larry Crawford, James D Purkett " <i>Defendant Correctional Officials' Reply to Plaintiff's Opposition to Defendants' Proposed Execution Protocol</i> " (Attachments: # <u>1</u> Exhibit Dershwitz Declaration)(Pritchett, Michael) (Entered: 08/29/2006)
08/30/2006	<u>211</u>	Consent MOTION for extension of time <i>to move for attorney's fees and costs</i> filed by Matthew S. Hellman on behalf of Michael Taylor Suggestions in opposition/response due by 9/14/2006 unless otherwise directed by the court (Hellman, Matthew) (Entered: 08/30/2006)
09/01/2006	<u>212</u>	ORDER granting <u>211</u> plaintiffs' motion for extension of time. Plaintiff shall file his motion for attorney's fees and costs no later than September 29, 2006. Signed by Judge Fernando J. Gaitan Jr. on 9/1/06.(Enss, Rhonda) (Entered: 09/01/2006)
09/08/2006		RECEIPT number 243487 in the amount of \$32.30 issued to Taylor as payment on the d/c filing fee. Balance due \$11.70. Original fee ordered was \$250.00. (Bax, Laura) (Entered: 09/08/2006)
09/12/2006	<u>213</u>	ORDER - The State shall submit a revised protocol to the Court for review and approval on or before 10/27/06. The State shall select a physician who is in good standing with their State's licensing board. The physician selected shall not have any disciplinary action taken against them by their State's licensing authority. The Motion to Withdraw and Motion for Appointment of Successor Counsel filed in the Eighth Circuit and remanded to this Court on 8/9/06 is granted and denied in part. Mark Thornhill, will continue representing plaintiff in his clemency proceedings and Jenner &Block, LLP will continue to represent plaintiff in his lethal injection litigation. As plaintiff has adequate counsel which are continuing to represent him, the Court finds it unnecessary to appoint replacement counsel. Accordingly, Mr. Simon's Motion to Withdraw is hereby GRANTED and the Motion to Appoint Replacement Counsel is

		hereby DENIED. Signed by Judge Fernando J. Gaitan Jr. on 9/12/06. (Enss, Rhonda) (Entered: 09/12/2006)
09/13/2006	<u>214</u>	MOTION to clarify <i>Court Order of September 12, 2006</i> filed by Lynette M. Petruska on behalf of Michael Taylor Suggestions in opposition/response due by 9/28/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3)(Petruska, Lynette) (Entered: 09/13/2006)
09/15/2006	<u>215</u>	ORDER re: <u>214</u> motion to clarify – the Court hereby clarifies its Order of September 12, 2006 and withdraws that portion of the Order relating to the withdrawal of John Simon and the denial of the appointment of C. John Pleban. Signed by Judge Fernando J. Gaitan Jr. on 9/15/06. (Enss, Rhonda) (Entered: 09/15/2006)
09/22/2006	<u>216</u>	Consent MOTION to continue <i>Attorney's Fees Proceedings Pending Final Judgment</i> filed by Matthew S. Hellman on behalf of Michael Taylor Suggestions in opposition/response due by 10/10/2006 unless otherwise directed by the court (Hellman, Matthew) (Entered: 09/22/2006)
10/06/2006	<u>217</u>	RESPONSE to order re <u>213</u> Order,,,,, filed by Michael Pritchett on behalf of Defendants Larry Crawford, James D Purkett. (Attachments: # <u>1</u> Exhibit Exhibit A)(Related document(s) <u>213</u> ) (Pritchett, Michael) (Entered: 10/06/2006)
10/06/2006		RECEIPT number 243570 in the amount of \$11.70 issued to DOC for Michael Taylor as payment on d/c fee. District fee balance due –0–.. (Russel, Jeri) (Entered: 10/10/2006)
10/12/2006	<u>218</u>	SUGGESTIONS in opposition re <u>199</u> MOTION for leave to file <i>Opposition to State's Submission of Proposed Execution Protocol Opposing State's 10/6/06 Response to Court's 9/12/06 Order</i> filed by Matthew S. Hellman on behalf of Plaintiff Michael Taylor. Reply suggestions due by 10/27/2006 unless otherwise directed by the court (Related document(s) <u>199</u> ) (Hellman, Matthew) (Entered: 10/12/2006)
10/13/2006	<u>219</u>	ORDER granting <u>216</u> motion to continue attorney's fees proceedings pending final judgment. Issue of attorney's fees and costs shall be stayed until 30 days after final judgment in this case. Signed by Judge Fernando J. Gaitan Jr. on 10/13/06. (Enss, Rhonda) (Entered: 10/13/2006)
10/16/2006	<u>220</u>	ORDER re <u>217</u> Response to order filed by defendants. The Court DENIES the State's Motion for Reconsideration (Doc. # 217) and restates is previous determination that the protocol proposed by the State of Missouri is unconstitutional because it subjects inmates to unreasonable risk of cruel and unusual punishment. Signed by Judge Fernando J. Gaitan Jr. on 10/16/06. (Enss, Rhonda) (Entered: 10/16/2006)
10/16/2006	<u>221</u>	CLERK'S JUDGMENT. (Enss, Rhonda) (Entered: 10/16/2006)
10/18/2006	<u>222</u>	NOTICE OF APPEAL as to <u>220</u> Order,, <u>213</u> Order,,,,, <u>195</u> Order,,, <u>221</u> Clerk's Judgment by Larry Crawford, James D Purkett. Filing fee \$ 455, receipt number 243615. (Hawke, Stephen) (Entered: 10/18/2006)
10/19/2006	<u>223</u>	TRANSMISSION of Notice of Appeal and docket sheet to US Court of Appeals re <u>222</u> Notice of Appeal (James, Carrie) (Entered: 10/19/2006)
10/19/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Thu Oct 19 12:00:03 CDT 2006 (James, Carrie) (Entered: 10/19/2006)
10/24/2006		USCA Case Number from 8th Circuit is 06–3651 for <u>222</u> Notice of Appeal filed by James D Purkett,, Larry Crawford, <b>THIS IS A TEXT ENTRY ONLY – NO DOCUMENT IS ATTACHED.</b> (Bax, Laura) (Entered: 10/24/2006)
06/04/2007	<u>224</u>	USCA Judgment and Opinion as to <u>222</u> Notice of Appeal <b>This is a preliminary judgment and/or opinion of U.S. Court of Appeals; jurisdiction is not recovered until the Mandate is issued by the U.S Court of Appeals.</b> (Attachments: # <u>1</u> Letter from USCA# <u>2</u> Judgment# <u>3</u> Opinion)(Bax, Laura) (Entered: 06/04/2007)
08/08/2007	<u>225</u>	ORDER of US COURT OF APPEALS (Bax, Laura) (Entered: 08/08/2007)
08/17/2007	<u>226</u>	MANDATE of US COURT OF APPEALS as to <u>222</u> Notice of Appeal filed by James D Purkett, Larry Crawford with mandate issued on 8/17/07. (Bax, Laura) (Entered: 08/20/2007)

09/13/2007	<u>227</u>	NOTICE of Cert filed by the Supreme Court (Bax, Laura) (Entered: 09/13/2007)
04/25/2008		WRIT OF CERTIORARI DENIED Supreme Court of the United States Case Number: 07-303. This is a Text Entry only. There is no document attached. (Bax, Laura) (Entered: 04/25/2008)