

APPEAL, CLOSED, PROTO

**U.S. District Court
Eastern District of Virginia (Alexandria)
CIVIL DOCKET FOR CASE #: 1:05-cv-00934-CMH-TRJ**

Walker v. Johnson et al
Assigned to: District Judge Claude M. Hilton
Referred to: Magistrate Judge Thomas Rawles Jones, Jr
Case in other court: 4th Cir., 06-00024
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/10/2005
Date Terminated: 09/11/2006
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff**Darick Demorris Walker**

represented by **Lara Ann Englund**
Wilmer Hale
1875 Pennsylvania Ave NW
Washington, DC 20006
(202) 663-6000
Fax: (202) 663-6363
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Coale Parker Anderson
Wilmer Cutler Pickering Hale & Dorr LLP
1600 Tysons Blvd
Suite 1000
McLean, VA 22102
(703) 251-9700
ATTORNEY TO BE NOTICED

David P. Donovan
Wilmer Cutler Pickering Hale & Dorr LLP
1600 Tysons Blvd
Suite 1000
McLean, VA 22102
(703) 251-9700
TERMINATED: 10/14/2005
ATTORNEY TO BE NOTICED

Defendant

Gene M. Johnson
*Director, Commonwealth of Virginia
Department of Corrections, Richmond,
Virginia*

represented by **Richard Carson Vorhis**
Office of the Attorney General
900 E Main St
Richmond, VA 23219
(804) 786-4805
Email: rvorhis@oag.state.va.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**George M. Hinkle**Warden, Greensville Correctional Center,
Jarratt, Virginiarepresented by **Richard Carson Vorhis**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****William Page True, Jr.**Warden, Sussex I State Prison, Waverly,
Virginiarepresented by **Richard Carson Vorhis**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Movant****Office of the Chief Medical Examiner**represented by **Howard Martin Casway**
Office of the Attorney General
900 E Main St
Richmond, VA 23219
(804) 786-2071
Email: hcasway@oag.state.va.us
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Movant****Nevada Department of Corrections**represented by **Daniel Wong**
Chief Solicitor General
Litigation Division
100 N Carson St
Carson City, NV 89701-4717
**NA*
(775) 684-1246
TERMINATED: 01/23/2006
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***William Eugene Thro**Office of the Attorney General
900 E Main St
Richmond, VA 23219
804-786-2436
Fax: 804-786-1991
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text

08/10/2005	1	PRISONER COMPLAINT against Gene M. Johnson, George M. Hinkle, William Page True, Jr. Filing fee \$250.00, receipt number 300 79464., filed by Darick Demorris Walker.(tdai,) (Entered: 08/10/2005)
08/10/2005		DEMAND for Trial by Jury by Darick Demorris Walker. (tdai,) (Entered: 08/10/2005)
08/10/2005		Service attempted by waiver of service. Letter placed on left side of case file by Darick Demorris Walker. (tdai,) (Entered: 08/10/2005)
08/11/2005	2	MEMORANDUM ORDER that the plaintiff, a Virginia state inmate sentenced to death filed the present action under 42 U.S.C. Section 1983 challenging the proposed method of his execution by Virginia. In the Eastern District of Virginia, all new submissions by a prisoner are assigned to the same judge who presided over the inmate's prior actions. Walker's prior actions, including challenges to his sentence of death, are assigned to the Honorable Claude M. Hilton in the Alexandria Division. Accordingly, it is ORDERED that the action is hereby transferred to the United States District Court for the Eastern District of Virginia, Alexandria Division. The Clerk is directed to transfer all of the pleadings filed in this case and a copy of the docket sheet to the USDC, EDVA, Alexandria Division. Copies mailed: yes as directed. Signed by Judge Richard L. Williams on 8/11/05. (tdai,) (Entered: 08/11/2005)
08/12/2005		Case transferred in from Richmond Division. Case Number 3:05cv561. Case assigned to Judge Claude M. Hilton and Thomas Rawles Jones, Jr.(ctat,) (Entered: 08/15/2005)
09/01/2005	3	SCHEDULING ORDER: Initial Pretrial Conference set for 9/14/2005 10:00 AM before Magistrate Judge T. Rawles Jones, Jr. Final Pretrial Conference set for 12/15/2005 10:00 AM before Honorable District Claude M. Hilton. Discovery due by 12/9/2005.. Signed by Judge Claude M. Hilton on 09/01/05. (kbar,) Modified text on 9/8/2005 (klau,). (Entered: 09/02/2005)
09/14/2005	4	ORDER, upon a telephone conference call with both counsel; ORDERED that the FRCP 16(b)pretrial conference ordered to be held on September 14, 2005 at 10:00 a.m. is hereby continued to November 2, 2005, at 10:00 a.m. and the parties shall proceed on the following schedule: Counsel for Defts Johnson, Hinkle and Trus shall complete and return the waiver of service of summons by September 19, 2005; Counsel for Defts shall have until October 13, 2005, to file a motion to dismiss, if appropriate, and shall by overnight delivery service furnish to Pltfs counsel a copy; Counsel for Pltf shall have until October 21, 2005, to file a response thereto and shall, by overnight delivery service, furnish a copy thereof to counsel for defts; Counsel for Defts shall have until October 26, 2005, to file a reply thereto and shall, by overnight delivery service, furnish a copy thereof to counsel for Pltf; This matter is hereby set to be heard upon motions on October 28, 2005 at 10:00 a.m. Signed by Judge Thomas Rawles Jones Jr. on 9/14/05. Copies mailed; yes(jwhe,) (Entered: 09/15/2005)
09/14/2005		Set Deadlines, Motion Hearing (on motion to dismiss) set for 10/28/2005 10:00 AM before District Judge Claude M. Hilton. (jwhe,) (Entered: 09/15/2005)
09/14/2005		Set/Reset Hearings: Initial Pretrial Conference set for 11/2/2005 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (jwhe,) (Entered: 09/15/2005)

09/15/2005	5	WAIVER OF SERVICE Returned Executed as to Gene M. Johnson waiver sent on 8/17/2005, answer due 10/17/2005; George M. Hinkle waiver sent on 8/17/2005, answer due 10/17/2005; William Page True, Jr waiver sent on 8/17/2005, answer due 10/17/2005. (jwhe,) (Entered: 09/19/2005)
10/12/2005	6	MOTION to Dismiss by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 10/12/2005)
10/12/2005	7	Memorandum in Support of [6] MOTION to Dismiss filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 10/12/2005)
10/13/2005	8	CONSENT MOTION for Leave for David P. Donovan to Withdraw as Counsel by Darick Demorris Walker. (jwhe,) (Entered: 10/13/2005)
10/14/2005	9	ORDER granting [8] Consent Motion for Leave for David P. Donovan to Withdraw as Counsel. Attorney David P. Donovan terminated . Signed by Judge Claude M. Hilton on 10/14/05. Copies mailed; 10/17/05 (jwhe,) (Entered: 10/17/2005)
10/24/2005	10	MOTION for Leave to File Memorandum of Points and Authorities in Opposition to Defendant's Motion to Dismiss One Day Out of Time by Darick Demorris Walker. (jwhe,) (Entered: 10/24/2005)
10/24/2005	11	DECLARATION of Eric R. Columbus in Support of [10] MOTION for Leave to File Memorandum of Points and Authorities in Opposition to Defendant's Motion to Dismiss One Day Out of Time . (jwhe,) (Entered: 10/24/2005)
10/26/2005	12	REPLY to Response to Motion re [6] MOTION to Dismiss filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 10/27/2005)
10/26/2005	13	ORDER for Pro hac vice of Hannah Anne Stires Ard Filing fee \$ 50, receipt number 100 283763. Signed by Judge Claude M. Hilton on 10/26/05. Copies mailed; 10/28/05(jwhe,) (Entered: 10/28/2005)
10/28/2005	14	ORDER denying [6] Motion to Dismiss . Signed by Judge Claude M. Hilton on 10/28/05. (nhall,) (Entered: 11/01/2005)
11/01/2005	15	DISCOVERY PLAN pursuant to Rule 26(f) by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/01/2005)
11/02/2005		Minute Entry for proceedings held before Judge Thomas Rawles Jones Jr.: Scheduling Conference held on 11/2/2005. Scheduling Conference set via phone for 11/9/2005 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. Appearance of counsel via phone. Matter discussed and continued for further action. (dtro,) (Entered: 11/02/2005)
11/09/2005	16	MOTION for Reconsideration of [14] Order dated 10/28/05 by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/09/2005)
11/09/2005	17	Order Rule 16(b) Scheduling Order - Pursuant to the Rule 16(b) Conference it is ordered that copies of all non-dispositive motions and all papers relating to such motions shall be delivered directly to the chambers of the undersigned magistrate judge when the originals are filed with the clerk (see order for details). Signed by Judge Thomas Rawles Jones Jr. on 11/9/05. Copies mailed; yes(jwhe,) (Entered: 11/09/2005)

		11/10/2005)
11/14/2005	18	ANSWER to Complaint by Gene M. Johnson, George M. Hinkle, William Page True, Jr.(nhall,) (Entered: 11/14/2005)
11/15/2005	19	JOINT MOTION to Alter Mandatory Discovery Disclosures by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/16/2005)
11/15/2005	20	Memorandum in Support of [16] MOTION for Reconsideration of [14] Order filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/16/2005)
11/16/2005	21	JOINT MOTION for Briefing Schedule on Defendants' Motion for Reconsideration by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/17/2005)
11/17/2005	22	CONSENT ORDER granting [19] Joint Motion to Alter Mandatory Discovery Disclosures and mandatory disclosures under FRCP 26(a)(2) will be governed according to the following schedule: January 3, 2006 - Submission of Rule 26(a)(2) Expert Disclosures by both parties, January 13, 2006 - Submission of Rule 26(a)(2) Rebuttal Expert Disclosures by both parties. Signed by Judge Thomas Rawles Jones Jr. on 11/17/05. Copies mailed; yes (jwhe,) (Entered: 11/17/2005)
11/17/2005	23	CONSENT ORDER granting [21] Joint Motion for Briefing Schedule on Defendants' Motion for Reconsideration and briefing will be governed according to the following schedule: November 23, 2005 - Plaintiff's Opposition to Defendants' Motion for Reconsideration, November 30, 2005 - Defendants' Reply in Support of Defendants' Motion for Reconsideration. Signed by Judge Claude M. Hilton on 11/17/05. Copies mailed; 11/17/05 (jwhe,) (Entered: 11/17/2005)
11/22/2005	24	MOTION for Certification as an Interlocutory Appeal by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/23/2005)
11/22/2005	25	MOTION to Stay Pending Appeal by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/23/2005)
11/22/2005	26	Memorandum in Support of [25] MOTION to Stay Pending Appeal, [24] MOTION for Certification as an Interlocutory Appeal filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/23/2005)
11/23/2005	27	Memorandum in Opposition to [16] MOTION for Reconsideration re [14] Order on Motion to Dismiss filed by Darick Demorris Walker. (agil) (Entered: 11/25/2005)
11/23/2005	28	MOTION for Protective Order pursuant to FRCP 26(C) by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/28/2005)
11/23/2005	29	MOTION to file document Under Seal pursuant to Local R.5 by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/28/2005)
11/23/2005	30	Memorandum in Support of [28] MOTION for Protective Order pursuant to FRCP 26(C), [29] MOTION to file document Under Seal pursuant to Local R.5

		filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 11/28/2005)
11/23/2005	31	NOTICE of Hearing on [28] MOTION for Protective Order pursuant to FRCP 26(C), [29] MOTION to file document Under Seal pursuant to Local R.5 (jwhe,) (Entered: 11/28/2005)
11/29/2005	32	NOTICE of Hearing on Motion [25] MOTION to Stay Pending Appeal, [24] MOTION for Certification as an Interlocutory Appeal: Motion Hearing set for 12/9/2005 10:00 AM before Honorable District Judge Claude M. Hilton (clar,) (Entered: 11/30/2005)
11/30/2005	33	Reply to [27] Opposition to Defendants' Motion to Reconsider filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (klau,) (Entered: 11/30/2005)
12/02/2005	34	Memorandum of points and authorities in Opposition to [25] MOTION to Stay Pending Appeal, [24] MOTION for Certification as an Interlocutory Appeal filed by Darick Demorris Walker. (clar,) (Entered: 12/05/2005)
12/02/2005	35	MOTION to Compel production of documents by Darick Demorris Walker. (clar,) (Entered: 12/05/2005)
12/02/2005	36	Memorandum in Support of [35] MOTION to Compel production of documents filed by Darick Demorris Walker. (clar,) (Entered: 12/05/2005)
12/02/2005	37	NOTICE of Hearing on Motion [35] MOTION to Compel production of documents: Motion Hearing set for 12/9/2005 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr.. (clar,) (Entered: 12/05/2005)
12/02/2005		MOTIONS [35] MOTION to Compel production of documents REFERRED to Judge Jones. (clar,) (Entered: 12/05/2005)
12/05/2005	38	Memorandum in Opposition to [28] MOTION for Protective Order pursuant to FRCP 26(C), [29] MOTION to file document Under Seal pursuant to Local R.5 filed by Darick Demorris Walker. (clar,) (Entered: 12/06/2005)
12/07/2005	39	Reply to [24] MOTION for Certification as an Interlocutory Appeal filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 12/07/2005)
12/08/2005	40	ORDER granting appearance Pro hac vice of Eric Randal Columbus Filing fee \$ 50, receipt number 100 184618. Signed by Judge Claude M. Hilton on 12/8/05. (nhall,) (Entered: 12/12/2005)
12/09/2005		Minute Entry for proceedings held before Judge Thomas Rawles Jones Jr.: Motion Hearing held on 12/9/2005 re [29] MOTION to file document Under Seal pursuant to Local R.5 filed by George M. Hinkle., Gene M. Johnson., William Page True, Jr.. (Tape #FTR.) Appearance of counsel. Matter called, argued, and motion - granted. Order to be entered (dtro,) (Entered: 12/14/2005)
12/09/2005	41	ORDERED, for reasons stated from the bench, the court has found that the documents referred to as DOP 426 contains confidential and sensitive information which should not be made public; and that there are no available alternatives less drastic than sending the document. It is accordingly, ORDERED that all copies and versions of DOP426 shall maintained UNDER SEAL until further order of the

		court. . Signed by Judge Thomas Rawles Jones Jr. on 12/09/2005. (dtro,) (Entered: 12/14/2005)
12/09/2005		Minute Entry for proceedings held before Judge Claude M. Hilton: Motion Hearing held on 12/9/2005 re [16] Dfts' MOTION for Reconsideration of [14] Order dated 10/28/05 - Argued and taken under advisement. [24] Dft's MOTION for Certification as an Interlocutory Appeal - Denied. [25] Dfts' MOTION to Stay Pending Appeal - Moot. Order to follow. (Court Reporter: Linnell) (tarm,) (Entered: 12/14/2005)
12/09/2005	44	PROTECTIVE ORDER re: handling and labeling of confidential materials (see order for details). Signed by Judge Thomas Rawles Jones Jr. on 12/9/05. Copies mailed; 12/15/05(jwhe,) (Entered: 12/15/2005)
12/14/2005	42	SECOND JOINT MOTION to alter mandatory discovery disclosures by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 12/14/2005)
12/14/2005	43	DISCOVERY ORDER granting in part [35] Motion to Compel production of documents (see order for details). Signed by Judge Thomas Rawles Jones Jr. on 12/14/05. Copies mailed; yes (jwhe,) (Entered: 12/15/2005)
12/16/2005	45	ORDER granting [42] Second Joint MOTION to alter mandatory discovery disclosures: January 3, 2006 - Submission of Rule 26(a)(2) Expert Disclosures by both parties, January 3, 2006 - Submission of Rule 26(a)(2) Rebuttal Expert Disclosures by both parties, January 24, 2006 - Completion of expert depositions. Signed by Judge Thomas Rawles Jones Jr. on 12/16/05. Copies mailed; yes (jwhe,) (Entered: 12/16/2005)
12/20/2005	46	ORDERED that Defendants' [16] Motion for Reconsideration is granted in part, that Plaintiff's 1983 claim challenging the types of drugs used during the lethal injection and the way in which those drugs are administered states a claim, and denied in part, that all of the other claims by Plaintiff fail to state a claim under 1983 and are DISMISSED, Furthermore, Defendants' [24] Motion for Certification as an Interlocutory Appeal and [25] Motion to Stay the Proceedings are DENIED . Signed by Judge Claude M. Hilton on 12/20/05. Copies mailed; 12/22/05 (jwhe,) (Entered: 12/22/2005)
12/28/2005	47	Emergency MOTION for supplementary relief pursuant to Fed. R. Civ.P. 34 and Local Civil Rule 37(D) for failure to comply with court order by Darick Demorris Walker (clar,) (Entered: 12/28/2005)
12/28/2005	48	Memorandum in Support of [47] Emergency MOTION for supplementary relief pursuant to Fed. R. Civ.P. 34 and Local Civil Rule 37(D) for failure to comply with court order filed by Darick Demorris Walker (clar,) (Entered: 12/28/2005)
12/28/2005	49	NOTICE of Hearing on Motion [47] Emergency MOTION for supplementary relief pursuant to Fed. R. Civ.P. 34 and Local Civil Rule 37(D) for failure to comply with court order: Motion Hearing set for 12/30/2005 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (clar,) (Entered: 12/28/2005)
12/28/2005		MOTIONS [47] Emergency MOTION for supplementary relief pursuant to Fed. R. Civ.P. 34 and Local Civil Rule 37(D) for failure to comply with court order REFERRED to Judge Jones. (clar,) (Entered: 12/28/2005)

12/29/2005		Per TRJ chambers motions set for 12/30/05 are off (clar,) (Entered: 12/29/2005)
12/30/2005	50	MOTION to Compel production of documents by Darick Demorris Walker (clar,) (Entered: 01/03/2006)
12/30/2005	51	Memorandum in Support of[50] MOTION to Compel production of documents filed by Darick Demorris Walker (clar,) (Entered: 01/03/2006)
12/30/2005	52	NOTICE of Hearing on Motion [50] MOTION to Compel production of documents: Motion Hearing set for 1/6/2006 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (clar,) (Entered: 01/03/2006)
12/30/2005		MOTIONS [50] MOTION to Compel production of documents REFERRED to Judge Jones (clar,) (Entered: 01/03/2006)
12/30/2005	53	Supplementary memorandum in support of pltf's emergency motion for supplementary relief pursuant to Fed. R. Civ. P. 37 and Local Civil Rule 37(D) for failure to comply with court order (styed as) (docketed as Withdraw of Motion) by Darick Demorris Walker (clar,) (Entered: 01/03/2006)
01/06/2006		Minute Entry for proceedings held before Judge Thomas Rawles Jones Jr.: Motion Hearing held on 1/6/2006 re [50] MOTION to Compel filed by Darick Demorris Walker,. (Tape #FTR.) Appearance of counsel. Matter called, argued and pltf's. motion to comple treated as a motion for leave to take further discovery - granted. Order to be entered. (dtro,) (Entered: 01/06/2006)
01/06/2006	54	ORDERED, that the pltf's motion, treated as a motion for leave to propound an interrogatory,is granted to the extent stated from the bench. Signed by Judge Thomas Rawles Jones Jr. on 01/06/2006. (dtro,) (Entered: 01/06/2006)
01/06/2006	55	MOTION to Quash by Office of the Chief Medical Examiner. (jwhe,) (Entered: 01/09/2006)
01/06/2006	56	MOTION in Opposition to [50] MOTION to Compel filed by Office of the Chief Medical Examiner. (jwhe,) (Entered: 01/09/2006)
01/17/2006	57	MOTION for Protective Order by Nevada Department of Corrections. (jwhe,) (Entered: 01/18/2006)
01/17/2006		MOTIONS [57] MOTION for Protective Order REFERRED to Judge Jones. (jwhe,) (Entered: 01/20/2006)
01/20/2006	58	RESPONSE to [57] MOTION for Protective Order filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 01/20/2006)
01/20/2006	59	MOTION to Compel the Virginia Department of Corrections to comply with its obligations under Rule 30(b)(6) by Darick Demorris Walker. (jwhe,) (Entered: 01/23/2006)
01/20/2006	60	MOTION to Compel the deposition of the Execution Team Leader by Darick Demorris Walker. (jwhe,) (Entered: 01/23/2006)
01/20/2006		MOTIONS [59] MOTION to Compel the Virginia Department of Corrections to comply with its obligations under Rule 30(b)(6), [60] MOTION to Compel the deposition of the Execution Team Leader REFERRED to Judge Jones. (jwhe,) (Entered: 01/23/2006)

01/20/2006	61	Memorandum in Support of [59] MOTION to Compel the Virginia Department of Corrections to comply with its obligations under Rule 30(b)(6), [60] MOTION to Compel the deposition of the Execution Team Leader filed by Darick Demorris Walker. (LARGE PLEADING) (jwhe,) (Entered: 01/23/2006)
01/20/2006	62	NOTICE of Hearing on Motion [60] MOTION to Compel the deposition of the Execution Team Leader, [59] MOTION to Compel the Virginia Department of Corrections to comply with its obligations under Rule 30(b)(6): Motion Hearing set for 1/27/2006 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (jwhe,) (Entered: 01/23/2006)
01/23/2006	63	NOTICE of Appearance by William Eugene Thro on behalf of Nevada Department of Corrections (nmck,) (Entered: 01/23/2006)
01/23/2006	64	ORDER for Pro hac vice of Daniel Wong Filing fee \$ 50, receipt number 100 185481. Signed by Judge Thomas Rawles Jones Jr. on 1/23/06. Copies mailed; 1/24/06(jwhe,) (Entered: 01/24/2006)
01/23/2006	65	ORDER granting [57] Motion for Protective Order . Signed by Judge Thomas Rawles Jones Jr. on 1/23/06. Copies mailed; yes (jwhe,) (Entered: 01/24/2006)
01/23/2006	66	TRANSCRIPT of Proceedings held on 12/9/05 before Judge Jones. Court Reporter: Norman B. Linnell. (nhall) (Entered: 01/24/2006)
01/25/2006	67	MOTION to Quash by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 01/26/2006)
01/25/2006	68	Brief in Support of [67] MOTION to Quash filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 01/26/2006)
01/25/2006	69	NOTICE of Hearing on Motion [67] MOTION to Quash: Motion Hearing set for 1/27/2006 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (clar,) (Entered: 01/26/2006)
01/25/2006		MOTIONS [67] MOTION to Quash REFERRED to Judge Jones. (clar,) (Entered: 01/26/2006)
01/25/2006	71	MOTION for clarification of order dated 12/20/05 by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 01/30/2006)
01/25/2006	72	NOTICE of Hearing on Motion [71] MOTION for clarification of order dated 12/20/05: Motion Hearing set for 2/3/2006 10:00 AM before District Judge Claude M. Hilton (clar,) (Entered: 01/30/2006)
01/26/2006	70	Memorandum in Opposition to [67] MOTION to Quash filed by Darick Demorris Walker (clar,) (Entered: 01/26/2006)
01/27/2006		Minute Entry for proceedings held before Judge Thomas Rawles Jones Jr.: Motion Hearing held on 1/27/2006 re [59] MOTION to Compel filed by Darick Demorris Walker,, [60] MOTION to Compel filed by Darick Demorris Walker,, [67] MOTION to Quash filed by George M. Hinkle,, Gene M. Johnson,, William Page True, Jr.. (Tape #FTR.) Appearance of Counsel. Matter called, argued and motion to Quash treated as an opposition to pltf's motion - denied. Motion to compel-argued and granted. (dtro,) (Entered: 02/01/2006)

01/27/2006	73	ORDERED, for reasons stated from the bench, granting [59] Motion to Compel, granting [60] Motion to Compel, denying [67] Motion to Quash which is treated as an opposition to pltf's. motion. Signed by Judge Thomas Rawles Jones Jr. on 1/27/2006. (dtro,) (Entered: 02/01/2006)
01/27/2006	74	STIPULATION AND DISCOVERY ORDER; ther is good cause for the parties to extend the current expert discovery deadline, February 24, 2006, for the sole purpose of deposing one of Plaintiffs' experts who is out of the country until after the deadling, it is hereby ORDERED that: the defendants may take the deposition of Ms. Deborah Denno no later than the week o March 6, 2006 . Signed by Judge Thomas Rawles Jones Jr. on 1/27/06. Copies mailed; yes(jwhe,) (Entered: 02/01/2006)
02/01/2006	75	RESPONSE by Darick Demorris Walker to [71] MOTION by Gene M. Johnson, George M. Hinkle, William Page True, Jr. for clarification of order dated 12/20/05. (stas) (Entered: 02/01/2006)
02/02/2006		Per CMH chambers motions set 2/3/06 on papers (clar,) (Entered: 02/02/2006)
02/08/2006	76	ORDER denying [71] Motion for clarification of order dated 12/20/05 . Signed by Judge Claude M. Hilton on 2/8/06. Copies mailed; 2/10/06 (jwhe,) Additional attachment(s) added on 4/11/2006 (klau,). (Entered: 02/10/2006)
02/15/2006	77	CONSENT ORDER that the Joint Motion is GRANTED and that fact discovery shall close on February 24, 2006. Discovery is extended for the limited purpose of deposing an additional witness . Signed by Judge Thomas Rawles Jones Jr. on 2/15/06. Copies mailed; 2/17/06(jwhe,) (Entered: 02/17/2006)
02/15/2006		Reset Deadlines: Discovery due by 2/24/2006. (jwhe,) (Entered: 02/17/2006)
02/17/2006	78	MOTION to modify the protective and oral orders governing DOP 426 by Darick Demorris Walker. (clar,) (Entered: 02/21/2006)
02/17/2006	79	NOTICE of Hearing on Motion [78] MOTION to modify the protective and oral orders governing DOP 426: Motion Hearing set for 2/24/2006 10:00 AM before Magistrate Judge Thomas Rawles Jones Jr. (clar,) (Entered: 02/21/2006)
02/22/2006	80	Response to [78] MOTION to modify the protective and oral orders governing DOP 426 filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 02/22/2006)
02/23/2006		Per TRJ chambers motions set for 2/24/06 on papers(clar,) (Entered: 02/23/2006)
02/24/2006	81	Reply Memorandum by Darick Demorris Walker in Support of [78] MOTION by Darick Demorris Walker to modify the protective and oral orders governing DOP 426. (stas) (Entered: 02/24/2006)
02/28/2006	82	ORDER that the [78] Motion to modify the protective and oral orders governing DOP 426 is GRANTED IN PART and the protective order is modified to the extent that plaintiff may discuss the eight questions and answers outlined in plaintiff's reply memorandum without (1) providing any information that identifies Virginia DOC personnel, (2) discussing DOC security related procedures, or (3) attaching any portion of DOP 426 to his amicus brief or quoting therefrom. It is further ORDERED that plaintiff shall provide defendants with a draft of that

		portion of the amicus brief at least four days prior to filing with the United States Supreme Court so that defendants have an opportunity to object in this court to any material that they contend contravenes this court's orders. Signed by Magistrate Judge Thomas Rawles Jones Jr. on 2/28/06. Copies Mailed: yes (klau,) (Entered: 03/01/2006)
03/08/2006	83	JOINT MOTION Extending Expert Discovery by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 03/09/2006)
03/09/2006	84	ORDER granting [83] Joint Motion Extending Expert Discovery, and all expert discovery shall be completed by March 31, 2006. This actions is hereby docketed for a final pretrial conference before Judge Hilton on Thursday, April 20, 2006 at 10:00 a.m . Signed by Judge Thomas Rawles Jones Jr. on 3/9/06. Copies mailed; yes (jwhe,) (Entered: 03/10/2006)
03/09/2006		Set Deadlines/Hearings: Final Pretrial Conference set for 4/20/2006 10:00 AM before District Judge Claude M. Hilton. (jwhe,) (Entered: 03/10/2006)
03/20/2006	85	JOINT MOTION for Briefing Schedule by Darick Demorris Walker, Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 03/21/2006)
03/20/2006	86	ORDER granting [85] Joint Motion for Briefing Schedule; and the submission of Cross Motions for Summary Judgment, Opposition Briefs and Reply Briefs will be governed according to the following schedule: April 12, 2006 Opening Briefs, April 26, 2006 Opposition Briefs, May 2, 2006 Reply Briefs. The parties shall file notices setting the motions for hearing at the time the motions are filed. Signed by Judge Thomas Rawles Jones Jr. on 3/20/06. Copies mailed; yes (jwhe,) (Entered: 03/21/2006)
04/12/2006	87	MOTION for Summary Judgment by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (jwhe,) (Entered: 04/13/2006)
04/12/2006	88	Memorandum in Support of [87] MOTION for Summary Judgment filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (Large Pleading) (jwhe,) (Entered: 04/13/2006)
04/12/2006	89	NOTICE of Hearing on [87] MOTION for Summary Judgment: Motion Hearing set for 5/5/2006 10:00 AM before District Judge Claude M. Hilton. (jwhe,) (Entered: 04/13/2006)
04/12/2006	90	MOTION for Summary Judgment by Darick Demorris Walker. (jwhe,) (Entered: 04/13/2006)
04/12/2006	91	Memorandum in Support of [90] MOTION for Summary Judgment filed by Darick Demorris Walker. (jwhe,) (Entered: 04/13/2006)
04/12/2006	92	NOTICE of Hearing on [90] MOTION for Summary Judgment: Motion Hearing set for 5/5/2006 10:00 AM before District Judge Claude M. Hilton. (jwhe,) (Entered: 04/13/2006)
04/12/2006	93	MOTION for Leave to File Documents Under Seal by Darick Demorris Walker. (jwhe,) (Entered: 04/13/2006)

04/12/2006	94	Memorandum in Support of [93] MOTION for Leave to File Documents Under Seal filed by Darick Demorris Walker. (jwhe,) (Entered: 04/13/2006)
04/12/2006	95	NOTICE of Hearing on [93] MOTION for Leave to File Documents Under Seal: Motion Hearing set for 5/5/2006 10:00 AM before District Judge Claude M. Hilton. (jwhe,) (Entered: 04/13/2006)
04/12/2006		Exhibits to Plaintiff's Motion for Summary Judgment (Exhibits 1 & 12 only filed under seal pending decision of the Court). (jwhe,) (Entered: 04/13/2006)
04/14/2006	96	AFFIDAVIT of Mark Dershwitz, M.D., Ph.D. (jwhe,) (Entered: 04/18/2006)
04/20/2006	97	Rule 26(a)(3) Disclosures (Exhibits and Witness Lists) by Darick Demorris Walker. (jwhe,) (Entered: 04/20/2006)
04/20/2006	98	ORDER for Pro hac vice of Willie Levi Crossley, Jr. Filing fee \$ 50, receipt number 100 187294. Signed by Judge Claude M. Hilton on 4/20/06. Copies mailed; yes(jwhe,) (Entered: 04/20/2006)
04/20/2006	99	ORDER for Pro hac vice of Sanket Jayshukh Bulsara Filing fee \$ 50, receipt number 100 187294. Signed by Judge Claude M. Hilton on 4/20/06. Copies mailed; yes (jwhe,) (Entered: 04/20/2006)
04/20/2006		Minute Entry for proceedings held before Judge Claude M. Hilton : Final Pretrial Conference held on 4/20/2006. Appearance of counsel. Counsel indicated case to be set w/out a jury. Bench Trial set for 6/12/2006 10:00 AM before District Judge Claude M. Hilton. (tarm,) (Entered: 04/20/2006)
04/20/2006	100	ORDER for Pro hac vice of Bradford Berry Filing fee \$ 50, receipt number 100 187501. (Signed by Judge Claude M. Hilton on 4/20/06)(tarm,) (Entered: 04/20/2006)
04/26/2006	101	Response to defts' motion for leave to file an oversize brief filed by Darick Demorris Walker. (clar,) (Entered: 05/01/2006)
04/26/2006	102	Memorandum in Opposition to [87] MOTION for Summary Judgment filed by Darick Demorris Walker tog. w/Exhibits (exhibits:large pleading) (clar,) (Entered: 05/01/2006)
04/26/2006	103	Response to [90] MOTION for Summary Judgment filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. tog. w/Exhibits (exhibits filed in a black binder) (clar,) (Entered: 05/01/2006)
05/01/2006	104	Objection to plaintiff's exhibits and designation of deposition testimony filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (kbar) (Entered: 05/01/2006)
05/01/2006	105	Objections to and MOTION to Strike pltf's affidavits by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 05/02/2006)
05/01/2006	106	Memorandum in Support of [105] Objections to and MOTION to Strike pltf's affidavits filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. (clar,) (Entered: 05/02/2006)
05/01/2006	107	NOTICE of Hearing on Motion [105] Objections to and MOTION to Strike pltf's affidavits: Motion Hearing set for 5/5/2006 10:00 AM before District Judge

		Claude M. Hilton. (atty to re-notice filed untimely)(clar,) (Entered: 05/02/2006)
05/02/2006	108	Reply in Support of [90] MOTION for Summary Judgment filed by Darick Demorris Walker tog. w/Exhibits (exhibits - large pleading) (clar,) (Entered: 05/03/2006)
05/02/2006	109	REPLY to Response to Motion re [87] MOTION for Summary Judgment filed by Gene M. Johnson, George M. Hinkle, William Page True, Jr. filed tog. w/Exhibits filed in one black binder (clar,) (Entered: 05/03/2006)
05/02/2006		Exhibits by Gene M. Johnson, George M. Hinkle, William Page True, Jr. filed in a white binder should go to the memorandum in support of motion for summary judgment mailed on 4/11/06 (clar,) (Entered: 05/03/2006)
05/04/2006	110	Pltf's Objections to Dft's Rule 26(a)(3) Disclosures filed by Darick Demorris Walker. (agil) (Entered: 05/08/2006)
05/05/2006	111	NOTICE of Hearing on Motion [105] Objections to and MOTION to Strike pltf's affidavits: Motion Hearing set for 5/12/2006 10:00 AM before District Judge Claude M. Hilton. (clar,) (Entered: 05/08/2006)
05/05/2006		Minute Entry for proceedings held before Judge Claude M. Hilton : Motion Hearing held on 5/5/2006. Appearance of counsel. Matter on for [87] MOTION for Summary Judgment filed by George M. Hinkle, Gene M. Johnson, William Page True, Jr., [90] MOTION for Summary Judgment filed by Darick Demorris Walker - Motions argued and taken under advisement. Order to follow. (Court Reporter Linnell.) (tarm,) (Entered: 05/09/2006)
05/10/2006	112	Opposition to [105] MOTION to Strike pltf's affidavits filed by Darick Demorris Walker. (clar,) (Entered: 05/11/2006)
05/11/2006		Per CMH chambers motions set for 5/12/06 on papers (clar,) (Entered: 05/11/2006)
05/22/2006	113	ORDER that this matter be STRICKEN from the Court's Trial Docket. Signed by Judge Claude M. Hilton on 5/22/06. (agil) (Entered: 05/23/2006)
09/11/2006	114	MEMORANDUM OPINION re: Motions for Summary Judgment. Signed by Judge Claude M. Hilton on 9/11/06. (agil) (Entered: 09/12/2006)
09/11/2006	115	ORDER, for the reasons stated in the accompanying Memorandum Opinion, that: Dft's [87] Motion for Summary Judgment is GRANTED, Pltf's [90] Motion for Summary Judgment is DENIED, and this case is DISMISSED. Signed by Judge Claude M. Hilton on 9/11/06. c/s: 9/12/06 (agil) (Entered: 09/12/2006)
10/11/2006	116	NOTICE OF APPEAL as to [115] Order on Motion for Summary Judgment, dated 9/11/06 by Darick Demorris Walker. Filing fee \$ 455, receipt number 100 190831. Copy sent to USCA. Copies sent to counsel. (nmck,) (Entered: 10/11/2006)
10/18/2006		USCA Case Number 06-24 4th Cir. case manager Beth Walton for [116] Notice of Appeal filed by Darick Demorris Walker,. (nmck,) (Entered: 10/19/2006)
10/30/2006	117	Certificate of Completion re [116] Notice of Appeal: (nmck,) (Entered: 10/30/2006)

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