

**U.S. District Court
District of South Dakota (Western Division)
CIVIL DOCKET FOR CASE #: 5:13-cv-05020-JLV**

Oglala Sioux Tribe et al v. Van Hunnik et al
Assigned to: Chief Judge Jeffrey L. Viken
Case in other court: 8th Circuit, 17-01135
8th Circuit, 17-01136
8th Circuit, 17-01137
Cause: 42:1983 Civil Rights Act - Civil Action for
Deprivation of Rights

Date Filed: 03/21/2013
Date Terminated: 01/16/2020
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Oglala Sioux Tribe
*as parens patriae, to protect the
rights of their tribal members*

represented by **Dana Hanna**
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TERMINATED: 01/27/2014

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TERMINATED: 04/26/2016
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TERMINATED: 07/29/2013

Plaintiff

Rosebud Sioux Tribe
*as parens patriae, to protect the
rights of their tribal members*

represented by **Dana Hanna**
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Stephen L. Pevar
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Andrew J. Knecht
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TERMINATED: 01/27/2014

Rachel E. Goodman
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TERMINATED: 04/26/2016
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Robert J. Doody
(See above for address)
TERMINATED: 07/29/2013

Plaintiff

Rochelle Walking Eagle
individually and on behalf of all

represented by **Dana Hanna**
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LEAD ATTORNEY

other persons similarly situated
TERMINATED: 07/11/2014

ATTORNEY TO BE NOTICED

Stephen L. Pevar
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Andrew J. Knecht
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TERMINATED: 01/27/2014

Rachel E. Goodman
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TERMINATED: 04/26/2016
PRO HAC VICE

Robert J. Doody
(See above for address)
TERMINATED: 07/29/2013

Plaintiff

Madonna Pappan
individually and on behalf of all
other persons similarly situated

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Rachel E. Goodman
(See above for address)
TERMINATED: 04/26/2016
PRO HAC VICE

Robert J. Doody
(See above for address)
TERMINATED: 07/29/2013

Plaintiff

Lisa Young
*individually and on behalf of all
other persons similarly situated*

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TERMINATED: 04/26/2016
PRO HAC VICE

Robert J. Doody
(See above for address)
TERMINATED: 07/29/2013

V.

Defendant

Lisa Fleming
in their official capacities

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Defendant

Mark Vargo
in their official capacities

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TERMINATED: 12/09/2016

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Defendant

Honorable Craig Pfeifle
in their official capacities

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TERMINATED: 06/03/2016

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TERMINATED: 05/16/2016

Robert L. Morris

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TERMINATED: 05/24/2016

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TERMINATED: 03/29/2016

Defendant

Lynne A. Valenti
in their official capacities
TERMINATED: 02/06/2019

represented by **Robert L. Morris**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

M. Gregory DeSautel
in his official capacity

represented by **Robert L. Morris**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Luann Van Hunnik
in their official capacities
TERMINATED: 03/07/2016

represented by **Robert L. Morris**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Hon. Jeff Davis
in their official capacities
TERMINATED: 03/07/2016

represented by **Ann F. Mines-Bailey**
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TERMINATED: 03/29/2016
LEAD ATTORNEY

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TERMINATED: 03/29/2016

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TERMINATED: 02/26/2015

Terence R. Quinn
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TERMINATED: 03/29/2016

Defendant

Kim Malsam-Rysdon
in their official capacities
TERMINATED: 02/28/2014

represented by **Robert L. Morris**
(See above for address)
LEAD ATTORNEY

Interested Party

Judge Eklund
TERMINATED: 12/15/2016

represented by **Robert B. Anderson**
(See above for address)
TERMINATED: 05/16/2016

Interested Party

Judge Trimble
TERMINATED: 12/15/2016

represented by **Robert B. Anderson**
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TERMINATED: 05/16/2016

Interested Party

Judge Thorstensen
TERMINATED: 12/15/2016

represented by **Robert B. Anderson**
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TERMINATED: 05/16/2016

Interested Party

Judge Pfliefler
TERMINATED: 12/15/2016

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Robert B. Anderson
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TERMINATED: 05/16/2016

Interested Party

Judge Mandel
TERMINATED: 12/15/2016

represented by **Robert B. Anderson**
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TERMINATED: 05/16/2016

Interested Party

Nathan R. Oviatt
TERMINATED: 12/15/2016

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Interested Party

Jacob Quasney
TERMINATED: 12/15/2016

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Amicus

United States

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TERMINATED: 04/04/2017

Date Filed	#	Docket Text
03/21/2013	<u>1</u>	COMPLAINT, filed by Oglala Sioux Tribe, Rochelle Walking Eagle, Madonna Pappan, Lisa Young, Rosebud Sioux Tribe. (Attachments: # <u>1</u> Exhibit 1 - Transcript of Temporary Custody Hearing, # <u>2</u> Exhibit 2 - Custody Order, # <u>3</u> Exhibit 3 - Indian Child Welfare Act (ICWA) Blank Affidavit, # <u>4</u> Exhibit 4 - Blank Temporary Custody Order, # <u>5</u> Exhibit 5 - Transcript of Temporary Custody Hearing, # <u>6</u> Exhibit 6 - July 3, 2012 letter from Judge Thorstenson, # <u>7</u> Exhibit 7 - Temporary Custody Order) (SLT) (Attachment 1 replaced on 4/12/2013) (SKK). (Attachment 2 replaced on 4/12/2013) (SKK). (Attachment 5 replaced on 4/12/2013) (SKK). (Attachment 7 replaced on 4/12/2013) (SKK). (Entered: 03/21/2013)
03/21/2013	<u>2</u>	CIVIL COVER SHEET. (SLT) (Entered: 03/21/2013)
03/21/2013	<u>3</u>	Civil Filing fee received: Fee Amount: \$350.00, Receipt No.: #SDX500003005. (SLT) (Entered: 03/21/2013)
03/21/2013	<u>4</u>	Summons Issued as to Jeff Davis, Kim Malsam-Rysdon, Luann Van Hunnik, Mark Vargo. 2 true and correct copies of each summons hand delivered to counsel. (SLT) (Entered: 03/21/2013)
03/21/2013	<u>5</u>	MOTION to Seal Document by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young.

		(Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 5, # 4 Exhibit 7)(SLT) (Entered: 03/21/2013)
04/09/2013	6	MOTION to Expedite <i>Discovery</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Entered: 04/09/2013)
04/11/2013	7	ORDER requiring response. Signed by Chief Judge Jeffrey L. Viken on 4/11/13. (SB) (Entered: 04/11/2013)
04/11/2013	8	ORDER granting 5 Motion to Seal Document. Signed by Chief Judge Jeffrey L. Viken on 4/11/13. (SB) (Entered: 04/11/2013)
04/12/2013	9	MOTION for Attorney Rachel E. Goodman to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-1598262)by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) Modified docket text to add payment information on 4/12/2013 (SST). (Entered: 04/12/2013)
04/15/2013	10	ORDER granting 9 Motion for Admission Pro Hac Vice of Rachel E. Goodman. Signed by Chief Judge Jeffrey L. Viken on 4/15/13. (SB) (Entered: 04/15/2013)
04/15/2013	11	NOTICE of Appearance by Ann F. Mines on behalf of Jeff Davis (Mines, Ann) (Entered: 04/15/2013)
04/15/2013	12	NOTICE of Appearance by Roxanne Giedd on behalf of Jeff Davis (Giedd, Roxanne) (Entered: 04/15/2013)
04/15/2013	13	NOTICE of Appearance by Nathan R. Oviatt on behalf of Jeff Davis (Oviatt, Nathan) (Entered: 04/15/2013)
04/16/2013	14	NOTICE of Appearance by Robert L. Morris on behalf of Kim Malsam-Rysdon, Luann Van Hunnik (Morris, Robert) (Entered: 04/16/2013)
04/18/2013	15	NOTICE of Appearance by J. Crisman Palmer on behalf of Mark Vargo (Palmer, J.) (Entered: 04/18/2013)
04/18/2013	16	NOTICE of Appearance by Sara Frankenstein on behalf of Mark Vargo (Frankenstein, Sara) (Entered: 04/18/2013)
04/18/2013	17	RESPONSE to Motion re 6 MOTION to Expedite <i>Discovery</i> filed by Jeff Davis. (Oviatt, Nathan) (Entered: 04/18/2013)
04/18/2013	18	BRIEF in Support re 17 RESPONSE to Motion by Jeff Davis. (Oviatt, Nathan) Modified linkage on 4/18/2013 (SST). (Entered: 04/18/2013)

04/18/2013	19	AFFIDAVIT of Stan Zolczynski re 18 BRIEF in Support by Jeff Davis . (Oviatt, Nathan) Modified linkage on 4/18/2013 (SST). (Entered: 04/18/2013)
04/18/2013	20	CERTIFICATE OF SERVICE re 17 RESPONSE to Motion by Jeff Davis. (Oviatt, Nathan) Modified linkage on 4/18/2013 (SST). (Entered: 04/18/2013)
04/18/2013	21	JOINDER by Defendant Mark Vargo re 17 Response to Motion to Resist Plaintiffs' Motion for Expedited Discovery. (Palmer, J.) Modified linkage on 4/18/2013 (SST). (Entered: 04/18/2013)
04/18/2013	22	AFFIDAVIT of Roxanne Erickson re 21 Joinder in Defendant Hon. Jeff Davis' Resistance to Plaintiffs' Motion for Expedited Discovery. (Palmer, J.) Modified linkage on 4/18/2013 (SST). (Entered: 04/18/2013)
04/18/2013	23	JOINDER by Defendants Kim Malsam-Rysdon, Luann Van Hunnik re 6 MOTION to Expedite Discovery, 17 Response to Motion, 18 Brief. (Morris, Robert) (Entered: 04/18/2013)
04/22/2013	24	MOTION Class Certification by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevan, Stephen) (Entered: 04/22/2013)
04/22/2013	25	MEMORANDUM in Support re 24 MOTION Class Certification filed by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Attachments: # 1 Exhibit)(Pevan, Stephen) (Entered: 04/22/2013)
04/23/2013	26	REPLY to Motion Response re 6 MOTION to Expedite Discovery filed by All Plaintiffs. (Attachments: # 1 Appendix)(Pevan, Stephen) (Entered: 04/23/2013)
05/07/2013	27	MOTION for Leave to File Excess Pages by Jeff Davis. (Oviatt, Nathan) (Entered: 05/07/2013)
05/13/2013	28	RESPONSE to 24 Motion for Miscellaneous Relief (<i>Class Certification</i>) filed by Jeff Davis. (Oviatt, Nathan) (Entered: 05/13/2013)
05/13/2013	29	MEMORANDUM in Opposition re 24 MOTION Class Certification filed by Mark Vargo. (Palmer, J.) (Entered: 05/13/2013)
05/13/2013	30	JOINDER by Defendants Kim Malsam-Rysdon, Luann Van Hunnik re 28 Response, 29 Memorandum in Opposition to

		Motion, 24 MOTION Class Certification. (Morris, Robert) (Entered: 05/13/2013)
05/15/2013	31	RESPONSE to Motion re 27 MOTION for Leave to File Excess Pages filed by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Entered: 05/15/2013)
05/16/2013	32	ORDER granting 27 Motion for Leave to File Excess Pages. Signed by Chief Judge Jeffrey L. Viken on 5/16/13. (SB) (Entered: 05/16/2013)
05/17/2013	33	MOTION to Dismiss by Jeff Davis. (Oviatt, Nathan) (Entered: 05/17/2013)
05/17/2013	34	MEMORANDUM in Support re 33 MOTION to Dismiss filed by Jeff Davis. (Oviatt, Nathan) (Entered: 05/17/2013)
05/17/2013	35	CERTIFICATE of Word Count by Jeff Davis. (Oviatt, Nathan) (Entered: 05/17/2013)
05/17/2013	36	JOINDER by Defendants Kim Malsam-Rysdon, Luann Van Hunnik re 33 MOTION to Dismiss, 34 Memorandum in Support of Motion. (Morris, Robert) (Entered: 05/17/2013)
05/20/2013	37	MOTION to Dismiss by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 05/20/2013)
05/20/2013	38	MEMORANDUM in Support re 37 MOTION to Dismiss filed by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 05/20/2013)
05/20/2013	39	MOTION to Dismiss <i>in Lieu of Answer</i> by Mark Vargo. (Palmer, J.) (Entered: 05/20/2013)
05/20/2013	40	MEMORANDUM in Support re 39 MOTION to Dismiss <i>in Lieu of Answer</i> filed by Mark Vargo. (Palmer, J.) (Entered: 05/20/2013)
05/23/2013	41	REPLY to Motion Response re 24 MOTION Class Certification filed by All Plaintiffs. (Pevar, Stephen) (Entered: 05/23/2013)
06/04/2013	42	MOTION for Leave to File Excess Pages by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe. (Pevar, Stephen) (Entered: 06/04/2013)
06/06/2013	43	REPLY to 33 Motion to Dismiss filed by All Plaintiffs. (Pevar, Stephen) (Entered: 06/06/2013)

06/09/2013	44	REPLY to 37 Motion to Dismiss <i>by DSS Defendants</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 06/09/2013)
06/10/2013	45	REPLY to 39 Motion to Dismiss <i>by Defendant Vargo</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 06/10/2013)
06/12/2013	46	ORDER granting 42 Motion for Leave to File Excess Pages. Signed by Chief Judge Jeffrey L. Viken on 6/12/13. (SB) (Entered: 06/12/2013)
06/18/2013	47	MOTION to Extend re 44 Reply by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 06/18/2013)
06/19/2013	48	REPLY to 43 Reply filed by Jeff Davis. (Oviatt, Nathan) (Entered: 06/19/2013)
06/19/2013	49	ORDER granting 47 Motion to Extend. Signed by Chief Judge Jeffrey L. Viken on 6/19/13. (SB) (Entered: 06/19/2013)
06/24/2013	50	REPLY to 45 Reply <i>in Support of Defendant Vargo's Motion to Dismiss</i> filed by Mark Vargo. (Palmer, J.) (Entered: 06/24/2013)
06/26/2013	51	RESPONSE to 44 Reply filed by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 06/26/2013)
06/28/2013	52	REPLY to 33 Motion to Dismiss <i>Notice of Supplemental Authority</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 06/28/2013)
07/19/2013	53	REPLY to 52 Reply filed by Jeff Davis. (Oviatt, Nathan) (Entered: 07/19/2013)
07/19/2013	54	JOINDER by Defendant Mark Vargo re 53 Reply <i>to Plaintiffs' Notice of Supplemental Authority</i> . (Frankenstein, Sara) (Entered: 07/19/2013)
07/29/2013	55	NOTICE of Appearance by Andrew J. Knecht on behalf of All Plaintiffs (Knecht, Andrew) (Entered: 07/29/2013)
09/20/2013	56	REQUEST for Judicial Notice by Plaintiffs Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young . (Pevar, Stephen) (Entered: 09/20/2013)
12/11/2013	57	NOTICE by Oglala Sioux Tribe <i>Notice of New Authority</i> . (Hanna, Dana) (Entered: 12/11/2013)
12/12/2013	58	ORDER for further briefing. Signed by Chief Judge Jeffrey L. Viken on 12/12/13. (SB) (Entered: 12/12/2013)
12/23/2013	59	SUPPLEMENT by Defendant Jeff Davis re 58 Order (53) <i>Supplement to Reply</i> . (Oviatt, Nathan) (Entered: 12/23/2013)

12/23/2013	60	JOINDER by Defendants Kim Malsam-Rysdon, Luann Van Hunnik re 58 Order, 59 Supplement . (Morris, Robert) (Entered: 12/23/2013)
12/26/2013	61	JOINDER by Defendant Mark Vargo re 58 Order, 59 Supplement . (Palmer, J.) (Entered: 12/26/2013)
01/08/2014	62	RESPONSE to Motion re 33 MOTION to Dismiss <i>Plaintiffs' Supplemental Brief</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 01/08/2014)
01/14/2014	63	REPLY to 62 Response to Motion filed by Jeff Davis. (Oviatt, Nathan) (Entered: 01/14/2014)
01/16/2014	64	JOINDER by Defendant Mark Vargo re 63 Reply to <i>Supplemental Brief</i> . (Palmer, J.) (Entered: 01/16/2014)
01/17/2014	65	JOINDER by Defendants Kim Malsam-Rysdon, Luann Van Hunnik re 63 Reply, 58 Order, 59 Supplement, 62 Response to Motion . (Morris, Robert) (Entered: 01/17/2014)
01/17/2014	66	MOTION to Withdraw as Attorney by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Knecht, Andrew) (Entered: 01/17/2014)
01/27/2014	67	ORDER granting 66 Motion to Withdraw as Attorney. Attorney Andrew J. Knecht terminated. Signed by Chief Judge Jeffrey L. Viken on 1/27/14. (SB) (Entered: 01/27/2014)
01/27/2014	68	NOTICE by Rochelle Walking Eagle of <i>Dismissal of State Court Proceedings</i> . (Attachments: # 1 Exhibit Order of Dismissal)(Hanna, Dana) (Entered: 01/27/2014)
01/28/2014	69	ORDER denying 33 Motion to Dismiss; denying 36 and 37 Motion to Dismiss; denying 39 Motion to Dismiss. Signed by Chief Judge Jeffrey L. Viken on 1/28/14. (SB) (Entered: 01/28/2014)
01/28/2014	70	ORDER granting 24 Motion for Class Certification. Signed by Chief Judge Jeffrey L. Viken on 1/28/14. (SB) (Entered: 01/28/2014)
01/28/2014	71	ORDER granting 6 Motion to Expedite Discovery. Signed by Chief Judge Jeffrey L. Viken on 1/28/14. (SB) (Entered: 01/28/2014)
01/28/2014	72	ORDER for Form 52 Report and Scheduling Information. Signed by Chief Judge Jeffrey L. Viken on 1/28/14. (SB) (Entered: 01/28/2014)
02/06/2014	73	NOTICE of Appearance by Steven R. Blair on behalf of Jeff Davis. (Blair, Steven) (Entered: 02/06/2014)

02/11/2014	74	ANSWER to 1 Complaint,, by Jeff Davis. (Oviatt, Nathan) (Entered: 02/11/2014)
02/11/2014	75	ANSWER to 1 Complaint,, by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 02/11/2014)
02/11/2014	76	ANSWER to 1 Complaint,, by Mark Vargo. (Palmer, J.) (Entered: 02/11/2014)
02/18/2014	77	STIPULATION re 71 Order on Motion to Expedite by Jeff Davis. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Oviatt, Nathan) (Entered: 02/18/2014)
02/21/2014	78	PROTECTIVE ORDER. Signed by Chief Judge Jeffrey L. Viken on 2/21/14. (SB) (Entered: 02/21/2014)
02/27/2014	79	MOTION to Substitute Party by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 02/27/2014)
02/28/2014	80	<i>AMENDED</i> ANSWER to 1 Complaint,, by Jeff Davis. (Oviatt, Nathan) (Entered: 02/28/2014)
02/28/2014	81	<i>AMENDED</i> ANSWER to 1 Complaint,, by Kim Malsam-Rysdon, Luann Van Hunnik. (Morris, Robert) (Entered: 02/28/2014)
02/28/2014	82	ORDER granting 79 Motion to Substitute Party. Kim Malsam-Rysdon (in her official capacity) terminated. Lynne A. Valenti shall be substituted as a party defendant in place of Kim Malsam-Rysdon. Signed by Chief Judge Jeffrey L. Viken on 2/28/14. (SB) (Entered: 02/28/2014)
03/07/2014	83	FORM 52 REPORT of Parties Planning Meeting re 72 Order for Form 52 (<i>Joint</i>). (Oviatt, Nathan) (Entered: 03/07/2014)
03/12/2014	84	SCHEDULING ORDER: Discovery due by 10/10/2014. Motions due by 11/24/2014. Signed by Chief Judge Jeffrey L. Viken on 3/12/14. (SB) (Entered: 03/12/2014)
03/17/2014	85	MOTION to Compel by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Entered: 03/17/2014)
03/17/2014	86	ORDER. Signed by Chief Judge Jeffrey L. Viken on 3/17/2014. (KKD) (Entered: 03/17/2014)
03/24/2014	87	REDACTED DOCUMENT by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young..

		(Attachments: # 1 Exhibits 1,2,5 and 7 of 1 Complaint)(Pevar, Stephen) Modified docket text on 3/25/2014 (SAT). (Entered: 03/24/2014)
03/28/2014	88	RESPONSE to Motion re 85 MOTION to Compel filed by Jeff Davis. (Attachments: # 1 Affidavit in Support of Defendant Davis' Response to Plaintiffs' Motion to Compel, # 2 Exhibit A to Affidavit in Support, # 3 Exhibit B to Affidavit in Support, # 4 Exhibit C to Affidavit in Support)(Oviatt, Nathan) (Entered: 03/28/2014)
03/28/2014	89	RESPONSE to Motion re 85 MOTION to Compel filed by Judge Eklund, Judge Mandel, Judge Pfleifle, Judge Thorstensen, Judge Trimble. (SKK) (Entered: 03/31/2014)
04/04/2014	90	REPLY to Motion Response re 85 MOTION to Compel filed by All Plaintiffs. (Attachments: # 1 Affidavit)(Pevar, Stephen) (Entered: 04/04/2014)
04/14/2014	91	OBJECTION by Interested Parties Judge Eklund, Judge Mandel, Judge Pfleifle, Judge Trimble to <i>Plaintiff's Rule 45 Subpoena</i> . (Attachments: # 1 Exhibit Subpoena to Non-Party Judges)(Anderson, Robert) (Entered: 04/14/2014)
04/15/2014	92	RESPONSE to 91 Objection filed by All Plaintiffs. (Attachments: # 1 Exhibit)(Pevar, Stephen) (Entered: 04/15/2014)
04/22/2014	93	ORDER. Signed by Chief Judge Jeffrey L. Viken on 4/22/14. (SB) (Entered: 04/22/2014)
04/23/2014	94	RESPONSE to 93 Order filed by All Plaintiffs. (Attachments: # 1 Exhibit Sealed Attachment)(Hanna, Dana) (Attachment 1 replaced on 4/23/2014) (SLT). (Entered: 04/23/2014)
05/01/2014	95	ORDER granting 85 Motion to Compel. Signed by Chief Judge Jeffrey L. Viken on 05/01/2014. (KLK) (Additional attachment(s) added on 5/1/2014: # 1 Sealed Exhibit 1) (KLK). (Entered: 05/01/2014)
06/13/2014	96	Joint MOTION to Extend Deadlines by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Entered: 06/13/2014)
06/16/2014	97	ORDER granting 96 Motion to Suspend Deadlines. Signed by Chief Judge Jeffrey L. Viken on 6/16/14. (SB) (Entered: 06/16/2014)
06/18/2014	98	MOTION to Compel <i>Responses from Defendant Davis</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Attachments: # 1 Exhibit 1 - Answers and Responses to Plaintiffs' First Set of Interrogatories and Second Set of

		Requests for Production, # 2 Exhibit 2 - Amended Answers and Responses to Plaintiffs' First Set of Interrogatories and Second Set of Requests for Production, # 3 Exhibit 3 - First Supplemental Responses to Plaintiffs' Second Set of Requests for Production)(Pevar, Stephen) Modified by adding description to Exhibits on 6/19/2014 (DLC). (Entered: 06/18/2014)
07/03/2014	99	RESPONSE to 98 Motion to Compel,, filed by Jeff Davis. (Oviatt, Nathan) (Entered: 07/03/2014)
07/07/2014	100	REPLY to Motion Response re 98 MOTION to Compel <i>Responses from Defendant Davis</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 07/07/2014)
07/07/2014	101	MOTION to Seal by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Additional attachment(s) added on 7/7/2014: # 1 Sealed Attachment 1, # 2 Sealed Attachment 2, # 3 Sealed Attachment 3, # 4 Sealed Attachment 4) (SLT). Modified docket text on 7/8/2014 (SAT). (Entered: 07/07/2014)
07/10/2014	102	MOTION for Leave to File Excess Pages by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Hanna, Dana) (Entered: 07/10/2014)
07/10/2014	103	MOTION to Remove Plaintiff by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Hanna, Dana) (Entered: 07/10/2014)
07/11/2014	104	ORDER granting 102 Motion for Leave to File Excess Pages. Signed by Chief Judge Jeffrey L. Viken on 7/11/2014. (KKD) (Entered: 07/11/2014)
07/11/2014	105	ORDER granting 103 Motion to Remove Plaintiff Rochelle Walking Eagle. Signed by Chief Judge Jeffrey L. Viken on 7/11/2014. (KKD) (Entered: 07/11/2014)
07/11/2014	106	(FILED IN ERROR) First MOTION for Summary Judgment by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Attachments: # 1 Affidavit Declaration of Beauchamp, # 2 Exhibit Davis RFA Answers, # 3 Exhibit Davis Interrogatory Responses, # 4 Exhibit Vargo Interrogatory Responses, # 5 Exhibit DSS Interrogatory Responses)(Pevar, Stephen) Modified on 7/14/2014 (DJP). (Entered: 07/11/2014)
07/11/2014	107	STATEMENT OF MATERIAL FACTS re 110 Motion for Summary Judgment, by Plaintiffs Lisa Young, Oglala Sioux Tribe, Madonna

		Pappan, Rosebud Sioux Tribe filed by Lisa Young, Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe. (Pevar, Stephen) Modified on 7/15/2014 (TAL). Modified link on 7/15/2014 (SAT). (Entered: 07/11/2014)
07/11/2014	108	Second MOTION for Partial Summary Judgment by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 07/11/2014)
07/11/2014	109	STATEMENT OF MATERIAL FACTS re 108 Motion for Partial Summary Judgment by Plaintiffs Lisa Young, Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe filed by Lisa Young, Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe. (Pevar, Stephen) (Entered: 07/11/2014)
07/14/2014		NOTICE of Filing Error: 106 Motion for Summary Judgment, was filed in error and should be disregarded. (Hanna, Dana) (Entered: 07/14/2014)
07/14/2014	110	First MOTION for Partial Summary Judgment by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 07/14/2014)
07/14/2014	111	AFFIDAVIT in Support re 110 First MOTION for Partial Summary Judgment filed by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Attachments: # 1 Exhibit (Place Holder) Exhibit 1 Transcripts, # 2 Exhibit (Place Holder) Exhibit 2 Temp Custody Orders, # 3 Exhibit Exhibit 3 Davis RFAs, # 4 Exhibit Exhibit 4 Davis Answers to Interrogs, # 5 Exhibit Exhibit 5 Vargo Interrogs, # 6 Exhibit Exhibit 6 DSS Interrogs, # 7 Exhibit (Place Holder) Exhibit 7 ICWA Affidavits, # 8 Exhibit (Place Holder) Exhibit 8 PTCs)(Pevar, Stephen) (Attachment 1 replaced on 7/15/2014) (TAL). (Attachment 2 replaced on 7/15/2014) (TAL). (Attachment 7 replaced on 7/15/2014) (TAL). (Attachment 8 replaced on 7/15/2014) (TAL). (Entered: 07/14/2014)
07/21/2014	112	ORDER granting 101 Motion to Seal Document. Signed by Chief Judge Jeffrey L. Viken on 7/21/14. (SB) (Entered: 07/21/2014)
07/21/2014	113	MOTION to Unseal Document by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) Modified by sealing documents per the Order 152 on 4/2/2015 (DLC). Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 07/21/2014)

07/21/2014	114	MOTION for sanctions by All Plaintiffs. (Attachments: # 1 Affidavit of Dana Hanna, # 2 Exhibit 6 - Memorandum Decision, # 3 Exhibit 6A - Memorandum by Nathan Oviatt)(SAT) Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 07/22/2014)
07/22/2014	115	MOTION to Extend re 110 First MOTION for Partial Summary Judgment , 108 Second MOTION for Partial Summary Judgment by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 07/22/2014)
07/25/2014	116	RESPONSE to Motion re 113 MOTION to Unseal Document filed by Jeff Davis. (Blair, Steven) Modified by sealing document per the Order 152 on 4/2/2015 (DLC). Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 07/25/2014)
07/25/2014	117	MOTION to Seal Documents by Jeff Davis. (Attachments: # 1 Response, # 2 Affidavit, # 3 Affidavit)(KKD) Modified by sealing document per the Order 152 on 4/2/2015 (DLC). Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 07/25/2014)
07/28/2014	118	REDACTED DOCUMENT by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. Redacted version of previously filed document 111 Affidavit in Support of Motion,,,. (Attachments: # 1 Exhibit Exhibit 1 Transcripts, # 2 Exhibit Exhibit 2 Temp Custody Orders, # 3 Exhibit Exhibit 7 ICWA Affidavits, # 4 Exhibit Exhibit 8 PTCs)(Hanna, Dana) (Entered: 07/28/2014)
07/30/2014	119	RESPONSE to 117 Motion to Seal Document, 113 Motion to Unseal Document (<i>Plaintiffs' Response to Judge Davis's Motion to Seal, and Plaintiffs' Reply re: Plaintiffs' Motion to Unseal</i>) filed by All Plaintiffs. (Pevar, Stephen) Modified by sealing document per the Order 152 on 4/2/2015 (DLC). Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 07/30/2014)
08/04/2014	120	ORDER granting 115 Motion to Extend. Defendants shall file their response by August 29, 2014. Signed by Chief Judge Jeffrey L. Viken on 8/4/2014. (KKD) (Entered: 08/04/2014)
08/11/2014	121	Reply to Motion Response re: 114 MOTION for sanctions (Attachments: # 1 Exhibit A - Declaration of Dana Hanna)(KKD) Modified by restricting to case participants on 4/16/2015 per the

		Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 08/11/2014)
08/14/2014	122	MOTION for Leave to Motion for Leave to File a Brief as Amicus Curiae by United States. (Attachments: # 1 Exhibit Exhibit 1 - Amicus Brief, # 2 Memo in Support of Motion, # 3 Text of Proposed Order Proposed Order)(Deerinwater, Verlin) (Entered: 08/14/2014)
08/15/2014	123	ORDER granting 122 Motion for Leave to file a brief as amicus curiae. Signed by Chief Judge Jeffrey L. Viken on 8/15/14. (SB) (Entered: 08/15/2014)
08/23/2014	124	Second MOTION to Extend re 110 First MOTION for Partial Summary Judgment , 108 Second MOTION for Partial Summary Judgment by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 08/23/2014)
08/26/2014	125	ORDER granting 124 Motion to Extend. Signed by Chief Judge Jeffrey L. Viken on 8/26/14. (SB) (Entered: 08/26/2014)
09/03/2014	126	MOTION for Leave to File Excess Pages <i>for Response Briefs</i> by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 09/03/2014)
09/04/2014	127	ORDER granting 126 Motion for Leave to File Excess Pages. Signed by Chief Judge Jeffrey L. Viken on 9/4/14. (SB) (Entered: 09/04/2014)
09/05/2014	128	RESPONSE to Motion re 110 First MOTION for Partial Summary Judgment filed by Jeff Davis, Lynne A. Valenti, Luann Van Hunnik, Mark Vargo. (Morris, Robert) (Entered: 09/05/2014)
09/05/2014	129	RESPONSE to Motion re 108 Second MOTION for Partial Summary Judgment filed by Jeff Davis, Lynne A. Valenti, Luann Van Hunnik, Mark Vargo. (Morris, Robert) (Entered: 09/05/2014)
09/05/2014	130	RESPONSE to 109 Statement of Material Facts, filed by Jeff Davis, Lynne A. Valenti, Luann Van Hunnik, Mark Vargo. (Morris, Robert) (Entered: 09/05/2014)
09/05/2014	131	RESPONSE to 109 Statement of Material Facts, filed by Jeff Davis, Lynne A. Valenti, Luann Van Hunnik, Mark Vargo. (Morris, Robert) (Entered: 09/05/2014)
09/05/2014	132	AFFIDAVIT re 128 Response to Motion, 130 Response, 129 Response to Motion, 131 Response . (Attachments: # 1 Affidavit Defendants' Exhibit 1, # 2 Exhibit Placeholder - Defendants' Exhibit 2, # 3 Exhibit Placeholder - Defendants' Exhibit 3, # 4 Exhibit Placeholder - Defendants' Exhibit 4, # 5 Exhibit Placeholder - Defendants' Exhibit 5,

		<p># 6 Exhibit Placeholder - Defendants' Exhibit 6, # 7 Exhibit Placeholder - Defendants' Exhibit 7, # 8 Exhibit Placeholder - Defendants' Exhibit 8, # 9 Exhibit Placeholder - Defendants' Exhibit 9, # 10 Exhibit Defendants' Exhibit 10, # 11 Exhibit Placeholder - Defendants' Exhibit 11, # 12 Exhibit Placeholder - Defendants' Exhibit 12, # 13 Exhibit Placeholder - Defendants' Exhibit 13, # 14 Exhibit Defendants' Exhibit 14, # 15 Exhibit Defendants' Exhibit 15, # 16 Exhibit Defendants' Exhibit 16, # 17 Exhibit Defendants' Exhibit 17, # 18 Exhibit Defendants' Exhibit 18, # 19 Exhibit Defendants' Exhibit 19, # 20 Exhibit Defendants' Exhibit 20, # 21 Exhibit Defendants' Exhibit 21, # 22 Exhibit Defendants' Exhibit 22, # 23 Exhibit Defendants' Exhibit 23, # 24 Exhibit Defendants' Exhibit 24, # 25 Exhibit Defendants' Exhibit 25, # 26 Affidavit Defendant's Exhibit 26, # 27 Exhibit Placeholder - Defendants' Exhibit 27, # 28 Exhibit Defendants' Exhibit 28, # 29 Exhibit Defendant's Exhibit 29)(Morris, Robert) (Attachment 2 replaced on 9/8/2014) (TAL). (Attachment 3 replaced on 9/8/2014) (TAL). (Attachment 4 replaced on 9/8/2014) (TAL). (Attachment 5 replaced on 9/8/2014) (TAL). (Attachment 6 replaced on 9/8/2014) (TAL). (Attachment 7 replaced on 9/8/2014) (TAL). (Attachment 8 replaced on 9/8/2014) (TAL). (Attachment 9 replaced on 9/8/2014) (TAL). (Attachment 11 replaced on 9/8/2014) (TAL). (Attachment 12 replaced on 9/8/2014) (TAL). (Attachment 13 replaced on 9/8/2014) (TAL). (Attachment 27 replaced on 9/8/2014) (TAL). (Additional attachment(s) added on 9/8/2014: # 30 Exhibit 27-2, # 31 Exhibit 27-3) (TAL). (Entered: 09/05/2014)</p>
09/16/2014	133	MOTION to Extend <i>Time and For Excess Pages</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Hanna, Dana) (Entered: 09/16/2014)
09/19/2014	134	ORDER granting 133 Motion to Extend. Signed by Chief Judge Jeffrey L. Viken on 9/19/14. (SB) (Entered: 09/19/2014)
09/30/2014	135	REPLY to Motion Response re 110 First MOTION for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 09/30/2014)
09/30/2014	136	REPLY to Motion Response re 108 Second MOTION for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 09/30/2014)
02/17/2015	137	MOTION to Stay re 110 First MOTION for Partial Summary Judgment, 107 Statement of Material Facts, by Lynne A. Valenti, Luann Van Hunnik. (Attachments: # 1 Affidavit Robert L. Morris Affidavit, # 2 Sealed Exhibit 1, # 3 Sealed Exhibit 2, # 4 Sealed Exhibit 3, # 5 Sealed Exhibit 4)(Morris, Robert) (Attachment 2 replaced on

		2/18/2015) (TAL). (Attachment 3 replaced on 2/18/2015) (TAL). (Attachment 4 replaced on 2/18/2015) (TAL). (Attachment 5 replaced on 2/18/2015) (TAL). Modified text on 2/18/2015 (TAL). (Entered: 02/17/2015)
02/17/2015	138	SCHEDULING ORDER: Motion Hearing set for 3/5/2015 at 01:30 PM in Rapid City Courtroom 1 - Room 301* before Chief Judge Jeffrey L. Viken. Signed by Chief Judge Jeffrey L. Viken on 2/17/15. (SB) (Entered: 02/17/2015)
02/23/2015	139	FILED IN ERROR - RESPONSE to Motion re 137 MOTION to Stay re 110 First MOTION for Partial Summary Judgment , 107 Statement of Material Facts, filed by All Plaintiffs. (Pevar, Stephen) Modified by editing docket text on 2/25/2015 (DLC). (Entered: 02/23/2015)
02/24/2015	140	NOTICE by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young <i>Of New Relevant Authority</i> . (Attachments: # 1 Exhibit - Guidelines for State Courts and Agencies in Indian Child Custody Proceedings)(Pevar, Stephen) Modified by adding descriptive text to the Exhibit on 2/25/2015 (DLC). (Entered: 02/24/2015)
02/25/2015	141	MOTION to Withdraw as Attorney by Jeff Davis. (Giedd, Roxanne) (Entered: 02/25/2015)
02/25/2015		NOTICE of Filing Error: 139 Response to Motion was filed in error and should be disregarded. (Pevar, Stephen) (Entered: 02/25/2015)
02/25/2015	142	RESPONSE to Motion re 137 MOTION to Stay re 110 First MOTION for Partial Summary Judgment , 107 Statement of Material Facts, filed by All Plaintiffs. (Attachments: # 1 Exhibit Email of Nov. 11, 2014 from Pevar to Morris)(Pevar, Stephen) (Entered: 02/25/2015)
02/26/2015	143	ORDER granting 141 Motion to Withdraw as Attorney. Attorney Roxanne Giedd terminated. Signed by Chief Judge Jeffrey L. Viken on 2/26/15. (SB) (Entered: 02/26/2015)
02/26/2015	144	REPLY to 142 Response to Motion, 137 Motion to Stay,, filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 02/26/2015)
03/03/2015	145	NOTICE of Appearance by Jeffrey R. Connolly on behalf of Mark Vargo. (Connolly, Jeffrey) (Entered: 03/03/2015)
03/05/2015	146	Motion Hearing held on 3/5/2015 re 137 MOTION to Stay re 110 First MOTION for Partial Summary Judgment , 107 Statement of Material Facts, filed by Luann Van Hunnik, Lynne A. Valenti, 98 MOTION to Compel Responses from Defendant Davis filed by Rochelle Walking

		Eagle, Lisa Young, Oglala Sioux Tribe, Rosebud Sioux Tribe, Madonna Pappan before Chief Judge Jeffrey L. Viken (Court Reporter Judy Thompson) (SLT) (Entered: 03/05/2015)
03/06/2015	147	ORDER re: discovery on motion for sanctions. Signed by Chief Judge Jeffrey L. Viken on 3/6/15. (SB) Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 03/06/2015)
03/08/2015	148	FILED IN ERROR: SEALED MOTION , MOTION to Alter Judgment by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) Modified on 3/10/2015 to add text and terminate motion (KLK). (Entered: 03/08/2015)
03/10/2015		NOTICE of Filing Error: 148 Sealed Motion, Motion to Alter Judgment was filed in error and should be disregarded. (Pevar, Stephen) (Entered: 03/10/2015)
03/10/2015	149	MOTION to Alter or Amend by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (KLK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 03/10/2015)
03/30/2015	150	(VACATED - SEE 383) ORDER granting 108 Motion for Partial Summary Judgment; granting 110 Motion for Partial Summary Judgment; denying as moot 137 Motion to Stay. Signed by Chief Judge Jeffrey L. Viken on 3/30/15. (SB) Modified on 1/21/2020 (DJP). (Entered: 03/30/2015)
04/01/2015	151	ORDER granting 149 Motion to Alter or Amend. Signed by Chief Judge Jeffrey L. Viken on 4/1/15. (SB) (Main Document 151 replaced on 4/1/2015) (SLT). Modified by restricting to case participants on 4/16/2015 per the Order 160 (DLC). Modified on 4/13/2016 to remove restrictions per 238 (DJP). (Entered: 04/01/2015)
04/01/2015	152	ORDER. Signed by Chief Judge Jeffrey L. Viken on 4/1/15. (SB) (Entered: 04/01/2015)
04/02/2015	153	ORDER denying as moot 98 Motion to Compel. Signed by Chief Judge Jeffrey L. Viken on 4/2/15. (SB) (Entered: 04/02/2015)
04/13/2015	154	MOTION for Expedited Order Regarding Sealed Documents and Supporting Brief by Jeff Davis. (KLK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 04/13/2015)
04/13/2015	155	AFFIDAVIT of Nathan Oviatt in Support re 154 Motion for expedited order by Jeff Davis (KLK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 04/13/2015)

04/13/2015	156	First MOTION to Compel by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 04/13/2015)
04/13/2015	157	AFFIDAVIT in Support re 156 First MOTION to Compel filed by Lynne A. Valenti, Luann Van Hunnik. (Attachments: # 1 Exhibit Discovery to Plaintiffs, # 2 Exhibit Plaintiffs Objection to Discovery, # 3 Exhibit Proposed Protective Order)(Morris, Robert) (Entered: 04/13/2015)
04/14/2015	158	REPLY to 154 Sealed Motion filed by All Plaintiffs. (Pevar, Stephen) (Entered: 04/14/2015)
04/14/2015	159	MOTION to Compel by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 04/14/2015)
04/15/2015	160	ORDER granting 154 Motion for expedited Order. Signed by Chief Judge Jeffrey L. Viken on 4/15/15. (SB) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 04/15/2015)
04/16/2015	161	NOTICE of Appearance by Gerald D. Johnson on behalf of Nathan R. Oviatt. (Johnson, Gerald) (Entered: 04/16/2015)
04/21/2015	162	NOTICE of Appearance by Paul E. Bachand on behalf of Jacob Quasney. (Bachand, Paul) (Entered: 04/21/2015)
04/21/2015	163	MOTION to Extend Deadlines by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 04/21/2015)
04/21/2015	164	TEXT ORDER granting 163 Motion to Extend Deadline. Submissions required by 150 shall be filed by 5/4/15. Signed by Chief Judge Jeffrey L. Viken on 4/21/15. (SB) (Entered: 04/21/2015)
04/22/2015	165	MOTION to Access Sealed Documents by Jacob Quasney. (Bachand, Paul) Modified by editing motion relief type and docket text on 4/22/2015 (DLC). (Entered: 04/22/2015)
04/23/2015	166	ORDER granting 165 Motion for Leave to access sealed documents. Signed by Chief Judge Jeffrey L. Viken on 4/23/15. (SB) Modified on 4/23/2015 (SB). (Entered: 04/23/2015)
04/27/2015	167	MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 04/27/2015)
04/27/2015	168	MEMORANDUM in Support re 167 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on

		Motion to Stay filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 04/27/2015)
04/27/2015	169	MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay by Mark Vargo. (Palmer, J.) (Entered: 04/27/2015)
04/27/2015	170	MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay by Jeff Davis. (Oviatt, Nathan) (Entered: 04/27/2015)
04/27/2015	171	FILED IN ERROR - MEMORANDUM in Support re 169 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by Mark Vargo. (Palmer, J.) Modified by editing docket text on 4/29/2015 (DLC). (Entered: 04/27/2015)
04/27/2015	172	MEMORANDUM in Support re 170 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by Jeff Davis. (Oviatt, Nathan) (Entered: 04/27/2015)
04/27/2015	173	JOINDER by Defendants Lynne A. Valenti, Luann Van Hunnik re 171 Memorandum in Support of Motion, 172 Memorandum in Support of Motion (Morris, Robert) (Entered: 04/27/2015)
04/28/2015		NOTICE of Filing Error: 171 Memorandum in Support of Motion was filed in error and should be disregarded. (Palmer, J.) (Entered: 04/28/2015)
04/28/2015	174	MEMORANDUM in Support re 169 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by Mark Vargo. (Palmer, J.) (Entered: 04/28/2015)
04/28/2015	175	ORDER. Signed by Chief Judge Jeffrey L. Viken on 4/28/15. (SB) (Entered: 04/28/2015)
04/28/2015	176	JOINDER by Defendant Jeff Davis re 171 Filed in Error - Memorandum in Support of Motion, 167 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment, Order on Motion to Stay , 169 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment, Order on Motion to Stay , 168 Memorandum in Support of Motion (Oviatt, Nathan) Modified by adding link to 174 Memorandum in Support of Motion (replaced Doc. 171) on 4/29/2015 (DLC). (Entered: 04/28/2015)

04/29/2015	177	JOINDER by Defendant Mark Vargo re 168 Memorandum in Support of Motion, 172 Memorandum in Support of Motion (Palmer, J.) (Entered: 04/29/2015)
04/29/2015	178	MEMORANDUM in Opposition re 156 First MOTION to Compel filed by All Plaintiffs. (Attachments: # 1 Affidavit Affidavit of Judge)(Hanna, Dana) (Entered: 04/29/2015)
05/04/2015	179	MOTION FOR PROTECTIVE ORDER by Jeff Davis. (SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/04/2015)
05/04/2015	180	Affidavit of Steven Blair re: 179 Motion for Protective Order by Jeff Davis. (Attachments: # 1 Attachment A: Plaintiff's Rule 34 Request for Production)(SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/04/2015)
05/04/2015	181	MOTION for stay and extension of discovery deadline by Jeff Davis. (SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/04/2015)
05/04/2015	182	AFFIDAVIT of Steven R. Blain in Support of 181 Motion for stay and extension of discovery deadline by Jeff Davis (Attachments: # 1 Attachment A: Plaintiff's Rule 34 Request for Production)(SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/04/2015)
05/05/2015	183	RESPONSE to Motion re 159 MOTION to Compel filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 05/05/2015)
05/05/2015	184	AFFIDAVIT in Opposition re 159 MOTION to Compel filed by Lynne A. Valenti, Luann Van Hunnik. (Attachments: # 1 Exhibit Proposed Protective Order, # 2 Exhibit Plaintiffs' Proposed PO revised language, # 3 Exhibit Child Protection Face Sheets, # 4 Exhibit CAPTA Information, # 5 Exhibit 45 CFR 1340.20, # 6 Exhibit 45 CFR 1340.14, # 7 Exhibit Child Welfare Publication - Disclosure of confidential info, # 8 Exhibit DSS Dfndts' response to Plts' 2nd Set Discovery, # 9 Exhibit filed under seal, # 10 Exhibit Affidavit of Virgenea Wiesler)(Morris, Robert) (Attachment 9 replaced on 5/6/2015) (SLT). Modified on 5/6/2015 (SLT). (Entered: 05/05/2015)
05/07/2015	185	Motion for Protective Order by Nathan R. Oviatt. (Attachments: # 1 Exhibit A - Plaintiffs' Notice of Depositions and Subpoena Duces Tecum)(KKD) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/07/2015)
05/07/2015	186	Nathan Oviatt's Certification Regarding Efforts to resolve Discovery Dispute (KKD) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/07/2015)

05/11/2015	187	RESPONSE to Motion re 170 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay , 167 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay , 169 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by All Plaintiffs. (Pevar, Stephen) (Entered: 05/11/2015)
05/13/2015	188	REPLY to Motion Response re 156 First MOTION to Compel filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 05/13/2015)
05/13/2015	189	AFFIDAVIT of Robert L. Morris re 188 Reply to Motion Response (Attachments: # 1 Exhibit Excerpts of Oglala Sioux Tribe Family and Child Code)(Morris, Robert) (Entered: 05/13/2015)
05/14/2015	190	REPLY to Motion Response re 159 MOTION to Compel filed by All Plaintiffs. (Attachments: # 1 Exhibit Order in A11-948, # 2 Exhibit Order in A12-245, # 3 Exhibit IFA in 11-645)(Pevar, Stephen) (Attachment 1 replaced on 5/14/2015) (TAL). (Attachment 2 replaced on 5/14/2015) (TAL). (Attachment 3 replaced on 5/14/2015) (TAL). Access to mail document restricted to case participants pursuant to the Protective Order on 5/14/2015. Mr. Pevar to file redacted version. (SST). (Entered: 05/14/2015)
05/14/2015	191	REDACTED DOCUMENT by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. Redacted version of previously filed document 190 Reply to Motion Response,, (Pevar, Stephen) (Additional attachment added on 5/14/2015: # 1 Exhibit Order in A11-948, # 2 Exhibit Order in A12-245, # 3 Exhibit IFA in 11-645) (TAL). Modified on 5/14/2015 to add text (TAL). (Main Document 191 replaced on 5/15/2015) (TAL). (Entered: 05/14/2015)
05/15/2015	192	MOTION for Protective Order by Jacob Quasney. (KKD) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/15/2015)
05/15/2015	193	Quasney's Joinder in Arguments of Other Defendants (KKD) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/15/2015)
05/19/2015	194	Plaintiffs' Response re: 179 Defendant Davis' Motion for Protective Order (SLT) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/19/2015)
05/19/2015	195	MOTION for Protective Order by Judge Thorstensen. (Attachments: # 1 Exhibit A - Plaintiffs' Notice of Deposition and Subpoena Duces Tecum)(SAT) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/19/2015)

05/19/2015	196	Affidavit of Mary Thorstenson re: 195 MOTION for Protective Order (Attachments: # 1 Exhibit A - Plaintiffs' Notice of Depositions and Subpoena Duces Tecum)(SAT) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/19/2015)
05/19/2015	197	REPLY to Motion Response re 169 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by Mark Vargo. (Palmer, J.) (Entered: 05/19/2015)
05/19/2015	198	REPLY to Motion Response re 167 MOTION for Reconsideration re 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 05/19/2015)
05/19/2015	199	REPLY to 187 Response to Motion, filed by Jeff Davis. (Oviatt, Nathan) (Entered: 05/19/2015)
05/19/2015	200	JOINDER by Defendants Lynne A. Valenti, Luann Van Hunnik re 197 Reply to Motion Response, 199 Reply (Morris, Robert) (Entered: 05/19/2015)
05/20/2015	201	ORDER granting in part and denying in part 181 Motion for Stay and Extension of Discovery Deadline. Signed by Chief Judge Jeffrey L. Viken on 5/20/15. (SB) Modified on 5/20/2015 (SB). Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/20/2015)
05/26/2015	202	Plaintiffs' Response re: 185 Oviatt's Motion for Protective Order (TAL) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/26/2015)
05/26/2015	203	Judge Davis' Reply to Motion Response re: 179 Motion for Protective Order (SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/26/2015)
05/26/2015	204	Plaintiffs' Response re: 195 Judge Thorstenson's Motion for Protective Order , 192 Quasney's Motion for Protective Order (KLK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/26/2015)
05/26/2015	205	MOTION to Substitute Party <i>Defendant</i> by Jeff Davis. (Oviatt, Nathan) (Entered: 05/26/2015)
05/29/2015	206	Quasney's Reply to 204 Plaintiffs' Response re: 195 Judge Thorstenson's Motion for Protective Order and 192 Motion for Protective Order by Jacob Quasney (SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 05/29/2015)

05/29/2015	207	Nathan Oviatt's Reply Brief in Support of 185 MOTION for protective order (SLT) Modified on 4/13/2016 to unseal per 238 (Entered: 05/29/2015)
06/01/2015	208	Reply of Judge Thorstenson re: 204 Plaintiffs' Response to 195 Motion for Protective Order (SKK) Modified on 4/13/2016 to unseal per 238 (DJP). (Entered: 06/01/2015)
10/18/2015	209	MOTION to Quash , <i>Motion to Stay Discovery, and Motion for Protective Order</i> by Kim Malsam-Rysdon, Luann Van Hunnik. (Attachments: # 1 Exhibit Notice of Deposition)(Morris, Robert). Added MOTION to Stay, MOTION for Protective Order on 10/27/2015 (DLC). (Entered: 10/18/2015)
10/23/2015	210	RESPONSE to 209 Motion to Quash filed by All Plaintiffs. (Pevar, Stephen) (Entered: 10/23/2015)
10/26/2015	211	REPLY to Motion Response re 209 MOTION to Quash , <i>Motion to Stay Discovery, and Motion for Protective Order</i> filed by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 10/26/2015)
10/26/2015	212	MOTION to Expedite <i>Ruling</i> by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 10/26/2015)
10/27/2015	213	RESPONSE to 212 Motion to Expedite filed by All Plaintiffs. (Pevar, Stephen) (Entered: 10/27/2015)
10/30/2015	214	ORDER granting in part and denying in part 209 Motion to Quash; denying as moot 212 Motion to Expedite; granting in part and denying in part 209 Motion to Stay; denying 209 Motion for Protective Order. Signed by Chief Judge Jeffrey L. Viken on 10/30/15. (SB) (Entered: 10/30/2015)
01/28/2016	215	ORDER granting in part and denying in part 159 Motion to Compel; granting in part and denying in part [183 at p. 5] motion for a protective order; vacating 214 stay of discovery. Signed by Chief Judge Jeffrey L. Viken on 1/28/16. (SB) (Entered: 01/28/2016)
01/28/2016	216	PROTECTIVE ORDER AS TO SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES RECORDS. Signed by Chief Judge Jeffrey L. Viken on 1/28/16. (SB) (Entered: 01/28/2016)
02/19/2016	217	(VACATED - SEE 383) ORDER granting in part and denying in part 167 Motion for Reconsideration; denying 169 Motion for Reconsideration; denying 170 Motion for Reconsideration; and amending 150 Order Granting Partial Summary Judgment. Signed by

		Chief Judge Jeffrey L. Viken on 2/19/16. (SB) Modified on 1/21/2020 (DJP). Modified on 1/21/2020 (DJP). (Entered: 02/19/2016)
02/19/2016	218	ORDER denying 156 Motion to Compel. Signed by Chief Judge Jeffrey L. Viken on 2/19/16. (SB) (Entered: 02/19/2016)
02/22/2016	219	(FILED IN ERROR) REDACTED DOCUMENT (<i>Part 1</i>) by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) Modified on 2/23/2016 (SRB). (Entered: 02/22/2016)
02/23/2016		NOTICE of Filing Error: 219 Redacted Document was filed in error and should be disregarded. (Pevar, Stephen) (Entered: 02/23/2016)
02/23/2016	220	REDACTED DOCUMENT (<i>Part 1</i>) by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Main Document 220 replaced on 2/23/2016) (SRB). (Additional attachment(s) added on 2/23/2016: # 1 Exhibit 1 - October 20, 2011 Hearing Transcript, # 2 Exhibit 2 - Temporary Custody Order, # 3 Exhibit 5 - July 9, 2012 48 Hour Hearing Transcript, # 4 Exhibit 7 - Temporary Custody Order, # 5 October 14, 2010 Hearing Transcript, # 6 July 9, 2012 Hearing Transcript) (SRB). (Entered: 02/23/2016)
02/25/2016	221	MOTION to Substitute Party by Lynne A. Valenti, Luann Van Hunnik. (Morris, Robert) (Entered: 02/25/2016)
02/26/2016	222	MOTION to Substitute Party <i>RENEWED</i> by Jeff Davis. (Oviatt, Nathan) (Entered: 02/26/2016)
02/26/2016	223	NOTICE of Appearance by Terence R. Quinn on behalf of Jeff Davis. (Quinn, Terence) (Entered: 02/26/2016)
02/26/2016	224	NOTICE of Appearance by G. Verne Goodsell on behalf of Jeff Davis. (Goodsell, G.) (Entered: 02/26/2016)
03/07/2016	225	ORDER granting in part and denying in part 179 , granting in part and denying in part 185 , granting in part and denying in part 192 , granting in part and denying in part 195 , denying as premature 113 and granting 117 . Signed by Chief Judge Jeffrey L. Viken on 3/7/16. (SB) Modified on 4/13/2016 to unseal per 238 (Entered: 03/07/2016)
03/07/2016	226	ORDER granting 205 and 222 Motion to Substitute Party and granting 221 Motion to Substitute Party. Luann Van Hunnik and Honorable Jeff Davis (in their official capacities) terminated. Signed by Chief Judge Jeffrey L. Viken on 3/7/16. (SB) (Entered: 03/07/2016)
03/11/2016	227	NOTICE of Appearance by Catherine M. Sabers on behalf of Craig Pfeifle. (Sabers, Catherine) (Entered: 03/11/2016)

03/18/2016	228	MOTION to Withdraw as Attorney (<i>G. Verne Goodsell</i>) by Judge Pfeifle. (Goodsell, G.) (Entered: 03/18/2016)
03/18/2016	229	MOTION to Withdraw as Attorney (<i>Terence R. Quinn</i>) by Judge Pfeifle. (Quinn, Terence) (Entered: 03/18/2016)
03/18/2016	230	MOTION to Withdraw as Attorney (<i>Nathan R. Oviatt</i>) by Judge Pfeifle. (Oviatt, Nathan) (Entered: 03/18/2016)
03/25/2016	231	MOTION to Stay re 225 Order by Craig Pfeifle. (Sabers, Catherine) (Main Document 231 replaced on 3/25/2016) (SST). Modified on 4/13/2016 to unseal per 238 (Entered: 03/25/2016)
03/28/2016	232	FILED IN ERROR - Sealed JOINDER by Interested Party Judge Thorstensen re 231 MOTION to Stay re 225 Sealed Order, (SKK) Modified on 3/28/2016 (SKK). (Entered: 03/28/2016)
03/28/2016		NOTICE of Filing Error: 232 Sealed Joinder was filed in error and should be disregarded. (SKK) (Entered: 03/28/2016)
03/28/2016	233	RESPONSE to Motion re 231 MOTION to Stay re 225 Order, filed by All Plaintiffs. (SLT) Modified on 4/13/2016 to unseal per 238 (Entered: 03/28/2016)
03/28/2016	234	JOINDER by Interested Party Judge Thorstensen re 231 MOTION to Stay re 225 Order. (SAT) Modified on 4/13/2016 to unseal per 238 (Entered: 03/28/2016)
03/29/2016	235	ORDER granting 228 , 229 and 230 Motions to Withdraw as Attorney. Attorneys G. Verne Goodsell, Terrence R. Quinn and Nathan R. Oviatt terminated as attorneys for the Honorable Craig Pfeifle. Signed by Chief Judge Jeffrey L. Viken on 3/29/16. (SB) (Entered: 03/29/2016)
03/30/2016	236	TEXT ORDER denying as moot 114 Sealed Motion; denying as moot 231 Motion to Stay. Dockets 114, 231 & 234 are dismissed as moot because the issues have been settled by the parties. No further production of documents or depositions are required under the 3/7/16 Order [Docket 225] and no further briefing on the issues is required by the court. Signed by Chief Judge Jeffrey L. Viken on 3/30/16. (SB) (Entered: 03/30/2016)
04/01/2016	237	Stipulation to Dismiss 114 Plaintiff's Motion for Sanctions. (SKK) Modified on 4/13/2016 to unseal per 238 . (Entered: 04/01/2016)
04/13/2016	238	ORDER accepting 237 Stipulation and Granting Relief Requested therein. Signed by Chief Judge Jeffrey L. Viken on 4/13/2016. (SRB) (Entered: 04/13/2016)

04/20/2016	239	BRIEF by Plaintiffs Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young <i>PLAINTIFFS' BRIEF ON REMEDIES</i> (Attachments: # 1 Exhibit 1R - Transcript in A15-293, # 2 Exhibit 2R - Judge Mandel email and Article, # 3 Exhibit 3R - Transcript in A16-278 (April 4), # 4 Exhibit 4R - Petition in A16-227, # 5 Exhibit 5R - Petition in A16-278, # 6 Exhibit 6R - Transcript in April 18, 2016 hearing, # 7 Exhibit 7R - Transcript in A16-278 (April 14 hearing)) (Pevar, Stephen) (Attachment 1 replaced on 4/20/2016) (TAL). (Attachment 4 replaced on 4/20/2016) (TAL). (Attachment 5 replaced on 4/20/2016) (TAL). Modified on 4/21/2016 to update exhibit descriptions(SRB). (Attachment 7 replaced on 5/23/2016) (TAL). (Attachment 6 replaced on 5/23/2016) (TAL). (Attachment 3 replaced on 5/23/2016) (TAL). (Attachment 7 replaced on 5/24/2016) (TAL). (Entered: 04/20/2016)
04/24/2016	240	MOTION to Withdraw by <i>Rachel Goodman</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 04/24/2016)
04/26/2016	241	TEXT ORDER granting 240 Motion to Withdraw. Rachel E. Goodman no longer attorney of record. Signed by Chief Judge Jeffrey L. Viken on 4/26/16. (SB) (Entered: 04/26/2016)
04/26/2016	242	TEXT SCHEDULING ORDER: Status Conference on plaintiffs' claim for a permanent injunction set for 5/26/2016 at 01:30 PM in Rapid City Courtroom 1 - Room 301* before Chief Judge Jeffrey L. Viken. Plaintiffs' brief of the legal issues shall be filed on or before 4/22/16; defendants' response shall be filed on or before 5/2/16; and plaintiffs' reply brief shall be filed on or before 5/6/16. Signed by Chief Judge Jeffrey L. Viken on 4/26/16. (SB) (Entered: 04/26/2016)
05/02/2016	243	TEXT SCHEDULING ORDER: Status Conference rescheduled for 5/26/2016 at 09:30 AM in Rapid City Courtroom 1 - Room 301* before Chief Judge Jeffrey L. Viken. Signed by Chief Judge Jeffrey L. Viken on 5/2/16. (SB) (Entered: 05/02/2016)
05/03/2016	244	Motion/Notice of Withdrawal of Attorney by Judge Pfliefl. Attorney Robert B. Anderson terminated. (Anderson, Robert) Modified on 5/6/2016 to change event type to motion (SRB). (Entered: 05/03/2016)
05/10/2016	245	MOTION to Withdraw as Attorney <i>Motion Under LR 83.7 to Withdraw from the Representation of Nathan Oviatt</i> by Nathan R. Oviatt. (Johnson, Gerald) (Entered: 05/10/2016)
05/16/2016	246	TEXT ORDER granting 244 Motion to Withdraw as Attorney. Attorney Robert B. Anderson terminated. Signed by Chief Judge Jeffrey L. Viken on 5/16/16. (SB) (Entered: 05/16/2016)

05/16/2016	247	TEXT ORDER granting 245 Motion to Withdraw as Attorney. Attorney Gerald D. Johnson terminated. Signed by Chief Judge Jeffrey L. Viken on 5/16/16. (SB) (Entered: 05/16/2016)
05/24/2016	248	NOTICE of Appearance by Jeffrey G. Hurd on behalf of Judge Pfliefl. (Hurd, Jeffrey) (Entered: 05/24/2016)
05/26/2016	249	Status Conference held on 5/26/2016. before Chief Judge Jeffrey L. Viken (Court Reporter Judy Thompson) (KLK) (Entered: 05/26/2016)
05/27/2016	250	SCHEDULING ORDER: Evidentiary Hearing set for 8/17/2016 at 09:00 AM in Rapid City Courtroom 1 - Room 301* before Chief Judge Jeffrey L. Viken. Signed by Chief Judge Jeffrey L. Viken on 5/27/16. (SB) (Entered: 05/27/2016)
06/02/2016	251	MOTION to Withdraw as Attorney (<i>Catherine M. Sabers</i>) by Craig Pfeifle. (Sabers, Catherine) (Entered: 06/02/2016)
06/03/2016	252	TEXT ORDER granting 251 Motion to Withdraw as Attorney. Attorney Catherine M. Sabers terminated. Signed by Chief Judge Jeffrey L. Viken on 6/3/16. (SB) (Entered: 06/03/2016)
06/15/2016	253	JOINT MOTION <i>Regarding Public Filings</i> by Lisa Fleming, Lynne A. Valenti (Morris, Robert) Modified on 6/17/2016 to change event type (SRB). (Entered: 06/15/2016)
06/21/2016	254	ORDER granting 253 Motion and Stipulation Regarding Public Filings. Signed by Chief Judge Jeffrey L. Viken on 6/21/16. (SB) (Entered: 06/21/2016)
06/23/2016	255	TRANSCRIPT of Proceedings re 249 Status Conference held on May 26, 2016 before Judge Jeffrey L. Viken. Court Reporter: Judith M. Thompson, Telephone number 605-348-8610. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/14/2016. Redacted Transcript Deadline set for 7/25/2016. Release of Transcript Restriction set for 9/22/2016. (Thompson, Judith) (Entered: 06/23/2016)
06/23/2016	256	NOTICE of Filing of Official Transcript re 249 Status Conference. The Court Reporter shall manually serve a hard copy of this Notice on all non-ECF counsel. (Thompson, Judith) (Entered: 06/23/2016)
06/27/2016	257	RESPONSE to 239 Brief,, <i>Regarding Request for Appropriate Remedies</i> filed by Mark Vargo. (Connolly, Jeffrey) (Entered: 06/27/2016)

06/27/2016	258	RESPONSE to 239 Brief,, filed by Judge Pfleifle. (Hurd, Jeffrey) (Entered: 06/27/2016)
06/27/2016	259	DECLARATION of Jeffrey G. Hurd re 258 Response (Attachments: # 1 Exhibit Depo of Roxanne Erickson) (Hurd, Jeffrey) (Entered: 06/27/2016)
06/27/2016	260	RESPONSE to 239 Brief,, filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 06/27/2016)
07/05/2016	261	MOTION for Partial Summary Judgment by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 07/05/2016)
07/05/2016	262	MEMORANDUM in Support re 261 MOTION for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 07/05/2016)
07/05/2016	263	STATEMENT OF Undisputed MATERIAL FACTS re 261 Motion for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 07/05/2016)
07/05/2016	264	(FILED IN ERROR) AFFIDAVIT in Support re 261 MOTION for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) Modified on 7/6/2016 (SRB). (Entered: 07/05/2016)
07/05/2016		NOTICE of Filing Error: 264 Affidavit in Support of Motion was filed in error and should be disregarded. (Pevar, Stephen) (Entered: 07/05/2016)
07/05/2016	265	AFFIDAVIT in Support re 261 MOTION for Partial Summary Judgment filed by All Plaintiffs. (Attachments: # 1 Exhibit Deposition of S.W. (Excerpt), # 2 Exhibit Model ICWA Affidavit, # 3 Exhibit Deposition of Van Hunnik (Excerpt), # 4 Exhibit Deposition of M.A. (Excerpt), # 5 Exhibit Deposition of S.W. (Excerpt), # 6 Exhibit Deposition of Erickson (Excerpt))(Pevar, Stephen) (Entered: 07/05/2016)
07/07/2016	266	MOTION to Extend Deadlines by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 07/07/2016)
07/11/2016	267	ORDER granting 266 Motion to Extend Deadlines. Plaintiff may serve and file a reply brief by 8/2/2016. Signed by Chief Judge Jeffrey L. Viken on 7/11/2016. (SRB) (Entered: 07/11/2016)

07/26/2016	268	MOTION to Strike 261 MOTION for Partial Summary Judgment by Mark Vargo. (Connolly, Jeffrey) (Entered: 07/26/2016)
07/26/2016	269	MEMORANDUM in Support re 268 MOTION to Strike 261 MOTION for Partial Summary Judgment <i>and In the Alternative, Response to Plaintiffs' Motion for Partial Summary Judgment</i> filed by Mark Vargo. (Connolly, Jeffrey) (Entered: 07/26/2016)
07/26/2016	270	RESPONSE to 263 Statement of Material Facts <i>and Vargo's Statement of Disputed Facts</i> filed by Mark Vargo. (Connolly, Jeffrey) (Entered: 07/26/2016)
07/26/2016	271	AFFIDAVIT of Jeffrey R. Connolly . (Attachments: # 1 Exhibit 1 - Federal Register adding new subpart to Dept. of Interior's regulations implementing the ICWA) (Connolly, Jeffrey) (Entered: 07/26/2016)
08/02/2016	272	SUPPLEMENT by Plaintiff Oglala Sioux Tribe re 239 Brief,, <i>Reply Brief on Plaintiffs' Request for Remedies</i> . (Pevar, Stephen) (Entered: 08/02/2016)
08/02/2016	273	Second Declaration of Stephen L. Pevar re 272 Supplement <i>Plaintiffs' Reply Brief</i> . (Attachments: # 1 Exhibit Erickson Deposition (Excerpts)) (Pevar, Stephen) Modified on 8/3/2016 (DJP). (Entered: 08/02/2016)
08/09/2016	274	MOTION to Extend Deadlines by Oglala Sioux Tribe. (Pevar, Stephen) (Entered: 08/09/2016)
08/10/2016	275	TEXT ORDER granting 274 Motion to Extend Deadlines. Plaintiffs shall file their reply to 261 Motion for Partial Summary Judgment and their response to 268 Motion to Strike by 8/30/16. Signed by Chief Judge Jeffrey L. Viken on 8/10/16. (SB) Modified on 8/11/2016 (SB). (Entered: 08/10/2016)
08/11/2016	276	AMENDED TEXT ORDER granting 274 Motion to Extend Deadlines. Plaintiffs shall file their response to 261 Motion for Partial Summary Judgment and 268 Motion to Strike by 8/30/16. Defendant Vargo shall file his reply to 268 Motion to Strike by 9/11/16. Signed by Chief Judge Jeffrey L. Viken on 8/11/16. (SB) (Entered: 08/11/2016)
08/17/2016	277	Evidentiary Hearing held on 8/17/2016 before Chief Judge Jeffrey L. Viken (Court Reporter Judy Thompson) (SLT) (Entered: 08/17/2016)
08/17/2016	278	Exhibit List re: 277 Evidentiary Hearing.(SLT) (Main Document 278 replaced on 8/25/2016) (SLT). (Entered: 08/17/2016)
08/28/2016	279	RESPONSE to Motion re 268 MOTION to Strike 261 MOTION for Partial Summary Judgment , 261 MOTION for Partial Summary

		Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 08/28/2016)
09/06/2016	280	STIPULATION <i>Re: Filing of Hearing Exhibits</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 09/06/2016)
09/06/2016	281	STIPULATION re 280 Stipulation <i>Hearing Exhibit 1</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 09/06/2016)
09/06/2016	282	STIPULATION re 280 Stipulation <i>Hearing Exhibit 2</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 09/06/2016)
09/06/2016	283	STIPULATION re 280 Stipulation <i>Hearing Exhibit 3</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 09/06/2016)
09/06/2016	284	STIPULATION re 280 Stipulation <i>Hearing Exhibit 4</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 09/06/2016)
09/12/2016	285	REPLY to Motion Response re 268 MOTION to Strike 261 MOTION for Partial Summary Judgment filed by Mark Vargo. (Connolly, Jeffrey) (Entered: 09/12/2016)
09/16/2016	286	TRANSCRIPT of Proceedings re 277 Evidentiary Hearing held on August 17, 2016 before Judge Jeffrey L. Viken. Court Reporter: Judith M. Thompson, Telephone number 605-348-8610. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/7/2016. Redacted Transcript Deadline set for 10/17/2016. Release of Transcript Restriction set for 12/16/2016. (Thompson, Judith) (Entered: 09/16/2016)
09/16/2016	287	NOTICE of Filing of Official Transcript re 277 Evidentiary Hearing. The Court Reporter shall manually serve a hard copy of this Notice on all non-ECF counsel. (Thompson, Judith) (Entered: 09/16/2016)
10/07/2016	288	NOTICE of Change of Address by Stephen L. Pevar (Pevar, Stephen) (Entered: 10/07/2016)
11/04/2016	289	MOTION for Leave to File Excess Pages by Oglala Sioux Tribe. (Pevar, Stephen) (Entered: 11/04/2016)

11/14/2016	290	MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Rochelle Walking Eagle, Lisa Young. (Pevar, Stephen) (Entered: 11/14/2016)
11/14/2016	291	STATEMENT OF Undisputed MATERIAL FACTS re 290 Motion for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 11/14/2016)
11/14/2016	292	(FILED IN ERROR) MEMORANDUM in Support re 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> filed by All Plaintiffs. (Attachments: # 1 Appendix Deposition Transcripts (Excerpts) (under seal), # 2 Exhibit Exhibits (under seal))(Pevar, Stephen) (Additional attachment(s) added on 11/14/2016: # 3 Additional Exhibits (under seal) (TAL). (Attachment 1 replaced on 11/14/2016) (TAL). (Attachment 1 replaced on 11/14/2016) (TAL). (Attachment 3 replaced on 11/14/2016) (TAL). (Attachment 2 replaced on 11/14/2016) (TAL). Modified on 11/14/2016 to add text (TAL). Modified on 11/15/2016 (TAL). (Entered: 11/14/2016)
11/14/2016	293	TEXT ORDER granting 289 Motion for Leave to File Excess Pages. Signed by Chief Judge Jeffrey L. Viken on 11/14/16. (SB) (Entered: 11/14/2016)
11/14/2016		NOTICE of Filing Error: 292 Memorandum in Support of Motion,, was filed in error and should be disregarded. (Pevar, Stephen) (Entered: 11/14/2016)
11/14/2016	294	MEMORANDUM in Support re 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision (Corrected Memorandum)</i> filed by All Plaintiffs. (Attachments: # 1 Appendix Deposition Transcripts (excerpts) (under seal), # 2 Exhibit Exhibits (under seal), # 3 Exhibit Additional Exhibits (under seal))(Pevar, Stephen) (Attachment 1 replaced on 11/15/2016) (TAL). (Attachment 2 replaced on 11/15/2016) (TAL). (Attachment 3 replaced on 11/15/2016) (TAL). (Entered: 11/14/2016)
11/16/2016	295	MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 11/16/2016)
11/16/2016	296	MEMORANDUM in Support re 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> filed by All Plaintiffs. (Attachments: # 1 Exhibit Exhibits (filed under seal), # 2 Appendix Deposition Transcripts (Excerpts) (filed

		under seal))(Pevar, Stephen) (Attachment 1 replaced on 11/16/2016) (TAL). (Attachment 2 replaced on 11/16/2016) (TAL). (Entered: 11/16/2016)
11/16/2016	297	STATEMENT OF Undisputed MATERIAL FACTS re 295 Motion for Partial Summary Judgment filed by All Plaintiffs. (Pevar, Stephen) (Entered: 11/16/2016)
12/01/2016	298	MOTION to Extend Deadlines by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 12/01/2016)
12/02/2016	299	TEXT ORDER granting 298 Motion to Extend Deadlines. SDDSS Defendants' response to 295 and 290 Plaintiffs' Motions for Partial Summary Judgment shall be filed by 1/6/17. Plaintiffs' reply shall be filed by 1/27/17. Signed by Chief Judge Jeffrey L. Viken on 12/2/16. (SB) (Entered: 12/02/2016)
12/09/2016	300	Notice of Withdrawal of Attorney by Mark Vargo. Attorney Jeffrey R. Connolly terminated. (Connolly, Jeffrey) (Entered: 12/09/2016)
12/15/2016	301	(VACATED - SEE 383) ORDER granting 261 Motion for Partial Summary Judgment; denying 268 Motion to Strike. Signed by Chief Judge Jeffrey L. Viken on 12/15/16. (SB) Modified on 1/21/2020 (DJP). Modified on 1/21/2020 (DJP). (Entered: 12/15/2016)
12/15/2016	302	(VACATED - SEE 383) ORDER granting 1 at page 38 -- Plaintiffs' request for a declaratory judgment and granting in part 1 at page 38-39 -- Plaintiffs' request for injunctive relief. Plaintiffs' request for appointment of a monitor is denied without prejudice as premature. Signed by Chief Judge Jeffrey L. Viken on 12/15/16. (SB) Modified on 1/21/2020 (DJP). (Entered: 12/15/2016)
12/15/2016	303	(VACATED - SEE 383) DECLARATORY JUDGMENT. Signed by Chief Judge Jeffrey L. Viken on 12/15/16. (SB) Modified on 1/21/2020 (DJP). (Entered: 12/15/2016)
12/15/2016	304	(VACATED - SEE 383) PERMANENT INJUNCTION as to Defendants Lisa Fleming, Mark Vargo and Lynne A. Valenti, in their official capacities. Signed by Chief Judge Jeffrey L. Viken on 12/15/16. (SB) Modified text and created link on 1/21/2020 (TAL). (Entered: 12/15/2016)
12/19/2016	305	NOTICE of Appearance by Rebecca L. Mann on behalf of Mark Vargo. (Mann, Rebecca) (Entered: 12/19/2016)
01/03/2017	306	Unopposed MOTION to Extend Deadlines by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/03/2017)

01/04/2017	307	TEXT ORDER granting 306 Motion for Extension of Time. SDDSS defendants shall file their responses to 290 and 295 Plaintiffs Motions for Partial Summary Judgment by 1/3/17. Plaintiffs reply briefs shall be filed by 2/13/17. Signed by Chief Judge Jeffrey L. Viken on 1/4/17. (SB) (Entered: 01/04/2017)
01/05/2017	308	AMENDED TEXT ORDER granting 306 Motion for Extension of Time. SDDSS defendants shall file their responses to 290 and 295 Plaintiffs' Motions for Partial Summary Judgment by 1/13/17. Plaintiffs' reply briefs shall be filed by 2/13/17. Signed by Chief Judge Jeffrey L. Viken on 1/5/17. (SB) (Entered: 01/05/2017)
01/13/2017	309	NOTICE OF APPEAL as to 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay, 69 Order on Motion to Dismiss,, 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike, 217 Order on Motion for Reconsideration,,,,, by Mark Vargo. (paid \$505 Appellate Filing fee; receipt number 0869-2426565) (Mann, Rebecca) (Entered: 01/13/2017)
01/13/2017	310	MOTION to Stay re 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike by Mark Vargo. (Mann, Rebecca) (Entered: 01/13/2017)
01/13/2017	311	MEMORANDUM in Support re 310 MOTION to Stay re 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike filed by Mark Vargo. (Mann, Rebecca) (Entered: 01/13/2017)
01/13/2017	312	NOTICE OF APPEAL as to 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay, 69 Order on Motion to Dismiss,, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike, 217 Order on Motion for Reconsideration,,,,, by Honorable Craig Pfleifle. (paid \$505 Appellate Filing fee; receipt number 0869-2426577) (Hurd, Jeffrey) Modified by editing docket text on 1/17/2017 (DLC). (Entered: 01/13/2017)
01/13/2017	313	OBJECTION by Defendants Lisa Fleming, Lynne A. Valenti re 296 Memorandum in Support of Motion, 294 Memorandum in Support of Motion, 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> , 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> (Morris, Robert) (Entered: 01/13/2017)

01/13/2017	314	AFFIDAVIT of Robert L. Morris re 296 Memorandum in Support of Motion, 294 Memorandum in Support of Motion, 313 Objection, 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> , 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> . (Morris, Robert) (Entered: 01/13/2017)
01/13/2017	315	JOINDER by Honorable Craig Pfleifle re 310 MOTION to Stay re 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike (Hurd, Jeffrey) Modified by editing docket text on 1/17/2017 (DLC). (Entered: 01/13/2017)
01/13/2017	316	RESPONSE to 294 Memorandum in Support of Motion, 290 Motion for Partial Summary Judgment filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/13/2017)
01/13/2017	317	RESPONSE to 291 Statement of Material Facts filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/13/2017)
01/13/2017	318	RESPONSE to 296 Memorandum in Support of Motion, 295 Motion for Partial Summary Judgment <i>RE Failing to End Placement</i> filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/13/2017)
01/13/2017	319	RESPONSE to 297 Statement of Material Facts <i>RE Failing to End Placement</i> filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/13/2017)
01/13/2017	320	(FILED IN ERROR) AFFIDAVIT of Robert L. Morris re 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> , 294 Memorandum in Support of Motion, 318 Response, 296 Memorandum in Support of Motion, 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> , 316 Response . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6 - Sealed, # 7 Exhibit 7 - Sealed, # 8 Exhibit 8 - Sealed, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17 - Sealed, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21-a, # 22 Exhibit 21-b, # 23 Exhibit 21-c, # 24 Exhibit 21-d, # 25 Exhibit 22, # 26 Exhibit 23, # 27 Exhibit 24 - Sealed, # 28 Exhibit 25 - Sealed, # 29 Exhibit 26 - Sealed, # 30 Exhibit 27 - Sealed, # 31 Exhibit 28 - Sealed, # 32 Exhibit 29, # 33 Exhibit 30, # 34 Exhibit 31, # 35 Exhibit 32, # 36 Exhibit 33, # 37 Exhibit 34, # 38 Exhibit 35, # 39 Exhibit 36 - Sealed, # 40 Exhibit 37 Sealed,

		# 41 Exhibit 38 - Sealed, # 42 Exhibit 39, # 43 Exhibit 40) (Morris, Robert) (Attachment 2 replaced on 1/17/2017) (DLC). Modified by editing docket text on 1/19/2017 (DLC). (Entered: 01/13/2017)
01/13/2017	321	NOTICE OF APPEAL as to 150 Order on Motion for Partial Summary Judgment,, Order on Motion to Stay, 69 Order on Motion to Dismiss,, 304 Permanent Injunction, 218 Order on Motion to Compel, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike, 217 Order on Motion for Reconsideration,,,,, by Lisa Fleming, Lynne A. Valenti. (paid \$505 Appellate Filing fee; receipt number 0869-2426647) (Morris, Robert) (Entered: 01/13/2017)
01/16/2017	322	JOINDER by Defendants Lisa Fleming, Lynne A. Valenti re 311 Memorandum in Support of Motion, 310 MOTION to Stay re 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike (Morris, Robert) (Entered: 01/16/2017)
01/17/2017	323	TRANSMITTAL of Notice of Appeal to 8th Circuit Court of Appeals re 309 Notice of Appeal, (DLC) (Entered: 01/17/2017)
01/17/2017	324	TRANSMITTAL of Notice of Appeal to 8th Circuit Court of Appeals re 312 Notice of Appeal, (DLC) (Entered: 01/17/2017)
01/17/2017	325	TRANSMITTAL of Notice of Appeal to 8th Circuit Court of Appeals re 321 Notice of Appeal, (DLC) (Entered: 01/17/2017)
01/18/2017		NOTICE of Filing Error: 320 Affidavit,,,,, was filed in error and should be disregarded. (Morris, Robert) (Entered: 01/18/2017)
01/18/2017	326	AFFIDAVIT of Robert L. Morris re 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> , 294 Memorandum in Support of Motion, 318 Response, 296 Memorandum in Support of Motion, 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> , 316 Response . (Attachments: # 1 Exhibit 1 - SDDSS Exhibit Index, # 2 Exhibit 2 - New Employee Orientation Program, # 3 Exhibit 3 - Screening Guideline, # 4 Exhibit 4 - ICWA Compliance Desk Guide, # 5 Exhibit 5 - IFA Placement Checklist 2015, # 6 SEALED Exhibit 6 - RFS (Request for Service) Exemplar (Confidential), # 7 SEALED Exhibit 7 - ICWA Affidavit Exemplar (Confidential), # 8 SEALED Exhibit 8 - Affidavit of the Department Exemplar (Confidential), # 9 Exhibit 9 - CPS Manual, # 10 Exhibit 10 - CPS Staff Training - Certification, # 11 Exhibit 11 - 2016 Certification Training Schedule, # 12 Exhibit 12 - PCA Participant Book, # 13 Exhibit 13 - Safety Intervention Flow Chart,

[14](#) Exhibit 14 - Foundation Training - Facilitator's Guide,
[15](#) Exhibit 15 - Foundation Training - Participant Handbook,
[16](#) Exhibit 16 - Intake Training, # [17](#) SEALED Exhibit 17 -
Certification Training Trainer List, # [18](#) Exhibit 18 - DSS Legal
Training, # [19](#) Exhibit 19 - DSS Legal Training, # [20](#) Exhibit 20 - DSS
Legal Training - State's Attorneys, # [21](#) Exhibit 21A - DSS Legal
Training, # [22](#) Exhibit 21B - DSS Legal Training, # [23](#) Exhibit 21C -
DSS Legal Training, # [24](#) Exhibit 22 - IFA Training, # [25](#) Exhibit 23 -
IFA Training, # [26](#) SEALED Exhibit 24 - DSS Childs File A11-645
(Confidential), # [27](#) SEALED Exhibit 25A - DSS Childs File A11-954
(Confidential), # [28](#) SEALED Exhibit 25B - DSS Childs File A11-954
(Confidential), # [29](#) SEALED Exhibit 25C - DSS Childs File A11-954
(Confidential), # [30](#) SEALED Exhibit 25D - DSS Childs File A11-954
(Confidential), # [31](#) SEALED Exhibit 26A - DSS Childs File A13-49
(Confidential), # [32](#) SEALED Exhibit 26B - DSS Childs File A13-49
(Confidential), # [33](#) SEALED Exhibit 27A - DSS Childs File A14-1044
(Confidential), # [34](#) SEALED Exhibit 27B - DSS Childs File A14-1044
(Confidential), # [35](#) SEALED Exhibit 28A - DSS Childs File A15 111
(Confidential), # [36](#) SEALED Exhibit 28B - DSS Childs File A15 111
(Confidential), # [37](#) Exhibit 29 - Green Book 1999 - State ICWA
Affidavit, # [38](#) Exhibit 30 - ICWA Guidelines - Nov. 1979,
[39](#) Exhibit 31 - Safety Evaluation and Planning, # [40](#) Exhibit 32 -
Initial Contact and Assessment of Present Danger, # [41](#) Exhibit 33 -
Affidavit of Lisa Fleming - Region 1 Training, # [42](#) Exhibit 34 -
Affidavit of Lisa Fleming - Case Synopsis, # [43](#) Exhibit 35 - Affidavit
of Cara Beers - State Certification Training, # [44](#) SEALED Exhibit 36 -
Exemplar IFA FY 2014: RFS ID 250290, # [45](#) SEALED Exhibit 37 -
Exemplar IFA FY 2014: RFS ID 264554, # [46](#) SEALED Exhibit 38A -
Exemplar IFA FY 2014: RFS ID 265814 (Containing 12 pages),
[47](#) SEALED Exhibit 38B - Exemplar IFA FY 2014: RFS ID 265814
(Continued from Exhibit 38A containing 13 pages), # [48](#) Exhibit 39 -
Affidavit of Virgena Wieseler, # [49](#) Exhibit 40 - Affidavit of Cara
Beers) (Morris, Robert) (Attachment 6 replaced on 1/20/2017) (DLC).
(Attachment 7 replaced on 1/20/2017) (DLC). (Attachment 8 replaced
on 1/20/2017) (DLC). (Attachment 17 replaced on 1/20/2017) (DLC).
(Attachment 26 replaced on 1/20/2017) (DLC). (Attachment 27
replaced on 1/20/2017) (DLC). (Attachment 28 replaced on 1/20/2017)
(DLC). (Attachment 29 replaced on 1/20/2017) (DLC). (Attachment 30
replaced on 1/20/2017) (DLC). (Attachment 31 replaced on 1/20/2017)
(DLC). (Attachment 32 replaced on 1/20/2017) (DLC). (Attachment 33
replaced on 1/20/2017) (DLC). (Attachment 34 replaced on 1/20/2017)
(DLC). (Attachment 35 replaced on 1/20/2017) (DLC). (Attachment 36
replaced on 1/20/2017) (DLC). (Attachment 44 replaced on 1/20/2017)
(DLC). (Attachment 45 replaced on 1/20/2017) (DLC). (Attachment 46
replaced on 1/20/2017) (DLC). (Attachment 47 replaced on 1/20/2017)

		(DLC). Modified by adding descriptive text to SEALED Exhibits on 1/20/2017 (DLC). (Entered: 01/18/2017)
01/19/2017	327	USCA Case Number and Appeal Briefing Schedule Order for 309 Notice of Appeal, filed by Mark Vargo. USCA Case Number: 17-1135. (Attachments: # 1 briefing schedule)(TAL) (Entered: 01/23/2017)
01/19/2017	328	USCA Case Number and Appeal Briefing Schedule Order for 312 Notice of Appeal, filed by Craig Pfeifle. USCA Case Number: 17-1136. (Attachments: # 1 briefing schedule)(TAL) (Entered: 01/23/2017)
01/19/2017	329	USCA Case Number and Appeal Briefing Schedule Order for 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming. USCA Case Number: 17-1137. (Attachments: # 1 briefing schedule)(TAL) (Entered: 01/23/2017)
01/24/2017	330	REPLY to Motion Response re 295 MOTION for Partial Summary Judgment <i>Failure to End Placement When the Reason For Placement Ends</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 01/24/2017)
01/26/2017	331	RESPONSE to Motion re 310 MOTION to Stay re 304 Permanent Injunction, 302 Order, 303 Order, 301 Order on Motion for Partial Summary Judgment, Order on Motion to Strike filed by All Plaintiffs. (Pevar, Stephen) (Entered: 01/26/2017)
02/09/2017	332	ORDER denying 310 Motion to Stay and 315 and 322 Joinder Motions. Signed by Chief Judge Jeffrey L. Viken on 2/9/17. (SB) (Entered: 02/09/2017)
02/10/2017		TRANSMITTAL of Subsequent Filing to 8th Circuit Court of Appeals re 332 Order on Motion to Stay (DLC) (Entered: 02/10/2017)
02/13/2017	333	REPLY to Motion Response re 290 MOTION for Partial Summary Judgment <i>Re: DSS Inadequate Training and Supervision</i> filed by All Plaintiffs. (Pevar, Stephen) (Entered: 02/13/2017)
02/13/2017	334	BRIEF by Plaintiffs Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young re 313 Objection, <i>Brief in Opposition to Defendants' Objection</i> (Pevar, Stephen) (Entered: 02/13/2017)
02/27/2017	335	REPLY to 334 Brief filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 02/27/2017)
03/30/2017	336	MOTION for Leave to Supplement the Record by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Attachments:

		# 1 Exhibit Deposition of Lynne Valenti)(Pevar, Stephen) (Attachment 1 replaced on 3/30/2017) (TAL). (Entered: 03/30/2017)
04/07/2017	337	ORDER granting 336 Motion for Leave to supplement the record. Signed by Chief Judge Jeffrey L. Viken on 4/7/17. (SB) (Entered: 04/07/2017)
04/21/2017	338	RESPONSE to Motion re 336 MOTION for Leave to Supplement the Record filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 04/21/2017)
04/25/2017	339	REPLY to Motion Response re 336 MOTION for Leave to Supplement the Record filed by All Plaintiffs. (Pevar, Stephen) (Entered: 04/25/2017)
05/16/2017	340	LETTER with enclosed Transcript of Evidentiary Hearing held on 08/17/2016, 286 , and Sealed Exhibits 1R, 4R and 5R to 239 sent by Clerk's Office to 8th Circuit Court of Appeals. (DLC) (Entered: 05/16/2017)
09/29/2017	341	ORDER denying 290 Motion for Partial Summary Judgment; denying 295 Motion for Partial Summary Judgment. Signed by Chief Judge Jeffrey L. Viken on 9/29/17. (SB) (Entered: 09/29/2017)
10/02/2017		TRANSMITTAL of Subsequent Filing to 8th Circuit Court of Appeals re 341 Order on Motion for Partial Summary Judgment. (DLC) (Entered: 10/02/2017)
10/11/2017	342	MOTION to Amend/Correct <i>Plaintiffs' Complaint</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 10/11/2017)
10/11/2017	343	MEMORANDUM in Support re 344 Modified MOTION to Amend/Correct Plaintiffs' Complaint (Docket 1) filed by All Plaintiffs. (Pevar, Stephen) Modified by editing document link and docket text on 10/13/2017 (DLC). (Entered: 10/11/2017)
10/12/2017	344	Modified MOTION to Amend/Correct 1 <i>Plaintiffs' Complaint (Docket 1)</i> by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) Modified by creating link to document and editing docket text on 10/13/2017 (DLC). (Entered: 10/12/2017)
10/12/2017	345	SUPPLEMENT to 344 Modified MOTION to Amend/Correct Plaintiffs' Complaint (Docket 1) by Plaintiffs Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young <i>Proposed Amended Complaint</i> . (Pevar, Stephen) Modified by creating link and editing docket text on 10/13/2017 (DLC). (Entered: 10/12/2017)

11/06/2017	346	RESPONSE to Motion re 344 Modified MOTION to Amend/Correct <i>Plaintiffs' Complaint (Docket 1)</i> filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 11/06/2017)
11/16/2017	347	MOTION to Extend Deadlines by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 11/16/2017)
11/20/2017	348	TEXT ORDER granting 347 Motion to Extend Deadlines. Plaintiffs shall file their reply to 344 Motion to Amend by 11/30/17. Defendants have until 12/14/17 to file a surreply. Signed by Chief Judge Jeffrey L. Viken on 11/20/17. (SB) (Entered: 11/20/2017)
11/30/2017	349	REPLY to Motion Response re 344 Modified MOTION to Amend/Correct <i>Plaintiffs' Complaint (Docket 1)</i> filed by All Plaintiffs. (Attachments: # 1 Attachment Tracked changes to proposed amended complaint, # 2 Attachment clean version of proposed amended complaint, # 3 Exhibit 1 to the proposed amended complaint, # 4 Exhibit 2 to the proposed amended complaint, # 5 Exhibit 3 to the proposed amended complaint, # 6 Exhibit 4 to the proposed amended complaint, # 7 Exhibit 5 to the proposed amended complaint, # 8 Exhibit 6 to the proposed amended complaint, # 9 Exhibit 7 to the proposed amended complaint)(Pevar, Stephen) (Attachment 3 replaced on 11/30/2017) (SLT). (Attachment 9 replaced on 11/30/2017) (SLT). (Attachment 7 replaced on 12/1/2017) (SLT). (Attachment 4 replaced on 12/1/2017) (SLT). (Entered: 11/30/2017)
12/06/2017	350	ORDER. Signed by Chief Judge Jeffrey L. Viken on 12/6/17. (SB) (Entered: 12/06/2017)
12/22/2017	351	REPLY to 350 Order, 344 Motion to Amend/Correct, 349 Reply to Motion Response,,, <i>SurReply</i> filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 12/22/2017)
01/30/2018	352	ORDER granting 344 Motion to Amend. Signed by Chief Judge Jeffrey L. Viken on 1/30/18. (SB) (Entered: 01/30/2018)
01/31/2018	353	AMENDED COMPLAINT filed by Lisa Young, Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe. (Attachments: # 1 Exhibit 1: 48 Hour Hearing Transcript filed under seal, # 2 Exhibit 2: Temporary Custody Order filed under seal, # 3 Exhibit 3: ICWA Affidavit, # 4 Exhibit 4: Temporary Custody Order, # 5 Exhibit 5: 48-Hour Hearing Transcript, # 6 Exhibit 6: July 3, 2012 correspondence from Seventh Circuit Judicial Circuit Court, # 7 Exhibit 7: Temporary Custody Order filed under seal) (Pevar, Stephen) (Attachment 1 replaced on 1/31/2018) (TAL). (Attachment 2 replaced on 1/31/2018) (TAL). (Attachment 5 replaced on 1/31/2018) (TAL). (Attachment 7

		replaced on 1/31/2018) (TAL). Modified on 1/31/2018 to add exhibit descriptions (TAL). (Entered: 01/31/2018)
02/20/2018	354	ANSWER to 353 Amended Complaint,, by Mark Vargo. (Mann, Rebecca) (Entered: 02/20/2018)
02/21/2018	355	Separate ANSWER to 353 Amended Complaint,, by Craig Pfeifle. (Hurd, Jeffrey) (Entered: 02/21/2018)
02/21/2018	356	ANSWER to 353 Amended Complaint,, by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 02/21/2018)
03/14/2018	357	MOTION for Clarification of Court's Order re 352 Order on Motion to Amend/Correct by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 03/14/2018)
04/03/2018	358	RESPONSE to Motion re 357 MOTION for Clarification of Court's Order re 352 Order on Motion to Amend/Correct filed by All Plaintiffs. (Pevar, Stephen) (Entered: 04/03/2018)
04/17/2018	359	REPLY to Motion Response re 357 MOTION for Clarification of Court's Order re 352 Order on Motion to Amend/Correct filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 04/17/2018)
05/04/2018	360	SCHEDULING ORDER AS TO COUNT IV: Discovery due by 11/2/2018. Motions due by 12/21/2018. Signed by Chief Judge Jeffrey L. Viken on 5/4/18. (SB) (Entered: 05/04/2018)
09/14/2018	361	OPINION of USCA as to 312 Notice of Appeal, filed by Craig Pfeifle, 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming, 309 Notice of Appeal, filed by Mark Vargo. (TAL) (Entered: 09/14/2018)
10/02/2018	362	Unopposed MOTION to Stay re 360 Scheduling Order by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 10/02/2018)
10/17/2018	363	ORDER granting 362 Motion to Stay. Signed by Chief Judge Jeffrey L. Viken on 10/17/18. (SB) (Entered: 10/17/2018)
10/17/2018		TRANSMITTAL of Subsequent Filing to 8th Circuit Court of Appeals re 363 Order on Motion to Stay.. (DJP) (Entered: 10/17/2018)
10/22/2018	364	MOTION to DISMISS for Failure to State a Claim , MOTION to DISMISS for Lack of Jurisdiction by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 10/22/2018)
10/22/2018	365	MEMORANDUM in Support re 364 MOTION to DISMISS for Failure to State a Claim MOTION to DISMISS for Lack of Jurisdiction filed

		by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 10/22/2018)
10/30/2018	366	MOTION to Extend Deadlines by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 10/30/2018)
11/01/2018	367	TEXT ORDER granting 366 Motion to Postpone Briefing Schedule. Signed by Chief Judge Jeffrey L. Viken on 11/1/18. (SB) (Entered: 11/01/2018)
12/04/2018	368	ORDER of USCA denying petitions for rehearing en banc and rehearing by panel as to 312 Notice of Appeal, filed by Craig Pfeifle, 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming, 309 Notice of Appeal, filed by Mark Vargo. (TAL) (Entered: 12/04/2018)
12/11/2018	369	MANDATE from 8th Circuit COA issued in accordance with 9/14/18 COA opinion as to 312 Notice of Appeal, filed by Craig Pfeifle, 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming, 309 Notice of Appeal, filed by Mark Vargo. (TAL) (Entered: 12/11/2018)
12/18/2018	370	RESPONSE to Motion re 364 MOTION to DISMISS for Failure to State a Claim MOTION to DISMISS for Lack of Jurisdiction filed by Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young. (Pevar, Stephen) (Entered: 12/18/2018)
01/02/2019	371	REPLY to Motion Response re 364 MOTION to DISMISS for Failure to State a Claim MOTION to DISMISS for Lack of Jurisdiction filed by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/02/2019)
01/07/2019	372	MOTION to Substitute Party <i>Defendant</i> by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 01/07/2019)
02/04/2019	373	MOTION to Substitute Party <i>Defendant</i> by Lisa Fleming, Lynne A. Valenti. (Morris, Robert) (Entered: 02/04/2019)
02/06/2019	374	ORDER granting 373 Motion to Substitute Party. Signed by Chief Judge Jeffrey L. Viken on 2/6/19. (SB) (Entered: 02/06/2019)
02/07/2019	375	AMENDED ORDER granting 373 Motion to Substitute Party. Signed by Chief Judge Jeffrey L. Viken on 2/7/19. (SB) (Entered: 02/07/2019)

02/14/2019	376	TEXT ORDER denying as moot 372 Motion to Substitute Party. Signed by Chief Judge Jeffrey L. Viken on 2/14/19. (SB) (Entered: 02/14/2019)
04/02/2019	377	LETTER from USCA regarding Writ Of Certiorari re 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming.. (SAC) (Entered: 04/02/2019)
06/24/2019	378	REQUEST for Status Conference by Plaintiffs Oglala Sioux Tribe, Madonna Pappan, Rosebud Sioux Tribe, Lisa Young (Pevar, Stephen) (Entered: 06/24/2019)
09/29/2019	379	ORDER denying as premature 364 Motion to Dismiss for Failure to State a Claim; denying as premature 364 Motion to Dismiss for Lack of Jurisdiction. Signed by Chief Judge Jeffrey L. Viken on 9/29/19. (SB) (Entered: 09/29/2019)
10/07/2019	380	Amended MOTION to DISMISS by Lisa Fleming. (Morris, Robert) (Entered: 10/07/2019)
10/08/2019	381	LETTER from USCA regarding Supreme Court order denying Writ Of Certiorari re 312 Notice of Appeal, filed by Craig Pfeifle, 321 Notice of Appeal, filed by Lynne A. Valenti, Lisa Fleming, 309 Notice of Appeal, filed by Mark Vargo.. (TAL) (Entered: 10/08/2019)
10/09/2019	382	RESPONSE to 380 Motion to Dismiss filed by All Plaintiffs. (Pevar, Stephen) (Entered: 10/09/2019)
01/16/2020	383	ORDER. Signed by U.S. District Judge Jeffrey L. Viken on 1/16/2020. (SLT) (Entered: 01/17/2020)
01/16/2020	384	ORDER. Signed by U.S. District Judge Jeffrey L. Viken on 1/16/2020. (SLT) (Entered: 01/17/2020)
01/16/2020	385	JUDGMENT. Signed by U.S. District Judge Jeffrey L. Viken on 1/16/2020. (SLT) (Entered: 01/17/2020)
06/25/2020	386	ORDER for Disposition of Exhibits submitted on behalf of plaintiff during 277 Evidentiary Hearing. These exhibits will be destroyed on 7/27/2020 UNLESS the party on whose behalf they were submitted arranges to retrieve them from the Clerks Office prior to this date. Signed by U.S. District Judge Jeffrey L. Viken on 6/25/2020. (CLR) (Entered: 06/25/2020)
07/31/2020	387	NOTICE of Destruction of Exhibits. Exhibits 1-4 admitted during 277 Evidentiary Hearing on behalf of plaintiff have been destroyed. (CLR) (Entered: 07/31/2020)

