

U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:13-cv-00957-JMS-MJD

STEIMEL v. MINOTT et al
Assigned to: Judge Jane Magnus-Stinson
Referred to: Magistrate Judge Mark J. Dinsmore
Related Case: 1:14-cv-00668-JMS-MJD
Case in other court: 7th Circuit, 15-02377 – Mandate
Cause: 42:1983 Civil Rights Act

Date Filed: 06/14/2013
Date Terminated: 12/20/2016
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

KARLA STEIMEL
*on her own behalf and on behalf of three
(3) classes of those similarly situated*

represented by **Gavin Minor Rose**
ACLU OF INDIANA
1031 E. Washington Street
Indianapolis, IN 46202
317-635-4059 ext.106
Fax: 317-635-4105
Email: grose@aclu-in.org
ATTORNEY TO BE NOTICED

V.

Defendant

DEBRA MINOTT
*in her official capacity as Secretary of the
Indiana Family and Social Services
Administration*

represented by **Harmony A. Mappes**
FAEGRE BAKER DANIELS LLP –
Indianapolis
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
317-237-0300
Fax: 317-237-1000
Email: harmony.mappes@faegrebd.com
ATTORNEY TO BE NOTICED

Ryan Michael Hurley
FAEGRE BAKER DANIELS LLP –
Indianapolis
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
(317) 237-0300
Fax: (317) 237-1000
Email: ryan.hurley@FaegreBD.com
ATTORNEY TO BE NOTICED

Defendant

NICOLE NORVELL
*in her official capacity as the Director of
the Division of Disability and
Rehabilitative Servs. of the Indiana
Family and Social Services
Administration*

represented by **Harmony A. Mappes**
(See above for address)
ATTORNEY TO BE NOTICED

Ryan Michael Hurley
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

FAITH LAIRD
*in her official capacity as Director of the
Division of Aging of the Indiana Family*

represented by **Harmony A. Mappes**
(See above for address)
ATTORNEY TO BE NOTICED

and Social Services Administration

Ryan Michael Hurley
(See above for address)
ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff

THOMAS MAERTZ

represented by **Gavin Minor Rose**
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

COLTON COLE

represented by **Gavin Minor Rose**
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

CODY COLE

represented by **Gavin Minor Rose**
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

TIMOTHY KEISTER

represented by **Gavin Minor Rose**
(See above for address)
ATTORNEY TO BE NOTICED

Interested Party

UNITED STATES OF AMERICA

represented by **Debra G. Richards**
UNITED STATES ATTORNEY'S
OFFICE
10 West Market Street
Suite 2100
Indianapolis, IN 46204
(317)226-6333
Fax: (317)226-5027
Email: debra.richards@usdoj.gov
ATTORNEY TO BE NOTICED

Victoria Louise Thomas
UNITED STATES DEPARTMENT OF
JUSTICE
1425 New York Avenue, NW
4th Floor, Room 4039
Washington, DC 20005
202-616-2925
Fax: 202-514-7821
Email: victoria.thomas2@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/14/2013	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief (Class Action)</i> against All Defendants, filed by All Plaintiffs. (Filing fee \$400, receipt number 0756-2711386) (Attachments: # <u>1</u> Exhibit 1 (Targeting Letter to CIH Waiver Recipients), # <u>2</u> Exhibit 2 (FSSA Webinar), # <u>3</u> Exhibit 3 (2011 Policy Change), # <u>4</u> Exhibit 4 (2006 Policy Statement), # <u>5</u> Exhibit 5 (Eligibility Screen), # <u>6</u> Exhibit 6 (K. Steimel Targeting Letter), # <u>7</u> Exhibit 7 (K. Steimel Eligibility Screen), # <u>8</u> Exhibit 8 (K. Steimel ICF/ID Eligibility), # <u>9</u> Civil Cover Sheet, # <u>10</u> Proposed Summons)(Rose, Gavin) (Entered: 06/14/2013)

06/14/2013	<u>2</u>	NOTICE of Appearance by Gavin Minor Rose on behalf of Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 06/14/2013)
06/14/2013	<u>3</u>	MOTION to Certify Class , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 06/14/2013)
06/14/2013	<u>4</u>	BRIEF/MEMORANDUM in Support re <u>3</u> MOTION to Certify Class , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 06/14/2013)
06/14/2013	<u>5</u>	MOTION for Preliminary Injunction , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 06/14/2013)
06/17/2013	<u>6</u>	Summons Issued as to FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (LBT) (Entered: 06/17/2013)
06/17/2013	<u>7</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (LBT) (Entered: 06/17/2013)
06/18/2013	<u>8</u>	SCHEDULING ORDER: Pretrial Conference set for 6/27/2013 at 10:00 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. The purpose of the conference is to discuss a schedule regarding the Motion for Preliminary Injunction [Dkt. 5]. Counsel for Plaintiff and Defendants, either in person or by counsel if represented, shall personally appear. Counsel for Plaintiff is to serve this order on Defendants on or before June 21, 2013. Signed by Magistrate Judge Mark J. Dinsmore on 6/18/2013.(NLR) (Entered: 06/18/2013)
06/19/2013	<u>9</u>	MOTION for Discovery (<i>Expedited</i>), filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 06/19/2013)
06/19/2013	<u>10</u>	BRIEF/MEMORANDUM in Support re <u>5</u> MOTION for Preliminary Injunction , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 06/19/2013)
06/19/2013	<u>11</u>	NOTICE of Compliance with Scheduling Order of June 18, 2013, filed by Plaintiff KARLA STEIMEL (Rose, Gavin) (Entered: 06/19/2013)
06/19/2013	<u>12</u>	RETURN of Service by CMRRR, filed by All Plaintiffs. DEBRA MINOTT served on 6/18/2013. (Rose, Gavin) (Entered: 06/19/2013)
06/19/2013	<u>13</u>	RETURN of Service by CMRRR, filed by All Plaintiffs. NICOLE NORVELL served on 6/18/2013. (Rose, Gavin) (Entered: 06/19/2013)
06/19/2013	<u>14</u>	RETURN of Service by CMRRR, filed by All Plaintiffs. FAITH LAIRD served on 6/18/2013. (Rose, Gavin) (Entered: 06/19/2013)
06/24/2013	<u>15</u>	NOTICE of Appearance by Harmony A. Mappes on behalf of Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 06/24/2013)
06/24/2013	<u>16</u>	NOTICE of Appearance by Ryan Michael Hurley on behalf of Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Hurley, Ryan) (Entered: 06/24/2013)
06/25/2013	<u>17</u>	Joint MOTION to Stay Proceedings Temporarily and to Vacate or Continue Pretrial Conference, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL, Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 06/25/2013)
06/25/2013	<u>18</u>	ORDER granting <u>17</u> Motion to Stay proceedings to and including 8/26/2013 and that parties shall file a Status Report on or before that date concerning which further steps, if any, they believe necessary in this case. The PTC currently scheduled for 6/27/2013 is hereby vacated. Signed by Judge Jane Magnus-Stinson on 6/25/2013.(CBU) (Entered: 06/25/2013)
07/05/2013	<u>19</u>	MARGINAL ENTRY denying w/o prejudice Pltf's <u>9</u> Motion for Expedited Discovery. Signed by Magistrate Judge Mark J. Dinsmore on 7/5/2013. (SWM) (Entered: 07/05/2013)
08/23/2013	<u>20</u>	STATUS REPORT (<i>Joint</i>) by All Parties. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 08/23/2013)

08/26/2013	<u>21</u>	SCHEDULING ORDER: Status Conference set for 9/19/2013 04:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of the conference is to discuss case status. Counsel shall attend the conference by calling the designated phone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore on 8/26/2013.(SWM) (Entered: 08/26/2013)
08/28/2013	<u>22</u>	ORDER Extending Stay – IT IS HEREBY ORDERED that this cause shall remain stayed for a period of time to and including October 25, 2013, at which time the stay shall expire automatically. IT IS FURTHER ORDERED that the parties shall jointly file a status report on or before October 25, 2013, concerning the status of settlement negotiations in this cause, or at such time as the magistrate judge may order at the upcoming status conference. Signed by Judge Jane Magnus-Stinson on 8/28/2013. (JKS) (Entered: 08/28/2013)
09/20/2013	<u>24</u>	MOTION to Withdraw <u>5</u> MOTION for Preliminary Injunction , filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 09/20/2013)
09/23/2013	<u>25</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 9/19/2013. The parties report they are continuing to discuss a possible resolution of this matter. They further report that Plaintiff will be filing a motion to withdraw the pending motion for preliminary injunction. Initial Pretrial Conference set for 10/24/2013 at 03:20 PM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. ***SEE ORDER FOR ADDITIONAL INFORMATION***. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 09/23/2013)
09/23/2013	<u>26</u>	ORDER withdrawing <u>5</u> Motion for Preliminary Injunction and granting <u>24</u> Motion to Withdraw motion for prel injunction. Signed by Magistrate Judge Mark J. Dinsmore on 9/23/2013. (CBU) (Entered: 09/23/2013)
10/17/2013	<u>27</u>	CASE MANAGEMENT PLAN TENDERED, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL, Plaintiff KARLA STEIMEL . (Rose, Gavin) (Entered: 10/17/2013)
10/25/2013	<u>28</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Initial Pretrial Conference held on 10/24/2013. The parties appeared by counsel for an Initial Pretrial Conference. The Court will approve the Case Management Plan, by separate order, with the changes to which the parties have agreed. Defendant contends this matter should be dismissed and discovery herein stayed pending a ruling on Defendant's motion to dismiss. However, the pendency of Plaintiff's Motion for Class Certification [Dkt. 3] will not allow the Court to accommodate that request. Accordingly, the Court orders as follows: 1. Defendant shall respond to Plaintiff's Complaint (the Court anticipates a motion to dismiss will be filed) on or before November 1, 2013. Plaintiff shall respond to such motion on or before November 8, 2013 and Defendant shall file any reply in support of the motion on or before November 14, 2013. 2. Any prior stays of this matter are lifted and discovery in this matter shall proceed forthwith. To facilitate the discovery process, any responses to interrogatories, requests for production and/or requests for admission under Rules 33, 34 and/or 36 shall be served within 25 days after the request is served (the Court anticipates that the 3 additional days provided by Rule 6(d) will still apply when appropriate). Any written discovery and any responses thereto shall be served by either hand delivery or electronic mail with telephonic confirmation of receipt. Any voluminous documents produced that are not susceptible to transmission by electronic mail shall be produced by hand delivery or via an overnight delivery service. In the event either party files a motion to stay discovery, discovery shall not be stayed and shall proceed pursuant to this order until an order on such motion is issued. Likewise, no discovery deadlines shall be extended unless an order to that effect has been sought and obtained prior to the expiration of the deadline. 3. Plaintiff shall file a supplemental brief in support of her Motion for Class Certification [Dkt. 3] on or before January 24, 2014. Defendant shall respond to that motion on or before February 11, 2014 and Plaintiff shall file any reply in support of the motion on or before February 18, 2014. 4. The requirement in Dkt. No. 22 for the parties to file a status report on or before October 25, 2013 is hereby VACATED. Status Conference set for 11/27/2013 at 11:30 AM in Telephonic before Magistrate Judge Mark J. Dinsmore.

		See Order For Additional Information. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 10/25/2013)
10/25/2013	<u>29</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED – Discovery due by 8/8/2014. Dispositive Motions due by 9/5/2014. *SEE ORDER*. Signed by Magistrate Judge Mark J. Dinsmore on 10/25/2013.(JD) (Entered: 10/25/2013)
11/01/2013	<u>30</u>	MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Affidavit Luchauer Declaration, # <u>2</u> Exhibit 1 – Case Notes Excerpt)(Mappes, Harmony) (Entered: 11/01/2013)
11/01/2013	<u>31</u>	BRIEF/MEMORANDUM in Support re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Luchauer Declaration, # <u>2</u> Exhibit A – Case Notes Excerpt)(Mappes, Harmony) (Entered: 11/01/2013)
11/01/2013	<u>32</u>	MOTION to Stay <i>Discovery</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 11/01/2013)
11/01/2013	<u>33</u>	BRIEF/MEMORANDUM in Support re <u>32</u> MOTION to Stay <i>Discovery</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit A – Requests for Production, # <u>2</u> Exhibit B – Interrogatories, # <u>3</u> Exhibit C – Waschevski Declaration)(Mappes, Harmony) (Entered: 11/01/2013)
11/05/2013	<u>34</u>	SCHEDULING ORDER: This cause comes before the court on Defendants' Motion to Stay Discovery [Dkt. 32]. Plaintiff's brief in response to said motion shall be filed by no later than November 8, 2013. Defendants' brief in reply to said motion shall be filed by no later than November 14, 2013. Signed by Magistrate Judge Mark J. Dinsmore on 11/5/2013.(CKM) (Entered: 11/05/2013)
11/08/2013	<u>35</u>	MOTION for Extension of Time to 1/24/2014 to file response to <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter (Conditional Motion)</i> , filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Affidavit of Counsel)(Rose, Gavin) (Entered: 11/08/2013)
11/08/2013	<u>36</u>	RESPONSE in Opposition re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , <u>32</u> MOTION to Stay <i>Discovery</i> , <u>35</u> MOTION for Extension of Time to 1/24/2014 to file response to <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter (Conditional Motion) (Response in Opposition to ECF Nos. 30 & 32; Memo. in Support of ECF No. 35)</i> , filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit 1 (Aff. of Karla Steimel), # <u>2</u> Exhibit 2 (CIH Waiver Document))(Rose, Gavin) (Entered: 11/08/2013)
11/14/2013	<u>37</u>	REPLY in Support of Motion re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 11/14/2013)
11/14/2013	<u>38</u>	REPLY in Support of Motion re <u>32</u> MOTION to Stay <i>Discovery</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 11/14/2013)
11/14/2013	<u>39</u>	RESPONSE in Opposition re <u>35</u> MOTION for Extension of Time to 1/24/2014 to file response to <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter (Conditional Motion)</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 11/14/2013)
11/26/2013	<u>41</u>	WITHDRAWN PER DKT. 43 STIPULATION of <i>Protective Order Governing Confidential Health Information</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL, Plaintiff KARLA STEIMEL. (Mappes, Harmony) Modified on 11/27/2013 (NLR). (Entered: 11/26/2013)
11/27/2013	<u>42</u>	MOTION for Protective Order <i>Governing Confidential Health Information</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 11/27/2013)
11/27/2013	<u>43</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 11/27/2013. The parties reported on the status of discovery

		and are working through some issues relating to production of certain information. The parties further discussed their stipulated protective order [Dkt. 41] and have agreed to withdraw it. Accordingly, the Clerk is directed to show Dkt. 41 as withdrawn. Status Conference set for 12/13/2013 at 04:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. ****See Order For Additional Information****. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 11/27/2013)
11/27/2013	<u>44</u>	ORDER granting <u>42</u> Motion for Protective Order. Signed by Magistrate Judge Mark J. Dinsmore on 11/27/2013. (CBU) (Entered: 11/27/2013)
12/12/2013	<u>46</u>	MOTION to Supplement Record Concerning Motion to Dismiss, filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit Steimel Case Note (6/6/2013), # <u>2</u> Text of Proposed Order)(Rose, Gavin) (Entered: 12/12/2013)
12/18/2013	<u>47</u>	RESPONSE in Opposition re <u>46</u> MOTION to Supplement Record Concerning Motion to Dismiss , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 12/18/2013)
12/19/2013	<u>48</u>	REPLY in Support of Motion re <u>46</u> MOTION to Supplement Record Concerning Motion to Dismiss , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 12/19/2013)
12/20/2013	<u>49</u>	ORDER: GRANTED <u>46</u> Motion to Supplement Record Concerning Motion to Dismiss. IT IS THEREFORE ORDERED that the plaintiffs are granted leave to supplement the record concerning the defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction, and that the "case note" attached to the plaintiffs' Motion is hereby admitted into the record and shall be considered in resolving the motion to dismiss. The Court now considers the Defendants previously filed Motion to Dismiss [dkt. 30] fully briefed. Signed by Judge Jane Magnus-Stinson on 12/20/2013. (DW) (Entered: 12/20/2013)
12/23/2013	<u>50</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 12/13/2013. The parties reported on the status of discovery. A discussion was further held regarding Plaintiff's Motion to Supplement the Record [Dkt. 46]. After the call counsel for Defendant contacted the Court and reported they would not be objecting to Dkt. 46, but would file a response to Plaintiff's supplemental information, which response was filed at Dkt. 47. Plaintiff's reply in support of her supplemental information was filed at Dkt. 48. Status Conference set for 12/30/2013 at 10:40 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. ****See Order For Additional Information****. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 12/23/2013)
01/02/2014	<u>52</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 12/30/2013. The parties discussed the status of discovery and the deadline for Plaintiff to file her amended brief in support of class certification, which she intends to meet. Status Conference set for 2/18/2014 at 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. ****See Order For Additional Information****. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 01/02/2014)
01/10/2014	<u>53</u>	NOTICE of Service of Initial Disclosures , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 01/10/2014)
01/14/2014	<u>54</u>	MOTION for Continuance of Pretrial Conference Scheduled for February 18, 2014, filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 01/14/2014)
01/14/2014	<u>55</u>	Unopposed MOTION for Extension of Time to 01/24/2014 to File Preliminary Witness and Exhibit Lists, filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 01/14/2014)
01/14/2014	<u>56</u>	ORDER granting <u>54</u> Motion for Continuance – The telephonic pretrial conference currently scheduled for 3:00 p.m. on February 18, 2014, is hereby continued to 3:00 p.m. on February 24, 2014. All other requirements of the Court's order dated 12/23/13 [Dkt. <u>50</u>] remain in full force and effect. Signed by Magistrate Judge Mark J. Dinsmore on 1/14/2014.(JD) (Entered: 01/15/2014)

01/15/2014	<u>57</u>	ORDER – granting <u>55</u> Motion for Extension of Time to File to and including January 24, 2014, within which to file their preliminary witness and exhibit lists in this cause. Signed by Magistrate Judge Mark J. Dinsmore on 1/15/2014. (CKM) (Entered: 01/15/2014)
01/24/2014	<u>58</u>	Designation of Evidence re <u>3</u> MOTION to Certify Class , filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit 1 (Dep. of Vickie Trout), # <u>2</u> Exhibit 2 (Dep. of Debbie Pierson), # <u>3</u> Exhibit 3 (Dep. of Karen Smith–Filler), # <u>4</u> Exhibit 4 (Dep. of Matt Rodway), # <u>5</u> Exhibit 5 (Selected Dep. Exhs.) (1 of 5), # <u>6</u> Exhibit 5 (2 of 5), # <u>7</u> Exhibit 5 (3 of 5), # <u>8</u> Exhibit 5 (4 of 5), # <u>9</u> Exhibit 5 (5 of 5), # <u>10</u> Exhibit 6 (Interr. Responses), # <u>11</u> Exhibit 7 (Case Files – Terminated from A&D) (Filed Under Seal), # <u>12</u> Exhibit 8 (Case Files – Enrolled in A&D) (Filed Under Seal), # <u>13</u> Exhibit 9 (Case Files – Enrolled in CIH) (Filed Under Seal), # <u>14</u> Exhibit 10 (Aff. of Karla Steimel), # <u>15</u> Exhibit 11 (Aff. of Tamara Awald), # <u>16</u> Exhibit 12 (Aff. of Francesca Kemp), # <u>17</u> Exhibit 13 (Aff. of Lori Coldiron), # <u>18</u> Exhibit 14 (Aff. of Arlene Beckem–Reid), # <u>19</u> Exhibit 15 (Aff. of Rebecca Whaley), # <u>20</u> Exhibit 16 (Aff. of Angela Thompson), # <u>21</u> Exhibit 17 (Aff. of Sheila Walters), # <u>22</u> Exhibit 18 (Demonstr. Exh. 1 – Cross–Referencing of Clients) (Filed Under Seal), # <u>23</u> Exhibit 19 (Demonstr. Exh. 2 – Terminated from A&D Waiver) (Filed Under Seal), # <u>24</u> Exhibit 20 (Demonstr. Exh. 3 – Enrolled in A&D Waiver) (Filed Under Seal))(Rose, Gavin) (Entered: 01/24/2014)
01/24/2014	<u>59</u>	SEALED <i>Evidentiary Materials</i> , re <u>58</u> Designation of Evidence re <u>3</u> Motion to Certify Class, filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit 5 (Selected Dep. Exhs.) (1 of 2), # <u>2</u> Exhibit 5 (2 of 2), # <u>3</u> Exhibit 7 (Case Files – Terminated from A&D) (1 of 19), # <u>4</u> Exhibit 7 (2 of 19), # <u>5</u> Exhibit 7 (3 of 19), # <u>6</u> Exhibit 7 (4 of 19), # <u>7</u> Exhibit 7 (5 of 19), # <u>8</u> Exhibit 7 (6 of 19), # <u>9</u> Exhibit 7 (7 of 19), # <u>10</u> Exhibit 7 (8 of 19), # <u>11</u> Exhibit 7 (9 of 19), # <u>12</u> Exhibit 7 (10 of 19), # <u>13</u> Exhibit 7 (11 of 19), # <u>14</u> Exhibit 7 (12 of 19), # <u>15</u> Exhibit 7 (13 of 19), # <u>16</u> Exhibit 7 (14 of 19), # <u>17</u> Exhibit 7 (15 of 19), # <u>18</u> Exhibit 7 (16 of 19), # <u>19</u> Exhibit 7 (17 of 19), # <u>20</u> Exhibit 7 (18 of 19), # <u>21</u> Exhibit 7 (19 of 19), # <u>22</u> Exhibit 8 (Case Files – Enrolled in A&D) (1 of 12), # <u>23</u> Exhibit 8 (2 of 12), # <u>24</u> Exhibit 8 (3 of 12), # <u>25</u> Exhibit 8 (4 of 12), # <u>26</u> Exhibit 8 (5 of 12), # <u>27</u> Exhibit 8 (6 of 12), # <u>28</u> Exhibit 8 (7 of 12), # <u>29</u> Exhibit 8 (8 of 12), # <u>30</u> Exhibit 8 (9 of 12), # <u>31</u> Exhibit 8 (10 of 12), # <u>32</u> Exhibit 8 (11 of 12), # <u>33</u> Exhibit 8 (12 of 12), # <u>34</u> Exhibit 9 (Case Files – Enrolled in CIH) (1 of 4), # <u>35</u> Exhibit 9 (2 of 4), # <u>36</u> Exhibit 9 (3 of 4), # <u>37</u> Exhibit 9 (4 of 4), # <u>38</u> Exhibit 18 (Demonstr. Exh. 1 – Cross–Referencing of Clients), # <u>39</u> Exhibit 19 (Demonstr. Exh. 2 – Terminated from A&D Waiver), # <u>40</u> Exhibit 20 (Demonstr. Exh. 3 – Enrolled in A&D Waiver))(Rose, Gavin) Modified on 1/24/2014 (JKS). (Entered: 01/24/2014)
01/24/2014	<u>60</u>	MOTION to Amend/Correct <i>Definition of Proposed Class</i> , filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 01/24/2014)
01/24/2014	<u>61</u>	Unopposed MOTION for Extension of Time to January 31, 2014 <i>to File Preliminary Witness and Exhibit Lists</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 01/24/2014)
01/24/2014	<u>62</u>	***STRICKEN PER <u>71</u> ORDER*** BRIEF/MEMORANDUM in Support re <u>3</u> MOTION to Certify Class (<i>Supplemental Memorandum</i>) (<i>Redacted Version</i>), filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) Modified on 1/30/2014 (DW). (Entered: 01/24/2014)
01/24/2014	<u>63</u>	***STRICKEN PER <u>71</u> ORDER*** SEALED (<i>Supplemental Class Memorandum</i>) (<i>Unredacted</i>), re <u>62</u> Brief/Memorandum in Support of Motion, filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) Modified on 1/30/2014 (DW). (Entered: 01/24/2014)
01/24/2014	<u>64</u>	***STRICKEN PER <u>71</u> ORDER*** NOTICE of Tender of Supplemental Response in Opposition to Motion to Dismiss, filed by Plaintiff KARLA STEIMEL, re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> . (Attachments: # <u>1</u> Exhibit (Supplemental Memorandum in Opposition to Motion to Dismiss)) (Rose, Gavin) Modified on 1/30/2014 (DW). (Entered: 01/24/2014)
01/24/2014	<u>65</u>	***STRICKEN PER <u>71</u> ORDER*** SEALED Notice of Tender of Supplemental Response in Opposition to Motion to Dismiss, re <u>64</u> Notice (Other), filed by Plaintiff

		KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit (Supplemental Memorandum in Opposition to Motion to Dismiss))(Rose, Gavin) Modified on 1/30/2014 (DW). (Entered: 01/24/2014)
01/24/2014	<u>66</u>	Witness List (<i>Preliminary</i>), filed by Plaintiff KARLA STEIMEL, Exhibit List (<i>Preliminary</i>), filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 01/24/2014)
01/27/2014	<u>67</u>	ORDER granting <u>61</u> Defendant's Motion for Extension of Time to File to 01/31/2014 to file preliminary witness and exhibit lists. Signed by Judge Jane Magnus-Stinson on 1/27/2014. (MRI) (Entered: 01/27/2014)
01/27/2014	<u>68</u>	SCHEDULING ORDER – This matter is set for a telephone status conference on Thursday, January 30, 2014 at 11:20 a.m. Counsel shall attend the conference by calling the designated phone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore on 1/27/2014. (JD) (Entered: 01/27/2014)
01/28/2014	<u>70</u>	SCHEDULING ORDER: This cause is set for a Hearing on Defendants Debra Minott, Nicole Norvell, and Faith Laird's Motion To Dismiss For Lack of Subject Matter Jurisdiction [dkt. 30] for 2/11/2014 02:00 PM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Counsel shall have 20 minutes per side. Signed by Judge Jane Magnus-Stinson on 1/28/2014.(MRI) (Entered: 01/28/2014)
01/29/2014	<u>71</u>	ORDER: Accordingly, for the reasons detailed herein, the Court STRIKES Plaintiffs' supplemental brief in support of their Motion to Certify Class, [dkt. 62; 63], and Plaintiffs' supplemental response brief in opposition to Defendants' Motion to Dismiss, [dkt. 64; 65], and ORDERS Plaintiffs to file an amended supplemental brief in support of their Motion to Certify and an amended supplemental brief in opposition to Defendants' Motion to Dismiss by February 3, 2014. The Court will not require Plaintiffs to refile the exhibits already on file; however, these amended briefs must use the citation format detailed above to facilitate the Court's use of its new hyperlink program. Plaintiffs should not substantively amend their brief other than to add citations in accordance with this Order. Similarly, in the responsive briefing by Defendants they, too, should provide both proper labeling of exhibits and citations in the format detailed above. In order to cite in this manner, the exhibits will have to be filed in advance of the brief so that docket citation will be available. As is the case for Plaintiffs, Defendants must also email a Microsoft Word version of their filings to the chambers' email account: judge_stinson_chambers@insd.uscourts.gov ***SEE ORDER FOR ADDITIONAL INFORMATION***. Signed by Judge Jane Magnus-Stinson on 1/29/2014.(DW) (Entered: 01/30/2014)
01/31/2014	<u>72</u>	Witness List – <i>Preliminary</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL, Exhibit List – <i>Preliminary</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 01/31/2014)
01/31/2014	<u>73</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 1/30/2014. A discussion was held regarding the pending motion to dismiss and naming of a co-class representative. A discussion was further held regarding the Court's order dated 1/29/2014 [Dkt. 71]. To clarify the order, on or before February 6, 2014 Defendant shall file any reply to Plaintiff's Supplemental Brief which was filed on 1/24/14 and ordered to be amended and re-refiled on or before 2/3/14. The telephonic status conference scheduled for February 24, 2014 at 3:00 p.m. is hereby VACATED and rescheduled for 4/2/2014 at 04:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. ***See Order For Additional Information*** Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 01/31/2014)
02/03/2014	<u>74</u>	BRIEF/MEMORANDUM in Support re <u>3</u> MOTION to Certify Class (<i>Amended Supplemental Memorandum</i>), filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 02/03/2014)
02/03/2014	<u>75</u>	SEALED <i>Amended Supplemental Memorandum (Unredacted)</i> , re <u>74</u> Brief/Memorandum in Support of Motion, filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 02/03/2014)

02/03/2014	<u>76</u>	NOTICE of Tender of Amended Supplemental Resposne in Opposition to Motion to Dismiss, filed by Plaintiff KARLA STEIMEL, re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> . (Attachments: # <u>1</u> Exhibit (Amended Supplemental Memorandum in Opp. to Mot. to Dismiss)) (Rose, Gavin) (Entered: 02/03/2014)
02/03/2014	<u>77</u>	SEALED Notice of Tender of Amended Supplemental Rresponse in Opposition to Motion to Dismiss, re <u>76</u> Notice (Other), filed by Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit (Amended Supplemental Memorandum in Opp. to Mot. to Dismiss))(Rose, Gavin) (Entered: 02/03/2014)
02/06/2014	<u>78</u>	Appendix of Exhibits in Support of Reply in Support of Motion re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit Declaration of Lynn Jump, # <u>2</u> Exhibit Declaration of Matt Rodway, # <u>3</u> Exhibit A – Steimel CIH Application, # <u>4</u> Exhibit B – Redacted CIH Summaries)(Mappes, Harmony) (Entered: 02/06/2014)
02/06/2014	<u>79</u>	**SEALED PER DKT. NO. <u>87</u> ** SEALED Cover Sheet, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit B Sealed – Unredacted CIH Summaries)(Mappes, Harmony) Modified on 2/10/2014 (JD). (Entered: 02/06/2014)
02/06/2014	<u>80</u>	MOTION to Seal Document <u>79</u> SEALED Document <i>Exhibit B</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 02/06/2014)
02/06/2014	<u>81</u>	REPLY in Support of Motion re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter (Supplemental)</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 02/06/2014)
02/07/2014	<u>82</u>	Notice of *LINK BUILDER VERSION* of Docket # <u>74</u> BRIEF/MEMORANDUM in Support re <u>3</u> MOTION to Certify Class (Amended Supplemental Memorandum) (JKS) (Entered: 02/07/2014)
02/07/2014	<u>83</u>	Notice of *LINK BUILDER VERSION* of Docket #76–1, Attachment # 1 Exhibit –Amended Supplemental Memorandum in Opp. to Mot. to Dismiss. (JKS) (Entered: 02/07/2014)
02/07/2014	<u>84</u>	Notice of *LINK BUILDER VERSION* of Docket # <u>81</u> REPLY in Support of Motion re <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter (Supplemental)</i> . (JKS) (Entered: 02/07/2014)
02/07/2014	<u>85</u>	MOTION to Seal Document <u>75</u> SEALED Document, <u>77</u> SEALED Document, <u>63</u> SEALED Document, <u>59</u> SEALED Document, <u>65</u> SEALED Document [<i>Maintain Documents Under Seal</i>], filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 02/07/2014)
02/07/2014	<u>86</u>	MOTION to Withdraw <u>32</u> MOTION to Stay <i>Discovery</i> , <u>30</u> MOTION to Dismiss for Lack of Jurisdiction – <i>Subject Matter</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 02/07/2014)
02/07/2014	<u>87</u>	ORDER granting <u>80</u> Motion to Seal Document – Filing No. 79–1, the unredacted version of Exhibit B filed in support of Defendants' Supplemental Reply in Support of Motion to Dismiss, having been accepted for filing under seal pending resolution of the Motion, shall remain under seal until further Order. Signed by Magistrate Judge Mark J. Dinsmore on 2/7/2014. (JD) (Entered: 02/10/2014)
02/10/2014	<u>88</u>	MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification, filed by Intervenor Plaintiffs THOMAS MAERTZ, COLTON COLE, CODY COLE, TIMOTHY KEISTER. (Attachments: # <u>1</u> Exhibit (Complaint in Intervention))(Rose, Gavin) (Entered: 02/10/2014)
02/10/2014	<u>89</u>	BRIEF/MEMORANDUM in Support re <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification, filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ. (Rose, Gavin) (Entered: 02/10/2014)

02/10/2014	<u>90</u>	ORDER – The Court GRANTS as unopposed Defendants' Motion to Withdraw. <u>86</u> Accordingly, in a separate order the Court will deny as withdrawn Defendants' Motion to Dismiss, <u>30</u> , and Motion to Stay Discovery, <u>32</u> . The Court VACATES the hearing regarding Defendants' Motion to Dismiss set for February 11, 2014 at 2:00 p.m. The Court GRANTS as unopposed Plaintiff's Motion to Amend/Correct Definition of Proposed Class. <u>60</u> The Court GRANTS Defendants' Motion to Seal. <u>85</u> Still pending in this case is Plaintiff's Motion to Certify Class, <u>3</u> , to which Defendants' response brief is not yet due, and Plaintiffs' recently filed Motion to Intervene and Join in Pending Motion for Class Certification, <u>88</u> . Defendants' response brief, is now due by February 19, 2014, must jointly address these motions, and is limited to forty (40) pages. Plaintiffs' reply brief, due by February 26, 2014, must also jointly address these motions and is limited to twenty-five (25) pages. (See Entry.) Signed by Judge Jane Magnus-Stinson on 2/10/2014.(RSF) (Entered: 02/10/2014)
02/10/2014	<u>91</u>	MARGINAL ENTRY – Given the Court's granting of Defendants' motion to withdraw, Court DENIES as withdrawn Defendants' Motion to Dismiss, <u>30</u> . Signed by Judge Jane Magnus-Stinson on 2/10/2014. (RSF) (Entered: 02/10/2014)
02/10/2014	<u>92</u>	MARGINAL ENTRY – Given Defendants' withdrawal of their Motion to Dismiss, the Court DENIES as moot Plaintiffs' Motion <u>35</u> for Extension of Time. Signed by Judge Jane Magnus-Stinson on 2/10/2014. (RSF) (Entered: 02/10/2014)
02/10/2014	<u>93</u>	MARGINAL ENTRY – Given Defendants' withdrawal of their Motion to Stay, the Court DENIES as withdrawn the Motion <u>32</u> to Stay Discovery. Signed by Judge Jane Magnus-Stinson on 2/10/2014. (RSF) (Entered: 02/10/2014)
02/10/2014	<u>94</u>	NOTICE of Appearance by Gavin Minor Rose on behalf of Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ. (Rose, Gavin) (Entered: 02/10/2014)
02/19/2014	<u>95</u>	Appendix of Exhibits in Support of <u>97</u> Response in Opposition to Motion re <u>3</u> MOTION to Certify Class , <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Affidavit Pierson Declaration, # <u>2</u> Affidavit Rodway Declaration)(Mappes, Harmony) Modified on 2/20/2014 (JKS). (Entered: 02/19/2014)
02/19/2014	<u>96</u>	SEALED Exhibits, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit A – Compilation of Aging Reports, # <u>2</u> Exhibit B – DDRS Spreadsheet, # <u>3</u> Affidavit Unredacted Pierson Declaration)(Mappes, Harmony) (Entered: 02/19/2014)
02/19/2014	<u>97</u>	RESPONSE in Opposition re <u>3</u> MOTION to Certify Class , <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 02/19/2014)
02/19/2014	<u>98</u>	SEALED RESPONSE re <u>3</u> MOTION to Certify Class , <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit Unredacted Response in Opposition to Plaintiff's Motion for Class Certification)(Mappes, Harmony) (Entered: 02/19/2014)
02/19/2014	<u>99</u>	MOTION to Seal Document <u>98</u> SEALED Response to Motion, <u>96</u> SEALED Document Exhibits, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 02/19/2014)
02/20/2014	<u>100</u>	SEALED submission for corrected Certificate of Service, re <u>96</u> Exhibits, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit A – Compilation of Aging Reports, # <u>2</u> Exhibit B – DDRS Spreadsheet, # <u>3</u> Affidavit Unredacted Pierson Declaration)(Mappes, Harmony) Modified on 2/20/2014 (JKS). (Entered: 02/20/2014)
02/20/2014	<u>101</u>	SEALED submission for corrected Certificate of Service re <u>98</u> RESPONSE filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit Unredacted Response in Opposition to Plaintiff's Motion for Class Certification)(Mappes, Harmony) Modified on 2/20/2014 (JKS). (Entered: 02/20/2014)

		02/20/2014)
02/24/2014	<u>102</u>	MOTION for Extension of Time to 20 days after Court's ruling on Motion for Class Certification and Motion for Permissive Intervention in which to <u>1</u> Complaint <i>Respond to Complaint</i> , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 02/24/2014)
02/25/2014	<u>103</u>	ORDER granting Defendants' <u>102</u> Motion for Extension of Time to File response to complaint. Defendants' deadline to respond to the Complaint is extended up to and including twenty days after the Court rules on the Motion for Class Certification and Motion for Permissive Intervention. Signed by Judge Jane Magnus-Stinson on 2/25/2014. (SWM) (Entered: 02/25/2014)
02/26/2014	<u>104</u>	Appendix of Exhibits in Support of Motion re <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification, <u>3</u> MOTION to Certify Class (<i>Supplemental</i>), filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, Plaintiff KARLA STEIMEL. (Attachments: # <u>1</u> Exhibit 21 (Supp. Aff. of Karla Steimel), # <u>2</u> Exhibit 22 (Aff. of Kristie Wright), # <u>3</u> Exhibit 23 (Supp. Aff. of Tamara Awald), # <u>4</u> Exhibit Mot. for Class Cert. in McGarry v. Becher, # <u>5</u> Exhibit Entry on Class Cert. in Bowman v. IBM)(Rose, Gavin) (Entered: 02/26/2014)
02/26/2014	<u>105</u>	REPLY in Support of Motion re <u>3</u> MOTION to Certify Class , <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification (<i>Redacted – Public Filing</i>), filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 02/26/2014)
02/26/2014	<u>106</u>	SEALED REPLY in support of Motion re <u>3</u> MOTION to Certify Class , <u>88</u> MOTION to Intervene (<i>Permissive</i>) and to Join in Pending Motion for Class Certification (<i>Unredacted – Under Seal</i>), filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 02/26/2014)
03/03/2014	<u>107</u>	SCHEDULING ORDER: This cause is set for a Hearing on the plaintiff's pending motion for class certification [dkt. 3] on March 10, 2014 at 10:00 a.m. in Room 307, U.S. Courthouse, 46 E. Ohio Street, Indianapolis, Indiana. Counsel shall have 30 minutes per side for argument and to respond to the Court's questions. Signed by Judge Jane Magnus-Stinson on 3/3/2014.(MRI) (Entered: 03/03/2014)
03/11/2014	<u>108</u>	MINUTE ORDER for proceedings held before Judge Jane Magnus-Stinson: Oral Argument held on March 10, 2014, the Court held a hearing on two pending motions: (1) Plaintiff Karla Steimel's Motion to Certify Class, [Filing No. 3], and (2) Intervenor Plaintiffs' Motion to Intervene and to Join in Pending Motion for Class Certification, [Filing No. 88]. Plaintiff Ms. Steimel and Intervenor Plaintiffs appeared by counsel Gavin Rose. Defendants appeared by counsel Harmony Mappes and Ryan Hurley, as well as in-house counsel Elizabeth Karlson. The Court Reporter was David Moxley. The parties presented argument and responded to the Court's questions, and the Court took both motions, [Filing No. 3; Filing No. 88], UNDER ADVISEMENT. Signed by Judge Jane Magnus-Stinson. (Court Reporter David Moxley.)(MRI) (Entered: 03/11/2014)
03/12/2014	<u>109</u>	ORDER granting <u>99</u> Motion to Maintain Documents Under Seal – Filing No. 96–1, Filing No. 96–2, Filing No. 96–3, and Filing No. 98–1, having been accepted for filing under seal pending resolution of the Motion, shall remain under seal until further Order. Signed by Magistrate Judge Mark J. Dinsmore on 3/12/2014. (JD) (Entered: 03/12/2014)
03/12/2014	<u>110</u>	MOTION to Seal Document <u>106</u> SEALED Reply in support of Motion [<i>Maintain Documents Under Seal</i>], filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 03/12/2014)
03/13/2014	<u>111</u>	ORDER – granting <u>110</u> Motion to Seal Document <u>106</u> SEALED Reply in support of Motion. Signed by Magistrate Judge Mark J. Dinsmore on 3/13/2014. (RSF) (Entered: 03/13/2014)

03/24/2014	<u>112</u>	ORDER: For these reasons, Plaintiffs' Motion for Permissive Intervention and to Join in Pending Motion for Class Certification is GRANTED, [Filing No. 88], and Plaintiffs' Motion to Certify is DENIED, [Filing No. 3] ***SEE ORDER FOR ADDITIONAL INFORMATION***. Signed by Judge Jane Magnus-Stinson on 3/24/2014. (DW) (Entered: 03/24/2014)
03/24/2014	<u>113</u>	ORDER: The Court has this day issued its order denying class certification. The Court requests the magistrate to conduct a status conference for the purpose of determining the further development of the case, including specifically discussing with the parties whether the plaintiffs' claims should remain joined, or separated into individual actions and reporting back to the district judge. Signed by Judge Jane Magnus-Stinson on 3/24/2014.(DW) (Entered: 03/24/2014)
03/28/2014	<u>115</u>	MOTION for Extension of Time to May 14, 2014 to Respond to Complaints, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 03/28/2014)
04/02/2014	<u>116</u>	ORDER granting <u>115</u> Defendant's Motion for Extension of Time to respond to the Complaint and the Complaint in Intervention is hereby extended up to and including May 14, 2014. Signed by Magistrate Judge Mark J. Dinsmore on 4/2/2014. (MGG) (Entered: 04/03/2014)
04/14/2014	<u>117</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 4/2/2014. The parties discussed issues relating to the case. Status Conference set for 5/2/2014 at 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. ***See Order For Additional Information***. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 04/14/2014)
05/05/2014	<u>119</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 5/2/2014. The parties reported on the status of waivers requested by the intervening Plaintiffs. The parties further discussed issues relating to joinder or separation of the various Plaintiffs' claims. Status Conference set for 6/11/2014 at 08:40 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. *See Order for Additonal Information*. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 05/05/2014)
05/14/2014	<u>120</u>	MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) Plaintiff Steimel, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 05/14/2014)
05/14/2014	<u>121</u>	BRIEF/MEMORANDUM in Support re <u>120</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) Plaintiff Steimel , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 05/14/2014)
05/14/2014	<u>122</u>	ANSWER to Complaint and Affirmative Defenses to [88-1] Class Action Complaint in Intervention for Declaratory and Injunctive Relief, filed by All Defendants.(Mappes, Harmony) (Entered: 05/14/2014)
05/21/2014	<u>123</u>	RESPONSE to Motion re <u>120</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) Plaintiff Steimel , filed by Plaintiff KARLA STEIMEL. (Rose, Gavin) (Entered: 05/21/2014)
06/02/2014	<u>124</u>	MOTION for Extension of Time to July 2, 2014 in which to <u>29</u> Order: Case ManagementSet Deadlines (<i>Re: Expert Disclosure Deadline</i>), filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 06/02/2014)
06/03/2014	<u>125</u>	ORDER – granting <u>124</u> Motion for Extension of Time to File, disclosure deadline is extended up to and including July 2, 2014. Signed by Magistrate Judge Mark J. Dinsmore on 6/3/2014. (CKM) (Entered: 06/03/2014)
06/12/2014	<u>127</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 6/11/2014./ The parties discussed the status of waivers and the related case 1:14-cv-0668-JMS-MJD. The parties' approved Case Management Plan [Dkt. 29] will be amended as follows: Discovery due by 11/7/2014. Dispositive Motions due by 12/5/2014. See Entry for other established deadlines and information. Status Conference set for 7/15/2014 at 03:20 PM in Telephonic before Magistrate Judge Mark J. Dinsmore.). Signed by Magistrate Judge Mark J. Dinsmore. (NLR)

		(Entered: 06/12/2014)
06/26/2014	<u>128</u>	ORDER granting <u>120</u> Defendants' Motion to Dismiss Ms. Steimel's claims. No partial final judgment shall issue at this time. ***SEE ORDER***. Signed by Judge Jane Magnus-Stinson on 6/26/2014. (JKS) (Entered: 06/26/2014)
07/18/2014	<u>130</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 7/15/2014. Plaintiff reported on the status of Plaintiffs' waiver applications. A discussion was further held regarding discovery and consolidation issues. Status Conference set for 8/29/2014 at 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. *See Order For Additional Information*. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 07/18/2014)
08/04/2014	<u>131</u>	SCHEDULING ORDER: Bench Trial set for 8/4/2015 09:00 AM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Final Pretrial Conference set for 7/10/2015 09:00 AM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Signed by Judge Jane Magnus-Stinson on 8/4/2014.(SWM) (Entered: 08/04/2014)
08/04/2014	<u>132</u>	PRACTICES & PROCEDURES before Judge Jane Magnus-Stinson. (SWM) (Entered: 08/04/2014)
09/03/2014	<u>134</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 8/29/2014. Plaintiff reported on the status of Mr. Keister's waiver application and discovery was discussed. Status Conference set for 10/6/2014 at 09:40 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. *See Order For Additional Information*. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 09/03/2014)
09/22/2014	<u>135</u>	ORDER: On December 10, 2013, this Court revised its Uniform Case Management Plan for Civil Cases to include Section II.D, which provides as follows: Within 14 days after the non-expert discovery deadline, and consistent with the certification provisions of Fed. R. Civ. Proc. 11(b) the party with the burden of proof shall file a statement of the claims or defenses it intends to prove at trial, stating specifically the legal theories upon which the claims or defenses are based. <u>See Southern District of Indiana website</u> . If the Case Management Plan in the above-captioned case does not include Section II.D as quoted above, the Court AMENDS the parties' Case Management Plan to include Section II.D and the parties shall file the appropriate statement. If the Case Management Plan in the above-captioned case already includes Section II.D as quoted above, the Court REMINDS the parties of their obligation to file the appropriate statement. Signed by Judge Jane Magnus-Stinson on 9/22/2014. (MAC) (Entered: 09/22/2014)
10/06/2014	<u>137</u>	Witness List (<i>Final</i>), filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL, Exhibit List (<i>Final</i>), filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Hurley, Ryan) (Entered: 10/06/2014)
10/06/2014	<u>138</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 10/6/2014. Plaintiff reported that Mr. Keister will file a new waiver application through counsel. The parties further discussed teh status of discovery. Settlement Conference set for 11/19/2014 at 09:00 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. *See order for additional information and deadlines*. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 10/06/2014)
10/06/2014	<u>139</u>	Witness List (<i>Final</i>), filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, Exhibit List (<i>Final</i>), filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ. (Rose, Gavin) (Entered: 10/06/2014)
11/20/2014	<u>140</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Settlement Conference held on 11/19/2014. A settlement was not achieved.Subsequent to the settlement conference, the Court conferred with counsel for the parties regarding the upcoming dispositive motions deadline and, with the agreement of the parties, hereby amends Section IV of the approved Case Management Plan as amended [Dkts. 29 & 127] as follows:On or before December 3, 2014, and consistent with the

		certification provisions of Fed. R. Civ. P. 11(b), the party with the burden of proof shall file a statement of the claims or defenses it intends to prove at trial, stating specifically the legal theories upon which the claims or defenses are based. All discovery shall be completed by November 7, 2014. Defendants shall file any dispositive motion on or before December 17, 2014. Plaintiffs shall file any response thereto, along with any cross-dispositive motion, on or before January 20, 2015. Defendants shall file any response to Plaintiffs' cross-dispositive motion and any reply in support of their dispositive motion on or before February 20, 2015. Plaintiffs shall file any reply in support of their cross-dispositive motion on or before March 9, 2015. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 11/20/2014)
12/02/2014	<u>141</u>	Statement of Claims by CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ. (Rose, Gavin) (Entered: 12/02/2014)
12/03/2014	<u>142</u>	Statement of Defenses by All Defendants. (Mappes, Harmony) (Entered: 12/03/2014)
12/17/2014	<u>143</u>	MOTION for Summary Judgment , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Exhibit 1 – FS Waiver, # <u>2</u> Exhibit 2 – CIH Waiver, # <u>3</u> Exhibit 3 – A&D Waiver, # <u>4</u> Exhibit 4 – 2006 Policy, # <u>5</u> Exhibit 5 – 2011 Policy, # <u>6</u> Pierson Declaration, # <u>7</u> Reynolds Declaration, # <u>8</u> Interrogatory Responses, # <u>9</u> Responses to Requests for Admission)(Mappes, Harmony) (Entered: 12/17/2014)
12/17/2014	<u>144</u>	BRIEF/MEMORANDUM in Support re <u>143</u> MOTION for Summary Judgment , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 12/17/2014)
01/17/2015	<u>145</u>	Cross MOTION for Summary Judgment , filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Attachments: # <u>1</u> Exhibit 1 (Dep. of J. Reynolds), # <u>2</u> Exhibit 2 (Aff. of T. Awald), # <u>3</u> Exhibit 3 (Aff. of F. Kemp), # <u>4</u> Exhibit 4 (Case File Documents of Cody Cole), # <u>5</u> Exhibit 5 (Case File Documents of Colton Cole), # <u>6</u> Exhibit 6 (Case File Documents of T. Maertz), # <u>7</u> Exhibit 7 (DOJ Guidance))(Rose, Gavin) (Entered: 01/17/2015)
01/17/2015	<u>146</u>	BRIEF/MEMORANDUM in Support re <u>145</u> Cross MOTION for Summary Judgment and Response in Opposition to <u>143</u> Defendants' Motion for Summary Judgment, filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Rose, Gavin) (Entered: 01/17/2015)
02/20/2015	<u>147</u>	APPENDIX of Exhibits in Support of Defendants' Response to Plaintiffs' Cross Motion for Summary Judgment by All Defendants. (Attachments: # <u>1</u> Exhibit Second Reynolds Declaration, # <u>2</u> Exhibit Second Pierson Declaration) (Mappes, Harmony) (Entered: 02/20/2015)
02/20/2015	<u>148</u>	REPLY in Support of Motion re Defendants' <u>143</u> MOTION for Summary Judgment and RESPONSE in Opposition of Motion re Plaintiff's <u>145</u> Cross MOTION for Summary Judgment, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) Modified on 2/23/2015 (BGT). (Entered: 02/20/2015)
02/25/2015	<u>149</u>	Unopposed MOTION for Extension of Time to File Reply to 03/27/2015 re <u>145</u> Cross MOTION for Summary Judgment , filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 02/25/2015)
02/26/2015	<u>150</u>	ORDER granting Plaintiffs' <u>149</u> Motion for Extension of Time to File Reply to 3/27/2015 re <u>145</u> Cross MOTION for Summary Judgment . Signed by Judge Jane Magnus-Stinson on 2/26/2015. (SWM) (Entered: 02/26/2015)
03/27/2015	<u>151</u>	NOTICE of Filing (<i>Supplemental Designation of Evidence in Supp. of Cross-Mot. for Summ. Judgment</i>) by CODY COLE, COLTON COLE, THOMAS MAERTZ (Attachments: # <u>1</u> Exhibit 1 (Current Reimbursement Rates for Waiver Services), # <u>2</u> Exhibit 2 (Side-by-side Comparison of Prior Authorization and Waiver Services)) (Rose, Gavin) (Entered: 03/27/2015)
03/27/2015	<u>152</u>	REPLY in Support of Motion re <u>145</u> Cross MOTION for Summary Judgment , filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Rose, Gavin) (Entered: 03/27/2015)

03/27/2015	<u>153</u>	NOTICE of Appearance by Victoria Louise Thomas on behalf of Interested Party UNITED STATES OF AMERICA. (Thomas, Victoria) (Entered: 03/27/2015)
03/27/2015	<u>154</u>	NOTICE of Appearance by Debra G. Richards on behalf of Interested Party UNITED STATES OF AMERICA. (Richards, Debra) (Entered: 03/27/2015)
03/27/2015	<u>155</u>	Statement of Interest by UNITED STATES OF AMERICA. (Richards, Debra) (Entered: 03/27/2015)
04/03/2015	<u>156</u>	Unopposed MOTION for Leave to File a Response to <u>155</u> Statement of Interest of the United States of America, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Attachments: # <u>1</u> Text of Proposed Order)(Mappes, Harmony) (Entered: 04/03/2015)
04/06/2015	<u>157</u>	ENTRY. The Defendants filed an unopposed motion for leave to file a response to the Statement of Interest filed by the United States of America [dkt.156] in the 1:13-cv-00957 case. The motion is granted and the response shall be filed on or before April 13, 2015, limited to no more than 10 pages. Both cases are set for oral argument on the pending cross motions for summary judgment on April 28, 2015 at 9:00 a.m. in Room 307, U.S. Courthouse, 46 E. Ohio Street, Indianapolis, Indiana. Each side shall have a total of 60 minutes. The individual parties may divide their allotted time as they see fit. The United States shall have 20 minutes to argue in support of its statement of interest. Signed by Judge Jane Magnus-Stinson on 4/6/2015. (BGT) (Entered: 04/06/2015)
04/13/2015	<u>158</u>	Unopposed MOTION for Continuance of Oral Argument Scheduled for April 28, 2015, filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 04/13/2015)
04/13/2015	<u>159</u>	RESPONSE to Statement of Interest of the United States of America, re <u>155</u> Statement, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 04/13/2015)
04/14/2015	<u>160</u>	ORDER granting Plaintiffs-Intervenors' <u>158</u> Motion to Continue the Oral Argument. The Oral Argument is reset for 5/13/2015 at 2:00 PM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Signed by Judge Jane Magnus-Stinson on 4/14/2015. (BGT) (Entered: 04/14/2015)
05/12/2015	<u>161</u>	MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) as to Plaintiff Keister, filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 05/12/2015)
05/12/2015	<u>162</u>	BRIEF/MEMORANDUM in Support re <u>161</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) as to Plaintiff Keister , filed by Defendants FAITH LAIRD, DEBRA MINOTT, NICOLE NORVELL. (Mappes, Harmony) (Entered: 05/12/2015)
05/13/2015	<u>163</u>	ENTRY. The May 13, 2015 Oral Argument hearing, TIME ONLY, is reset to 1:30 p.m. in Room 307, U.S. Courthouse, 46 E. Ohio Street, Indianapolis, Indiana. Signed by Judge Jane Magnus-Stinson on 5/13/2015. (BGT) (Entered: 05/13/2015)
05/13/2015	<u>164</u>	MINUTE ENTRY for proceedings held before Judge Jane Magnus-Stinson. On May 13, 2015, the Court held an oral argument on the pending motions for summary judgment. Plaintiffs were represented by counsel, Gavin Rose. Defendants were represented by counsel Harmony Mappes, Ryan Hurley, and Stephanie Boxell. Interested Party, United States of America were represented by Debra Richards and Victoria Thomas. The Court heard argument from counsel for all parties. The Court took the pending motions under advisement and ruling will be by separate order. Signed by Judge Jane Magnus-Stinson on 5/13/2015. (Court Reporter Jean Knepley.) (BGT) Modified on 5/13/2015 (BGT). (Entered: 05/13/2015)
05/25/2015	<u>165</u>	RESPONSE to Motion re <u>161</u> MOTION to Dismiss for Lack of Jurisdiction (<i>Subject Matter</i>) as to Plaintiff Keister , filed by Intervenor Plaintiff TIMOTHY KEISTER. (Rose, Gavin) (Entered: 05/25/2015)

05/28/2015	<u>166</u>	ORDER granting Defendants' <u>161</u> Motion to Dismiss for Lack of Jurisdiction. Presently pending before the Court is Defendants' Motion to Dismiss Plaintiff Timothy Keister's claims for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1). [Filing No. 161.] Defendants contend that Mr. Keister's claims are moot because he is now enrolled in a waiver program that provides him with the services he seeks by way of this suit. [Filing No. 162 at 1-2.] Mr. Keister agrees that, in light of the Court's earlier denial of the Motion to Certify a Class, [see Filing No. 112], "his individual claims are moot and that he may be dismissed as a plaintiff." [Filing No. 165 at 2.] In so conceding, however, "Mr. Keister reserves his right to appeal the denial of his [Motion to Certify a Class] following final judgment in this cause." [Filing No. 165 at 2 (citing U.S. Parole Comm'n v. Geraghty, 445 U.S. 388, 404 (1980)).] The Court agrees with the parties that Mr. Keister's claims are moot, and therefore that this Court lacks subject-matter jurisdiction over his claims. See Pakovich v. Verizon LTD Plan, 653 F.3d 488, 492 (7th Cir. 2011) ("Federal courts lack subject matter jurisdiction when a case becomes moot."). Accordingly, Defendants' Motion to Dismiss Mr. Keister's claims is GRANTED. [Filing No. 161.] No partial final judgment shall issue at this time. Signed by Judge Jane Magnus-Stinson on 5/28/2015. (BGT) (Entered: 05/28/2015)
06/09/2015	<u>167</u>	ORDER. Defendants' Motion for Summary Judgment is GRANTED, [Filing No. 143], and Plaintiffs' Cross Motion for Summary Judgment is DENIED, [Filing No. 145]. Plaintiffs' integration-mandate claim is unripe and is therefore dismissed without prejudice. Final Judgment shall issue accordingly. SEE ORDER. Signed by Judge Jane Magnus-Stinson on 6/9/2015. (BGT) (Entered: 06/09/2015)
06/09/2015	<u>168</u>	FINAL JUDGMENT PURSUANT TO FED. R. CIV. PRO. 58. Consistent with the Court's Order entered this date, the Court now enters FINAL JUDGMENT in this matter in favor of Defendants such that Plaintiffs shall take nothing by way of their Complaint. This action is dismissed without prejudice. Signed by Judge Jane Magnus-Stinson on 6/9/2015. (BGT) (Entered: 06/09/2015)
06/29/2015	<u>169</u>	NOTICE OF APPEAL as to <u>112</u> Order on Motion to Certify Class Order on Motion to Intervene, <u>168</u> Closed Judgment, <u>167</u> Order on Motion for Summary Judgment, <u>128</u> Order on Motion to Dismiss/Lack of Jurisdiction, <u>166</u> Order on Motion to Dismiss/Lack of Jurisdiction, filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, Plaintiff KARLA STEIMEL. (Filing fee \$505, receipt number 0756-3511503) (Rose, Gavin) (Entered: 06/29/2015)
06/29/2015	<u>170</u>	DOCKETING STATEMENT by CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, KARLA STEIMEL re <u>169</u> Notice of Appeal (Rose, Gavin) (Entered: 06/29/2015)
07/01/2015	<u>171</u>	PARTIES' SHORT RECORD re <u>169</u> Notice of Appeal – Instructions for Attorneys and Designation of Record information attached. Docket Report containing sealed entries emailed to counsel of record. (MAG) Modified on 7/1/2015 to show sealed docket sheet emailed to counsel (MAG). (Entered: 07/01/2015)
07/01/2015	<u>172</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>169</u> Notice of Appeal. – for Court of Appeals Use Only. Docket Report containing sealed entries emailed to USCA.(MAG) Modified on 7/1/2015 include additional orders (MAG). (Main Document 172 replaced on 7/1/2015) (MAG). (Entered: 07/01/2015)
07/01/2015	<u>173</u>	USCA Case Number 15-2377 for <u>169</u> Notice of Appeal filed by CODY COLE, COLTON COLE, TIMOTHY KEISTER, KARLA STEIMEL, THOMAS MAERTZ. (MAG) (Entered: 07/01/2015)
07/03/2015	<u>174</u>	SEVENTH CIRCUIT TRANSCRIPT INFORMATION SHEET by CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, KARLA STEIMEL re <u>169</u> Notice of Appeal (Rose, Gavin) (Entered: 07/03/2015)
07/11/2015	<u>175</u>	DESIGNATION of Record on Appeal by CODY COLE, COLTON COLE, TIMOTHY KEISTER, THOMAS MAERTZ, KARLA STEIMEL re <u>169</u> Notice of Appeal (Attachments: # <u>1</u> Exhibit (Docket with Designated Entries))(Rose, Gavin) (Entered: 07/11/2015)
07/13/2015	<u>176</u>	SEVENTH CIRCUIT TRANSCRIPT INFORMATION SHEET by All Defendants re <u>169</u> Notice of Appeal (Mappes, Harmony) (Entered: 07/13/2015)

07/29/2015	<u>177</u>	NOTICE of FILING of OFFICIAL TRANSCRIPT of Motion Hearing held before Judge Jane Magnus-Stinson on 03/10/2014 (Moxley, David) (Entered: 07/29/2015)
07/29/2015	<u>178</u>	TRANSCRIPT of Motion Hearing held on 03/10/2014 before Judge Jane Magnus-Stinson. (60 pages.) Court Reporter/Transcriber: David Moxley (Telephone: (317) 916-8209). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 8/19/2015. Release of Transcript Restriction set for 10/27/2015. (Moxley, David) Released on 10/28/2015 (SWM). (Entered: 07/29/2015)
08/14/2015	<u>179</u>	TRANSCRIPT of Oral Argument on Cross-Motions for Summary Judgment held on 5-13-15 before Judge Jane Magnus-Stinson. (78 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 9/4/2015. Release of Transcript Restriction set for 11/12/2015. (Knepley, Jean) Released on 11/12/2015 (SWM). (Entered: 08/14/2015)
08/14/2015	<u>180</u>	NOTICE of FILING of OFFICIAL TRANSCRIPT of Oral Argument on Cross-Motions for Summary Judgment held before Judge Jane Magnus-Stinson on 5-13-15 (Knepley, Jean) (Entered: 08/14/2015)
11/25/2015	<u>181</u>	Certified and Transmitted Record on Appeal on a CD to US Court of Appeals, via UPS re <u>169</u> Notice of Appeal (USCA #15-2377). Contents of CD: 4 vol. pleadings, 2 vol. oversized documents, 2 vol. transcripts, and 26 vol. sealed documents. (Attachments: # <u>1</u> Notice to Transmit Record)(MAG) (Entered: 11/25/2015)
12/09/2015	<u>182</u>	Appeal Remark re <u>169</u> Notice of Appeal (USCA #15-2377) : Original record on appeal filed electronically. Contents of record : 4 vol. of pleadings; 2 vol. of exhibits; 26 sealed documents; and 2 transcripts. (MAG) (Entered: 12/09/2015)
06/01/2016	<u>183</u>	MANDATE of USCA as to <u>169</u> Notice of Appeal filed by CODY COLE, COLTON COLE, TIMOTHY KEISTER, KARLA STEIMEL, THOMAS MAERTZ (USCA #15-2377) - We REVERSE the judgment of the district court and REMAND for further proceedings consistent with the opinion. We AFFIRM the district court's decision not to certify the proposed class. Costs will be taxed against the state. The above is in accordance with the decision of this court entered on this date. (LBT) (Entered: 06/01/2016)
06/07/2016	<u>184</u>	SCHEDULING ORDER: Pretrial Conference set for 6/10/2016 01:30 PM (Eastern Time) in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of the conference is to put in place a schedule to move forward in light of the Seventh Circuit's Mandate [Dkt. 183]; counsel for the parties should confer regarding a proposed schedule in advance of the conference. Counsel shall attend the conference by calling the designated telephone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore on 6/7/2016.(SWM) Modified on 6/7/2016 (SWM). (Entered: 06/07/2016)
06/10/2016	<u>185</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Pretrial Conference held on 6/10/2016. All Discovery in this matter shall be completed by no later than 10/14/2016. All other requirements of the approved Case Management Plan as amended (Dkts. <u>29</u> , <u>127</u> , & <u>140</u>) remain in effect. Settlement Conference set for 8/26/2016 at 9:00 AM (Eastern Time) in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. *See order for deadlines and additional information.* Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 06/10/2016)
08/18/2016	<u>186</u>	Joint MOTION to Vacate <i>Settlement Conference and Remaining Deadlines</i> , filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 08/18/2016)
08/23/2016	<u>187</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 8/23/2016. The parties discussed the status of settlement discussions and the upcoming settlement conference. The parties advised that the damage claims of the individual Plaintiffs have been resolved and that the only unresolved issue relates to Plaintiffs' attorneys' fees, which have been assigned for resolution to counsel for Plaintiffs; accordingly, the individual Plaintiffs in this matter only are hereby excused from attending the upcoming settlement conference. Otherwise, the parties were advised that the August 26, 2016 settlement conference

		remains on the schedule unless and until the parties advise the Court that they have reached agreement as to all open issues, pending approval of such settlement by the Indiana Governor and Attorney General. Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 08/23/2016)
08/23/2016	<u>188</u>	ORDER DIRECTING FILING OF DOCUMENTS AUTHORIZING DISMISSAL: The Court has been advised by counsel that a settlement has been reached in this action. Therefore, all pending motions, if any, are now DENIED AS MOOT and all previously ordered dates relating to discovery, filings, schedules, conferences, and trial, if any, are VACATED. Within sixty (60) days of the date of this entry, counsel for the Plaintiff shall file a motion to dismiss this cause and submit an order for the Court's signature ordering the dismissal of this action or a stipulation of dismissal. Signed by Magistrate Judge Mark J. Dinsmore on 8/23/2016. (SWM) (Entered: 08/23/2016)
10/20/2016	<u>189</u>	Joint MOTION for Extension of Time to 12/23/2016 to File Dismissal Documents, filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 10/20/2016)
10/21/2016	<u>190</u>	ORDER granting in part and denying in part Parties' <u>189</u> Joint Motion for Extension of Time to File dismissal documents. The parties are granted an enlargement of time, to and including 12/2/2016, within which to file documents dismissing this action. Status Conference set for 11/22/2016 10:30 AM (Eastern Time) in Telephonic before Magistrate Judge Mark J. Dinsmore. Counsel shall attend the status conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore on 10/21/2016.(SWM) (Entered: 10/21/2016)
11/22/2016	<u>192</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 11/22/2016. Counsel for Defendants failed to appear. Counsel for Plaintiffs/Intervenors reported on the status of the resolution of the matter. Telephonic Status Conference set for 11/30/2016 at 10:00 AM (Eastern Time) before Magistrate Judge Mark J. Dinsmore. *See order for additional information.* Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 11/22/2016)
11/22/2016	193	***PLEASE DISREGARD. DOCKETED IN ERROR.*** MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 11/22/2016. Counsel for Defendants failed to appear. Counsel for Plaintiffs reported on the status of the resolution of the matter. Telephonic Status Conference set for 11/30/2016 10:00 AM (Eastern Time) before Magistrate Judge Mark J. Dinsmore. *See order for additional information.* Signed by Magistrate Judge Mark J. Dinsmore. (GD) Modified on 11/22/2016 (GD). (Entered: 11/22/2016)
11/30/2016	<u>195</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 11/30/2016. Parties reported on the status of the resolution of the matter. Parties granted an enlargement of time, to and including December 30, 2016, within which to file documents dismissing this action. Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 12/01/2016)
12/19/2016	<u>196</u>	STIPULATION of Dismissal , filed by Intervenor Plaintiffs CODY COLE, COLTON COLE, THOMAS MAERTZ. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 12/19/2016)
12/20/2016	<u>197</u>	CLOSED DISMISSED – The parties having filed their Stipulation of Dismissal ("Stipulation"), and the Court having read and reviewed the same and being duly advised, the Court hereby ACKNOWLEDGES the Stipulation and ORDERS that this cause is hereby dismissed, with prejudice and with each party to bear their own costs except as separately agreed. Signed by Judge Jane Magnus–Stinson on 12/20/2016. (GSO) (Entered: 12/20/2016)