

CLASS, CONSENT, PROTECTIVE ORD, TERMINATED
U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:12-cv-00138-AC

Lane et al v. Brown et al
Assigned to: Magistrate Judge John V. Acosta
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 01/25/2012
Date Terminated: 01/27/2016
Jury Demand: None
Nature of Suit: 445 Civil Rights:
Americans with Disabilities – Employment
Jurisdiction: Federal Question

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*on behalf of themselves and all others
similarly situated*

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Intervenor Defendant

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Intervenor Defendant

State of Oregon

represented by **John J. Dunbar**
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Carson L. Whitehead
 (See above for address)
 TERMINATED: 05/09/2014

Christina L. Beatty-Walters
 (See above for address)
 ATTORNEY TO BE NOTICED

Keith E. McIntire
 (See above for address)
 TERMINATED: 01/22/2016

Laura R. Salerno Owens
 (See above for address)
 TERMINATED: 08/20/2014

Date Filed	#	Docket Text
01/25/2012	<u>1</u>	Complaint. Filing Fee in amount of \$350 collected. Receipt No. 45100. Jury Trial Requested: No. Filed by Angela Kehler, Zavier Kinville, Paula Lane, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., Gretchen Cason, Elizabeth Harrah, Andres Paniagua, Sparkle Green against All Defendants. (Attachments: # <u>1</u> Civil Cover Sheet) (sss) (Entered: 01/25/2012)
01/25/2012	<u>2</u>	Corporate Disclosure Statement. Filed by United Cerebral Palsy Association of Oregon and Southwest Washington, Inc. (sss) (Entered: 01/25/2012)
01/25/2012	<u>3</u>	Discovery and Pretrial Scheduling Order and Notice of Case Assignment to Magistrate Judge Janice M. Stewart. Discovery is to be completed by 5/24/2012. Joint Alternate Dispute Resolution Report is due by 6/25/2012. Pretrial Order is due by 6/25/2012. Ordered by Magistrate Judge Janice M. Stewart. (sss) (Entered: 01/25/2012)
02/01/2012	<u>4</u>	Summons Issued as to Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon (sss) (Entered: 02/02/2012)
02/08/2012	<u>5</u>	Order Granting Application for Special Admission Pro Hac Vice of Bettina Toner for Gretchen Cason, Sparkle Green, Elizabeth Harrah, Bettina Toner for Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson and United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. Application Fee in amount of \$100 collected. Receipt No. 45350 issued. Signed on 2/8/2012 by Magistrate Judge Janice M. Stewart. (ecp) (Entered: 02/09/2012)
02/08/2012	<u>6</u>	Order Granting Application for Special Admission Pro Hac Vice of Steven J. Schwartz for Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson and United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. Application Fee in amount of \$100 collected. Receipt No. 45350 issued. Signed on 2/8/2012 by Magistrate Judge Janice M. Stewart. (ecp) (Entered: 02/09/2012)
02/08/2012	<u>7</u>	Order Granting Application for Special Admission Pro Hac Vice of Cathy E. Costanzo for Gretchen Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson and United Cerebral Palsy Association of

		Oregon and Southwest Washington, Inc.. Application Fee in amount of \$100 collected. Receipt No. 45350 issued. Signed on 2/8/2012 by Magistrate Judge Janice M. Stewart. (ecp) (Entered: 02/09/2012)
02/16/2012	<u>8</u>	Notice of Appearance of John J. Dunbar appearing on behalf of All Defendants (<i>Titled Acceptance and Acknowledgment of Service of Process</i>) Filed by on behalf of All Defendants (Dunbar, John) (Entered: 02/16/2012)
02/16/2012	<u>9</u>	Notice of Appearance of Christina L. Beatty-Walters appearing on behalf of All Defendants Filed by on behalf of All Defendants (Beatty-Walters, Christina) (Entered: 02/16/2012)
02/27/2012	<u>10</u>	Fed. R. Civ. P. 26(a)(1) Agreement . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. (Rubin, Bruce) (Entered: 02/27/2012)
03/06/2012	<u>11</u>	Motion to Certify the Class . ORAL ARGUMENT requested. Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/06/2012)
03/06/2012	<u>12</u>	Memorandum in Support of <i>Plaintiffs' Motion for Class Certification</i> . Filed by All Plaintiffs. (Related document(s): Motion to certify class <u>11</u> .) (Attachments: # <u>1</u> Exhibit 1 (Declaration of Ann Coffey), # <u>2</u> Appendix (ADA Class Certification Cases)) (Rubin, Bruce) (Entered: 03/06/2012)
03/06/2012	<u>13</u>	Declaration of Theodore Wenk <i>Regarding Exhibits in Support of Plaintiffs' Motion for Class Certification</i> . Filed by All Plaintiffs. (Related document(s): Motion to certify class <u>11</u> .) (Attachments: # <u>1</u> Exhibit 2, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 6) (Rubin, Bruce) (Entered: 03/06/2012)
03/07/2012	<u>14</u>	Notice of Change of Address for <i>Kathleen L. Wilde, James A. Wrigley and Theodore E. Wenk</i> Filed by All Plaintiffs (Wilde, Kathleen) (Entered: 03/07/2012)
03/09/2012	<u>15</u>	Motion for Extension of Time to File a Response/Reply to Motion to Certify the Class <u>11</u> . Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 03/09/2012)
03/09/2012	<u>16</u>	Memorandum in Support of <i>Motion for Extension of Time to Respond to the Motion for Class Certification</i> . Filed by All Defendants. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion <u>15</u> .) (Beatty-Walters, Christina) (Entered: 03/09/2012)
03/09/2012	<u>17</u>	Declaration of Christina L. Beatty-Walters <i>in Support of Motion for Extension of Time to Respond to the Motion for Class Certification</i> . Filed by All Defendants. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion <u>15</u> .) (Beatty-Walters, Christina) (Entered: 03/09/2012)
03/09/2012	<u>18</u>	Response in Opposition to Motion for Extension of Time to File a Response/Reply to Motion to Certify the Class <u>11</u> <u>15</u> Expedited Decision Requested requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Rubin, Bruce) (Entered: 03/09/2012)
03/09/2012	<u>19</u>	Report to Court of <i>Initial Conference of Counsel for Discovery Planning (Fed. R. Civ. P. 26(f))</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Rubin, Bruce) (Entered: 03/09/2012)
03/12/2012	20	ORDER by Magistrate Judge Janice M. Stewart: Granting in Part Defendants' Motion for Extension of Time to File Response to Motion to Certify the Class <u>11</u> . Response is due by 4/13/2012. Reply is due by 5/4/2012. Oral Argument is set for Thursday, 5/10/2012 at 1:30PM in Courtroom 11A before Magistrate Judge Janice M. Stewart on Plaintiffs' Motion For Class Certification <u>11</u> . (jlr) (Entered: 03/12/2012)
03/12/2012	<u>21</u>	SCHEDULING ORDER: Written consent forms to allow a Magistrate Judge to enter final orders and judgment in this case in accordance with FRCP 73 and 28 USC § 636(c) are due on or before 5/4/2012. Please see the Discovery and Pretrial Scheduling Order (docket # <u>3</u> , p. 6) for consent form. Please see the attached Notice for additional procedures applicable in cases assigned to Judge Stewart. Ordered by Magistrate Judge Janice M. Stewart. (stewart1,) (Entered: 03/12/2012)

03/12/2012	<u>22</u>	Amended Notice of Change of Address Filed by All Plaintiffs (Wilde, Kathleen) (Entered: 03/12/2012)
03/13/2012	23	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELPEHONE Rule 16 Conference for Tuesday, 4/3/2012 at 09:30AM before Magistrate Judge Janice M. Stewart. The Court will initiate the call. Local Rules 16-2(b) and 26-1 require that counsel confer prior to the conference. At the conference, counsel should be prepared to discuss the status of the case, relevant dates and deadlines, and any other significant issues. Plaintiff shall advise the court at the conference whether or not there will be full consent from all parties to proceed before the magistrate judge in the case. Until full consents are filed, no trial date will be set. (jlr) (Entered: 03/13/2012)
03/19/2012	<u>24</u>	Summons Returned Executed. as to State of Oregon served on 2/6/2012, answer due on 2/27/2012 Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/19/2012)
03/19/2012	<u>25</u>	Summons Returned Executed. as to Oregon Department of Human Services served on 2/6/2012, answer due on 2/27/2012 Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/19/2012)
03/19/2012	<u>26</u>	Summons Returned Executed. as to Oregon Office of Developmental Disability Services served on 2/6/2012, answer due on 2/27/2012 Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/19/2012)
03/19/2012	<u>27</u>	Summons Returned Executed. as to Oregon Office of Vocational Rehabilitation Services served on 2/6/2012, answer due on 2/27/2012 Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/19/2012)
04/03/2012	28	Record of telephone Rule 16 Conference and Notice Regarding Civil Case Procedures. ORDER: STAYING discovery through 5/10/2012; STRIKING the case schedule and deadlines, including the current date for argument on the Motion to Certify a Class; and SETTING the following new case schedule and deadlines: Defendants' Motion to Dismiss is due by 4/3/2012; Response to the Motion to Dismiss is due 4/20/2012; Motion for Protective Order is due 4/6/2012; Response to the Motion for a Protective Order is due 4/23/2012; Replis to the Motion to Dismiss and the Motion for a Protective Order is due 5/8/2012. A hearing on the Motion to Dismiss and the Motion for a Protective Order is set for Thursday, 5/10/2012 at 01:30PM in Judge Stewart's Courtroom before Magistrate Judge Janice M. Stewart. ORDER: Defendants' Response to the Motion to Certify a Class (docket # <u>11</u>) is due 5/24/2012; Plaintiffs' Reply is due 6/11/2012. A hearing on the Motion to Certify a Class (docket # <u>11</u>) is set for Wednesday, 6/13/2012 at 09:30AM in Judge Stewart's Courtroom before Magistrate Judge Janice M. Stewart. ORDER: Adopting portions of the parties' Proposed Schedule (attached to docket # <u>19</u>) as follows: Motions to Join Parties or Amend Complaint are due and Fact discovery is to be completed by 4/1/2013; Designations of Experts due 4/30/2013; Exchange of Initial Expert Witness Statements must be completed by 6/28/2013; Exchange of Rebuttal Expert Witness Statements must be completed by 7/26/2013; Expert Discovery is to be completed by 9/30/2013; Summary Judgment motions due 11/1/2013; Responses to Motions for Summary Judgment due 11/29/2013; Replies to Motions for Summary Judgment due 1/3/2014. ORDER: The Joint ADR Report is WAIVED. The parties should refer to the Court's Notice Regarding Civil Case Procedures (attached to Scheduling Order, docket # <u>21</u>) for motions practice procedures in cases assigned to Judge Stewart. The parties indicate that they consent to proceed before a Magistrate Judge (see docket # <u>19</u> , p. 2), and are advised that they must file written consent forms and should see the court's prior Scheduling Order (docket # <u>21</u>) concerning the deadline and consent form. Bruce Rubin, Kathy Wilde, Steven Schwartz, and Bettina Toner present as counsel for plaintiff(s). John Dunbar and Christine Beatty-Walters present as counsel for defendant(s). Court Reporter: none. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (stewart1,) (Entered: 04/03/2012)
04/03/2012	<u>29</u>	Motion to Dismiss . Oral Argument requested. Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 04/03/2012)
04/03/2012	<u>30</u>	Memorandum in Support of <i>Motion to Dismiss</i> . Filed by All Defendants. (Related document(s): Motion to Dismiss <u>29</u> .) (Beatty-Walters, Christina) (Entered: 04/03/2012)

04/06/2012	<u>31</u>	Motion for Protective Order . ORAL ARGUMENT requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Proposed Protective Order) (Wilde, Kathleen) (Entered: 04/06/2012)
04/06/2012	<u>32</u>	Memorandum in Support of <i>Plaintiffs' Motion for a Protective Order</i> . Filed by All Plaintiffs. (Related document(s): Motion for Protective Order <u>31</u> .) (Wilde, Kathleen) (Entered: 04/06/2012)
04/19/2012	<u>33</u>	Response to Motion for Protective Order <u>31</u> . Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 04/19/2012)
04/20/2012	<u>34</u>	Notice re Motion to Dismiss <u>29</u> <i>Statement of Interest of the United States of America in Support of Plaintiff's Regarding Defendants' Motion to Dismiss</i> Filed by United States of America (Related document(s): Motion to Dismiss <u>29</u> .) (Brown, Adrian) (Entered: 04/20/2012)
04/20/2012	<u>35</u>	Response in Opposition to Motion to Dismiss <u>29</u> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Reichman, Lawrence) (Entered: 04/20/2012)
05/07/2012	<u>36</u>	Reply to Motion to Dismiss <u>29</u> . Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 05/07/2012)
05/07/2012	<u>38</u>	Full Consent by all Parties to Jurisdiction by US Magistrate Judge. (sss) (Entered: 05/10/2012)
05/08/2012	<u>37</u>	Reply to Motion for Protective Order <u>31</u> ORAL ARGUMENT requested. Filed by All Plaintiffs. (Wilde, Kathleen) (Entered: 05/08/2012)
05/10/2012	39	Record of Motion Hearing. ORDER: Defendants' Motion to Dismiss <u>29</u> is taken under advisement. ORDER: Plaintiffs' Motion for a Protective Order <u>31</u> is GRANTED IN PART AND DENIED IN PART, as stated on the record. Plaintiffs shall prepare a redrafted Protective Order in accordance with the court's rulings, present it to defendants for approval, and then submit it to the court for signature. ORDER: RESETTING oral argument on Plaintiffs' Motion to Certify a Class <u>11</u> from June 13, 2012, to Judge Stewart's oral argument calendar of Thursday, June 21, 2012 at 9:30 a.m. ORDER: Defendants' response to the Motion to Certify a Class is due by 6/7/2012. Plaintiffs' reply is due by 6/18/2012. Steven Schwartz, Bruce Rubin, and Kathy Wilde (for plaintiffs) and Max Lapertosa (for US Department of Justice) present as counsel for plaintiff(s). Christina Beatty-Walters and John Dunbar present as counsel for defendant(s). Court Reporter: Bonita Shumway. Tape No: none.Magistrate Judge Janice M. Stewart presiding. (Related document(s): Motion to certify class <u>11</u> , Motion to Dismiss <u>29</u> , Motion for Protective Order <u>31</u> .) (stewart1,) (Entered: 05/10/2012)
05/17/2012	<u>40</u>	OPINION AND ORDER: Granting Defendants Motion to Dismiss <u>29</u> with leave to amend. First Amended Complaint is due by 5/29/2012. Signed on 5/17/2012 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 05/17/2012)
05/23/2012	<u>41</u>	Stipulated Proposed Form of Order Submitted <i>Protective Order</i> . Filed by All Parties. (Wilde, Kathleen) Modified to remove Goodwill Industries and United States of America as filers on 5/25/2012 (sss). (Entered: 05/23/2012)
05/24/2012	<u>42</u>	Protective Order. Signed on 5/24/12 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/24/2012)
05/29/2012	<u>43</u>	Amended Complaint . Filed by Angela Kehler, Zavier Kinville, Paula Lane, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., Gretchen Cason, Elizabeth Harrah, Andres Paniagua, Sparkle Green against Lori Robertson, Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon. (Schwartz, Steven) (Entered: 05/29/2012)
06/07/2012	<u>44</u>	Motion to Strike <i>Declaration of Ann Coffey</i> . Oral Argument requested. Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 06/07/2012)
06/07/2012	<u>45</u>	Response to Motion to Certify the Class <u>11</u> , Motion to Strike <i>Declaration of Ann Coffey</i> <u>44</u> . Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 06/07/2012)

06/07/2012	<u>46</u>	Declaration of Christina L. Beatty-Walters . Filed by All Defendants. (Related document(s): Motion to certify class <u>11</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8) (Beatty-Walters, Christina) (Entered: 06/07/2012)
06/07/2012	<u>47</u>	Declaration of Mary Lee Fay . Filed by All Defendants. (Related document(s): Motion to certify class <u>11</u> .) (Beatty-Walters, Christina) (Entered: 06/07/2012)
06/07/2012	<u>48</u>	Declaration of Nina R. Englander . Filed by All Defendants. (Related document(s): Motion to certify class <u>11</u> .) (Beatty-Walters, Christina) (Entered: 06/07/2012)
06/07/2012	<u>49</u>	Declaration of Joshua Leslie . Filed by All Defendants. (Related document(s): Motion to certify class <u>11</u> .) (Beatty-Walters, Christina) (Entered: 06/07/2012)
06/08/2012	50	Scheduling Order by Magistrate Judge Janice M. Stewart: Setting Defendants' Motion to Strike <i>Declaration of Ann Coffey</i> <u>44</u> for Oral Argument on Thursday, 6/21/2012 at 9:30AM (along with Motion to Certify Class) in Judge Stewart's Courtroom before Magistrate Judge Janice M. Stewart. (jlr) (Entered: 06/08/2012)
06/15/2012	<u>51</u>	Motion to Strike Declaration, <u>46</u> , Declaration <u>48</u> . Oral Argument requested. Filed by All Plaintiffs. (Reichman, Lawrence) (Entered: 06/15/2012)
06/15/2012	<u>52</u>	Memorandum in Support of <i>Plaintiffs' Motion to Strike Declarations</i> . Filed by All Plaintiffs. (Related document(s): Motion to Strike <u>51</u> .) (Reichman, Lawrence) (Entered: 06/15/2012)
06/15/2012	<u>53</u>	Answer to <u>43</u> Amended Complaint, . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Beatty-Walters, Christina) (Entered: 06/15/2012)
06/18/2012	<u>54</u>	Reply to Motion to Certify the Class <u>11</u> . Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 06/18/2012)
06/18/2012	<u>55</u>	Declaration of Paul Kinville . Filed by All Plaintiffs. (Related document(s): Reply to Motion <u>54</u> .) (Schwartz, Steven) (Entered: 06/18/2012)
06/18/2012	<u>56</u>	Declaration of Kathleen Cason . Filed by All Plaintiffs. (Related document(s): Reply to Motion <u>54</u> .) (Schwartz, Steven) (Entered: 06/18/2012)
06/18/2012	<u>57</u>	Declaration of Bettina Toner . Filed by All Plaintiffs. (Related document(s): Reply to Motion <u>54</u> .) (Schwartz, Steven) (Entered: 06/18/2012)
06/18/2012	<u>58</u>	Exhibits re Declaration <u>57</u> . Filed by All Plaintiffs. (Related document(s): Declaration <u>57</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20) (Schwartz, Steven) (Entered: 06/18/2012)
06/18/2012	<u>59</u>	Response to Motion to Strike <i>Declaration of Ann Coffey</i> <u>44</u> . Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 06/18/2012)
06/18/2012	<u>60</u>	Statement of Interest of the United States of America in Support of Plaintiffs' Motion for Class Certification Filed by United States of America (Related document(s): Motion to certify class <u>11</u> .) (Brown, Adrian) Modified text on 6/19/2012 (sss). (Entered: 06/18/2012)
06/18/2012	61	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Strike <u>51</u> for Oral Argument on Thursday, 6/21/2012 at 9:30AM in Judge Stewart's Courtroom before Magistrate Judge Janice M. Stewart. (jlr) (Entered: 06/18/2012)
06/18/2012	<u>62</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion Hearing held on 5/10/2012 before Judge Janice M. Stewart, Court Reporter Bonita J. Shumway, telephone number (503)326-8188. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the court reporter or PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 6/28/2012. Redaction Request due 7/12/2012. Redacted Transcript Deadline set for 7/23/2012. Release of Transcript Restriction set for 9/20/2012. (Shumway, Bonita)

		(Entered: 06/18/2012)
06/18/2012	<u>63</u>	Motion for Protective Order <i>or in the Alternative for an Extension of Time to Respond to Plaintiffs' Requests for Production</i> . Oral Argument requested. Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Beatty-Walters, Christina) (Entered: 06/18/2012)
06/18/2012	<u>64</u>	Memorandum in Support . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Related document(s): Motion for Protective Order, <u>63</u> .) (Beatty-Walters, Christina) (Entered: 06/18/2012)
06/19/2012	<u>65</u>	Declaration of Christina L. Beatty-Walters . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Related document(s): Motion for Protective Order, <u>63</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Beatty-Walters, Christina) (Entered: 06/19/2012)
06/19/2012	<u>66</u>	Notice of Association of Attorney Nina R. Englander for Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, Oregon Department of Human Services. Filed by Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, Oregon Department of Human Services (Englander, Nina) Modified on 6/20/2012 to remove duplicate text (tll). (Entered: 06/19/2012)
06/20/2012	<u>67</u>	Memorandum in Opposition to Motion for Protective Order <i>or in the Alternative for an Extension of Time to Respond to Plaintiffs' Requests for Production</i> <u>63</u> ORAL ARGUMENT requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Declaration of counsel) (Wilde, Kathleen) (Entered: 06/20/2012)
06/20/2012	<u>68</u>	Motion to Strike <i>New Evidence Submitted With Plaintiffs' Reply in Support of Their Motion for Class Certification</i> Declaration <u>55</u> , Declaration <u>56</u> , Declaration <u>57</u> . Oral Argument requested. Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Englander, Nina) (Entered: 06/20/2012)
06/20/2012	<u>69</u>	Memorandum in Support . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Related document(s): Motion to Strike, <u>68</u> .) (Englander, Nina) (Entered: 06/20/2012)
06/20/2012	<u>70</u>	Response to Motion to Certify the Class <u>11</u> . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Beatty-Walters, Christina) (Entered: 06/20/2012)
06/20/2012	<u>71</u>	Declaration of Christina L. Beatty-Walters . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Related document(s): Response to Motion <u>70</u> .) (Attachments: # <u>1</u> Exhibit 1) (Beatty-Walters, Christina) (Entered: 06/20/2012)
06/20/2012	<u>72</u>	Memorandum in Opposition to Motion to Strike <i>New Evidence Submitted With Plaintiffs' Reply in Support of Their Motion for Class Certification</i> Declaration <u>55</u> , Declaration <u>56</u> , Declaration <u>57</u> <u>68</u> . Filed by All Plaintiffs. (Roof, Jennifer) (Entered: 06/20/2012)
06/21/2012	73	MINUTES of Proceedings: Motion Hearing Held on pending motions. ORDER: Plaintiffs' Motion to Certify the Class (docket # <u>11</u>) and Defendants' Motion to Strike New Evidence Submitted With Plaintiffs' Reply in Support of Their Motion for Class Certification (docket # <u>68</u>) are taken under advisement. Defendants' Motion to Strike the Declaration of Ann Coffey (docket # <u>44</u>) is DENIED; Plaintiffs' Motion to Strike Declaration (docket # <u>51</u>) is GRANTED; and Defendants' Motion for Protective Order or Alternative Motion for an Extension of Time to Respond to Plaintiffs' Requests for Production (docket # <u>63</u>) is GRANTED to the extent that the due date for defendants' objections to the Request for Production is extended through August 2, 2012, and otherwise denied with leave to renew, if necessary, after the parties have conferred. Steven Schwartz, Bruce Rubin, Lawrence Reichman, and Kathleen Wilde (for

		plaintiffs) and Max Lapertosa (for US Department of Justice) present as counsel for plaintiff(s). Christina Beatty-Walters, Nina Englander, and John Dunbar present as counsel for defendant(s). Court Reporter: Jill Erwin. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (stewart1,) (Entered: 06/21/2012)
06/21/2012	<u>74</u>	Declaration of Lawrence H. Reichman . Filed by All Plaintiffs. (Related document(s): Motion to certify class <u>11</u> .) (Attachments: # <u>1</u> Exhibit) (Reichman, Lawrence) (Entered: 06/21/2012)
06/22/2012	<u>75</u>	Second Declaration of Nina R. Englander . Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services. (Related document(s): Response to Motion <u>45</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 1) (Englander, Nina) (Entered: 06/22/2012)
06/26/2012	<u>76</u>	ORDER: Granting in Part Denying in Part Defendants' Motion to Strike New Evidence Submitted With Plaintiffs' Reply in Support of Their Motion for Class Certification <u>68</u> . See attached for details of ruling. Signed on 6/26/2012 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 06/26/2012)
07/30/2012	<u>77</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion Hearing held on June 21, 2012, before Judge Janice M. Stewart, Court Reporter Jill L. Erwin, telephone number (503)326-8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the court reporter or PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 8/9/2012. Redaction Request due 8/23/2012. Redacted Transcript Deadline set for 9/4/2012. Release of Transcript Restriction set for 11/1/2012. (Erwin, Jill) (Entered: 07/30/2012)
08/06/2012	<u>78</u>	OPINION AND ORDER: Granting Motion to Certify the Class <u>11</u> . Signed on 8/6/2012 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 08/06/2012)
03/15/2013	<u>79</u>	Motion for Extension of Discovery & PTO Deadlines <i>pleading entitled: Plaintiffs' Motion to Amend Case Schedule and Deadlines</i> . Oral Argument requested. Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 03/15/2013)
03/15/2013	<u>80</u>	Memorandum in Support of <i>Plaintiff's Motion to Amend Case Schedule and Deadlines</i> . Filed by All Plaintiffs. (Related document(s): Motion for Extension of Discovery & PTO Deadlines <u>79</u> .) (Attachments: # <u>1</u> Exhibit 1) (Rubin, Bruce) (Entered: 03/15/2013)
03/21/2013	81	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING: <i>Plaintiffs' Motion to Amend Case Schedule and Deadlines 79</i> for TELEPHONE Oral Argument on Tuesday, 4/16/2013 at 1:30PM Pacific Daylight Time before Magistrate Judge Janice M. Stewart. (The court will provide a phone number to counsel to join the conference) (jlr) (Entered: 03/21/2013)
03/27/2013	<u>82</u>	Motion to Intervene . Filed by United States of America. (Lapertosa, Max) (Entered: 03/27/2013)
03/27/2013	<u>83</u>	Memorandum in Support of <i>Motion to Intervene</i> . Filed by United States of America. (Related document(s): Motion to intervene <u>82</u> .) (Attachments: # <u>1</u> Proposed Document Proposed Complaint in Intervention, # <u>2</u> Exhibit Letter, # <u>3</u> Exhibit Letter, # <u>4</u> Exhibit Letter) (Lapertosa, Max) Modified to delete Exhibit 4 per Order #105 on 5/22/2013 (eo). (Entered: 03/27/2013)
03/28/2013	<u>84</u>	Notice of Appearance of Steven G. Liday, Jr appearing on behalf of All Plaintiffs Filed by on behalf of All Plaintiffs (Liday, Steven) (Entered: 03/28/2013)
03/28/2013	85	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Intervene <u>82</u> filed by United States of America to be taken under advisement on 5/2/2013. (jlr) (Entered: 03/28/2013)
04/01/2013	<u>86</u>	Response to Motion for Extension of Discovery & PTO Deadlines <i>pleading entitled: Plaintiffs' Motion to Amend Case Schedule and Deadlines 79</i> Oral Argument requested. Filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1) (Beatty-Walters, Christina) (Entered: 04/01/2013)

04/15/2013	<u>87</u>	Response to Motion to Intervene <u>82</u> Oral Argument requested. Filed by All Defendants. (Beatty-Walters, Christina) (Entered: 04/15/2013)
04/15/2013	<u>88</u>	Declaration of Christina Beatty-Walters . Filed by All Defendants. (Related document(s): Response to Motion <u>87</u> .) (Attachments: # <u>1</u> Exhibit 1, 2, & 3) (Beatty-Walters, Christina) (Entered: 04/15/2013)
04/16/2013	<u>89</u>	MINUTES of Proceedings: Granting Motion for Extension of Discovery & PTO Deadlines <u>79</u> and setting the case schedule outlined on Plaintiff's Motion to Amend Case Schedule and Deadlines <u>79</u> , p. 2. ORDER: SETTING United States of America's Motion to Intervene for TELEPHONE oral argument on Monday, May 20, 2013 at 9:30 AM. Bruce Rubin, Cathy Costanzo, Kathleen Wilde, and Steven Schwartz present as counsel for plaintiff(s). Christina Beatty-Walters and Nina Englander present as counsel for defendant(s); Max Lapertosa, Sheila Foran, Regina Kline, Justin Park, Chloe Holzmann, and Adrian Brown present as counsel for U.S. Dept of Justice (proposed intervenor). (Court Reporter none.) (stewart1,) Modified on 4/16/2013 to add this hearing was recorded: FTR 11A(jlr). (Entered: 04/16/2013)
04/16/2013	<u>90</u>	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion to Intervene <u>82</u> . ORDER: TELEPHONE oral argument is set for Monday, 5/20/2013 at 09:30AM before Magistrate Judge Janice M. Stewart. ORDER: Please see the attached NOTICE regarding procedures applicable to cases assigned to Magistrate Judge Janice M. Stewart. (stewart1,) (Entered: 04/16/2013)
04/16/2013	<u>91</u>	Scheduling Order: As discussed at the motion hearing on April 16, 2013, SETTING a four-week jury trial to commence in this case on Monday, July 13, 2015 at 9:00 am, in Judge Stewart's courtroom. The remaining trial schedule will be set, and the Trial Management Order will be issued, following a ruling on dispositive motions. Ordered by Magistrate Judge Janice M. Stewart. (stewart1,) (Entered: 04/16/2013)
04/30/2013	<u>92</u>	Motion to Compel <i>Production of Documents and for Electronic Discovery Order</i> . Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (Rubin, Bruce) Modified on 5/14/2013 see Notice of Withdrawal <u>101</u> (jlr). (Entered: 04/30/2013)
04/30/2013	<u>93</u>	Memorandum in Support of <i>Plaintiffs' Motion to Compel Production of Documents and for Electronic Discovery Order</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>92</u> .) (Rubin, Bruce) (Entered: 04/30/2013)
04/30/2013	<u>94</u>	Declaration of Kathleen L. Wilde <i>in Support of Plaintiffs' Motion to Compel Production of Documents and for Electronic Discovery Order</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>92</u> .) (Rubin, Bruce) (Entered: 04/30/2013)
04/30/2013	<u>95</u>	Declaration of Bettina Toner <i>in Support of Plaintiffs' Motion to Compel Production of Documents and for Electronic Discovery Order</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>92</u> .) (Rubin, Bruce) (Entered: 04/30/2013)
04/30/2013	<u>96</u>	Declaration of Bruce A. Rubin <i>in Support of Plaintiffs' Motion to Compel Production of Documents and for Electronic Discovery Order</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>92</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Rubin, Bruce) (Entered: 04/30/2013)
05/01/2013	<u>97</u>	Memorandum in Support of <i>the Department of Justice's Motion to Intervene</i> . Filed by All Plaintiffs. (Related document(s): Motion to intervene <u>82</u> .) (Schwartz, Steven) (Entered: 05/01/2013)
05/02/2013	<u>98</u>	Reply to Motion to Intervene <u>82</u> Oral Argument requested. Filed by United States of America. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Lapertosa, Max) (Entered: 05/02/2013)
05/02/2013	<u>99</u>	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Compel <i>Production of Documents and for Electronic Discovery Order</i> <u>92</u> for TELEPHONE Oral Argument along with the Motion To Intervene currently set for Monday, 5/20/2013 at 09:30AM before Magistrate Judge Janice M. Stewart. The parties shall call into the court's conference line five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. (The phone number will be provided via separate email a few days before the hearing). (jlr) (Entered: 05/02/2013)

05/08/2013	<u>100</u>	Notice of Association of Attorney Carla Scott,Carla Scott for Oregon Office of Developmental Disability Services,Carla Scott for Oregon Office of Vocational Rehabilitation Services,Carla Scott for Oregon Department of Human Services,Carla Scott for State of Oregon. Filed by All Defendants (Scott, Carla) (Entered: 05/08/2013)
05/13/2013	<u>101</u>	Motion to Withdraw Motion to Compel <u>92</u> Titled by filer as: <i>Plaintiffs' Notice of Withdrawal of Plaintiffs' Motion to Compel Production of Documents and for Electronic Discovery Order</i> Filed by All Plaintiffs (Related document(s): Motion to compel <u>92</u> .) (Rubin, Bruce) Modified event type on 5/14/2013 (sss). (Entered: 05/13/2013)
05/14/2013	<u>102</u>	Notice of Appearance of Cody J. Elliott appearing on behalf of All Plaintiffs Filed by on behalf of All Plaintiffs (Elliott, Cody) (Entered: 05/14/2013)
05/15/2013	103	ORDER: Withdrawing Plaintiffs' Motion to Compel <i>Production of Documents and for Electronic Discovery Order</i> <u>92</u> ; Granting Notice/Motion to Withdraw <u>101</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/15/2013)
05/16/2013	104	Scheduling Order by Magistrate Judge Janice M. Stewart: Due to a conflict in the Court's schedule, Order RESETTING the TELEPHONE oral argument on the Motion to Intervene <u>82</u> . Oral Argument is reset from 5/20/13 to Wednesday, 5/22/2013 at 10:00AM before Magistrate Judge Janice M. Stewart. The telephone number has been provided to counsel to call in 5 minutes before the scheduled hearing. (jlr) (Entered: 05/16/2013)
05/22/2013	105	MINUTES of Proceedings: Telephone motion hearing before Magistrate Judge Janice M. Stewart. ORDER: The United States Motion to Intervene <u>82</u> is GRANTED based upon permissive intervention under FRCP 24(b). The United States Complaint in Intervention shall be filed within 14 days of the date of this Order. ORDER: The United States oral motion to remove Exhibit 4 attached to Memorandum in Support of Motion to Intervene (docket # <u>83</u>) from the courts ECF record is GRANTED. ORDER: The United States shall not duplicate, in whole or in part, any requests for production propounded by plaintiffs, and all parties shall participate in settlement negotiations before a neutral mediator. Jennifer Roof, Cathy Costanzo, Kathleen Wilde, Steven Schwartz, Lawrence Reichman, Bettina Toner present as counsel for plaintiff(s). Max Lapertosa, Adrian Brown, Sheila Foran, H. Justin Park, Chloe Holzmann, Lance Simon present as counsel for US Dept. of Justice. Christina Beatty-Walters, Nina Englander present as counsel for defendant(s).(Tape #FTR 11A.) (jlr) (Entered: 05/22/2013)
05/24/2013	<u>106</u>	Intervener Complaint of the United States Summons issued as to State of Oregon. Filed by United States of America against State of Oregon. (Lapertosa, Max) (Entered: 05/24/2013)
06/05/2013	<u>107</u>	Summons Issued as to Intervenor Defendant State of Oregon. (sss) (Entered: 06/05/2013)
06/05/2013	<u>108</u>	Summons Returned Executed. as to State of Oregon served on 6/5/2013, answer due on 6/26/2013 Filed by United States of America. (Brown, Adrian) (Entered: 06/05/2013)
06/26/2013	<u>109</u>	Notice of Appearance of Regina Kline appearing on behalf of United States of America Filed by on behalf of United States of America (Kline, Regina) (Entered: 06/26/2013)
06/26/2013	<u>110</u>	Answer to Complaint in Intervention. Filed by State of Oregon. (Beatty-Walters, Christina) (Entered: 06/26/2013)
07/05/2013	<u>111</u>	Notice of Appearance of H. Justin Park appearing on behalf of United States of America Filed by on behalf of United States of America (Park, H.) (Entered: 07/05/2013)
08/05/2013	<u>112</u>	Transcript Designation and Order Form for the hearing held on 05/22/2013 before Judge Stewart. . Filed by All Defendants. Transcript is due by 9/9/2013. (Dunbar, John) (Entered: 08/05/2013)

09/09/2013	<u>113</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion Hearing held on May 22, 2013, before Judge Janice M. Stewart, Transcriber Jill L. Erwin, telephone number (503)326-8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 9/19/2013. Redaction Request due 10/3/2013. Redacted Transcript Deadline set for 10/15/2013. Release of Transcript Restriction set for 12/12/2013. (Erwin, Jill) (Entered: 09/09/2013)
09/12/2013	<u>114</u>	Notice of Attorney Substitution:Attorney Carson L. Whitehead is substituted as counsel of record in place of Attorney Nina R. Englander Filed by State of Oregon, Oregon Office of Developmental Disability Services, State of Oregon, Oregon Office of Vocational Rehabilitation Services, Oregon Department of Human Services (Whitehead, Carson) (Entered: 09/12/2013)
09/23/2013	<u>115</u>	Notice of Attorney Substitution:Attorney Julia T. Greenfield is substituted as counsel of record in place of Attorney James A. Wrigley Filed by All Plaintiffs (Wilde, Kathleen) (Entered: 09/23/2013)
10/09/2013	<u>116</u>	Motion to Quash <i>Subpoena to Clackamas County CDDP</i> . Oral Argument requested. Filed by Clackamas County. (Gordon, Alexander) (Entered: 10/09/2013)
10/09/2013	<u>117</u>	Declaration of Pat Zullo <i>in Support of Motion to Quash</i> . Filed by Clackamas County. (Related document(s): Motion to Quash <u>116</u> .) (Attachments: # <u>1</u> Exhibit 1 - Subpoena) (Gordon, Alexander) (Entered: 10/09/2013)
10/10/2013	<u>118</u>	Motion for Stay <i>of All Proceedings</i> . Filed by United States of America. (Brown, Adrian) (Entered: 10/10/2013)
10/11/2013	<u>119</u>	ORDER by Magistrate Judge Janice M. Stewart: Order re Motion <u>118</u> Staying the briefing deadlines for a period not to exceed 14 days until Congress has restored appropriations to the Department of Justice. Counsel for Federal Defendants will notify the Court as soon as Congress has appropriated funds for the Department of Justice. (jlr) Modified on 10/21/2013 to link this entry to doc. 118 (jlr). (Entered: 10/11/2013)
10/16/2013	<u>120</u>	Motion to Quash <i>Expedited Hearing Requested</i> . Filed by Lane County Health and Human Services Developmental Disabilities. (Newton-Tapia, Sebastian) Modified text on 10/18/2013 (sss). (Entered: 10/16/2013)
10/17/2013	<u>121</u>	Declaration of Andrea Muzikant <i>in Support of Motion to Quash</i> . Filed by Lane County Health and Human Services Developmental Disabilities. (Related document(s): Motion to Quash <u>120</u> .) (Newton-Tapia, Sebastian) (Entered: 10/17/2013)
10/17/2013	<u>122</u>	Motion for Extension of Time <i>to File Motion to Quash Subpoena Duces Tecum</i> . Filed by Lane Community College. (Attachments: # <u>1</u> Memorandum in Support of Motion for Extension of Time, # <u>2</u> Exhibit 1 to Memorandum in Support of Motion for Extension of Time, # <u>3</u> Declaration in Support of Motion for Extension of Time) (Kieran, Meg) (Entered: 10/17/2013)
10/18/2013	<u>123</u>	ORDER: Granting Motion for Extension of Time To File Motion To Quash <u>122</u> filed by Lane Community College. Extension is granted to 11/7/13. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 10/18/2013)
10/24/2013	<u>124</u>	Order by Magistrate Judge Janice M. Stewart. LIFTING THE STAY due to resumption of normal government operations. (jlr) (Entered: 10/24/2013)
10/25/2013	<u>125</u>	Motion for Extension of Time to File a Response/Reply to Motion to Quash <i>Subpoena to Clackamas County CDDP</i> <u>116</u> . Filed by United States of America. (Lapertosa, Max) (Entered: 10/25/2013)
10/25/2013	<u>126</u>	ORDER: Granting United States of America's Unopposed Motion for Extension of Time to File Response to Motion to Quash <i>Subpoena to Clackamas County CDDP</i> <u>116</u> filed by Clackamas County. Response is due by 11/4/2013. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 10/25/2013)
10/28/2013	<u>127</u>	Motion for Leave <i>to File First Amended Answers with Counterclaim</i> . Oral Argument requested. Filed by All Defendants. (Scott, Carla) (Entered: 10/28/2013)

10/28/2013	<u>128</u>	<i>Defendants' Memorandum in Support of Motion for Leave to File First Amended Answers with Counterclaim.</i> Filed by All Defendants. (Related document(s): Motion for Leave <u>127</u> .) (Scott, Carla) (Entered: 10/28/2013)
10/28/2013	<u>129</u>	Declaration of Carla A. Scott <i>in Support of Motion to File First Amended Answers with Counterclaim.</i> Filed by All Defendants. (Related document(s): Motion for Leave <u>127</u> .) (Scott, Carla) (Entered: 10/28/2013)
11/04/2013	<u>130</u>	Response <i>Plaintiffs' and United States of America's Joint Response to Lane County's</i> to Motion to Quash <u>120</u> Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Roof, Jennifer) (Entered: 11/04/2013)
11/04/2013	<u>131</u>	Declaration of Jennifer J. Roof <i>in Support of Plaintiffs' and United States of America's Joint Response to Lane County's Motion to Quash.</i> Filed by All Plaintiffs. (Related document(s): Response to Motion <u>130</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6) (Roof, Jennifer) (Entered: 11/04/2013)
11/04/2013	<u>132</u>	Response <i>Plaintiffs' and United States of America's Joint Response to Clackamas County's</i> to Motion to Quash <i>Subpoena to Clackamas County CDDP 116</i> Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (Roof, Jennifer) (Entered: 11/04/2013)
11/04/2013	<u>133</u>	Declaration of Jennifer J. Roof <i>in Support of Plaintiffs' and United States of America's Joint Response to Clackamas County's Motion to Quash.</i> Filed by All Plaintiffs. (Related document(s): Response to Motion, <u>132</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Roof, Jennifer) (Entered: 11/04/2013)
11/05/2013	134	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion for Leave to File First Amended Answers with Counterclaim <u>127</u> . TELEPHONE Oral Argument is set for Wednesday, 12/18/2013 at 9:30AM Pacific Standard Time before Magistrate Judge Janice M. Stewart. The court will provide the AT&T Toll-free number by separate email, a few days before the hearing. (jlr) (Entered: 11/05/2013)
11/07/2013	<u>135</u>	Unopposed Motion to Extend Deadline for Lane Community College to File Motion to Quash. Filed by Lane Community College. (Kieran, Meg) (Entered: 11/07/2013)
11/07/2013	<u>136</u>	Proposed Order Granting Unopposed Motion to Extend Deadline for Lane Community College to File Motion to Quash Motion – Miscellaneous <u>135</u> . Filed by Lane Community College. (Kieran, Meg) Modified on 11/8/2013 changed event to be a proposed order. This was docketed as a motion.(jlr). (Entered: 11/07/2013)
11/07/2013	<u>137</u>	Notice of Attorney Withdrawal: of Steven G. Liday Filed by All Plaintiffs (Rubin, Bruce) (Entered: 11/07/2013)
11/08/2013	138	ORDER: Granting Unopposed Motion to Extend Deadline to 11/12/13 for Lane Community College to File Motion to Quash <u>135</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 11/08/2013)
11/12/2013	<u>139</u>	Motion to Quash <i>Civil Subpoena Duces Tecum to Witness Lane Community College.</i> Oral Argument Requested. Filed by Lane Community College. (Attachments: # <u>1</u> Attachment) (Kieran, Meg) Modified text on 11/14/2013 (sss). (Entered: 11/12/2013)
11/12/2013	<u>140</u>	Amended Declaration of Alyse Stone <i>with Exhibits.</i> Filed by Lane Community College. (Related document(s): Motion – Miscellaneous, Motion to Quash <u>139</u> .) (Kieran, Meg) (Entered: 11/12/2013)
11/13/2013	141	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion to Quash <i>Subpoena to Clackamas County CDDP 116</i> , Lane County Department of Human Service's Motion to Quash <u>120</u> , and Motion to Quash <i>Civil Subpoena Duces Tecum to Witness Lane Community College 139</i> . TELEPHONE Oral Argument is set for Wednesday, 12/18/2013 at 10:00AM before Magistrate Judge Janice M. Stewart. (Motions to Quash will follow Motion for Leave to File First Amended Answers with Counterclaim which is set at 9:30 AM).The parties shall call into the court's conference line (the phone number provided via separate email). (jlr) (Entered: 11/13/2013)

11/15/2013	142	Joint Response in Opposition to Motion for Leave <i>to File First Amended Answers with Counterclaim 127</i> Oral Argument requested. Filed by United States of America. (Lapertosa, Max) (Entered: 11/15/2013)
11/18/2013	143	Amended Response in Opposition to Motion for Leave <i>to File First Amended Answers with Counterclaim 127</i> Oral Argument requested. Filed by United States of America. (Lapertosa, Max) (Entered: 11/18/2013)
11/18/2013	144	Reply to Motion to Quash 120 . Filed by Lane County Health and Human Services Developmental Disabilities. (Newton–Tapia, Sebastian) (Entered: 11/18/2013)
11/18/2013	145	Declaration of Sebastian Newton–Tapia <i>in Support of Reply to Motion to Quash</i> . Filed by Lane County Health and Human Services Developmental Disabilities. (Related document(s): Reply to Motion 144 .) (Newton–Tapia, Sebastian) (Entered: 11/18/2013)
11/25/2013	146	Joint Response in Opposition to Motion Motion to Quash <i>Civil Subpoena Duces Tecum to Witness Lane Community College 139</i> . Filed by All Plaintiffs. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit) (Toner, Bettina) (Entered: 11/25/2013)
11/25/2013	147	Declaration of Joanna T. Perini . Filed by All Plaintiffs. (Related document(s): Response in Opposition to Motion, 146 .) (Attachments: # 1 Exhibit, # 2 Exhibit) (Toner, Bettina) (Entered: 11/25/2013)
11/26/2013	148	Motion for Leave to Appear Pro Hac Vice <i>for Attorney Joanna T. Perini</i> . Filing fee in the amount of \$100 collected; Agency Tracking ID: 0979–3500071. Filed by All Plaintiffs. (Reichman, Lawrence) (Entered: 11/26/2013)
11/26/2013	149	Motion to Amend/Correct Scheduling, 91 . Oral Argument requested. Filed by All Plaintiffs. (Attachments: # 1 Exhibit) (Schwartz, Steven) (Entered: 11/26/2013)
11/26/2013	150	Memorandum in Support of <i>Joint Motion to Further Revise Scheduling Order</i> . Filed by All Plaintiffs. (Related document(s): Motion to Amend/Correct 149 .) (Schwartz, Steven) (Entered: 11/26/2013)
11/26/2013	151	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Plaintiffs' and United States' Joint Motion to Amend Schedule 149 for TELEPHONE Oral Argument along with previously set motions for Wednesday 12/18/2013 at 09:30AM before Magistrate Judge Janice M. Stewart. RESPONSE to the Joint Motion to Amend Schedule 149 is due by 12/13/13. (jlr) (Entered: 11/26/2013)
11/27/2013	152	Order Granting Application for Special Admission Pro Hac Vice of Joanna T. Perini for Gretchen Cason, Sparkle Green, Elizabeth Harrah,J Angela Kehler,Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson,and United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. Application Fee in amount of \$100 collected. Receipt No. 0979–3500071 issued. Signed on 11/27/2013 by Magistrate Judge Janice M. Stewart. (ecp) (Entered: 12/02/2013)
12/02/2013	153	Reply <i>Memorandum</i> to Motion for Leave <i>to File First Amended Answers with Counterclaim 127</i> . Filed by All Defendants. (Whitehead, Carson) (Entered: 12/02/2013)
12/02/2013	154	Declaration of Carson L. Whitehead <i>in Support of Defendants' Reply Memorandum in Support of Motion for Leave to File First Amended Answers with Counterclaim</i> . Filed by All Defendants. (Related document(s): Reply to Motion 153 .) (Whitehead, Carson) (Entered: 12/02/2013)
12/13/2013	155	Response in Opposition to Motion to Amend/Correct Scheduling, 91 149 . Filed by All Defendants. (Beatty–Walters, Christina) (Entered: 12/13/2013)
12/13/2013	156	Declaration of Christina L. Beatty–Walters . Filed by All Defendants. (Related document(s): Response in Opposition to Motion 155 .) (Beatty–Walters, Christina) (Entered: 12/13/2013)
12/13/2013	157	Declaration of Michael J. Maley . Filed by All Defendants. (Related document(s): Response in Opposition to Motion 155 .) (Beatty–Walters, Christina) (Entered: 12/13/2013)

12/13/2013	<u>158</u>	Declaration of Sarah Drinkwater . Filed by All Defendants. (Related document(s): Response in Opposition to Motion <u>155</u> .) (Beatty-Walters, Christina) (Entered: 12/13/2013)
12/17/2013	<u>159</u>	Reply to Motion to Amend/Correct Scheduling, 91 <u>149</u> Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Schwartz, Steven) (Entered: 12/17/2013)
12/18/2013	160	Scheduling Order by Magistrate Judge Janice M. Stewart. Consent to Magistrate, if any, by Intervenor, is to be filed by 12/31/2013 . (Consent form can be found attached to document <u>3</u> , page 6). (jlr) (Entered: 12/18/2013)
12/18/2013	161	MINUTES of Proceedings Telephone Motion hearing held before Magistrate Judge Janice M. Stewart on Motions <u>127</u> and <u>149</u> , and on Motions to Quash <u>116</u> , <u>120</u> , and <u>139</u> . ORDER: Plaintiffs and United States Joint Motion to Amend the Pre-trial and Trial Schedule <u>149</u> is GRANTED IN PART AND DENIED IN PART as follows: Except for the trial date of 7/13/2015 , the current case schedule is stricken. ORDER: Setting a telephone scheduling conference on Wednesday, 1/22/2014 at 10:00 a.m. to set the remainder of the case schedule, including fact discovery cutoff date(s) for the purpose of summary judgment motions, if any, and trial, as well as a cost-effective procedure to update discovery and expert reports prior to trial. The court will provide the Toll-Free conference call-in number to counsel prior to the conference. ORDER: On or before Friday, 1/17/2014 , defendants shall file a Status Report indicating whether the deadlines imposed in Executive Order 13-04 have been complied with and, if not, how and why not. Bruce Rubin, Steven Schwartz, Bettina Toner, Jennifer Roof, Joanna Perini, Kathleen Wilde, Lawrence Reichman, present as counsel for plaintiff(s). John Dunbar, Christina Beatty-Walters, Carla Scott, Carson Whitehead, present as counsel for defendant(s). Max Lapertosa, Adrian Brown, H. Justin Park, present as counsel for intervenor. Counsel for Motion to Quash <u>116</u> , Stephen Madkour. Counsel for Motion to Quash <u>120</u> , Sebastian Newton-Tapia. Counsel for Motion to Quash [<u>139</u> ,] Meg Kieran.(Court Reporter Jill Erwin.) (jlr) Modified on 12/20/2013 to include docket numbers for motions that were heard. (jlr). (Entered: 12/18/2013)
12/18/2013	162	ORDER: Clackamas Countys Objections and Motion to Quash Subpeona Duces Tecum <u>116</u> is GRANTED in part and DENIED in part as follows: The supersession provision of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) does not impose state evidentiary privileges in cases brought in federal court to enforce federal law. Because the Protective Order issued in this case <u>42</u> complies with HIPAAs requirements for protective orders, Clackamas County must produce the requested documents. However, to avoid an undue burden with respect to Requests Nos. 2, 3, and 5, it is not required to search each individual clients file, but is only required to produce documents that are available or maintained in an aggregate form, such as lists, reports, charts, spreadsheets, and databases. (stewart1,) Modified on 12/19/2013 to remove signed on date. This is a paperless order.(jlr). (Entered: 12/18/2013)
12/18/2013	163	ORDER: Lane County Department of Human Services Motion to Quash <u>120</u> is GRANTED in part and DENIED in part as follows: The supersession provision of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) does not impose state evidentiary privileges in cases brought in federal court to enforce federal law. Because the Protective Order issued in this case <u>42</u> complies with HIPAAs requirements for protective orders, Land County Department of Human Services must produce the requested documents. However, to avoid an undue burden with respect to Requests Nos. 2, 3, and 5, it is not required to search each individual clients file, but is only required to produce documents that are available or maintained in an aggregate form, such as lists, reports, charts, spreadsheets, and databases. (stewart1,) Modified on 12/19/2013 to removed signed on date. This is a paperless order (jlr). (Entered: 12/18/2013)
12/19/2013	<u>164</u>	OPINION AND ORDER Defendants' Motion for Leave to File First Amended Answers with Counterclaim <u>127</u> is DENIED . Signed on 12/19/13 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 12/19/2013)
12/19/2013	165	ORDER: Granting Motion to Quash Civil Subpoena Duces Tecum to Witness Lane Community College <u>139</u> on the basis that its students/client are not in segregated employment settings nor at risk of being in a segregated employment settings while at

		the college. Ordered by Magistrate Judge Janice M. Stewart. (ST) (Entered: 12/19/2013)
12/30/2013	<u>168</u>	Full Consent by all Parties to Jurisdiction by US Magistrate Judge. (sss) (Entered: 01/06/2014)
12/31/2013	<u>166</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion Hearing held on April 16, 2013, before Judge Janice M. Stewart, Transcriber Jill L. Erwin, telephone number (503)326-8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 1/10/2014. Redaction Request due 1/24/2014. Redacted Transcript Deadline set for 2/3/2014. Release of Transcript Restriction set for 4/3/2014. (Erwin, Jill) (Entered: 12/31/2013)
12/31/2013	<u>167</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion Hearing held on December 18, 2013, before Judge Janice M. Stewart, Court Reporter Jill L. Erwin, telephone number (503)326-8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the court reporter or PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 1/10/2014. Redaction Request due 1/24/2014. Redacted Transcript Deadline set for 2/3/2014. Release of Transcript Restriction set for 4/3/2014. (Erwin, Jill) (Entered: 12/31/2013)
01/06/2014	<u>169</u>	Joint Motion to Compel <i>Electronic Discovery</i> . Oral Argument requested. Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane. (Attachments: # <u>1</u> Exhibit) (Toner, Bettina) (Entered: 01/06/2014)
01/06/2014	<u>170</u>	<i>Joint Memorandum in Support of Motion to Compel Electronic Discovery</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane. (Related document(s): Motion to compel <u>169</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Toner, Bettina) (Entered: 01/06/2014)
01/06/2014	<u>171</u>	Declaration of Bettina Toner . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane. (Related document(s): Motion to compel <u>169</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit) (Toner, Bettina) (Entered: 01/06/2014)
01/06/2014	<u>172</u>	Declaration of Peter Sternkopf . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane. (Related document(s): Motion to compel <u>169</u> .) (Attachments: # <u>1</u> Exhibit) (Toner, Bettina) (Entered: 01/06/2014)
01/08/2014	173	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> for Oral Argument on Wednesday, 1/22/2014 at 10:00AM before Magistrate Judge Janice M. Stewart. Response to Joint Motion to Compel <u>169</u> is due 1/17/14. (jlr) (Entered: 01/08/2014)
01/14/2014	174	Scheduling Order by Magistrate Judge Janice M. Stewart: the TELEPHONE Scheduling Conference remains as set on Wednesday 1/22/14 at 10:00 AM . ORDER STRIKING the Oral Argument on the Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> which will be reset at a later date. Order extending the due date for the Response by defendants to the Joint Motion to Compel Electronic Discovery <u>169</u> to 1/23/14 . (jlr) (Entered: 01/14/2014)
01/17/2014	<u>175</u>	Motion entitled: <i>Plaintiffs' and United States of America's Revised Trial Schedule and Supporting Memorandum</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 (Proposed Revised Trial Schedule)) (Schwartz, Steven) (Entered: 01/17/2014)
01/17/2014	<u>176</u>	Motion - <i>State Defendants' Objections and Proposal Regarding Case Schedule</i> . <u>175</u> Filed by All Defendants. (Beatty-Walters, Christina) Modified on 1/22/2014 to reflect this document is a Response to <u>175</u> , it is not a motion (jlr). (Entered: 01/17/2014)
01/21/2014	<u>177</u>	Motion - <i>Status Report Regarding Implementation of Executive Order 13-04</i> . Filed by All Defendants. (Attachments: # <u>1</u> Exhibit Exhibits 1-5 (of 9), # <u>2</u> Exhibit Exhibit 6, part 1 (of 9), # <u>3</u> Exhibit Exhibit 6, part 2 (of 9), # <u>4</u> Exhibit Exhibits 7-9 (of 9))

		(Scott, Carla) Modified on 1/22/2014 to reflect that this document is a Status Report, not a motion(jlr). Modified on 1/22/2014 (jlr). (Entered: 01/21/2014)
01/22/2014	<u>178</u>	MINUTES of Proceedings: Hearing on Plaintiffs' and Intervenor's Motion for Revised Case Schedule (docket #(<u>175</u>). ORDER: Granting the motion in part and setting a new case schedule. SEE ATTACHED ORDER for new case schedule. Bruce Rubin, Bettina Toner, Cathy Costanzo, Steven Schwartz, and Kathleen Wilde (for plaintiffs) and Max Lapertosa Adrian Brown, and Regina Kline (for Intervenor USA) present as counsel for plaintiff(s). John Dunbar, Christina Beatty-Walters, and Carla Scott present as counsel for defendant(s). Court Reporter: none. Tape No: FTR 11A.Magistrate Judge Janice M. Stewart presiding. (stewart1,) (Entered: 01/22/2014)
01/23/2014	<u>179</u>	Motion for Protective Order (<i>Opposed</i>). Oral Argument requested. Filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1) (Scott, Carla) (Entered: 01/23/2014)
01/23/2014	<u>180</u>	Declaration of Carla A. Scott <i>in Support of Opposed Motion for Protective Order and in Support of Defendants' Opposition to Plaintiffs' Joint Motion to Compel</i> . Filed by All Defendants. (Related document(s): Motion for Protective Order <u>179</u> .) (Attachments: # <u>1</u> Exhibit 1-3 (of 3)) (Scott, Carla) (Entered: 01/23/2014)
01/23/2014	<u>181</u>	Declaration of Rodney Dearmore <i>in Support of Opposed Motion for Protective Order and in Support of Defendants' Opposition to Plaintiffs' Joint Motion to Compel</i> . Filed by All Defendants. (Related document(s): Motion for Protective Order <u>179</u> .) (Attachments: # <u>1</u> Exhibit 1) (Scott, Carla) (Entered: 01/23/2014)
01/24/2014	<u>182</u>	Response (<i>and Combined Brief</i>) to Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> . Filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1) (Scott, Carla) (Entered: 01/24/2014)
01/24/2014	<u>183</u>	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> , and Motion for Protective Order (<i>Opposed</i>) <u>179</u> for Oral Argument on Tuesday, 2/25/2014 at 01:30PM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/24/2014)
01/28/2014	<u>184</u>	Court Trial Management Order. Signed on 1/28/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/28/2014)
02/03/2014	<u>185</u>	Scheduling Order by Magistrate Judge Janice M. Stewart. Plaintiffs' Response to the Motion for Protective Order (<i>Opposed</i>) <u>179</u> is due by 2/10/14 and Defendants' Reply is due by 2/20/14. The Reply to Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> is due by 2/10/14. (jlr) (Entered: 02/03/2014)
02/10/2014	<u>186</u>	Response in Opposition to Motion for Protective Order (<i>Opposed</i>) <u>179</u> , Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> , Reply to Joint Motion to Compel <i>Electronic Discovery</i> <u>169</u> . Filed by United States of America. (Lapertosa, Max) (Entered: 02/10/2014)
02/10/2014	<u>187</u>	Declaration of Bettina Toner . Filed by United States of America. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Lapertosa, Max) (Entered: 02/10/2014)
02/10/2014	<u>188</u>	Declaration of Bettina Toner (<i>Part 2</i>). Filed by United States of America. (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 4) (Lapertosa, Max) (Entered: 02/10/2014)
02/10/2014	<u>189</u>	Declaration of Bettina Toner (<i>Part 3</i>). Filed by United States of America. (Attachments: # <u>1</u> Exhibit 5, # <u>2</u> Exhibit 6) (Lapertosa, Max) (Entered: 02/10/2014)
02/10/2014	<u>190</u>	Supplemental Declaration of Peter Sternkopf . Filed by United States of America. (Lapertosa, Max) (Entered: 02/10/2014)
02/20/2014	<u>191</u>	Reply to <i>Plaintiffs' Response in Opposition</i> to Motion for Protective Order (<i>Opposed</i>) <u>179</u> . Filed by All Defendants. (Scott, Carla) (Entered: 02/20/2014)
02/20/2014	<u>192</u>	Supplemental Declaration of Carla Scott <i>in Support of Defendants' Reply to Plaintiffs' Response in Opposition to Motion for Protective Order</i> . Filed by All Defendants. (Related document(s): Reply to Motion <u>191</u> .) (Scott, Carla) (Entered: 02/20/2014)
02/20/2014	<u>193</u>	Supplemental Declaration of Rodney Dearmore <i>in Support of Defendants' Reply to Plaintiffs' Response in Opposition to Motion for Protective Order</i> . Filed by All Defendants. (Related document(s): Reply to Motion <u>191</u> .) (Scott, Carla) (Entered: 02/20/2014)

		02/20/2014)
02/25/2014	194	MINUTES of Proceedings: Motion Hearing Held before Magistrate Judge Janice M. Stewart regarding Motion to Compel <u>169</u> , and Motion for Protective Order <u>179</u> . Motions <u>169</u> and <u>179</u> are taken under advisement as of 2/25/2014. Bruce Rubin present as counsel for plaintiffs, and Bettina Toner and Cathy Costanzo present by phone. Max Lapertosa present for Intervenor, USA. John Dunbar, Carla Scott and Carson Whitehead, present as counsel for defendants. Court Reporter: Jill Erwin. (jlr) (Entered: 02/25/2014)
02/28/2014	<u>195</u>	ORDER: Granting in Part and Denying in Part Motion to Compel <u>169</u> and Motion for a Protective Order <u>179</u> . See attached. Signed on 2/28/2014 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 02/28/2014)
02/28/2014	<u>196</u>	Protective Order. Signed on 2/28/2014 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 02/28/2014)
03/04/2014	<u>197</u>	Notice of Change of Address. <i>for Attorney John J. Dunbar</i> Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon, State of Oregon (Dunbar, John) (Entered: 03/04/2014)
03/05/2014	<u>198</u>	Notice of Appearance of David W. Knight appearing on behalf of United States of America Filed by on behalf of United States of America (Knight, David) (Entered: 03/05/2014)
03/05/2014	<u>199</u>	Notice of Change of Address. Filed by All Defendants (Dunbar, John) (Entered: 03/05/2014)
04/21/2014	<u>200</u>	Motion to Intervene . Oral Argument requested. Filed by Wally Wilkinson, Eric Stewart, Elizabeth Kehoe, Alan Hubbell, Douglas Gardelius, Mary Stuller, Laura Anderson. (Harnden, Edwin) (Entered: 04/21/2014)
04/21/2014	<u>201</u>	Declaration of Edwin A. Harnden . Filed by Laura Anderson, Douglas Gardelius, Alan Hubbell, Elizabeth Kehoe, Eric Stewart, Mary Stuller, Wally Wilkinson. (Related document(s): Motion to intervene <u>200</u> .) (Harnden, Edwin) (Entered: 04/21/2014)
04/21/2014	<u>202</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Oral Argument held on February 25, 2014, before Judge Janice M. Stewart, Court Reporter Jill L. Erwin, telephone number (503)326-8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 5/1/2014. Redaction Request due 5/15/2014. Redacted Transcript Deadline set for 5/27/2014. Release of Transcript Restriction set for 7/24/2014. (Erwin, Jill) (Entered: 04/21/2014)
04/24/2014	203	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Intervene <u>200</u> filed by Wally Wilkinson, Eric Stewart, Elizabeth Kehoe, Alan Hubbell, Douglas Gardelius, Mary Stuller, Laura Anderson for Oral Argument on Wednesday 6/11/2014 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Counsel may participate by phone upon request. (jlr) (Entered: 04/24/2014)
05/08/2014	<u>204</u>	Response in Opposition to Motion to Intervene <u>200</u> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. (Attachments: # <u>1</u> Attachment slip opinion) (Schwartz, Steven) (Entered: 05/08/2014)
05/08/2014	<u>205</u>	Declaration of Regina Kline . Filed by All Plaintiffs. (Related document(s): Response in Opposition to Motion, <u>204</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit) (Schwartz, Steven) (Entered: 05/08/2014)
05/08/2014	<u>206</u>	Declaration of Robert Joondeph . Filed by All Plaintiffs. (Related document(s): Response in Opposition to Motion, <u>204</u> .) (Schwartz, Steven) (Entered: 05/08/2014)
05/08/2014	<u>207</u>	<i>Defendants' Memorandum in Support of Defendant-Intervenors' Motion to Intervene.</i> Filed by All Defendants. (Related document(s): Motion to intervene <u>200</u> .) (Dunbar,

		John) (Entered: 05/08/2014)
05/08/2014	<u>208</u>	Declaration of John J. Dunbar <i>in Support of Defendants' Memorandum in Support of Defendant-Intervenors' Motion to Intervene</i> . Filed by All Defendants. (Related document(s): Motion to intervene <u>200</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Dunbar, John) (Entered: 05/08/2014)
05/09/2014	<u>209</u>	Notice of Attorney Substitution:Attorney Keith McIntire and Laura Salerno Owens is substituted as counsel of record in place of Attorney Carla Scott and Carson L. Whitehead Filed by State of Oregon, Oregon Office of Developmental Disability Services, State of Oregon, Oregon Office of Vocational Rehabilitation Services, Oregon Department of Human Services (McIntire, Keith) (Entered: 05/09/2014)
05/23/2014	<u>210</u>	Joint Motion to Compel <i>Production of Electronic Discovery</i> . Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit) (Toner, Bettina) (Entered: 05/23/2014)
05/23/2014	<u>211</u>	<i>Joint</i> Memorandum in Support of <i>Motion to Compel Production of Electronic Discovery</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>210</u> .) (Toner, Bettina) (Entered: 05/23/2014)
05/23/2014	<u>212</u>	Declaration of Bettina Toner . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>210</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (Toner, Bettina) (Entered: 05/23/2014)
05/27/2014	<u>213</u>	Motion for Leave to <i>File Response Memorandum to Defendants' Memorandum in Support of Motion to Intervene</i> . Filed by United States of America. (Attachments: # <u>1</u> Proposed Document) (Lapertosa, Max) (Entered: 05/27/2014)
05/27/2014	<u>214</u>	Declaration of Max Lapertosa <i>in Support of Motion for Leave to File Response Memorandum to Defendants' Memorandum in Support of Motion to Intervene</i> . Filed by United States of America. (Related document(s): Motion for Leave <u>213</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Lapertosa, Max) (Entered: 05/27/2014)
05/27/2014	<u>215</u>	Reply <i>in Support of</i> to Motion to Intervene <u>200</u> . Filed by Laura Anderson, Douglas Gardelius, Alan Hubbell, Elizabeth Kehoe, Eric Stewart, Mary Stuller, Wally Wilkinson. (Ray, Sean) (Entered: 05/27/2014)
05/29/2014	216	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Plaintiffs' and United States of America's Joint Motion to Compel <i>Production of Electronic Discovery</i> <u>210</u> for Oral Argument on Wednesday 6/11/2014 at 9:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Counsel may participate by phone upon request. (jlr) (Entered: 05/29/2014)
06/03/2014	217	ORDER: Granting Plaintiffs' and United States' Joint Motion <u>213</u> For Leave To File Memorandum In Response to Defendants' Memorandum In Support of Motion to Intervene <u>200</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 06/03/2014)
06/04/2014	<u>218</u>	Response to <i>Defendants' Brief in Support of</i> to Motion to Intervene <u>200</u> Oral Argument requested. Filed by United States of America. (Lapertosa, Max) (Entered: 06/04/2014)
06/09/2014	<u>219</u>	Response to Joint Motion to Compel <i>Production of Electronic Discovery</i> <u>210</u> Oral Argument requested. Filed by All Defendants. (McIntire, Keith) (Entered: 06/09/2014)
06/09/2014	<u>220</u>	Declaration of Carla A. Scott <i>in Support of Defendants' Response to Plaintiffs' Motion to Compel</i> . Filed by All Defendants. (Related document(s): Response to Discovery Motion <u>219</u> .) (McIntire, Keith) (Entered: 06/09/2014)
06/09/2014	<u>221</u>	Declaration of John J. Dunbar <i>in Support of Defendants' Response to Plaintiffs' Motion to Compel</i> . Filed by All Defendants. (Related document(s): Response to Discovery Motion <u>219</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (McIntire, Keith) (Entered: 06/09/2014)
06/11/2014	222	MINUTES of Proceedings: before Magistrate Judge Janice M. Stewart. Motion Hearing Held regarding Motion to Intervene <u>200</u> , and Motion to Compel <u>210</u> . Order Motion to Compel Production of Electronic Discovery <u>210</u> is DENIED, however,

		defendant shall produce all responsive emails dated prior to 3/5/2014 obtained from each custodian at least 21 days prior to that custodian's deposition, and such deposition may be continued to the extent necessary to address any supplemental emails produced. Order Motion to Intervene <u>200</u> is taken under advisement as of 6/11/2014. Bruce Rubin, Steve Schwartz, Cathy Costanzo, and Bettina Toner by phone. present as counsel for plaintiff(s). Appearing for Intervenor United States: Regina Kline, Max Lapertosa, Lance Simon and by phone, Justin Park. Present as counsel for defendant(s): John Dunbar, Keith McIntire and Carla Scott. Appearing for Wally Wilkinson, et al: Edwin Harnden and Sean Ray (Court Reporter Paula Tieger.) (jlr) (Entered: 06/11/2014)
06/12/2014	223	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference re discovery issues for Thursday, 6/26/2014 at 10:00AM before Magistrate Judge Janice M. Stewart. Please call the toll-free AT&T conference number previously provided a few minutes before the scheduled time. If you have not received the number and are in need of it, please contact Judge Stewart's courtroom deputy. (jlr) (Entered: 06/12/2014)
06/20/2014	<u>224</u>	OPINION AND ORDER: Denying Motion to Intervene <u>200</u> . Signed on 6/20/14 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 06/20/2014)
06/26/2014	225	Scheduling Order by Magistrate Judge Janice M. Stewart. Per email from Plaintiff and Defendant, the 6/26/14 telephone conference is STRICKEN. (jlr) (Entered: 06/26/2014)
07/09/2014	<u>226</u>	Notice of Appearance of Nicholas C. Lee appearing on behalf of United States of America Filed by on behalf of United States of America (Lee, Nicholas) (Entered: 07/09/2014)
07/29/2014	227	Scheduling Order by Magistrate Judge Janice M. Stewart. At the request of defendant, Order setting a TELEPHONE Status Conference is set Tuesday, 7/29/2014 at 01:30PM before Magistrate Judge Janice M. Stewart. Counsel are to call the AT&T telephone conference number provided by separate e-mail. (This is the same conference number used for previous hearings). (jlr) (Entered: 07/29/2014)
07/29/2014	228	MINUTES of Proceedings: Record of telephone hearing. ORDER: Defendants' letter request (dated 7/28/2014) for a Protective Order is DENIED. Bruce Rubin and Steven Schwartz present as counsel for plaintiff(s). John Dunbar and Keith McIntire (for State of Oregon), and Max Lapertosa and Nicholas Lee (for Intervenor USA) present as counsel for defendant(s). Court Reporter: none. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (stewart1,) (Entered: 07/29/2014)
07/30/2014	<u>229</u>	Proposed Form of Order Submitted <i>entitled Stipulated Order Regarding Production Pursuant to Protective Order</i> . Filed by All Plaintiffs. (Roof, Jennifer) (Entered: 07/30/2014)
08/01/2014	<u>230</u>	STIPULATED ORDER Regarding Production Pursuant to Protective Order. Signed on 8/1/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 08/01/2014)
08/06/2014	<u>231</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED motions held on 6/11/14 before Judge Janice M. Stewart, Court Reporter Paula Tieger, telephone number 503-248-1003. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 8/18/2014. Redaction Request due 9/2/2014. Redacted Transcript Deadline set for 9/11/2014. Release of Transcript Restriction set for 11/7/2014. (Attachment: # <u>1</u> Transcript) (dsg) (Entered: 08/06/2014)
08/06/2014	<u>232</u>	STRICKEN per Order #233 OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion held on 7/30/14 before Judge John V. Acosta, Court Reporter Paula Tieger, telephone number 503-248-1003. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 8/18/2014. Redaction Request due 9/2/2014. Redacted Transcript Deadline set for 9/11/2014. Release of Transcript Restriction set for 11/7/2014. (Attachment: # <u>1</u>

		Transcript (dsg) Modified on 8/6/2014 to strike entry (dsg). (Entered: 08/06/2014)
08/06/2014	<u>233</u>	Order for Administrative Correction of the Record pursuant to Fed. R. Civ. P. 60(a) regarding Transcript of Proceedings,, <u>232</u> . A Clerical error has been discovered in the case record. The Clerk is directed to make the following administrative corrections to the record: this entry was made in the wrong case and has been stricken from the record. (dsg) (Entered: 08/06/2014)
08/20/2014	<u>234</u>	Notice of Attorney Substitution:Attorney Lauren Blaesing is substituted as counsel of record in place of Attorney Laura R. Salerno Owens Filed by All Defendants (Blaesing, Lauren) (Entered: 08/20/2014)
08/21/2014	<u>235</u>	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference for Monday, 8/25/2014 at 10:00AM before Magistrate Judge Janice M. Stewart. The parties are to call the toll-free conference line at the number previously provided by e-mail. (jlr) (Entered: 08/21/2014)
08/25/2014	<u>236</u>	MINUTES of Proceedings: Telephone Conference before Magistrate Judge Janice M. Stewart. ORDER: Setting the following briefing schedule concerning the issues raised in defendants' letter of August 20, 2014. Defendants' Motion and Supplemental Materials are due 9/5/14. Plaintiffs' and Intervenor's Response is due by 9/19/2014. Defendants' Reply is due by 9/26/2014. ORDER: Setting a TELEPHONE hearing on defendants' motion for Wednesday, 10/1/2014 at 02:00PM before Magistrate Judge Janice M. Stewart. Counsel are to call the Toll-Free AT & T conference line number previously provided by e-mail. (Please contact the courtroom deputy for Judge Stewart if you do not have this number). Bruce Rubin, Steve Schwartz, Cathy Costanzo, appearing for plaintiff. John Dunbar, Keith McIntire, Lauren Blaesing appearing for Defendant; H. Justin Park and Regina Kline appearing for Intervenor. (All counsel appeared by phone). Court Reporter: none. Tape No: none.Magistrate Judge Janice M. Stewart presiding. (jlr) (Entered: 08/25/2014)
09/05/2014	<u>237</u>	Motion for Stay . Oral Argument requested. Filed by All Defendants. (Dunbar, John) (Entered: 09/05/2014)
09/05/2014	<u>238</u>	Declaration of John J. Dunbar . Filed by All Defendants. (Related document(s): Motion for Stay <u>237</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11) (Dunbar, John) (Entered: 09/05/2014)
09/05/2014	<u>239</u>	Declaration of Dana Hittle . Filed by All Defendants. (Related document(s): Motion for Stay <u>237</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Dunbar, John) (Entered: 09/05/2014)
09/05/2014	<u>240</u>	Declaration of Robert Costello . Filed by All Defendants. (Related document(s): Motion for Stay <u>237</u> .) (Dunbar, John) (Entered: 09/05/2014)
09/19/2014	<u>241</u>	Response in Opposition to Motion for Stay <u>237</u> . Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 09/19/2014)
09/19/2014	<u>242</u>	Declaration of Steven J. Schwartz . Filed by All Plaintiffs. (Related document(s): Response in Opposition to Motion <u>241</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit) (Schwartz, Steven) (Entered: 09/19/2014)
09/26/2014	<u>243</u>	Reply to Motion for Stay <u>237</u> . Filed by All Defendants. (Dunbar, John) (Entered: 09/26/2014)
09/26/2014	<u>244</u>	Declaration of Michael Maley . Filed by All Defendants. (Related document(s): Reply to Motion <u>243</u> .) (Dunbar, John) (Entered: 09/26/2014)
09/26/2014	<u>245</u>	Declaration of Keith McIntire . Filed by All Defendants. (Related document(s): Reply to Motion <u>243</u> .) (Dunbar, John) (Entered: 09/26/2014)
09/26/2014	<u>246</u>	Declaration of Daniel Haun . Filed by All Defendants. (Related document(s): Reply to Motion <u>243</u> .) (Attachments: # <u>1</u> Exhibit 1) (Dunbar, John) (Entered: 09/26/2014)
09/26/2014	<u>247</u>	Declaration of John Dunbar . Filed by All Defendants. (Related document(s): Reply to Motion <u>243</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8) (Dunbar, John) (Entered: 09/26/2014)

		09/26/2014)
09/26/2014	<u>248</u>	Declaration of Dana Hittle . Filed by All Defendants. (Related document(s): Reply to Motion <u>243</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7) (Dunbar, John) (Entered: 09/26/2014)
09/29/2014	<u>249</u>	Motion for Protective Order <i>U.S. Department of Labor's Motion for a Protective Order and Memorandum in Support</i> . Filed by US Department of Labor. (Danielson, Kevin) (Entered: 09/29/2014)
09/29/2014	<u>250</u>	Declaration of Kathleen Martinez . Filed by US Department of Labor. (Related document(s): Motion for Protective Order <u>249</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (Danielson, Kevin) (Entered: 09/29/2014)
09/29/2014	<u>251</u>	Declaration of Princina Stone . Filed by US Department of Labor. (Related document(s): Motion for Protective Order <u>249</u> .) (Danielson, Kevin) (Entered: 09/29/2014)
09/30/2014	252	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING U.S. Department of Labor's Motion for a Protective Order <u>249</u> to be taken under advisement on 10/20/2014. (jlr) (Entered: 09/30/2014)
09/30/2014	<u>253</u>	Joint Motion to Compel <i>Production and for Sanctions Upon Failure to Produce Filed by Plaintiffs and Plaintiff-Intervenor United States of America</i> . Oral Argument by Telephone requested. Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 09/30/2014)
09/30/2014	<u>254</u>	Declaration of Bettina Toner <i>in Support of Plaintiffs' and the United States' Joint Motion to Compel Production and for Sanctions Upon Failure to Produce</i> . Filed by All Plaintiffs. (Related document(s): Motion to compel <u>253</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Rubin, Bruce) (Entered: 09/30/2014)
10/01/2014	<u>255</u>	Notice – <i>Letter to Court Re Plaintiffs' Fourth Motion To Compel</i> Filed by All Defendants (Dunbar, John) (Entered: 10/01/2014)
10/01/2014	256	MINUTES of Proceedings: Motion Hearing Held by TELEPHONE before Magistrate Judge Janice M. Stewart regarding Motion for Stay <u>237</u> . Order Motion <u>237</u> is taken under advisement as of 10/1/2014. Steven Schwartz, Bruce Rubin, Cathy Costanzo present as counsel for plaintiff(s). Max Lapertosa, Amanda Marshal, Regina Kline for Intervenor United States. John Dunbar, Lauren Blaesing present as counsel for defendant(s). Court Reporter: Jill Erwin. (jlr) (Entered: 10/01/2014)
10/02/2014	257	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Joint Motion to Compel <i>Production and for Sanctions Upon Failure to Produce Filed by Plaintiffs and Plaintiff-Intervenor United States of America</i> <u>253</u> for TELEPHONE Oral Argument on Monday 10/20/2014 at 01:30PM before Magistrate Judge Janice M. Stewart. Counsel are to call Judge Stewart's toll-free AT & T conference line number previously provided for past hearings (Please contact the courtroom deputy for Judge Stewart if you do not have this number). (jlr) (Entered: 10/02/2014)
10/02/2014	<u>258</u>	ORDER: Defendants' Motion for Stay (docket # <u>237</u>) is denied as to a one year stay and set-over, but their alternative oral motion for a four-month set-over of the case schedule is granted. See attached Order for new case schedule and deadlines. ORDER: Amending the Court Trial Management Order (docket # <u>184</u>) to reflect this new schedule. Signed on 10/2/2014 by Magistrate Judge Janice M. Stewart. (stewart1,) (Entered: 10/02/2014)
10/02/2014	<u>259</u>	AMENDED ORDER WITH NEW CASE SCHEDULE. Note: This Order corrects one typo regarding the date for Expert Reports, which are now due 4/1/2015, not 4/1/2014. Scheduling Order by Magistrate Judge Janice M. Stewart. Ordered by Magistrate Judge Janice M. Stewart. (stewart1,) (Entered: 10/02/2014)
10/09/2014	260	Scheduling Order by Magistrate Judge Janice M. Stewart: STRIKING the 10/20/14 telephone Oral Argument on Joint Motion to Compel <i>Production and for Sanctions Upon Failure to Produce Filed by Plaintiffs and Plaintiff-Intervenor United States of America</i> <u>253</u> . ORDER: 1. The parties shall provide a Joint Status Report by 10/27/2014, indicating whether part or all of the motion is withdrawn. 2. In the event any part of the motion is not withdrawn, defendants shall file and serve their response to any remaining items in the Motion to Compel <u>253</u> by 11/3/2014. 3. If necessary, the

		Court shall schedule oral argument by telephone for a time shortly after 11/3/14. (jlr) (Entered: 10/09/2014)
10/17/2014	<u>261</u>	Response in Opposition to Motion for Protective Order <i>U.S. Department of Labor's Motion for a Protective Order and Memorandum in Support 249</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by All Defendants. (McIntire, Keith) (Entered: 10/17/2014)
10/17/2014	<u>262</u>	Declaration of Keith McIntire <i>in Support of Defendants' Opposition to Motion for Protective Order</i> . (DOCUMENT RESTRICTED ACCORDING TO PROTECTIVE ORDER) Filed by All Defendants. (Related document(s): Response in Opposition to Motion, <u>261</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21) (McIntire, Keith) (Entered: 10/17/2014)
10/20/2014	263	ORDER: Granting in Part Denying in Part U.S. Department of Labor's Motion for a Protective Order <u>249</u> as follows: An extension of time is granted to 10/16/2014 to the U.S. Department of Labor to provide a clawback list to State of Oregon for Ms. Lowe's emails, and otherwise is denied. The deliberative process does not apply to the vast majority of the documents at issue. Even if did apply, it has been waived in part by public disclosure by two participant states, and any harm from disclosure is outweighed by the State of Oregon's need for these relevant documents, and sufficient protections are provided by the Protective Order in this case. Signed on 10/20/14 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 10/20/2014)
10/27/2014	<u>264</u>	Joint Status Report of <i>Plaintiffs, the United States of America and Defendants Regarding Plaintiffs' and the United States' Motion to Compel Production and for Sanctions Upon Failure to Produce (related docket Nos. 253 and 260)</i> . Filed by All Plaintiffs. (Rubin, Bruce) Modified to correct links on 10/28/2014 (sss). (Entered: 10/27/2014)
10/30/2014	265	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference for Tuesday, 11/18/2014 at 09:30AM before Magistrate Judge Janice M. Stewart on the Joint Motion to Compel Production and for Sanctions Upon Failure to Produce <u>253</u> . Counsel are directed to call the AT&T conference line number provided in a separate e-mail. (jlr) (Entered: 10/30/2014)
11/03/2014	<u>266</u>	Response in Opposition to Joint Motion to Compel <i>Production and for Sanctions Upon Failure to Produce Filed by Plaintiffs and Plaintiff-Intervenor United States of America 253</i> . Filed by All Defendants. (McIntire, Keith) (Entered: 11/03/2014)
11/03/2014	<u>267</u>	Declaration of Lauren F. Blaesing <i>in Support of Defendants'</i> . Filed by All Defendants. (Related document(s): Response in Opposition to Motion <u>266</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5) (McIntire, Keith) (Entered: 11/03/2014)
11/03/2014	<u>268</u>	Declaration of Andre Harboe <i>in Support of Defendants'</i> . Filed by All Defendants. (Related document(s): Response in Opposition to Motion <u>266</u> .) (Attachments: # <u>1</u> Exhibit 1) (McIntire, Keith) (Entered: 11/03/2014)
11/14/2014	<u>269</u>	Motion to Withdraw Motion to compel <u>253</u> . Filed by All Plaintiffs. (Toner, Bettina) (Entered: 11/14/2014)
11/14/2014	270	ORDER: Granting Motion/Notice of Withdrawal of Motion To Compel <u>269</u> . Order Finding as MOOT Joint Motion to Compel Production and for Sanctions Upon Failure to Produce <u>253</u> . Order STRIKING the 11/18/14 Telephone Conference. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 11/14/2014)
12/03/2014	<u>271</u>	Joint Motion for Leave to <i>Take Continued Depositions Out of Time and to Take One Additional Deposition</i> . Oral Argument requested. Filed by All Plaintiffs. (Lapertosa, Max) (Entered: 12/03/2014)
12/03/2014	<u>272</u>	Declaration of <i>Max Lapertosa</i> . Filed by All Plaintiffs. (Related document(s): Motion for Leave <u>271</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Lapertosa, Max) (Entered: 12/03/2014)

12/03/2014	<u>273</u>	Unopposed Motion to Amend/Correct <i>Protective Order (and Motion for Production Order)</i> Protective Order <u>42</u> . Filed by All Defendants. (Beatty–Walters, Christina) (Entered: 12/03/2014)
12/03/2014	<u>274</u>	Proposed Form of Order Submitted (<i>Production Order</i>). Filed by All Defendants. (Beatty–Walters, Christina) (Entered: 12/03/2014)
12/03/2014	<u>275</u>	Proposed Form of Order Submitted (<i>Amended Protective Order</i>). Filed by All Defendants. (Beatty–Walters, Christina) (Entered: 12/03/2014)
12/05/2014	276	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Plaintiffs' Joint Motion for Leave to <i>Take Continued Depositions Out of Time and to Take One Additional Deposition</i> <u>271</u> for a TELEPHONE Oral Argument on Thursday 12/11/2014 at 11:00AM before Magistrate Judge Janice M. Stewart. Counsel are to call the toll–free AT&T conference line at the number provided by separate e–mail a few minutes before the scheduled time. (jlr) (Entered: 12/05/2014)
12/05/2014	277	ORDER: Granting Motion to Amend/Correct <u>273</u> re Unopposed Motion to Amend/Correct <i>Protective Order (and Motion for Production Order)</i> Protective Order <u>42</u> <u>273</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 12/05/2014)
12/05/2014	<u>278</u>	AMENDED Protective Order regarding Protective Order <u>42</u> . Signed on 12/5/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 12/05/2014)
12/05/2014	<u>279</u>	PRODUCTION ORDER Signed on 12/5/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 12/05/2014)
12/05/2014	<u>280</u>	Response in Opposition to Joint Motion for Leave to <i>Take Continued Depositions Out of Time and to Take One Additional Deposition</i> <u>271</u> . Filed by All Defendants. (McIntire, Keith) (Entered: 12/05/2014)
12/05/2014	<u>281</u>	Declaration of Keith McIntire <i>in Support of</i> . Filed by All Defendants. (Related document(s): Response in Opposition to Motion <u>280</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (McIntire, Keith) (Entered: 12/05/2014)
12/11/2014	<u>282</u>	MINUTES of Proceedings: TELEPHONE Motion Hearing Held regarding Plaintiffs' Joint Motion for Leave to Take Additional Deposition and to Take Continuation Depositions Out of Time <u>271</u> . ORDER: The motion is denied as to additional depositions, but granted in part as to extending the deadline for taking continued depositions. The deadlines for production of defendants' last email pull (11/17/14–2/2/15), for taking plaintiffs' five continuation depositions, and for exchanging initial expert reports are extended as set forth in the attached Amended Scheduling Order. Steven Schwartz, Bruce Rubin, Bettina Toner, and Cathy Costanzo (for Plaintiffs) and Max Lapertosa and Justin Park (for Intervenor USA) present as counsel for plaintiff(s). Keith McIntire and John Dunbar present as counsel for defendant(s).(Court Reporter Jill Erwin.) (stewart1,) Modified on 12/12/2014 to reflect a telephone hearing (jlr). (Entered: 12/11/2014)
12/11/2014	<u>283</u>	AMENDED SCHEDULING ORDER by Magistrate Judge Janice M. Stewart amending Scheduling Order, <u>259</u> to reflect deadline for production of defendants' last email pull (11/17/14 – 2/2/15) is 3/6/15. Deadline for plaintiffs' five (5) continuation depositions is 3/6/15 – 3/30/15. Deadline for expert reports is 4/15/15. (jlr) (Entered: 12/12/2014)
01/20/2015	284	Scheduling Order by Magistrate Judge Janice M. Stewart: RESETTING the Oral Argument on summary judgment from 9/21/15 to Thursday, 10/1/15 at 9:30 AM . in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/20/2015)
02/03/2015	<u>285</u>	Notice of Attorney Withdrawal: <i>David Knight</i> Filed by United States of America (Knight, David) (Entered: 02/03/2015)
02/05/2015	<u>286</u>	<i>Notice of Change of Law Firm Name for Plaintiffs</i> Filed by All Plaintiffs (Rubin, Bruce) (Entered: 02/05/2015)
02/19/2015	287	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference for Friday, 2/20/2015 at 01:30PM before Magistrate Judge Janice M. Stewart. Counsel are to call the AT&T Conference number previously provided by separate e–mail. (jlr) (Entered: 02/19/2015)

02/20/2015	288	MINUTES of Proceedings: Telephone Conference regarding expert discovery held. ORDER: No attorney representing any of the parties may be present during Dr. Mary Morningstar's fact-gathering interviews of school district staff. This Order applies only to the parties and does not preclude the non-party school districts from having their own counsel present during these interviews. Bruce Rubin, Steven Schwartz, and Cathy Costanzo (for Plaintiffs), and Justin Park and Regina Kline (for Intervenor USA) present as counsel for plaintiff(s). John Dunbar, Lauren Blaesing, and Keith McIntire present as counsel for defendant(s). Court Reporter: none. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (stewart1,) (Entered: 02/20/2015)
03/16/2015	289	Order by Magistrate Judge Janice M. Stewart directing the substitution of Kate Brown, Governor of the State of Oregon, as defendant in the place of John Kitzhaber, former Governor of the State of Oregon at the time this action was filed and sued in his official capacity only. The parties shall modify the case caption on all future pleadings and the court will update the docket accordingly. (jlr) (Entered: 03/16/2015)
03/19/2015	<u>290</u>	Motion to Compel <i>Responses Regarding Relief</i> . Oral Argument requested. Filed by All Defendants. (Dunbar, John) (Entered: 03/19/2015)
03/19/2015	<u>291</u>	Declaration of John Dunbar <i>in Support of Defendants' Motion to Compel</i> . Filed by All Defendants. (Related document(s): Motion to compel <u>290</u> .) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8 – Part 1, # <u>10</u> Exhibit 8 – Part 2, # <u>11</u> Exhibit B, # <u>12</u> Exhibit C, # <u>13</u> Exhibit D) (Dunbar, John) (Entered: 03/19/2015)
03/19/2015	<u>292</u>	Motion for Protective Order <i>and Memorandum in Support</i> . Oral Argument requested. Filed by All Defendants. (Dunbar, John) (Entered: 03/19/2015)
03/19/2015	<u>293</u>	Declaration of John Dunbar <i>in Support of Defendants' Motion for Protective Order</i> . Filed by All Defendants. (Related document(s): Motion for Protective Order <u>292</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19) (Dunbar, John) (Entered: 03/19/2015)
03/23/2015	<u>294</u>	Joint Response to Motion for Protective Order <i>and Memorandum in Support</i> <u>292</u> . Filed by United States of America. (Lapertosa, Max) (Entered: 03/23/2015)
03/23/2015	<u>295</u>	Declaration of Max Lapertosa . Filed by United States of America. (Related document(s): Response to Motion <u>294</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5) (Lapertosa, Max) (Entered: 03/23/2015)
03/23/2015	296	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion for Protective Order <u>292</u> . TELEPHONE hearing is set for Wednesday 3/25/2015 at 09:30AM before Magistrate Judge Janice M. Stewart. (Counsel are to call the AT&T Conference line number previously provided by email). (jlr) (Entered: 03/23/2015)
03/23/2015	<u>297</u>	Amended Declaration of <i>Max Lapertosa (Corrected)</i> . Filed by United States of America. (Related document(s): Response to Motion <u>294</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5) (Lapertosa, Max) (Entered: 03/23/2015)
03/25/2015	298	MINUTES of Proceedings: Telephone Motion Hearing Held regarding Motion for Protective Order <u>292</u> before Magistrate Judge Janice M. Stewart. Order Denying Motion for a Protective Order <u>292</u> . Order SETTING a TELEPHONE Oral Argument on the Motion to Compel <u>290</u> for Thursday, 4/16/2015 at 10:00AM before Magistrate Judge Janice M. Stewart. Counsel are to call the AT&T conference line number previously emailed for this hearing. (If you do not have Judge Stewart's conference line number, please let her courtroom deputy know). Steven Schwartz, Cathy Costanzo, Julia Terese Greenfield, Anna Krieger. present as counsel for plaintiff(s). Max Lapertosa present for Intervenor. John Dunbar, Keith McIntire present as counsel for defendant(s).(Court Reporter Bonita Shumway.) (jlr) (Entered: 03/25/2015)
03/31/2015	<u>299</u>	Motion for Leave to Appear Pro Hac Vice <i>for Attorney Anna Krieger</i> . Filing fee in the amount of \$100 collected; Agency Tracking ID: 0979-4064101. Filed by All Plaintiffs. (Wilde, Kathleen) (Entered: 03/31/2015)

04/02/2015	<u>300</u>	Order Granting Application for Special Admission Pro Hac Vice of Anna M. Krieger for Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson and United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. Application Fee in amount of \$100 collected. Receipt No. 0979-4064101 issued. Signed on 4/2/2015 by Magistrate Judge Janice M. Stewart. (ecp) (Entered: 04/02/2015)
04/02/2015	301	Notification of CM/ECF Account for Attorney Anna M. Krieger (appearing <i>Pro Hac Vice</i>). Your login is: amkrieger . Go to the CM/ECF login page to set your password. (ecp) (Entered: 04/02/2015)
04/02/2015	<u>302</u>	Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Attachments: # <u>1</u> Exhibit A) (Reichman, Lawrence) (Entered: 04/02/2015)
04/02/2015	<u>303</u>	Declaration of Bruce A. Rubin <i>in Support of Plaintiffs' and The United States' Motion for Appointment of Special Master</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21) (Reichman, Lawrence) (Entered: 04/02/2015)
04/02/2015	<u>304</u>	Declaration of Peter Sternkopf <i>in Support of Plaintiffs' and United States of America's Motion for Appointment of Special Master</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Reichman, Lawrence) (Entered: 04/02/2015)
04/03/2015	<u>305</u>	Motion <i>Plaintiffs and The United States' Request for Oral Argument on Motion for Appointment of Special Master</i> . Oral Argument requested. Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Reichman, Lawrence) (Entered: 04/03/2015)
04/06/2015	<u>306</u>	Response in Opposition to Motion to Compel <i>Responses Regarding Relief</i> <u>290</u> Oral Argument requested. Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 04/06/2015)
04/06/2015	<u>307</u>	Declaration of Steven J. Schwartz . Filed by All Plaintiffs. (Related document(s): Response in Opposition to Motion <u>306</u> .) (Attachments: # <u>1</u> Exhibit) (Schwartz, Steven) (Entered: 04/06/2015)
04/06/2015	<u>308</u>	Motion for Extension of Time to File a Response/Reply to Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master</i> <u>302</u> . Filed by All Defendants. (McIntire, Keith) (Entered: 04/06/2015)
04/06/2015	<u>309</u>	Declaration of Keith McIntire . Filed by All Defendants. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion, <u>308</u> .) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (McIntire, Keith) (Entered: 04/06/2015)
04/07/2015	310	ORDER: Granting Motion <u>308</u> for Extension of Time to File Response/Reply to Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master</i> <u>302</u> filed by Sparkle Green, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., Angela Kehler, United States of America, Gretchen Cason, Lori Robertson, Zavier Kinville, Paula Lane, Andres Paniagua, Elizabeth Harrah. Response to Motion to Refer Case to a Special Master <u>302</u> is due by 5/1/2015. Ordered by Magistrate Judge Janice M. Stewart. (st3) (Entered: 04/07/2015)

04/09/2015	<u>311</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Telephone Motion Hearing held on 3/25/2015 before Judge Janice M. Stewart, Court Reporter Bonita J. Shumway, telephone number 503-326-8188. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the Court Reporter or PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 4/20/2015. Redaction Request due 5/4/2015. Redacted Transcript Deadline set for 5/14/2015. Release of Transcript Restriction set for 7/13/2015. (Shumway, Bonita) (Entered: 04/09/2015)
04/14/2015	312	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master 302</i> for Oral Argument on Wednesday 5/13/2015 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Counsel have been provided Judge Stewart's conference line number for those who want to appear by phone. Please call the number about 5 minutes before the scheduled hearing time. Counsel who want to appear in person may do so. (jlr) Modified on 4/14/2015 to correct date to Wednesday, 5/13/15 (not Thursday) (jlr). (Entered: 04/14/2015)
04/14/2015	313	AMENDED Scheduling Order by Magistrate Judge Janice M. Stewart regarding Scheduling Order 312 , Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master 302</i> is set for Oral Argument WEDNESDAY, 5/13/15 at 9:30AM , not Thursday. (jlr) (Entered: 04/14/2015)
04/16/2015	314	MINUTES of Proceedings: Telephone oral argument held on Motion to Compel (docket # <u>290</u>). ORDER: For the reasons stated on the record at the telephone hearing, Defendants' Motion to Compel <u>290</u> is DENIED and Plaintiffs' oral motion to amend their response to Request for Admission #5 of Defendants' First Request for Admissions is GRANTED. Steven Schwartz and Cathy Costanzo (for Plaintiffs) and Max Lapertosa and Regina Kline (for Intervenor USA) present as counsel for plaintiff(s). John Dunbar and Keith McIntire present as counsel for defendant(s). (Court Reporter Bonita Shumway.) (stewart1,) (Entered: 04/16/2015)
04/22/2015	<u>315</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Telephone Oral Argument held on 4/16/2015 before Judge Janice M. Stewart, Court Reporter Bonita J. Shumway, telephone number 503-326-8188. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the Court Reporter or PACER-See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 5/4/2015. Redaction Request due 5/18/2015. Redacted Transcript Deadline set for 5/29/2015. Release of Transcript Restriction set for 7/24/2015. (Shumway, Bonita) (Entered: 04/22/2015)
05/01/2015	<u>316</u>	Response to Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master 302</i> . Filed by All Defendants. (Dunbar, John) (Entered: 05/01/2015)
05/01/2015	<u>317</u>	Declaration of Keith McIntire <i>in Support of Defendants' Response to Plaintiffs' and The United States' Motion for Appointment of Special Master</i> . Filed by All Defendants. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (Dunbar, John) (Entered: 05/01/2015)
05/08/2015	<u>318</u>	Reply to Motion to Refer Case to a Special Master <i>Plaintiffs and The United States' Motion for Appointment of Special Master 302</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Rubin, Bruce) (Entered: 05/08/2015)
05/08/2015	<u>319</u>	Declaration of Bettina Toner <i>in Support of Plaintiffs' and the United States of America's Reply in Support of Motion for Appointment of Special Master Pursuant to Fed. R. Civ. P. 53</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Attachments: # <u>1</u> Exhibit - Exhibit 1, # <u>2</u> Exhibit - Exhibit 2, # <u>3</u> Exhibit - Exhibit 3,

		# <u>4</u> Exhibit – Exhibit 4, # <u>5</u> Exhibit – Exhibit 5, # <u>6</u> Exhibit – Exhibit 6, # <u>7</u> Exhibit – Exhibit 7, # <u>8</u> Exhibit – Exhibit 8, # <u>9</u> Exhibit – Exhibit 9, # <u>10</u> Exhibit – Exhibit 10, # <u>11</u> Exhibit – Exhibit 11, # <u>12</u> Exhibit – Exhibit 12, # <u>13</u> Exhibit – Exhibit 13, # <u>14</u> Exhibit – Exhibit 14, # <u>15</u> Exhibit – Exhibit 15, # <u>16</u> Exhibit – Exhibit 16, # <u>17</u> Exhibit – Exhibit 17, # <u>18</u> Exhibit – Exhibit 18, # <u>19</u> Exhibit – Exhibit 19, # <u>20</u> Exhibit – Exhibit 20, # <u>21</u> Exhibit – Exhibit 21) (Rubin, Bruce) (Entered: 05/08/2015)
05/08/2015	<u>320</u>	Supplemental Declaration of Bruce A. Rubin <i>in Support of Plaintiffs' and the United States' Motion for Appointment of Special Master Pursuant to Fed. R. Civ. P. 53</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Attachments: # <u>1</u> Exhibit – Exhibit 1, # <u>2</u> Exhibit – Exhibit 2, # <u>3</u> Exhibit – Exhibit 3, # <u>4</u> Exhibit – Exhibit 4) (Rubin, Bruce) (Entered: 05/08/2015)
05/08/2015	<u>321</u>	Declaration of John M. Barkett <i>Pursuant to Fed. R. Civ. P. 53</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc., United States of America. (Related document(s): Motion to Refer Case to Special Master, <u>302</u> .) (Rubin, Bruce) (Entered: 05/08/2015)
05/11/2015	322	Scheduling Order by Magistrate Judge Janice M. Stewart. After reviewing Mr. Dunbar's letter of May 7 to extend the due date for certain expert rebuttal reports and Mr. Schwartz's response of May 11, defendants' request to extend the due date for the rebuttal to Lynnae Ruttledge's expert report for two weeks is GRANTED from May 12 to May 26 and to the 11 reports by seven other experts (Ellen Condon, Teresa Grossi, Richard Luecking, Ruby Moore, Sarah Murphy, Sally Rogers and Lyn Rucker) for four weeks is granted in part from May 12 to May 19. (jlr) (Entered: 05/11/2015)
05/13/2015	323	MINUTES of Proceedings: before Magistrate Judge Janice M. Stewart. Motion hearing held regarding Motion to Refer Case to Special Master, <u>302</u> . ORDER: For the reasons stated on the record, Plaintiffs' and the United States' Motion for Appointment of a Special Master Pursuant to FRCP 53 (docket # <u>302</u>) is DENIED. ORDER: The case schedule is amended as follows: (1) No later than June 19, 2015, defendants shall complete production of all documents not previously produced due to the omission of search terms; (2) On or before August 14, 2015, Plaintiffs and the United States may take up to 10 additional or reopened depositions to inquire about the belatedly produced documents; (3) On or before August 14, 2015, Plaintiffs and the United States may file amended expert reports necessitated by the belatedly produced documents; and (4) On or before September 15, 2015, the parties may file supplemental expert reports necessitated by the belatedly produced documents. ORDER: Sanctions are imposed against defendants for their belated production of documents as follows: (1) Defendants shall reimburse plaintiffs and the United States for their reasonable attorney fees and costs incurred to take additional or reopened depositions as a result of the belated production of documents; and (2) Plaintiffs and the United States may seek the imposition of additional sanctions against defendants if warranted based upon their review of the belatedly produced documents. ORDER: No party may file a summary judgment motion without leave of court for good cause shown. Bruce Rubin, Kathleen Wilde, Lawrence Reichman and by phone: Steven Schwartz, Bettina Toner, Cathy Costanzo present as counsel for plaintiffs. By phone present for United States: Max Lapertosa and Regina Kline. John Dunbar, Keith McIntire present as counsel for defendant(s). (Court Reporter Nancy Walker.) (jlr) (Entered: 05/13/2015)
05/15/2015	<u>324</u>	Amended Court Trial Management Order. This document replaces any previously issued trial management order(s), adds a date for the filing of the Joint Statement of Trial Issues (10/5/2015), includes the current trial schedule, and provides pretrial submission and objection requirements. Signed on 5/15/2015 by Magistrate Judge Janice M. Stewart. (st1) (Entered: 05/15/2015)
05/21/2015	<u>325</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion hearing held on May 13, 2015 before Judge Janice M. Stewart, Court Reporter Nancy M. Walker, telephone number 503–326–8186. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained from the Court Reporter (503–326–8186)

		or through PACER—See Policy at ord.uscourts.gov . Notice of Intent to Redact Transcript is due by 6/1/2015. Redaction Request due 6/15/2015. Redacted Transcript Deadline set for 6/25/2015. Release of Transcript Restriction set for 8/24/2015. (Walker, Nancy) (Entered: 05/21/2015)
07/02/2015	326	SCHEDULING ORDER by Judge Acosta – SETTING the following Settlement Conference dates in this matter: (1) FOR PLAINTIFFS ONLY -- Friday, July 10, 2015, at 9:00AM in Judge Acosta's chambers. (2) FOR DEFENDANTS ONLY -- Tuesday, July 14, 2015, at 9:00AM in Judge Acosta's chambers. (3) ALL PARTIES – Monday, Tuesday and Wednesday, July 20–22, 2015, at 9:00AM, in Judge Acosta's chambers. (4) ALL PARTIES -- Tuesday, Wednesday and Thursday, August 11–13, 2015. Tuesday beginning at 9:00AM, Wednesday and Thursday beginning at 11:00AM. (peg) Modified on 7/6/2015 to correct the numbered dates for the 3 consecutive dates in July to read July 20th through July 22nd.(peg). (Entered: 07/02/2015)
07/10/2015	327	MINUTES of Proceedings: First Session of Settlement Conference held by Judge Acosta, (Plaintiffs only). Next session (Defendants only) is set for Tuesday, July 14, 2015, in Judge Acosta's chambers on the 11th floor of the Mark Hatfield United States Courthouse, 1000 SW Third Avenue, Portland, Oregon 97204. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran Regina Kline, Eve Hill Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. None present as counsel for defendant(s). Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 07/13/2015)
07/14/2015	328	MINUTES of Proceedings: Second Session of Settlement Conference held by Judge Acosta, (Defendants only). Next session (All parties) is set for Monday, July 20, 2015. Plaintiffs to arrive at 9:00AM. Defendants to arrive at 10:00AM. Defense counsel and party representatives present: David Markowitz, Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty–Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley–Siel. No counsel for plaintiffs or plaintiff party representatives were in attendance at this session. Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 07/15/2015)
07/17/2015	329	Scheduling Order by Magistrate Judge Janice M. Stewart GRANTING the 7/14/15 letter request to amend the scheduling order. Order extending the date for completing the 10 additional depositions from August 14, 2015 to September 11, 2015; and combining the deadline for plaintiffs to amend their expert reports, with the deadline for all parties to supplement their expert reports, and extend the two dates (August 14 and September 15, 2015) to September 28, 2015. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 07/17/2015)
07/20/2015	330	Scheduling Order by Magistrate Judge Janice M. Stewart. At the request of plaintiff, Order SETTING a TELEPHONE Status Conference for Tuesday, 7/21/2015 at 04:00PM before Magistrate Judge Janice M. Stewart. Counsel are to call the toll–free conference number previously provided by separate e–mail. (jlr) (Entered: 07/20/2015)
07/20/2015	331	AMENDED Scheduling Order by Magistrate Judge Janice M. Stewart regarding Scheduling Order 330 . The Discovery Hearing set for Tuesday, 7/21/2015 at 04:00PM will be held in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart, for counsel that are already in the courthouse for the settlement conference. Any counsel wanting to participate by phone please call the number provided, about 5 minutes before the scheduled time. (jlr) (Entered: 07/20/2015)
07/20/2015	333	MINUTES of Proceedings: Third Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Tuesday, July 21, 2015. Plaintiffs to arrive at 9:00AM. Defendants to arrive at 10:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran Regina Kline, Eve Hill Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: David Markowitz, Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty–Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley–Siel. Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 07/22/2015)

07/21/2015	332	MINUTES of Proceedings: Discovery Hearing held before Magistrate Judge Janice M. Stewart. Steven Schwartz present as counsel for plaintiff(s). Max Lapertosa present for Intervenor USA. Keith McIntire present as counsel for defendant(s). Tape No: FTR 11A. (jlr) (Entered: 07/21/2015)
07/21/2015	334	MINUTES of Proceedings: Fourth Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Wednesday, July 22, 2015. Parties to arrive at 9:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran Regina Kline, Eve Hill Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley-Siel. Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 07/22/2015)
07/23/2015	335	MINUTES of Proceedings Fifth Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Tuesday, August 11, 2015. Parties to arrive at 9:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran Regina Kline, Eve Hill Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley-Siel. Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 07/23/2015)
08/11/2015	336	MINUTES of Proceedings – Sixth Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Wednesday, August 12, 2015. Plaintiffs to arrive at 8:00AM. Defendants to arrive at 11:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran Gina Kline, Eve Hill Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, David Markowitz (peg) Modified on 8/13/2015 to correct filing date from 8/12/15 to 8/11/15. (peg) (Entered: 08/12/2015)
08/12/2015	337	MINUTES of Proceedings – Seventh Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Thursday, August 13, 2015. Plaintiffs to arrive at 8:00AM. Defendants to arrive at 9:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran, Regina Kline, Eve Hill, Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, David Markowitz. (peg) Modified on 8/13/2015 to correct filing date of 8/12/15. (peg) (Entered: 08/13/2015)
08/13/2015	338	SCHEDULING ORDER by Judge Acosta – SETTING an additional Settlement Conference date in this matter for Friday, August 14, 2015. Plaintiffs to arrive at 8:30AM. Defendants to arrive at 9:00AM. (peg) (Entered: 08/13/2015)
08/13/2015	339	MINUTES of Proceedings: Eighth Session of Settlement Conference held by Judge Acosta, (All parties in attendance). Next session (All parties) is set for Friday, August 14, 2015. Plaintiffs to arrive at 8:30AM. Defendants to arrive at 9:00AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran, Regina Kline, Eve Hill, Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Sarah Drinkwater, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Mike Maley, Keith McIntire. (peg) Modified on 8/17/2015 correct names of those in attendance. (peg) Modified on 8/17/2015 to correct text bolding (jtj). (Entered: 08/17/2015)
08/14/2015	340	MINUTES of Proceedings: Ninth Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Monday, August 17, 2015. Plaintiffs to arrive at 8:00AM. Defendants to arrive at 8:30AM. Plaintiffs' counsel and party representatives present: Bruce Rubin, Adrian Brown, Sheila Foran, Regina Kline, Eve Hill, Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present: Lauren Blessing, Keith McIntire, Misha Isaak, John Dunbar, Lilia Teninty, Mike Maley. (peg) (Entered: 08/17/2015)

08/17/2015	341	MINUTES of Proceedings: Tenth Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Tuesday, August 18, 2015. Defendants to arrive at 8:30AM. Plaintiffs to arrive at 9:00AM. Plaintiffs' counsel and party representatives present in person or by telephone: Bruce Rubin, Adrian Brown, Sheila Foran, Kathy Wilde, Regina Kline, Eve Hill, Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present in person or available by telephone: Lauren Blessing, Keith McIntire, John Dunbar, Lilia Teninty, Mike Maley Sarah Drinkwater. (peg) (Entered: 08/18/2015)
08/18/2015	342	MINUTES of Proceedings: MINUTES of Proceedings: Eleventh Session of Settlement Conference held by Judge Acosta, (All parties). Next session (All parties) is set for Monday, August 24, 2015. Parties to arrive at 9:00AM. Plaintiffs' counsel and party representatives present in person or by telephone: Bruce Rubin, Adrian Brown, Sheila Foran, Kathy Wilde, Regina Kline, Eve Hill, Bob Joondeph, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present in person or available by telephone: Lauren Blessing, Keith McIntire, John Dunbar, Lilia Teninty, Mike Maley Sarah Drinkwater. (peg) (Entered: 08/20/2015)
08/24/2015	343	MINUTES of Proceedings: Twelfth Session of Settlement Conference held by Judge Acosta, (All parties in attendance). Next session (All parties) is set for Tuesday, August 25, 2015. Parties to arrive at 9:00AM. Plaintiffs' counsel and party representatives present or available by telephone: Bruce Rubin, Adrian Brown, Sheila Foran, Regina Kline, Eve Hill, Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present or available by telephone: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley-Siel, David Markowitz. (peg) (Entered: 08/26/2015)
08/25/2015	344	MINUTES of Proceedings: Thirteenth Session of Settlement Conference held by Judge Acosta, (All parties in attendance). Plaintiffs' counsel and party representatives present or available by telephone: Bruce Rubin, Adrian Brown, Sheila Foran, Regina Kline, Eve Hill, Bob Joondeph, Kathleen Wilde, Steven Schwartz, Cathy Costanzo, Max Lapertosa. Defense counsel and party representatives present or available by telephone: Lauren Blessing, Sarah Drinkwater, Keith McIntire, Tina Beatty-Walters, Misha Isaak, John Dunbar, Lilia Teninty, Trina Lee, Mike Maley, Erinn Kelley-Siel, David Markowitz. (peg) Modified on 8/26/2015 to correct filing date of hearing to 8/25/15.(peg). (Entered: 08/26/2015)
09/15/2015	<u>345</u>	Joint Motion for Settlement <i>Approval</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Proposed Settlement Agreement, # <u>2</u> Exhibit Notice) (Schwartz, Steven) (Entered: 09/15/2015)
09/17/2015	346	ORDER: Granting Joint Motion for Preliminary Approval of Proposed Class Action Settlement <u>345</u> and granting the schedule set forth on page 7 of the Motion. A Fairness Hearing will be set in December, 2015. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 09/17/2015)
09/21/2015	347	Scheduling Order by Magistrate Judge Janice M. Stewart. A Fairness Hearing re class action settlement is set for Monday, 12/7/2015 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Order STRIKING the current case schedule EXCEPT as set forth in document 346 . (jlr) (Entered: 09/21/2015)
10/22/2015	348	SCHEDULING ORDER by Judge Acosta – SETTING an additional Settlement Conference session in this matter for Monday, October 26, 2015, in Judge Acosta's chambers on the 11th floor of the Mark O. Hatfield United States Courthouse, 1000 SW Third Avenue, Portland, Oregon 97204. Plaintiffs to arrive at 8:30AM. Defendants to arrive at 9:15AM. (peg) (Entered: 10/22/2015)
10/26/2015	349	MINUTES of Proceedings: Settlement Conference held regarding attorney fees. Bruce Rubin, Steven Schwartz, Cathy Costanzo (by phone), Kathleen Wilde, Thomas Johnson present as counsel for plaintiff(s). John Dunbar present as counsel for defendant(s). Court Reporter: None. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 10/27/2015)
11/02/2015	350	Scheduling Order by Magistrate Judge Janice M. Stewart SETTING a TELEPHONE Status Conference for Friday, 11/6/2015 at 11:30AM before Magistrate Judge Janice M. Stewart regarding the 12/7/15 Fairness Hearing. (jlr) (Entered: 11/02/2015)

11/06/2015	351	MINUTES of Proceedings: Telephone Scheduling and Status Conference held. ORDER: The parties Joint Motion is to be filed by 11/13/2015 and any individual briefs are due 11/16/2015. NOTE: The argument scheduled for Monday, December 7, 2015, will be held in Courtroom 16. Bruce Rubin, Steven Schwartz, and Cathy Costanzo present as counsel for plaintiffs. John Dunbar and Christina Beatty-Walters present as counsel for defendants. Max Lapertosa, Nicholas Lee and Regina Kline present as counsel for Intervenor. Court Reporter: none. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (st1) Modified on 11/6/2015 to correct list of counsel present. NEF regenerated.(jlr). (Entered: 11/06/2015)
11/13/2015	<u>352</u>	Joint Motion for Settlement <i>Agreement Approval</i> . Oral Argument requested. Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 11/13/2015)
11/16/2015	<u>353</u>	<i>Plaintiffs' and United States' Memorandum in Support of Joint Motion for Final Approval of Proposed Settlement Agreement</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (Schwartz, Steven) (Entered: 11/16/2015)
11/16/2015	<u>354</u>	Declaration of Bettina Toner <i>in Support of Plaintiffs' and the United States' Joint Motion for Final Approval of Settlement Agreement</i> . Filed by All Plaintiffs. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit) (Toner, Bettina) (Entered: 11/16/2015)
11/16/2015	<u>355</u>	Declaration of Kathy Wilde <i>in Support of Plaintiffs' and United States' Motion for Final Approval of Settlement Agreement</i> . Filed by All Plaintiffs. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Wilde, Kathleen) (Entered: 11/16/2015)
11/16/2015	<u>356</u>	Declaration of Anna Krieger <i>in Support of Plaintiffs' and the United States' Motion for Final Approval of Settlement Agreement</i> . Filed by All Plaintiffs. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit) (Krieger, Anna) (Entered: 11/16/2015)
11/16/2015	<u>357</u>	Memorandum in Support of <i>Motion to Approve Class Action Settlement</i> . Filed by All Defendants. (Related document(s): Motion for Settlement <u>352</u> .) (Dunbar, John) (Entered: 11/16/2015)
11/16/2015	<u>358</u>	Declaration of JOHN J. DUNBAR <i>in Support of Defendants' Memorandum in Support of Motion to Approve Class Action Settlement</i> . Filed by All Defendants. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5) (Dunbar, John) (Entered: 11/16/2015)
12/02/2015	<u>359</u>	Declaration of Lilia Teninty <i>in Support of Defendants' Memorandum in Support of Motion to Approve Class Action Settlement</i> . Filed by All Defendants. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit 1) (Dunbar, John) (Entered: 12/02/2015)
12/02/2015	<u>360</u>	Declaration of Michael J. Maley <i>in Support of Defendants' Memorandum in Support of Motion to Approve Class Action Settlement</i> . Filed by All Defendants. (Related document(s): Motion for Settlement <u>352</u> .) (Attachments: # <u>1</u> Exhibit 1) (Dunbar, John) (Entered: 12/02/2015)
12/03/2015	<u>361</u>	Unopposed Motion to Supplement <i>Wilde Declaration</i> . Filed by Gretchen Cason, Sparkle Green, Elizabeth Harrah, Angela Kehler, Zavier Kinville, Paula Lane, Andres Paniagua, Lori Robertson, United Cerebral Palsy Association of Oregon and Southwest Washington, Inc.. (Attachments: # <u>1</u> Exhibit) (Wilde, Kathleen) (Entered: 12/03/2015)
12/03/2015	362	ORDER: Granting Unopposed Motion to Supplement Wilde Declaration <u>361</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 12/03/2015)
12/04/2015	<u>363</u>	Notice of Appearance of Thomas Stenson appearing on behalf of All Plaintiffs , Notice of Attorney Withdrawal: Filed by on behalf of All Plaintiffs (Stenson, Thomas) (Entered: 12/04/2015)

12/07/2015	364	MINUTES of Proceedings: Hearing on the parties' Joint Motion for Final Approval of Class Action Settlement Agreement (docket # 352). Order: Receiving Plaintiffs' Exhibits 1–8 and Defendant's Exhibits 1–9. Testimony received; Witness List to follow. ORDER: Motion is taken under advisement as of 12/7/2015. Bruce Rubin, Steven Schwartz, Cathy Costanzo, Ted Wenk, and Kathleen Wilde (for Plaintiffs), and Max Lapertosa, Nicholas Lee, Justin Park and Regina Kline (for Intervenor USA) present as counsel for Plaintiffs and Intervenor USA. John Dunbar and Christina Beatty–Walters (for State of Oregon) present as counsel for defendant. Court Reporter: Bonita Shumway. Tape No: none. Magistrate Judge Janice M. Stewart presiding. (Related document(s): Motion for Settlement 352 .) (st1) (Entered: 12/07/2015)
12/07/2015	365	Clerk's List of Exhibits & Witnesses. (pvh) (Entered: 12/08/2015)
12/29/2015	366	ORDER: Granting Joint Motion for Final Approval of Proposed Settlement Agreement 352 . The parties shall file a form of proposed Judgment in 14 days. Signed on 12/29/15 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 12/29/2015)
01/08/2016	367	Notice of Appearance of Cheryl Citera appearing on behalf of United States of America Filed by on behalf of United States of America (Citera, Cheryl) (Entered: 01/08/2016)
01/12/2016	368	Joint Motion for Judgment <i>Approval</i> . Filed by All Plaintiffs. (Attachments: # 1 Attachment) (Schwartz, Steven) (Entered: 01/12/2016)
01/13/2016	369	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Joint Motion for Judgment <i>Approval</i> 368 . Motion will be taken under advisement as of 1/22/2016. (jlr) (Entered: 01/13/2016)
01/19/2016	370	Unopposed Motion to File Excess Pages <i>for Their Motion for an Award of Attorneys' Fees and Costs</i> . Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 01/19/2016)
01/19/2016	371	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Fairness Hearing held on 12/7/2015 before Judge Janice M. Stewart, Court Reporter Bonita J. Shumway, telephone number 503–326–8188 or bonita_shumway@ord.uscourts.gov. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the Court Reporter or PACER–See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 1/29/2016. Redaction Request due 2/12/2016. Redacted Transcript Deadline set for 2/22/2016. Release of Transcript Restriction set for 4/21/2016. (Shumway, Bonita) (Entered: 01/19/2016)
01/20/2016	372	ORDER: Granting Plaintiffs' Motion to File Excess Pages 370 . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/20/2016)
01/22/2016	373	Notice of Attorney Substitution: Attorney John J. Dunbar is substituted as counsel of record in place of Attorney John J. Dunbar Filed by All Defendants (Dunbar, John) (Entered: 01/22/2016)
01/25/2016	374	Notice re Memorandum in Support of Motion 357 <i>Notice of Correction</i> Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon (Related document(s): Memorandum in Support of Motion 357 .) (Dunbar, John) (Entered: 01/25/2016)
01/25/2016	375	<i>Notice of Motion</i> Filed by All Defendants (Dunbar, John) (Entered: 01/25/2016)
01/25/2016	376	Motion to Amend/Correct <i>or Clarify Order Approving Settlement Notice</i> 375 . Filed by All Defendants. (Dunbar, John) (Entered: 01/25/2016)
01/25/2016	377	Declaration of John J. Dunbar <i>in Support of Defendants Motion to Correct or Clarify</i> . Filed by All Defendants. (Related document(s): Motion to Amend/Correct 376 .) (Dunbar, John) (Entered: 01/25/2016)
01/25/2016	378	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion to Amend/Correct <i>or Clarify Order Approving Settlement</i> 376 . Response is due 2/11/16, Reply is due by 2/22/2016. Motion will be taken under advisement as of 2/22/2016. (jlr) (Entered: 01/25/2016)

01/27/2016	<u>379</u>	Unopposed Motion for Attorney Fees <i>and Costs</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30) (Schwartz, Steven) (Attachment 23 replaced on 1/29/2016) (eo). (Attachment 10 replaced on 1/29/2016) (eo). (Entered: 01/27/2016)
01/27/2016	<u>380</u>	Motion to Amend/Correct Order on Motion for Settlement <u>366</u> . Expedited Hearing requested. Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 01/27/2016)
01/27/2016	381	ORDER: Granting Defendants' Motion to Correct or Clarify Order Approving Settlement <u>376</u> and Granting Plaintiffs' and United States' Motion to Correct Order Approving Settlement Agreement <u>380</u> . Although the Courts Order Approving Settlement <u>366</u> was not intended to modify any provision of the parties Settlement Agreement or be internally inconsistent, the parties are concerned that it could conceivably be misconstrued during implementation of the Settlement Agreement. Therefore, the Court will issue an Amended Order to address the parties concerns. Signed on 1/27/16 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 01/27/2016)
01/27/2016	<u>382</u>	AMENDED ORDER regarding Order on Motion for Settlement <u>366</u> . For the reasons stated, the Parties' Joint Motion for Final Approval of Proposed Settlement Agreement (docket <u>352</u>) is GRANTED effective December 29, 2015 . Signed on 1/27/16 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/27/2016)
01/27/2016	383	ORDER: Granting Joint Motion for Approval of Final Judgment <u>368</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/27/2016)
01/27/2016	<u>384</u>	JUDGMENT Signed on 1/27/16 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/27/2016)
01/28/2016	385	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Unopposed Motion for Attorney Fees <i>and Costs</i> <u>379</u> to be taken under advisement as of 2/16/2016. (jlr) (Entered: 01/28/2016)
01/29/2016	386	Order REPLACING Exhibits 10 and 23 to the Unopposed Motion for Attorney Fees <i>and Costs</i> <u>379</u> , as they were incorrect. A Notice of Electronic Filing will be regenerated to all parties. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 01/29/2016)
02/08/2016	<u>387</u>	Response to Unopposed Motion for Attorney Fees <i>and Costs</i> <u>379</u> . Filed by All Defendants. (Dunbar, John) (Entered: 02/08/2016)
02/08/2016	<u>388</u>	Supplemental Declaration of Daniel H. Skerritt . Filed by All Defendants. (Related document(s): Response to Motion <u>387</u> .) (Dunbar, John) (Entered: 02/08/2016)
02/09/2016	<u>389</u>	Reply <i>In Support of Unopposed Motion for Attorney Fees and Costs</i> to Unopposed Motion for Attorney Fees <i>and Costs</i> <u>379</u> . Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 02/09/2016)
02/11/2016	<u>390</u>	OPINION AND ORDER: Granting Motion for Attorney Fees <u>379</u> in the sum of \$5,250,000.00. Signed on 2/11/16 by Magistrate Judge Janice M. Stewart. (ST) Modified on 3/3/2016 to correct the dollar amount(peg). (Entered: 02/11/2016)
02/12/2016	<u>391</u>	Notice of Case Reassignment: This case has been reassigned from Magistrate Judge Janice M. Stewart to Magistrate Judge John V. Acosta. (eo) (Entered: 02/12/2016)
03/01/2016	<u>392</u>	Satisfaction re Order on Motion for Attorney Fees <u>390</u> by All Defendants. Filed by All Defendants. (Dunbar, John) (Entered: 03/01/2016)
03/09/2016	393	SCHEDULING ORDER by Judge Acosta – At request of counsel, the Court SETS a Telephone Status Conference for Thursday, March 10, 2016, at 9:00AM, Pacific Time. Counsel are to respond to courtroom deputy, Paul Gale at "paul_gale@ord.uscourts.gov" or 503.326.8056 to confirm their participation. Counsel will be notified by separate email of the court's conference line information. (peg) (Entered: 03/09/2016)

03/09/2016	<u>394</u>	STRICKEN (See Administrative Correction of the Record 396) Application for to the bar of the U.S. District Court, District of Oregon NOTE: failure to update your account information under the Utilities menu could result in a delay processing your application. Filed by United States of America. (Westfall, Elizabeth) Modified on 3/10/2016 (ecp). (Entered: 03/09/2016)
03/10/2016	395	MINUTES of Proceedings: Telephone Status Conference held before Judge Acosta. ORDER: Letters from the respective parties regarding independent review selection are due 4/1/16. Letter are to be submitted for in camera review only. Thomas Stenson, Bruce Rubin, John Dunbar, Cathy Costanzo, Ellen Mendoza, Elizabeth Westfall, Steven Schwartz, Nicholas Lee present as counsel for the parties. Court Reporter: Jill Jessup. Magistrate Judge John V. Acosta presiding. (peg) (Entered: 03/10/2016)
03/10/2016	396	Order for Administrative Correction of the Record pursuant to Fed. R. Civ. P. 60(a) regarding Application for Admission, <u>394</u> filed by United States of America. A Clerical error has been discovered in the case record. The Clerk is directed to make the following administrative corrections to the record: Counsel is directed to refile the application in their admissions case; 3:16-ad-62. Docket entry <u>394</u> will be stricken. (ecp) (Entered: 03/10/2016)
04/20/2016	397	ORDER by Judge Acosta – Pursuant to Section XIV(1)(b) of the parties' Settlement Agreement, the court hereby appoints Cathy Ficker Terrill as the Independent Reviewer in this matter. (peg) (Entered: 04/20/2016)
06/27/2016	<u>398</u>	Stipulated Motion for Attorney Fees <i>Supplemental</i> . Filed by All Plaintiffs. (Schwartz, Steven) (Entered: 06/27/2016)
06/28/2016	<u>399</u>	ORDER GRANTING the parties Stipulated Motion <u>398</u> for Supplemental Attorney Fees and Costs. APPROVED and entered as an order of the Court. Dated this 28th day of June, 2016, by United States Magistrate Judge John V. Acosta. (peg) (Entered: 06/28/2016)
07/14/2016	<u>400</u>	Satisfaction re Order on Motion for Attorney Fees <u>399</u> by All Plaintiffs. Filed by All Plaintiffs. (Rubin, Bruce) (Entered: 07/14/2016)
09/12/2016	<u>401</u>	Notice of Attorney Withdrawal: <i>Nicholas C. Lee</i> Filed by United States of America (Lee, Nicholas) (Entered: 09/12/2016)
01/17/2017	<u>402</u>	Notice of Attorney Withdrawal: <i>Regina Kline</i> Filed by United States of America (Rost, Cheryl) (Entered: 01/17/2017)
03/02/2017	<u>403</u>	2016 Independent Reviewer's Annual Report. (kms) (Entered: 03/02/2017)
05/16/2017	<u>404</u>	Satisfaction by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon. Filed by Oregon Department of Human Services, Oregon Office of Developmental Disability Services, Oregon Office of Vocational Rehabilitation Services, State of Oregon. (Dunbar, John) (Entered: 05/16/2017)
06/23/2017	<u>405</u>	Notice of Attorney Withdrawal: Filed by All Plaintiffs (Wilde, Kathleen) (Entered: 06/23/2017)
03/23/2018	<u>406</u>	2017 Independent Reviewer's Annual Report. (peg) (Entered: 03/23/2018)