

**U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:16-cv-00322-HZ**

Association of Oregon Centers for Independent Living et al v.
Oregon Department of Transportation et al
Assigned to: Judge Marco A. Hernandez
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 02/22/2016
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities Act – Other
Jurisdiction: Federal Question

Special Master

Hon. Judge Janice R. Wilson

Plaintiff

**Association of Oregon Centers for
Independent Living**

represented by **Stephen L. Brischetto**
Attorney at Law
621 SW Morrison Street
Suite 1025
Portland, OR 97205
503-223-5814
Fax: 503-228-1317
Email: slb@brischettolaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
Disability Rights Oregon
610 SW Broadway
Suite 200
Portland, OR 97205
503-243-2081
Fax: 503-243-1738
Email: ted@droregon.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
Disability Rights Oregon
511 SW 10th Avenue
Suite 200
Portland, OR 97205
503-243-2081
Fax: 503-243-1738
Email: tstenson@droregon.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
Disability Rights Oregon
610 S.W. Broadway
Suite 200
Portland, OR 97205
503-243-2081
Fax: 503-243-1738
Email: kwilde@droregon.org
TERMINATED: 06/29/2017

Plaintiff

Martha Mae Bryson

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
Legal Aid Services of Oregon
520 SW 6th Ave.
Ste 700
Portland, OR 97217
503-224-4086
Fax: 503-295-9496
Email: jon.strauhull@lasoregon.org
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

Kimberly Morrisey

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

Dave Maule

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

Jordan Ohlde

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

William Phillips

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

Laurie Sitton

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Plaintiff

Carrie Taylor

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

Theodore E Wenk
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Laura Potts

represented by **Stephen L. Brischetto**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Theodore E Wenk
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Stenson
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Jonathan P. Strauhull
(See above for address)
TERMINATED: 11/07/2016
ATTORNEY TO BE NOTICED

Kathleen L. Wilde
(See above for address)
TERMINATED: 06/29/2017

V.

Defendant

Oregon Department of Transportation

represented by **Carla Scott**
Oregon Department of Justice
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-5000
Email: carla.a.scott@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nina R. Englander
Oregon Department of Justice
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-5000
Email: nina.englender@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Renee R. Stineman
Oregon Department of Justice
Trial Division
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-5000
Email: renee.stineman@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott J. Kaplan
Oregon Department of Justice
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-5000
Email: scott.kaplan@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew J. Merritt
Oregon Department of Justice
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-1884
Email: matthew.merritt@doj.state.or.us
TERMINATED: 10/26/2016

Defendant**Matthew Garrett***in his official capacity as Director of the Oregon Department of Transportation*represented by **Carla Scott**(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Nina R. Englander**(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Renee R. Stineman**(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Scott J. Kaplan**(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Matthew J. Merritt**(See above for address)
TERMINATED: 10/26/2016

Date Filed	#	Docket Text
02/22/2016	<u>1</u>	Complaint. Filing fee in the amount of \$400 collected. Agency Tracking ID: 0979-4494163 Jury Trial Requested: No. Filed by Association of Oregon Centers for Independent Living against All Defendants (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons, # <u>3</u> Proposed Summons). (Wilde, Kathleen) (Entered: 02/22/2016)
02/22/2016	<u>2</u>	Notice of Case Assignment to Judge Marco A. Hernandez and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 6/21/2016. Joint Alternate Dispute Resolution Report is due by 7/21/2016. Pretrial Order is due by 7/21/2016. Ordered by Judge Marco A. Hernandez. (dsg) (Entered: 02/22/2016)
02/22/2016	<u>3</u>	Summons Issued Electronically as to Oregon Department of Transportation. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. (dsg) (Entered: 02/22/2016)
02/22/2016	<u>4</u>	Summons Issued Electronically as to Matthew Garrett. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. (dsg) (Entered: 02/22/2016)
03/09/2016	<u>5</u>	Waiver of Service of Summons Returned Executed by All Defendants. Filed by All Plaintiffs. (Stenson, Thomas) (Entered: 03/09/2016)
03/21/2016	<u>6</u>	Joint Fed. R. Civ. P. 26(a)(1) Agreement . Filed by Association of Oregon Centers for Independent Living, Martha Mae Bryson, Dave Maule, Kimberly Morrissey, Jordan Ohlde, William Phillips, Laura Potts, Laurie Sitton, Carrie Taylor. (Wilde, Kathleen) (Entered: 03/21/2016)
04/05/2016	<u>7</u>	Unopposed Motion for Extension of Time to File Responsive Pleading. Filed by All Defendants. (Merritt, Matthew) Modified on 4/6/2016 to correct event type and title. (mr) (Entered: 04/05/2016)
04/05/2016	<u>8</u>	Declaration of Matthew Merritt <i>in Support of State's Unopposed Motion for Extension of Time</i> . Filed by All Defendants. (Related document(s): Motion for Extension of Time <u>7</u> .) (Merritt, Matthew) (Entered: 04/05/2016)

04/06/2016	9	ORDER: Granting Defendants' Motion for Extension of Time to File Responsive Pleading <u>7</u> . Answer/Response is due by 5/25/2016. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 04/06/2016)
04/28/2016	<u>10</u>	Amended Complaint . Filed by William Phillips, Kimberly Morrisey, Laurie Sitton, Laura Potts, Martha Mae Bryson, Carrie Taylor, Association of Oregon Centers for Independent Living, Dave Maule, Jordan Ohlde against All Defendants. (Wilde, Kathleen) (Entered: 04/28/2016)
05/13/2016	<u>11</u>	Joint Status Report <i>Rule 26 Conference</i> . Filed by All Plaintiffs. (Brischetto, Stephen) (Entered: 05/13/2016)
05/19/2016	<u>12</u>	Notice of Association of Attorney Matthew J. Merritt,Nina R. Englander for Matthew Garrett,Nina R. Englander for Oregon Department of Transportation. Filed by All Defendants (Merritt, Matthew) (Entered: 05/19/2016)
05/19/2016	<u>13</u>	Notice of Association of Attorney Matthew J. Merritt,Scott J. Kaplan for Matthew Garrett,Scott J. Kaplan for Oregon Department of Transportation. Filed by All Defendants (Merritt, Matthew) (Entered: 05/19/2016)
05/19/2016	<u>14</u>	Notice of Association of Attorney Matthew J. Merritt,Carla Scott for Matthew Garrett,Carla Scott for Oregon Department of Transportation. Filed by All Defendants (Merritt, Matthew) (Entered: 05/19/2016)
05/19/2016	<u>15</u>	Notice of Association of Attorney Matthew J. Merritt,Renee R. Stineman for Matthew Garrett,Renee R. Stineman for Oregon Department of Transportation. Filed by All Defendants (Merritt, Matthew) (Entered: 05/19/2016)
05/25/2016	<u>16</u>	Request for Judicial Notice <i>in Support of FRCP 12 Motions</i> . Filed by All Defendants. (Scott, Carla) (Entered: 05/25/2016)
05/25/2016	<u>17</u>	Motion to Dismiss , <i>Motion to Strike, or in the Alternative, for a More Definite Statement</i> . Filed by All Defendants. (Scott, Carla) (Entered: 05/25/2016)
05/27/2016	<u>18</u>	Notice re Amended Complaint, <u>10</u> Filed by All Plaintiffs (Related document(s): Amended Complaint, <u>10</u> .) (Stenson, Thomas) (Entered: 05/27/2016)
05/31/2016	19	Order – At the parties' request, the Court is setting a 2–day Settlement Conference for June 22, and June 24, 2016 at 09:00AM in Portland, Courtroom 13B, before Judge Michael H. Simon. Ordered by Judge Michael H. Simon. (mja) (Entered: 05/31/2016)
06/01/2016	<u>20</u>	Instructions Regarding Settlement Conference set for Wednesday, June 22, 2016, and Friday, June 24, 2016. Judge Michael H. Simon. (mja) (Entered: 06/01/2016)
06/08/2016	<u>21</u>	Response in Opposition to Motion to Dismiss , <i>Motion to Strike, or in the Alternative, for a More Definite Statement</i> <u>17</u> Oral Argument requested. Filed by All Plaintiffs. (Stenson, Thomas) (Entered: 06/08/2016)
06/13/2016	<u>22</u>	Motion for Extension of Time to File a Response/Reply to Motion to Dismiss , <i>Motion to Strike, or in the Alternative, for a More Definite Statement</i> <u>17</u> . Expedited Hearing requested. Filed by All Defendants. (Scott, Carla) (Entered: 06/13/2016)
06/13/2016	<u>23</u>	Declaration of Carla Scott <i>in Support of Expedited Opposed Motion for Extension of Time for Reply in Support of Rule 12 Motions</i> . Filed by Matthew Garrett, Oregon Department of Transportation. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion <u>22</u> .) (Scott, Carla) (Entered: 06/13/2016)
06/14/2016	24	ORDER: Granting State Defendants' Motion for Extension of Time to File Reply to Motion to Dismiss <u>17</u> . Reply is due by 7/11/2016. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 06/14/2016)
06/22/2016	25	MINUTES OF FIRST DAY OF SETTLEMENT CONFERENCE: A settlement conference was held before Settlement Judge Michael H. Simon. The parties will continue settlement discussions on 6/24/2016. Stephen L. Brischetto, Thomas Stenson, Ted Wink, Jonathan P. Strauhull, and Kathleen L. Wilde present as counsel for plaintiff(s). Carla Scott, Nina R. Englander, and Scott J. Kaplan present as counsel for defendant(s). Judge Michael H. Simon presiding. (mja) (Entered: 06/24/2016)

06/24/2016	26	MINUTES OF SECOND DAY OF SETTLEMENT CONFERENCE: A settlement conference was held before Settlement Judge Michael H. Simon. The parties agreed to meet again with the Settlement Judge on July 15, 2016, at 9:00 AM. In addition, the parties agreed that the Settlement Judge shall request from Judge Hernandez that the pending deadline for Defendant to file its reply in support of its motion to dismiss (ECF <u>17</u>) be extended from July 11, 2016, to July 29, 2016. Judge Michael H. Simon. Stephen L. Brischetto, Thomas Stenson, Ted Wink, Jonathan P. Strauhull, and Kathleen L. Wilde present as counsel for plaintiff(s). Carla Scott, Nina R. Englander, and Scott J. Kaplan present as counsel for defendant(s). Judge Michael H. Simon presiding. (mja) (Entered: 06/24/2016)
07/15/2016	27	MINUTES of Settlement Conference – A Settlement Conference was held today from 9:00AM to 11:00AM. The Court sets a further Settlement Conference for 7/28/2016 at 01:00PM in Portland, Courtroom 13B, before Judge Michael H. Simon. Stephen L. Brischetto, Thomas Stenson, Ted Wink, Jonathan P. Strauhull, and Kathleen L. Wilde present as counsel for plaintiff(s). Carla Scott, Nina R. Englander, and Scott J. Kaplan present as counsel for defendant(s). Judge Michael H. Simon presiding. (mja) (mja) (Entered: 07/15/2016)
07/18/2016	28	MINUTE ORDER – The parties have agreed that the Settlement Judge shall request from Judge Hernandez that the pending deadline for Defendant to file its reply in support of its motion to dismiss (ECF <u>17</u>) be extended from July 29, 2016, to August 12, 2016. Ordered by Judge Michael H. Simon. (mja) (Entered: 07/18/2016)
07/19/2016	29	ORDER: Reply to Motion to Dismiss <u>17</u> is due 8/12/2016; Motion is taken under advisement as of 8/15/2016. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 07/19/2016)
07/28/2016	30	MINUTES of PROCEEDINGS: A Settlement Conference was held today from 1:00PM to 3:00PM. Progress is being made. The Court sets a further Settlement Conference for 8/23/2016 at 12:00PM in Portland, Courtroom 13B, before Judge Michael H. Simon. In addition, the parties agreed that the Settlement Judge shall request from Judge Hernandez that the pending deadline for Defendant to file its reply in support of its motion to dismiss (ECF <u>17</u>) be extended from July 29, 2016, to August 24, 2016. Stephen L. Brischetto, Thomas Stenson, Ted Wink, Jonathan P. Strauhull, and Kathleen L. Wilde present as counsel for plaintiffs. Carla Scott, Nina R. Englander, and Scott J. Kaplan present as counsel for defendant. Judge Michael H. Simon presiding. (mja) (Entered: 07/28/2016)
07/28/2016	31	Scheduling Order by Judge Michael H. Simon. Order – At the parties' request, the Court is resetting the TIME set for the Settlement Conference from 8/23/2016 at 12:00PM to 8/23/2016 at 09:00AM in Portland, Courtroom 13B, before Judge Michael H. Simon. Ordered by Judge Michael H. Simon. (mja) (Entered: 07/28/2016)
08/23/2016	32	MINUTES of Proceedings: A Settlement Conference was held on Tuesday, August 23, 2016, from 9:00 AM to 11:00 AM. Good progress continues to be made. The Court sets a further Settlement Conference for Tuesday, September 20, 2016 at 1:00 PM in Portland, Courtroom 13B, before Judge Michael H. Simon. In addition, the Settlement Judge requests that Judge Hernandez reset the deadline for Defendant to file its reply in support of its motion to dismiss (ECF <u>17</u>) from August 24, 2016 to September 26, 2016. Kathleen L. Wilde, Stephen L. Brischetto, Thomas Stenson, and Jonathan P. Strauhull present as counsel for Plaintiffs. Carla Scott and Scott J. Kaplan present as counsel for Defendant. Judge Michael H. Simon, presiding. (pvh) (Entered: 08/24/2016)
08/24/2016	33	Scheduling Order: Regarding Motion to Dismiss <u>17</u> , the Court adjusts the deadlines as follows: Reply is due by 9/26/2016. Motion is taken under advisement as of 9/29/2016. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 08/24/2016)
09/20/2016	34	MINUTES of Proceedings: A Settlement Conference was held on Tuesday, September 20, 2016, from 1:00 PM to 3:00 PM. Good progress continues to be made. The Court sets a further, and anticipated final, Settlement Conference for Monday, October 24, 2016 at 12:01 PM in Portland, Courtroom 13B, before Judge Michael H. Simon. In addition, the Settlement Judge requests that Judge Hernandez reset the deadline for Defendant to file its reply in support of its motion to dismiss (ECF <u>17</u>) from September 26, 2016 to October, 26, 2016. Kathleen L. Wilde, Stephen L. Brischetto, Thomas Stenson, and Jonathan P. Strauhull present as counsel for

		Plaintiffs. Carla Scott and Scott J. Kaplan present as counsel for Defendant. Judge Michael H. Simon, presiding. Kathleen L. Wilde, Stephen L. Brischetto, Thomas Stenson, and Jonathan P. Strauhull present as counsel for plaintiff(s). Carla Scott and Scott J. Kaplan present as counsel for defendant(s). Judge Michael H. Simon presiding. (mja) (Entered: 09/20/2016)
10/17/2016	35	Scheduling Order: Regarding Motion to Dismiss <u>17</u> . The Court adjusts the deadlines as follows: Reply is due by 10/26/2016 Ordered by Judge Marco A. Hernandez. (kms) (Entered: 10/17/2016)
10/18/2016	<u>36</u>	Motion to Withdraw . Filed by Martha Mae Bryson, Dave Maule, Kimberly Morrissey, Jordan Ohlde, William Phillips, Laura Potts, Laurie Sitton, Carrie Taylor. (Strauhull, Jonathan) (Entered: 10/18/2016)
10/26/2016	<u>37</u>	Notice of Attorney Withdrawal: <i>Matthew J. Merritt</i> Filed by All Defendants (Scott, Carla) (Entered: 10/26/2016)
11/03/2016	<u>38</u>	Unopposed Motion for Leave to File Amended Complaint/Petition . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Second Amended Complaint) (Wilde, Kathleen) (Entered: 11/03/2016)
11/07/2016	39	ORDER by Judge Marco A. Hernandez: Granting Attorney Jonathan Strahull's Motion to Withdraw as counsel for all individual Plaintiffs <u>36</u> . Granting Motion for Leave to File Amended Complaint <u>38</u> . Amended Complaint is due 11/10/2016. (jp) (Entered: 11/07/2016)
11/07/2016	<u>40</u>	Second Amended Complaint <i>Class Action</i> . Filed by William Phillips, Kimberly Morrissey, Laurie Sitton, Laura Potts, Martha Mae Bryson, Carrie Taylor, Association of Oregon Centers for Independent Living, Dave Maule, Jordan Ohlde against All Defendants. (Wilde, Kathleen) (Entered: 11/07/2016)
11/09/2016	41	Scheduling Order: Upon agreement of counsel, Rule 16 Conference is SET for 11/15/2016 at 11:00AM by telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided via separate email) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Counsel are required to 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. If consents to Magistrate Judge are going to be filed, it is helpful if they are filed prior to the time of the conference. If the parties plan on presenting a proposed schedule, it is helpful if they email that to the courtroom deputy by noon the day before the hearing. Ordered by Judge Marco A. Hernandez. (jp) (Entered: 11/09/2016)
11/14/2016	<u>42</u>	Unopposed Motion to Certify the Class . Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Proposed Settlement Agreement, # <u>2</u> Attachment Declaration of Wilde, # <u>3</u> Attachment Declaration of Brischetto) (Wilde, Kathleen) (Entered: 11/14/2016)
11/15/2016	43	MINUTES of Proceedings: Court heard Unopposed Motion to Certify Class <u>42</u> filed 11/14/2016. Court to rule no later than 11/22/2016. If approved, Joint Motion for Preliminary Approval of Settlement Agreement due no later than 12/5/2016. Order by Court to issue no later than 12/12/2016. Parties to distribute and post class notice no later than 12/22/2016. Class objections and comments due by 2/22/2017. Joint Motion for Final Approval due 3/8/2017. Fairness Hearing is SET for 3/27/2017 at 9:00 am in Courtroom 14B before Judge Marco A. Hernandez. Stephen L. Brischetto, Kathleen L. Wilde, Thomas Stenson present as counsel for plaintiff(s). Carla Scott, Scott J. Kaplan present as counsel for defendant(s). Court Reporter: Amanda LeGore. Judge Marco A. Hernandez presiding. (jp) (Entered: 11/16/2016)
11/17/2016	<u>44</u>	ORDER: Granting Unopposed Motion for Settlement Class Certification <u>42</u> . Signed on 11/17/2016 by Judge Marco A. Hernandez. (jp) Modified on 11/18/2016 to correct the filing date from 11/18/2016 to 11/17/2016(jp). (Entered: 11/18/2016)
11/18/2016	45	ORDER by Judge Marco A. Hernandez: Finding as Moot Defendants' Request for Judicial Notice in Support of FRCP 12 Motions <u>16</u> and Motion to Dismiss, Motion to Strike, or in the Alternative, for a More Definite Statement <u>17</u> . (jp) (Entered: 11/18/2016)

12/05/2016	<u>46</u>	Joint Motion for Order <i>Preliminarily Approving Proposed Class Action Settlement</i> . Filed by Association of Oregon Centers for Independent Living, Martha Mae Bryson, Dave Maule, Kimberly Morrissey, Jordan Ohlde, William Phillips, Laura Potts, Laurie Sitton, Carrie Taylor. (Attachments: # <u>1</u> Exhibit 1 – Proposed Settlement, # <u>2</u> Exhibit 2 – Notice of Proposed Settlement, # <u>3</u> Exhibit 3 – Contact List) (Wilde, Kathleen) (Entered: 12/05/2016)
12/05/2016	<u>47</u>	Corrected Exhibits <i>Proposed Settlement Agreement</i> re Joint Motion for Order <i>Preliminarily Approving Proposed Class Action Settlement</i> <u>46</u> . Filed by Association of Oregon Centers for Independent Living, Martha Mae Bryson, Dave Maule, Kimberly Morrissey, Jordan Ohlde, William Phillips, Laura Potts, Laurie Sitton, Carrie Taylor. (Wilde, Kathleen) (Entered: 12/05/2016)
12/12/2016	<u>48</u>	ORDER: The parties Joint Motion for Order Preliminarily Approving Proposed Class Action Settlement <u>46</u> is GRANTED. See attached 4–page Order for full text. Signed on 12/12/2016 by Judge Marco A. Hernandez. (jp) (Entered: 12/12/2016)
12/19/2016	<u>49</u>	Amended Proposed Form of Order Submitted <i>regarding method of class notice</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Attachment Submission of Proposed Amended Order) (Wilde, Kathleen) (Entered: 12/19/2016)
01/09/2017	<u>50</u>	AMENDED ORDER GRANTING PRELIMINARY APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT – Signed on 1/9/2017 by Judge Marco A. Hernandez. (pg) (Entered: 01/10/2017)
03/07/2017	<u>51</u>	Joint Motion <i>for Final Approval of Proposed Class Action Settlement Agreement</i> . Oral Argument requested. Filed by Association of Oregon Centers for Independent Living. (Attachments: # <u>1</u> Exhibit Proposed Settlement, # <u>2</u> Exhibit Declaration of Thomas Stenson, # <u>3</u> Exhibit Collection of Major Systemic Settlements) (Wilde, Kathleen) (Entered: 03/07/2017)
03/27/2017	52	MINUTES of Proceedings: Hearing held on the parties' Joint Motion for Final Approval of Proposed Class Action Settlement Agreement <u>51</u> . The motion is GRANTED. Order to issue. Stephen L. Brischetto, Theodore E. Wenk, Thomas Stenson, Kathleen L. Wilde present as counsel for plaintiff(s). Carla Scott, Scott J. Kaplan present as counsel for defendant(s). Court Reporter: Nancy Walker. Judge Marco A. Hernandez presiding. (Related document(s): Motion – Miscellaneous, <u>51</u> .) (jp) Modified on 3/28/2017 to correct typographical error (jp). (Entered: 03/27/2017)
03/27/2017	<u>53</u>	ORDER granting Joint Motion <i>for Final Approval of Proposed Class Action Settlement Agreement</i> <u>51</u> . Signed on 3/27/2017 by Judge Marco A. Hernandez. (jp) (Entered: 03/27/2017)
03/29/2017	<u>54</u>	Judgment. Signed on 3/29/2017 by Judge Marco A. Hernandez. (jp) (Entered: 03/29/2017)
06/02/2017	<u>55</u>	Joint Motion to Appoint Special Master . Filed by All Plaintiffs. (Attachments: # <u>1</u> Attachment Declaration of Judge Wilson) (Wilde, Kathleen) (Entered: 06/02/2017)
06/05/2017	<u>56</u>	Order Appointing Special Master. Signed on 6/2/2017 by Judge Michael H. Simon. (mja) (Entered: 06/05/2017)
06/29/2017	<u>57</u>	Notice of Attorney Withdrawal: Filed by All Plaintiffs (Wilde, Kathleen) (Entered: 06/29/2017)