

CLOSED,SPECIAL

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:99-cv-06209-JP**

THE UNITED STATES OF v. LAW SCHOOL COUNCIL
Assigned to: HONORABLE JOHN R. PADOVA
Demand: \$0
Case in other court: 01-03203
02-01694

Cause: 42:12101 The Americans with Disabilities Act of 1990

Plaintiff

**THE UNITED STATES OF
AMERICA**

Date Filed: 12/06/1999
Date Terminated: 02/26/2002
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

represented by **AMANDA MAISELS**
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V.

Defendant

**LAW SCHOOL ADMISSION
 COUNCIL, INC.**

represented by **ROBERT A. BURGOYNE**
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V.

Movant

THOMAS E. SCHERER

represented by **THOMAS E. SCHERER**
 7916 WEST 60TH ST.
 MERRIAM, KS 66202
 PRO SE

Date Filed	#	Docket Text
12/06/1999	1	Complaint. (aam) (Entered: 12/07/1999)
12/06/1999		Summons(es) issued; 1 original mailed to: Counsel 12/7/99 (aam) (Entered: 12/07/1999)
12/06/1999		Demand for jury trial by PLAINTIFF THE UNITED STATES OF (aam) (Entered: 12/07/1999)
12/06/1999		Standard Case Management Track. (aam) (Entered: 12/07/1999)
12/28/1999	2	Waiver of Service Returned Executed as to DEFENDANT LAW SCHOOL COUNCIL 12/13/99 Answer due on 2/11/00 for LAW SCHOOL COUNCIL. (md) (Entered: 12/28/1999)
02/01/2000	3	Amended complaint by PLAINTIFF THE UNITED STATES OF , amending complaint, Certificate of Service. (jl) (Entered: 02/01/2000)
02/17/2000	4	Answer to Complaint by DEFENDANT LAW SCHOOL COUNCIL (Attorney ROBERT A. BURGOYNE), Certificate of Service. (md) (Entered: 02/17/2000)
02/17/2000		ISSUE JOINED. (md) (Entered: 02/17/2000)
03/01/2000		Letter to ROBERT A. BURGOYNE re: L.R. 83.5. (md) (Entered: 03/01/2000)
03/09/2000	5	Appearance of NANCY GRIFFIN for PLAINTIFF THE UNITED STATES OF AMERICA, Certificate of Service. (Withdrawal of PATRICIA D. GUGIN) (md) (Entered: 03/10/2000)
03/27/2000	6	ORDER THAT A PRELIMINARY PRETRIAL CONFERENCE WILL BE HELD ON 4/13/00 AT 10:30 . (SIGNED BY JUDGE JOHN R. PADOVA) 3/28/00 ENTERED AND COPIES MAILED BY CHAMBERS. (md) (Entered: 03/28/2000)

04/18/2000	7	Report of preliminary Pretrial Conference held on 4/13/00. (md) (Entered: 04/19/2000)
04/18/2000	8	ORDER THAT THE CLERK OF COURT SHALL PLACE THIS CASE IN THE SPECIAL MANAGEMENT TRACK, PURSUANT TO AGREEMENT OF THE PARTIES AT THE PRELIMINARY PRETRIAL CONFERENCE. (SIGNED BY JUDGE JOHN R. PADOVA) 4/19/00 ENTERED AND COPIES MAILED AND FAXED. (md) (Entered: 04/19/2000)
04/18/2000		Special Case Management Track. (md) (Entered: 04/19/2000)
05/09/2000	9	ORDER THAT ALL DISCOVERY SHALL BE COMPLETED BY 1/19/01 ; DISPOSITIVE MOTIONS DUE BY 4/20/01 ; PLAINTIFF'S PRETRIAL MEMORANDUM DUE 4/27/01 ; DEFENDANT'S PRETRIAL MEMORANDUM DUE 5/25/01 . A FINAL PRETRIAL CONFERENCE WILL BE HELD IN MAY, 2001. THIS CASE WILL BE LISTED FOR TRIAL IN JUNE, 2001. (SIGNED BY JUDGE JOHN R. PADOVA) 5/9/00 ENTERED AND COPIES MAILED AND FAXED. (md) (Entered: 05/09/2000)
01/02/2001	10	JOINT MOTION by DEFENDANT LAW SCHOOL COUNCIL, PLAINTIFF THE UNITED STATES OF TO AMEND RULE 16 PRETRIAL ORDER , CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (np) (Entered: 01/03/2001)
01/08/2001	11	ORDER THAT ALL DISCOVERY SHALL BE COMPLETED BY 4/19/01. DISPOSITIVE MOTIONS SHALL BE FILED BY 7/20/01. A FINAL PRETRIAL CONFERENCE WILL BE HELD ON 8/23/01 AT 9:15AM. PLAINTIFF'S PRETRIAL MEMORANDUM DUE 7/27/01. DEFENDANT'S PRETRIAL MEMORANDUM DUE 8/27/01. TRIAL POOL DEADLINE SET FOR 9/1/01. (SIGNED BY JUDGE JOHN R. PADOVA) 1/8/01 ENTERED AND COPIES MAILED AND FAXED. (gn) (Entered: 01/08/2001)
04/06/2001	12	JOINT MOTION by DEFENDANT LAW SCHOOL COUNCIL, PLAINTIFF THE UNITED STATES OF TO AMEND RULE 16 PRETRIAL ORDER , CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (jl) (Entered: 04/06/2001)
04/11/2001	13	Minute entry: 4/11/01 – Hearing (ph) (Entered: 04/12/2001)
04/13/2001	14	SECOND AMENDED RULE 16 PRETRIAL SCHEDULING ORDER THAT DISCOVERY WILL BE SERVED 8/31/01, AND COMPLETED COMPLETED BY 9/28/01, INCLUDING THE PRODUCTION OF DOCUMENTS. DEPOSITIONS WILL BE COMPLETED BY 10/31/01; PROVIDED HOWEVER, THE PARTIES SHALL HAVE UNTIL 3/18/02, TO COMPLETE THE DEPOSITIONS OF EXPERT WITNESSES. THE PARTIES SHALL RESPOND TO PENDING DISCOVERY REQUESTS BY 6/12/02. DISPOSITIVE MOTIONS SHALL BE FILED NO LATER THAN 4/15/02, AND ANY OPPOSITION SHALL BE FILED NO LATER THAN 5/15/02. PLAINTIFF'S PRETRIAL MEMORANDUM DUE ON OR BEFORE 6/14/02; DEFENDANT'S PRETRIAL MEMORANDUM DUE ON OR BEFORE 7/12/02; A FINAL PRETRIAL CONFERENCE FOR THIS MATTER WILL BE HELD ON 8/1/02 AT 9:30 A.M. THIS CASE WILL BE LISTED IN THE TRIAL POOL 8/1/02. (SIGNED BY JUDGE JOHN R. PADOVA) 4/13/01 ENTERED AND COPIES MAILED. (fh) (Entered: 04/13/2001)
05/03/2001	15	Statement by PLAINTIFF THE UNITED STATES OF AMERICA Settlement Issues, certificate of service. (jl) (Entered: 05/03/2001)
05/17/2001	16	Appearance of Sheila Delaney for PLAINTIFF THE UNITED STATES OF AMERICA , Certificate of Service. (jpd) (Entered: 05/17/2001)
05/17/2001	17	Reply to Defendant's Letter dated May 8, 2001 ,Certificate of Service (jpd) (Entered: 05/17/2001)
05/18/2001	18	Appearance of AMANDA MAISELS for PLAINTIFF THE UNITED STATES , Certificate of Service. (jpd) (Entered: 05/18/2001)

05/18/2001	19	Appearance of LAURA F. EINSTEIN for PLAINTIFF THE UNITED STATES , Certificate of Service. (jpd) (Entered: 05/18/2001)
06/18/2001	20	Response by PLAINTIFF THE UNITED STATES OF in opposition to motion to consolidate , Certificate of Service. (jpd) (Entered: 06/18/2001)
06/18/2001	21	Response by DEFENDANT LAW SCHOOL COUNCIL in opposition to Motion for Consolidation , Certificate of Service. (jpd) (Entered: 06/18/2001)
06/18/2001	22	JOINT MOTION by DEFENDANT LAW SCHOOL COUNCIL, PLAINTIFF THE UNITED STATES OF FOR PROTECTIVE ORDER , CERTIFICATE OF SERVICE. (jpd) (Entered: 06/18/2001)
06/19/2001	23	ORDER THAT THE JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER AND THE STIPULATED PROTECTIVE ORDER IS DENIED. (SIGNED BY JUDGE JOHN R. PADOVA) 06/20/01 ENTERED AND MAILED AND FAXED. (mbh) (Entered: 06/20/2001)
07/16/2001	24	REQUEST TO INTERVENE BY MOVANT THOMAS E. SCHERER , CERTIFICATE OF SERVICE. (fb) (Entered: 07/16/2001)
07/16/2001	25	Supplemental filing of DEFENDANT LAW SCHOOL COUNCIL regarding the Dorfsman plffs' motion to consolidate, Certificate of Service. (kw) (Entered: 07/16/2001)
07/30/2001	26	Response by DEFENDANT LAW SCHOOL COUNCIL in opposition to Scherer's Third Party request to INTERVENE , Certificate of Service. (afm) (Entered: 07/30/2001)
07/30/2001	27	Response by PLAINTIFF THE UNITED STATES OF in opposition to Third Party request to INTERVENE, Certificate of Service. (afm) (Entered: 07/30/2001)
07/31/2001	28	Response by PLAINTIFF THE UNITED STATES OF in opposition to 3rd Party REQUEST TO INTERVENE , Certificate of Service. (afm) (Entered: 07/31/2001)
08/07/2001	29	MEMORANDUM AND ORDER THAT THE THIRD-PARTY REQUEST TO INTERVENE OF THOMAS E. SCHERER IS DENIED. (SIGNED BY JUDGE JOHN R. PADOVA), 8/7/01 ENTERED AND COPIES MAILED AND FAXED. (rp) (Entered: 08/07/2001)
08/13/2001	30	Notice of appeal by MOVANT THOMAS E. SCHERER. Fee Status: not paid. Copies to: JUDGE JOHN R. PADOVA , Clerk USCA, Appeals Clerk, and LAURA F. EINSTEIN, AMANDA MAISELS, SHEILA K. DELANEY, PATRICIA D. GUGIN, MICHAEL R. STILES, NANCY GRIFFIN, ROBERT A. BURGOYNE, Certificate of Service. (fdc) (Entered: 08/13/2001)
08/13/2001	31	Copy of Clerk's notice to USCA re: [30-1] appeal . (fdc) (Entered: 08/13/2001)
08/13/2001	32	Suggestion of THOMAS E. SCHERER to the DEFENDANT LSAC'S and DOJ Attorney's Response in Opposition to Scherr's 3rd Party Request to Intervene, Certificate of Service. (fdc) (Entered: 08/13/2001)
08/16/2001		CERTIFIED AND TRANSMITTED RECORD ON APPEAL TO U.S. COURT OF APPEALS.(Pleadings # 20, 21, 25, 29, not included). (ke) (Entered: 08/16/2001)
08/17/2001		Notice of Docketing ROA from USCA Re: [30-1] appeal USCA NUMBER: 01-3203 . 08/16/01 (afm) (Entered: 08/17/2001)
08/23/2001	33	MOTION by MOVANT THOMAS E. SCHERER TO PROCEED IN FORMA PAUPERIS , CERTIFICATE OF SERVICE. (afm) (Entered: 08/23/2001)
08/23/2001	34	Copy of TPO form ref: [30-1] appeal . (afm) (Entered: 08/23/2001)
08/23/2001		RECORD COMPLETE FOR PURPOSES OF APPEAL. (ke) (Entered: 08/23/2001)
08/29/2001	35	ORDER THAT THOMAS E. SCHERER'S MOTION TO PROCEED IN FORMA PAUPERIS IS GRANTED (SIGNED BY JUDGE JOHN R. PADOVA) 8/30/01 ENTERED AND COPIES MAILED AND FAXED. (jl) (Entered: 08/30/2001)

09/07/2001		First Transmitted supplemental record on appeal.(Pleadings #29, 33, 35, included). (ke) (Entered: 09/07/2001)
11/14/2001	36	JOINT MOTION by DEFENDANT LAW SCHOOL COUNCIL, PLAINTIFF THE UNITED STATES OF AMERICA TO AMEND SECOND AMENDED RULE 16 PRETRIAL SCHEDULING ORDER , CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (afm) (Entered: 11/14/2001)
12/07/2001	37	Notice of Memorandum and Order by DEFENDANT LAW SCHOOL COUNCIL, Certificate of Service. (afm) (Entered: 12/07/2001)
12/12/2001	38	ORDER THAT PLAINTIFF'S MOTION TO CONSOLIDATE IS DENIED AS MOOT. (SIGNED BY JUDGE JOHN R. PADOVA) 12/12/01 ENTERED AND COPIES MAILED AND FAXED. (afm) (Entered: 12/12/2001)
12/12/2001	39	THIRD AMENDED RULE 16 PRETRIAL SCHEDULING ORDER THAT DISCOVERY WILL BE SERVED BY 8/31/01 AND COMPLETED BY 11/30/01, DEPOSITIONS WILL BE COMPLETED BY 2/15/02, PROVIDED, HOWEVER THE PARTIES SHALL HAVE UNTIL 6/14/02 TO COMPLETE DEPOSITIONS OF EXPERT WITNESSES; DISPOSITIVE MOTIONS SHALL BE FILED NO LATER THAN 7/30/02 ; PLAINTIFF'S PRETRIAL MEMORANDUM DUE 10/15/02 ; DEFENDANT'S PRETRIAL MEMORANDUM DUE 11/15/02 ; A FINAL PRETRIAL CONFERENCE WILL BE HELD AT 9:30 ON 11/25/02 ; THE CASE WILL BE LISTED IN TRIAL POOL AS OF 12/1/02 (SIGNED BY JUDGE JOHN R. PADOVA) 12/12/01 ENTERED AND COPIES MAILED AND FAXED. (afm) Modified on 12/13/2001 (Entered: 12/12/2001)
02/26/2002	40	JOINT MOTION by DEFENDANT LAW SCHOOL COUNCIL, PLAINTIFF THE UNITED STATES OF, MOVANT THOMAS E. SCHERER TO DISMISS THE ACTION . (jl) (Entered: 02/27/2002)
02/26/2002	41	ORDER THAT THIS ACTION AND ALL CLAIMS ASSERTED IN IT ARE DISMISSED WITH PREJUDICE PURSUANT TO FRCP 41(a)(2). EACH PARTY TO BEAR ITS OWN COSTS, INCLUDING ATTORNEYS' FEES. THIS ORDER SPECIFICALLY INCORPORATES THE PARTIES' SETTLEMENT AGREEMENT, WHICH IS ATTACHED HERETO. NOTWITHSTANDING THIS ORDER OF DISMISSAL, THIS COURT SHALL REATIN JURISDICTION OF THIS ACTION FOR PURPOSES OF ENFORCING THE AGREEMENT OR RESOLVING ANY DISPUTES UNDER THE AGREEMENT FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF THE AGREEMENT, UNLESS THE UNITED STATES MAKES AN APPROPRIATE MOTION FOR THE COURT TO RETAIN JURISDICTION BEYOND THE FIVE-YEAR PERIOD, AND THE COURT, IN ITS SOLE DISCRETION, GRANTS THE MOTION. EITHER PARTY MAY SEEK TO ENFORCE THE AGREEMENT AND MOVE FOR APPROPRIATE RELIEF BY FILING A MOTION WITH THIS COURT, AND THEREBY REOPENING THE DOCKET IN THIS ACTION. THIS ORDER CONSTITUTES THE COURT'S FINAL JUDGMENT IN THIS ACTION. (SIGNED BY JUDGE JOHN R. PADOVA) 2/27/02 ENTERED AND COPIES MAILED. (fdc) (Entered: 02/27/2002)
02/26/2002		Case closed (kv) (Entered: 02/28/2002)
02/28/2002	42	Suggestion in Opposition to the Proposed Settlement Agreement between the DOJ and LSAC by MOVANT THOMAS E. SCHERER, Certificate of Service. (fdc) (Entered: 02/28/2002)
03/07/2002	43	Request by MOVANT THOMAS E. SCHERER to AWARD SANCTIONS, Certificate of Service. (afm) (Entered: 03/07/2002)
03/11/2002	44	Notice of appeal by MOVANT THOMAS E. SCHERER . Fee Status: IFP GRANTED . Copies to: JUDGE JOHN R. PADOVA , Clerk USCA, Appeals Clerk, and THOMAS E. SCHERER, LAURA F. EINSTEIN, AMANDA MAISELS, SHEILA K. DELANEY, MICHAEL R. STILES, NANCY GRIFFIN, ROBERT A. BURGOYNE, certificate of service. (jl) (Entered: 03/11/2002)
03/11/2002	45	Copy of Clerk's notice to USCA re: [44-1] appeal . (jl) (Entered: 03/11/2002)

03/11/2002	46	ORDER THAT REQUEST TO AWARD SANCTIONS IS DENIED. (SIGNED BY JUDGE JOHN R. PADOVA) 3/12/02 ENTERED AND COPIES MAILED AND FAXED. (afm) (Entered: 03/12/2002)
03/20/2002		Second Transmitted supplemental record on appeal.(Pleadings # 37-42, 44-46, included). (ke) (Entered: 03/20/2002)
03/22/2002		Notice of Docketing ROA from USCA Re: [44-1] appeal USCA NUMBER: 02-1694 . 3/22/02 (afm) (Entered: 03/22/2002)
02/06/2003	47	Certified copy of order from USCA THAT THE APPEAL IS DISMISSED dated: 8/27/02 TERMINATING [44-1] appeal (afm) (Entered: 02/06/2003)
02/06/2003		Record on appeal returned from U.S. Court of Appeals: (afm) (Entered: 02/06/2003)