

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
CIVIL DOCKET ENTRIES FOR CASE A04-0057--CV (JKS)
"ALEXANDER NOON ET AL V AK STATE BOARD OF ED"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable James K. Singleton, U.S. District Judge

Magistrate Judge:

Referral Rule:

Filed: 03/16/04

Closed: 11/03/04

Jurisdiction: (3) Federal Question (US Govt not a Party)

PLF Diversity:

DEF Diversity:

Nature of Suit: (440) Other Civil Rights

Origin: (1) Original Proceeding

Demand:

Filing fee: Paid \$150.00 on 04/16/04 receipt # 00122709

Trial by:

Parties of Record:

Counsel of Record:

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Parties of Record:

Counsel of Record:

PLF 2.1 LEIBACH, KENDALL

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PLF 3.1 MATES, DOUGLAS

David W. Oesting
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Parties of Record:

Counsel of Record:

PLF 4.1 LUPIE, TIANA

Joan M. Wilson
(see above)

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PLF 5.1 TAKAK, IRENE

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Counsel of Record:

PLF 6.1 LEARNING DISABILITIES ASSOC OF ALASKA

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Alison Aubrejuan
(see above)

Monica Goracke
(see above)

Stephen Tollafield
(see above)

Sonja D. Kerr
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Parties of Record:

Counsel of Record:

DEF 2.1 SAMPSON, ROGER

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G. Kenneth Truitt
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Trial by:

| Document # | Filed | Docket text |
|------------|----------|---|
| 1 - 1 | 03/16/04 | Complaint filed; Summons issued. |
| 2 - 1 | 03/16/04 | PLF 1-6 motion of non-resident attorney for leave to appear of Sid Wolinsky, Alison Aubrejuan, Monica Goracke, Stephen Tollafield as cnsl w/S. Wolinsky as lead cnsl w/lcl cnsl of D. Oesting, J.Wilson, and David Fleurant w/att exhs. |
| 3 - 1 | 03/17/04 | DEF 3 Attorney Appearance of Howard S. Trickey (JERMAIN). |
| 4 - 1 | 03/17/04 | PLF 1-6 motion for class certification w/att decla and exhs. (original located in folder behind file) |
| 5 - 1 | 03/17/04 | PLF 1-6 Request for Oral Argument re: PLF 1-6 motion for class certification (4-1). |
| 6 - 1 | 03/23/04 | PLF 1-6 Return of Service Executed re: DEF 4 on 3/18/04. |
| 7 - 1 | 03/23/04 | This docket # not used. |
| 8 - 1 | 03/23/04 | PLF 1-6 Return of Service Executed re: DEF 2 on 3/18/04. |
| 9 - 1 | 03/23/04 | PLF 1-6 Return of Service Executed re: DEF 1 on 3/18/04. |
| 10 - 1 | 03/24/04 | JKS Minute Order granting motion of non-resident attorney for leave to appear (2-1). Counsel for plfs file a status report by 4/7/04 of whom will accept the responsibility to serve as lead counsel. cc: cnsl, S. Wolinsky |
| 11 - 1 | 03/25/04 | PLF 1-6 Return of Service Executed re: Carol Comeau on 3/17/04. |
| 12 - 1 | 03/25/04 | PLF 1-6 Return of Service Executed re: DEF 3 on 3/17/04. |
| 13 - 1 | 04/05/04 | PLF 1-6 Status Report. |
| 14 - 1 | 04/06/04 | PLF 1-6 Corrected certificate of service re: status report. |
| 15 - 1 | 04/06/04 | DEF 1-2; 4 Attorney Appearance of S. Slotnick (AAG-Juneau) and G. Truitt (AAG-Juneau). |

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| 16 - 1 | 04/07/04 | PLF 1-6; DEF 1-4 Stipulation regarding class certification and use of HSGQE test result. |
| 16 - 2 | 04/07/04 | JKS Order granting mot for class certif (4-1), stip regarding class certif and use of HSGQE test result (16-1). cc: cnsl, J. Wilson (Davis) |
| 17 - 1 | 04/07/04 | PLF 1-6; DEF 1-4 mot (joint) for exped consideration of joint stip & order regarding class certification and use of HSGQE results. |
| 17 - 2 | 04/07/04 | JKS Order granting mot (joint) for exped consideration of joint stip & order regarding (17-1). cc: cnsl, J. Wilson (Davis) |
| 18 - 1 | 04/07/04 | PLF 1-6 Errata re: PLF 1-6; DEF 1-4 mot (joint) for exped consideration of joint stip & order regarding class certification and use of HSGQE results. (17-1)w/att aff of J. Wilson. |
| 19 - 1 | 04/08/04 | DEF 1-2; 4 Amended Attorney Appearance of Stephen C. Slotnick (AAG-Juneau) and G. Ken Truitt (AAG-Juneau) |
| 20 - 1 | 06/25/04 | PLF 1-6 motion for admission pro hac vice of S. Kerr w/att decla & exh. |
| 20 - 2 | 06/30/04 | JKS Order granting mot for admission pro hac vice of S. Kerr (20-1). cc: cnsl, S. Kerr |
| 21 - 1 | 07/13/04 | PLF 1-6; DEF 1-4 Joint stat rpt. |
| 21 - 2 | 07/19/04 | JKS Order that stat rpt shall be fld by 08/09/04 re: progress of settl negotiations. cc: cnsl |
| 22 - 1 | 08/11/04 | PLF 1-6; DEF 1-4 motion (joint) for preliminary approval of settlement agreement w/att exhs. |
| 23 - 1 | 08/13/04 | JKS Order granting mot (joint) for prel approval of settl agreement (22-1); fairness hearing set 9/30/04 @ 8:00 a.m. before Judge Sedwick; class members objs due 9/20/04; class members written notice of desire to be heard orally due 9/24/04; parties to publish primary notice of this case in each major newspaper in state by 9/10/04. cc: cnsl, Judge Sedwick |
| 24 - 1 | 08/24/04 | Stipulation (joint mot) for signature of notice form for fairness hrg w/att prop form. |
| NOTE - 1 | 08/25/04 | Issued: Notice of prop settl of class action lawsuit. |
| 25 - 1 | 08/25/04 | JKS Order granting joint mot for signature of notice form for fairness hrg (24-1). cc: cnsl |
| 26 - 1 | 09/20/04 | ZZZ 1 Objections to the proposed settlement. |
| 27 - 1 | 09/20/04 | ZZZ 2 Objections to proposed settlement of class action. |
| 28 - 1 | 09/21/04 | ZZZ 3 Objections to proposed settlement. |
| 29 - 1 | 09/21/04 | ZZZ 4 Objections to proposed settlement. |
| 30 - 1 | 09/23/04 | ZZZ 5 Objections to proposed settlement. |

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| 31 - 1 | 09/23/04 | ZZZ 6 Objections to proposed settlement. |
| 32 - 1 | 09/27/04 | PLF 1-6 reply to ZZZ 1-6 objections to proposed class action settlement. |
| 33 - 1 | 09/28/04 | ZZZ 7 Objections to proposed settlement. |
| 34 - 1 | 09/28/04 | DEF 1-4 response to objections to settlement w/att exhs. |
| 35 - 1 | 09/30/04 | JWS Court Minutes [ECR: Elisa Singleton] re: Fairness Hearing on Proposed Class Settlement, held 9/30/04; Exhibits identified; settlement found to be fair, adequate, and reasonable, Approved, with attachments. cc: cnsl, C. Fannin, J. Jacobson, J. Rush, K. Mena, A. Johnston, R. Johnston, C. Haugan, Judge Singleton |
| 36 - 1 | 10/29/04 | PLF 1-6; DEF 1-4 (joint) Stipulation to ext fee negotiation period under settl agreement. |
| 36 - 2 | 11/03/04 | JKS Order granting (joint) stipulation to ext fee negotiation period under settl agreement (36-1). cc: cnsl |
| 37 - 1 | 11/03/04 | JKS Order granting final approval of class settlement. cc: cnsl |
| 38 - 1 | 11/09/04 | PLF 1-6; DEF 1-4 stipulation to ext fee negotiation period under settlement agreement. |
| 38 - 2 | 11/09/04 | JKS Order granting stipulation to ext fee negotiation period under settlement agreement (38-1); pltf's mot, if any, for atty fees due 2/15/05. cc: cnsl |
| 39 - 1 | 01/20/05 | JKS Order granting final approval of class settlement. cc: cnsl |
| 40 - 1 | 02/02/05 | PLF 1-6; DEF 1-4 Stipulation to ext fee negotiation period under settlement agreement. |
| 40 - 2 | 02/07/05 | RRB Order granting stipulation to ext fee negotiation period under settlement agreement (40-1); the crt's prev odr setting ddln of 2/15/05 for pltf's to submit a mot for reasonable attys fees is VACATED. Any such mot is due 5/20/05. cc: cnsl |
| 41 - 1 | 02/07/05 | DOC #41 NOT USED |
| 42 - 1 | 05/20/05 | PLF 1-6 motion for reasonable atty fees & costs, memorandum of points & authorities w/att decl & exhs. |
| 43 - 1 | 05/27/05 | DEF 1-2; 4 Unopposed motion for ext of time to file oppo to plf's mot for atty fees w/att aff. |
| 44 - 1 | 05/31/05 | JKS Order granting unopposed motion for ext of time to 7/1/05 to file oppo to plf's mot for atty fees (43-1). cc: cnsl |
| 45 - 1 | 07/01/05 | DEF 1-2; 4 Notice of supplementing the record with table of contents. |
| 46 - 1 | 07/01/05 | DEF 1-2; 4 motion for leave to submit exh on a compact disk. |
| 47 - 1 | 07/01/05 | DEF 1-2; 4 motion for leave to file overlength brief w/att oppo to plfs mot for atty fees. |

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| 48 - 1 | 07/06/05 | PLF 1-6 Unopposed motion for ext of time to file reply to defs' fee oppo w/att notice & declaration. |
| 49 - 1 | 07/07/05 | JKS Order granting motion for leave to file overlength brief (47-1). cc: cns1 |
| 50 - 1 | 07/07/05 | JKS Order granting motion for leave to submit exh on a compact disk (46-1). cc: cns1 |
| 51 - 1 | 07/07/05 | DEF 1-2; 4 opposition to PLF 1-6 motion for reasonable atty fees & costs, memorandum of points & authorities (42-1) w/att exhs. |
| 52 - 1 | 07/08/05 | JKS Order granting unopposed motion for ext of time to 7/21 to file reply to defs' fee oppo (48-1). cc: cns1 |
| 53 - 1 | 07/12/05 | PLF 1-6 notice of filing original signature of Stephen Tollafield re unopposed motion for ext of time to file reply to defs' fee oppo (48-1). |
| 54 - 1 | 07/18/05 | DEF 1-4 Notice of supplementing the record w/aff of Art Arnold re:oppo to PLF 1-6 motion for reasonable atty fees & costs, memorandum of points & authorities (42-1). |
| 55 - 1 | 07/21/05 | PLF 1-6 reply to opposition to PLF 1-6 motion for reasonable atty fees & costs, memorandum of points & authorities (42-1) w/att exhs. |
| 56 - 1 | 07/22/05 | PLF 1-6 Request for Oral Argument re: PLF 1-6 motion for reasonable atty fees & costs, memorandum of points & authorities (42-1). |
| 57 - 1 | 09/02/05 | JKS Order denying motion for oral argument (56-1); supp briefs adressng Benton due 9/19/05; no decsiion shall be reached until the time for supp briefs passes. cc: cns1 |
| 58 - 1 | 09/12/05 | PLF 1-6 Notice of change of lead cns1 from Sid Wolinsky to S. Tollafield. |
| 59 - 1 | 09/19/05 | PLF 1-6 Supplemental brief in support of motion for reasonable atty fees & costs (42-1). |
| 60 - 1 | 09/19/05 | DEF 1-2; 4 Supplement memorandum addressing Benton re: PLF 1-6 motion for reasonable atty fees & costs (42-1). |
| 61 - 1 | 10/04/05 | JKS Order granting in part motion for reasonable atty fees & costs, memorandum of points & authorities (42-1); plfs are entitle to recover from the SOA \$268,308 atty fees & costs in an amt to be determined by the clerk. cc: cns1 |
| 62 - 1 | 10/04/05 | JKS Judgment re plfs to recover from defs \$268,308 in atty fees for a total jmt of \$284,497.42. cc: cns1, O&J 11883 |
| 63 - 1 | 12/05/05 | PLF 1-6 Address Change Notice. |