

CLOSED, FRC, KRS

U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:97-cv-01186-ACC

Daniels, et al v. School Board/Brevard
Assigned to: Chief Judge Anne C. Conway
Demand: \$0
Case in other court:
98-2115

Date Filed: 09/29/1997
Date Terminated: 09/12/2000
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Cause: 28:1331 Fed. Question: Civil Rights Violation

Plaintiff

Daniel Daniels
*as next friend of Jessica Daniels and
Jennifer Daniels*

represented by **Lisa Kuhlman Tietig**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**School Board of Brevard County**

represented by **Jeffrey Graham Slater**
Law Office of Jeffrey G. Slater
Suite 125
2420 Lakemont Ave
Orlando, FL 32814
407/388-2905
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Date Filed	#	Docket Text
09/29/1997	1	COMPLAINT filed pursuant to Title VII. This case is based on the School Board's failure to provide equal athletic facilities to girls and boys. (nrs) Modified on 09/29/1997 (Entered: 09/29/1997)
09/29/1997		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: James G. Glazebrook (nrs) (Entered: 09/29/1997)
09/29/1997	2	CERTIFICATE OF COMPLIANCE with Local Rule 1.04(c) by Daniel Daniels, Jessica Daniels, Jennifer Daniels – no related cases. (nrs) (Entered: 09/29/1997)
09/29/1997		FILING FEE PAID. (Filing Fee \$150.00 – Receipt #66805) (nrs) (Entered: 09/30/1997)
10/02/1997		SUMMONSES issued for School Board/Brevard. (map) (Entered: 10/02/1997)
10/09/1997	3	MOTION by Daniel Daniels for preliminary injunction and request for prompt hearing . (nrs) (Entered: 10/09/1997)
10/09/1997	4	MEMORANDUM by Daniel Daniels in support of [3-1] motion for preliminary injunction, [3-2] motion for prompt hearing. (nrs) (Entered: 10/09/1997)
10/10/1997	5	NOTICE of attorney appearance for School Board/Brevard by Jeffrey Graham Slater (nrs) (Entered: 10/10/1997)

10/14/1997	6	NOTICE of designation under Local Rule 3.05 – TRACK 2. (ctc) (nrs) (Entered: 10/14/1997)
10/14/1997	7	NOTICE of unavailability for preliminary injunction hearing by Jeffrey G. Slater as to School Board/Brevard. (nrs) (Entered: 10/14/1997)
10/21/1997	8	RESPONSE by School Board/Brevard in opposition to [3-1] motion for preliminary injunction. (nrs) (Entered: 10/22/1997)
10/22/1997	9	ANSWER and affirmative defenses to Complaint by School Board/Brevard. (nrs) (Entered: 10/23/1997)
10/27/1997	10	ORDER: Defendant shall have to and including 11/19/97 at 4:00 p.m. within which to file any affidavits or other evidence in opposition to the application for preliminary injunction, and to serve those materials on Plaintiffs by hand delivery, facsimile transmission or overnight courier. Plaintiffs shall have to and including 11/21/97 at 4:00 within which to file and serve a final reply brief, affidavits or other evidence in support of the application for preliminary injunction, and to serve those materials on Plaintiffs by hand delivery or facsimile transmission. On or before 11/03/97, the parties shall file and serve memoranda providing information from which the Court can make a reasoned determination as to the amount of security, if any, to be posted in the event the Court issues a preliminary injunction. Motion hearing set for 9:00 11/24/97 for [3-1] motion for preliminary injunction and [3-2] motion for prompt hearing before Judge Anne C. Conway . (Signed by Judge Anne C. Conway.) ctc (nrs) (Entered: 10/27/1997)
10/29/1997	11	REPLY TO AFFIRMATIVE DEFENSES by Daniel Daniels. (STRICKEN PER ORDER #12) (nrs) Modified on 10/30/1997 (Entered: 10/29/1997)
10/30/1997	12	ORDER striking [11-1] reply. (Signed by Magistrate Judge James G. Glazebrook.) ctc (nrs) (Entered: 10/30/1997)
11/03/1997	13	MEMORANDUM by Daniel Daniels in support of [3-1] motion for preliminary injunction. (nrs) (Entered: 11/03/1997)
11/03/1997	14	RESPONSE by School Board/Brevard to [10-1] order re: posting of preliminary injunction security. (nrs) (Entered: 11/04/1997)
11/06/1997	15	RETURN OF SERVICE executed as to School Board/Brevard 10/8/97. Answer due on 10/28/97 for School Board/Brevard. (nrs) (Entered: 11/06/1997)
11/06/1997	16	NOTICE of filing the original affidavit of Ed Curry by School Board/Brevard. (nrs) (Entered: 11/07/1997)
11/06/1997	17	AFFIDAVIT of Ed Curry by School Board/Brevard Re: [14-1] response objection. (nrs) (Entered: 11/07/1997)
11/19/1997	18	SUPPLEMENTAL RESPONSE by School Board/Brevard to [3-1] motion for preliminary injunction. (nrs) (Entered: 11/19/1997)
11/21/1997	19	SUPPLEMENTAL MEMORANDUM by Daniel Daniels in support of [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	20	AFFIDAVIT of Daniel Daniels by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	21	AFFIDAVIT of Jennifer Daniels by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	22	AFFIDAVIT of Janet Daniels by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	23	AFFIDAVIT of Louise Mead Tricard by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	24	AFFIDAVIT of Richard Wolfe by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)
11/21/1997	25	AFFIDAVIT of Dr. Bette S. Tallen by Daniel Daniels Re: [3-1] motion for preliminary injunction. (nrs) (Entered: 11/21/1997)

11/21/1997	26	Exhibits in support of [19-1] plaintiff's supplemental memorandum of law by Daniel Daniels. (Filed separately) (nrs) (Entered: 11/21/1997)
11/24/1997	27	MINUTE ENTRY: Preliminary Injunction held on 11/24/97 before Judge Anne C. Conway. Court Reporter: Sandra Dawkins (Realtime Reporters) (nrs) (Entered: 11/24/1997)
11/25/1997	28	ORDER granting [3-1] petition for preliminary injunction and [3-2] motion for prompt hearing. Not later than 12/15/97, Defendant shall serve and file a plan concerning how Defendant proposes to remedy the inequalities identified in this order, given the Court's determinatino that a preliminary injunction should issue. Not later than 12/18/97, Plaintiffs shall file and serve a memorandum in response to Defendant's proposed plan. The Court will withhold issuance of a preliminary injunction pending receipt of the report. (Signed by Judge Anne C. Conway.) ctc (nrs) (Entered: 11/25/1997)
12/15/1997	29	RESPONSE by School Board/Brevard to [28-1] order. (nrs) (Entered: 12/15/1997)
12/18/1997	30	RESPONSE by Daniel Daniels to school board's plan. (nrs) (Entered: 12/18/1997)
12/22/1997	31	NOTICE of new case number 97-1186-Civ-Orl-22C (spr) (Entered: 12/22/1997)
12/23/1997	32	ORDER and PRELIMINARY INJUNCTION. (Signed by Judge Anne C. Conway) ctc (nrs) (Entered: 12/23/1997)
12/23/1997	33	NOTICE OF INTERLOCUTORY APPEAL of [32-1] order, [28-1] order by School Board/Brevard Fee Status: pd Receipt: 67753 Certificate of Readiness due on 1/7/98 (rdo) (Entered: 12/29/1997)
01/06/1998	34	MOTION by Daniel Daniels for interim attorney fees and costs . (nrs) Modified on 01/07/1998 (Entered: 01/07/1998)
01/06/1998	35	MEMORANDUM by Daniel Daniels in support of [34-1] motion for interim attorney fees and costs. (nrs) Modified on 01/07/1998 (Entered: 01/07/1998)
01/06/1998	36	ATTORNEY time and costs by Daniel Daniels. (nrs) Modified on 01/07/1998 (Entered: 01/07/1998)
01/06/1998	37	AFFIDAVIT of Burton J. Green by Daniel Daniels Re: [36-1] attorney time and costs. (nrs) (Entered: 01/07/1998)
01/06/1998	38	AFFIDAVIT of Lisa Kuhlman Tietig by Daniel Daniels Re: [36-1] attorney time and costs. (nrs) (Entered: 01/07/1998)
01/07/1998	39	CASE MANAGEMENT REPORT. (nrs) (Entered: 01/08/1998)
01/13/1998	40	CASE MANAGEMENT AND SCHEDULING ORDER setting Joining of parties, amending of pleadings on 7/1/98; Deadline for filing of motions; Discovery cutoff 1/15/99; Pretrial statement due on or before 5/28/99. Jury trial set for 7/1/99 before Judge Anne C. Conway. (Signed by Judge Anne C. Conway.) ctc (nrs) (Entered: 01/13/1998)
01/15/1998	41	TRANSCRIPT OF PROCEEDINGS on preliminary injunction hearing for date of 11/24/97 before Judge Anne C. Conway. Transcript filed separately. (rdo) (Entered: 01/15/1998)
01/16/1998	42	DISCLOSURE of insurance information by School Board/Brevard. (nrs) (Entered: 01/20/1998)
01/16/1998	43	RESPONSE by School Board/Brevard to [34-1] motion for interim attorney fees and costs. (nrs) Modified on 01/20/1998 (Entered: 01/20/1998)
01/16/1998	43	(A) MOTION by School Board/Brevard for oral argument on Plaintiff's Motion for Interim Attorney's Fees and Costs and the Defendant's response to the Plaintiff's Motion for Interim Attorney's Fees and Costs . (nrs) (Entered: 01/21/1998)
01/20/1998	44	SUPPLEMENTAL disclosure of insurance information by School Board/Brevard. (nrs) (Entered: 01/21/1998)

01/22/1998	45	NOTICE of withdrawal of appeal by School Board/Brevard (rdo) (Entered: 01/23/1998)
01/22/1998	46	MOTION by School Board/Brevard to withdraw notice of appeal (rdo) (Entered: 01/23/1998)
01/28/1998	47	MOTION by Daniel Daniels to strike [43-1] motion response . (nrs) (Entered: 01/29/1998)
01/28/1998	48	MEMORANDUM by Daniel Daniels in support of [47-1] motion to strike [43-1] motion response. (nrs) (Entered: 01/29/1998)
01/29/1998	49	RESPONSE by School Board/Brevard to [47-1] motion to strike [43-1] motion response (lak) (Entered: 01/29/1998)
01/30/1998	50	NOTICE of filing exhibits inadvertently not attached to Memorandum dated 1/26/98 by Daniel Daniels (lak) (Entered: 02/02/1998)
02/02/1998		NOTICE assigning 11th Circuit case number re: [33-1] appeal USCA NUMBER: 98-2115 (rdo) (Entered: 02/02/1998)
02/02/1998	51	MOTION by plaintiff Daniel Daniels with memorandum in support for leave to file reply to defendant's response to plaintiff's motion for interim attorney fees and costs (jrm) (Entered: 02/03/1998)
02/09/1998	52	JUDGMENT OF USCA (certified copy) dismissing [33-1] appeal. The parties filed a joint stipulation to dismiss. MFR Number 94/2730 Mandate date: 2/5/98 USCA EOD: 2/5/98 (rdo) (Entered: 02/09/1998)
02/12/1998	52	(A) REPORT on preliminary injunction compliance by School Board/Brevard to [32-1] order. (nrs) (Entered: 02/17/1998)
02/13/1998	53	SUPPLEMENTAL RESPONSE by School Board/Brevard to [34-1] motion for interim attorney fees and costs. (nrs) (Entered: 02/17/1998)
04/22/1998	54	ORDER granting [34-1] motion for interim attorney fees and costs (Plaintiff's counsel are hereby awarded interim attorneys' fees and expenses in the amount of \$15,958.12); denying [43-1] motion for oral argument on Plaintiff's Motion for Interim Attorney's Fees and Costs and the Defendant's response to the Plaintiff's Motion for Interim Attorney's Fees and Costs; mooting [46-1] motion to withdraw notice of appeal; denying [47-1] motion to strike [43-1] motion response; and granting [51-1] motion for leave to file reply to defendant's response to plaintiff's motion for interim attorney fees and costs. The Clerk shall file the tendered Plaintiffs' Reply to Defendant's response to Plaintiffs' motion for interim attorneys fees and costs. (Signed by Judge Anne C. Conway.) etc (nrs) Modified on 05/08/1998 (Entered: 04/22/1998)
04/22/1998	55	REPLY by Daniel Daniels to response to [34-1] motion for interim attorney fees and costs. (nrs) (Entered: 04/23/1998)
04/24/1998	56	ORDER consolidating this case with 97-1463-CIV-ORL-22A for all purposes, including trial; all pleadings and papers shall be file only in case 97-1463-CIV-ORL-22A. This case shall be assigned to Magistrate Karla R. Spaulding. (Signed by Judge Anne C. Conway) etc (map) (Entered: 04/27/1998)
04/24/1998		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Karla R. Spaulding (map) (Entered: 04/27/1998)
04/24/1998		CONSOLIDATED MEMBER CASE. Lead Case Number: 97-1463-CIV-ORL-22. (map) (Entered: 04/27/1998)
04/24/1998		ALL FUTURE CASE PAPERS WILL BE ENTERED ON THE DOCKET SHEET FOR CASE 97-1463-CIV-ORL-22A AND WILL BE FILED IN THAT CASE FILE. (map) (Entered: 04/27/1998)
10/29/1998		Deadline updated; set jury trial for 2/1/00 before Judge Anne C. Conway . (maa) (Entered: 10/29/1998)
12/07/1999		Deadline updated; reset jury trial for 11/1/00 before Judge Anne C. Conway . (maa) (Entered: 12/07/1999)

01/27/2000	57	CONFLICT ORDER: Within 11 days of this Order, all parties shall file a response to this conflict order. (Signed by Judge Anne C. Conway on 01/26/00.) ctc (nrs) (Entered: 01/27/2000)
09/12/2000	<u>58</u>	ORDER: The Order and Preliminary Injunction entered 12/23/97 is DISSOLVED. The Clerk is directed to close the case. Any remaining issues, including attorneys' fees, shall be addressed in lead case 6:97-cv-1463-ori-22A. (Signed by Judge Anne C. Conway) ctc (lak) (Entered: 09/12/2000)
09/12/2000		CASE CLOSED. (lak) (Entered: 09/12/2000)