

CLOSED,PROTO,REFERA,REFERS

**U.S. District Court
Eastern District of Kentucky (Covington)
CIVIL DOCKET FOR CASE #: 2:15-cv-00143-WOB-CJS**

S.R. et al v. Kenton County Sheriff's Office et al
Assigned to: Judge William O. Bertelsman
Referred to: Magistrate Judge Candace J. Smith
Magistrate Judge J. Gregory Wehrman (Settlement)
Cause: 42:1983 Civil Rights Act

Date Filed: 08/03/2015
Date Terminated: 11/01/2018
Jury Demand: Both
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

S.R.

*a minor, by and through his next friend
and mother, T.R.
Next Friend
T.R.*

represented by

Claudia Center

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Plaintiff

L.G.

*a minor, by and through her next friend
and mother, L.J.
Next Friend
L.J.*

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V.

Defendant

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Defendant

Charles Korzenborn
*in his official capacity as Sheriff of
Kenton County*

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Defendant

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Defendant

Kenton County, Kentucky

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Drew Cameron Harris
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Official Defendant

Kevin Sumner
*in his official capacity as School
Resource Officer*

represented by **Christopher Scott Nordloh**
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Date Filed	#	Docket Text
08/03/2015	<u>1</u>	COMPLAINT FOR DAMAGES AND DECLARATORY AND INJUNCTIVE RELIEF AND JURY DEMAND(Filing fee \$400; receipt number 0643-3274997), filed by S.R., L.G.. (Attachments: # <u>1</u> Case Assignment, # <u>2</u> Civil Cover Sheet, # <u>3</u> summons-kevin sumner, # <u>4</u> summons-kenton co sheriffs office, # <u>5</u> summons-kornzenborn)(TJZ) (Entered: 08/03/2015)
08/03/2015	<u>2</u>	NOTICE OF FILING EXHIBITS TO PLAINTIFF'S COMPLAINT by L.G., S.R. re <u>1</u> Complaint. (TJZ) (Entered: 08/03/2015)
08/03/2015	<u>3</u>	CONVENTIONAL FILING received on behalf of S.R., et al. Exhibits A&B to complaint (2 DVDs) are filed per re <u>2</u> Notice of Filing. (MAINTAINED ON THE SHELF IN THE CLERK'S OFFICE) (TJZ) Modified to seal on 8/5/2015 per <u>11</u> Order(TJZ). (Entered: 08/03/2015)
08/03/2015	<u>4</u>	MOTION Permit use of Plaintiffs' Initials by L.G., S.R. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memo in Support, # <u>2</u> Proposed Order)(TJZ) (Entered: 08/03/2015)
08/03/2015	<u>5</u>	MAGISTRATE JUDGE J. GREGORY WEHRMAN chosen by random selection to handle matters that may be referred in this case.(TJZ) (Entered: 08/03/2015)
08/03/2015	<u>6</u>	Summons Issued as to Kenton County Sheriff's Office, Charles Korzenborn, Kevin Sumner(in his individual capacity as School Resource Officer); Summons issued and returned to counsel via pick-up from Office of Clerk (TJZ) (Entered: 08/03/2015)
08/03/2015	<u>7</u>	STANDING REFERRAL ORDER: 1) Case referred to presiding Magistrate Judge to supervise discovery and pretrial proceedings; 2) Magistrate Judge shall conduct all pretrial and status conferences, rule on non-dispositive motions. Dispositive motions and motions in limine will be ruled on by district judge; final pretrial conference and trial will be conducted by the district judge unless the parties agree to trial by Magistrate Judge, pursuant to 28 USC § 636(c). Signed by Judge William O. Bertelsman on 6/18/2010.(TJZ)cc: COR (Entered: 08/03/2015)
08/03/2015		Conflict Check run. (TJZ) (Entered: 08/03/2015)
08/03/2015		***MOTION SUBMITTED TO CHAMBERS of J. Gregory Wehrman for review: re <u>4</u> MOTION Permit use of Plaintiffs' Initials by L.G., S.R. (TJZ) (Entered: 08/03/2015)
08/03/2015	<u>8</u>	NOTICE OF FILING by L.G., S.R. re <u>2</u> Notice of Filing <i>Amended Notice of Filing Exhibit</i> (Meyer, R.) (Entered: 08/03/2015)
08/03/2015	<u>9</u>	MOTION for Rickell L. Howard to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number 0643-3275933)Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Affidavit of Rickell Howard, # <u>2</u> Supplement Certificate of Good Standing, # <u>3</u> Proposed Order granting Pro Hac Vice Motion of Rickell Howard)(Meyer, R.) (Entered: 08/03/2015)
08/04/2015		BAR STATUS Check completed as to Rickell L. Howard re <u>9</u> MOTION for Rickell L. Howard to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number

		0643-3275933). (ECO) (Entered: 08/04/2015)
08/04/2015	<u>10</u>	ORDER: 1) The motion to permit Rickell Howard to appear pro hac vice on behalf of Plfs <u>9</u> is granted ; 2) The motion to permit the minor Plfs and their next friends to be referred to only via their initials in documents submitted for filing with the Court <u>4</u> is granted . Signed by Magistrate Judge J. Gregory Wehrman on 8/4/2015. (ECO)cc: COR w/copy of Mandatory ECF General Order and ECF Registration form to Atty Rickell Howard at address on the docket sheet. (Entered: 08/04/2015)
08/05/2015	<u>11</u>	ORDER re 3 Conventional Filing: The DVDs submitted in conjunction with the complaint [2,3] shall be sealed . Signed by Magistrate Judge J. Gregory Wehrman on 8/5/2015.(TJZ)cc: COR (Entered: 08/05/2015)
08/05/2015	<u>12</u>	MOTION for Susan Mizner to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number 0643-3277844)Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Affidavit of Susan Mizner, # <u>2</u> Exhibit, # <u>3</u> Proposed Order granting motion for pro hac vice)(Meyer, R.) (Entered: 08/05/2015)
08/05/2015	<u>13</u>	MOTION for Claudia Center to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number 0643-3277856)Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Affidavit of Claudia Center, # <u>2</u> Exhibit, # <u>3</u> Proposed Order granting Claudia Center pro hac vice motion)(Meyer, R.) (Entered: 08/05/2015)
08/06/2015		BAR STATUS Check completed re <u>12</u> MOTION for Susan Mizner to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number 0643-3277844), <u>13</u> MOTION for Claudia Center to Appear Pro Hac Vice by L.G., S.R. (Filing fee \$95; receipt number 0643-3277856). (TJZ) (Entered: 08/06/2015)
08/06/2015	<u>14</u>	ORDER: motions to permit Susan Mizner <u>12</u> and Claudia Center <u>13</u> to Appear Pro Hac Vice on behalf of plaintiffs are each granted . Signed by Magistrate Judge J. Gregory Wehrman on 8/6/2015. (TJZ)cc: COR, Mandatory ECF Order/Registration Form to Mizner and Center via U.S. Mail (Entered: 08/06/2015)
08/13/2015	<u>15</u>	NOTICE OF APPEARANCE by Charles Korzenborn. (Nordloh, Christopher) (Entered: 08/13/2015)
08/13/2015	<u>16</u>	MOTION for Order Compelling a More Definite Statement and Completeness of the Record by Charles Korzenborn <i>in his official capacity</i> Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memorandum in Support of Order, # <u>2</u> Proposed Order GRANTING CR 12 Motion)(Nordloh, Christopher) Modified text on 8/14/2015 (TJZ). (Entered: 08/13/2015)
08/13/2015	<u>17</u>	NOTICE of Change of Address by Christopher Scott Nordloh (Nordloh, Christopher) (Entered: 08/13/2015)
08/13/2015	<u>18</u>	STRICKEN FROM DOCKET, Incorrect Document. (Sanders, Robert) Modified on 8/14/2015 (TJZ). (Entered: 08/13/2015)
08/13/2015	<u>19</u>	FIRST MOTION to Strike <u>1</u> Complaint, by Kevin Sumner(in his individual capacity as School Resource Officer) Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memorandum in Support of Motion to Strike Irrelevant Allegations from Complaint, # <u>2</u> Proposed Order Granting motion to strike)(Sanders, Robert) (Entered: 08/13/2015)
08/14/2015	<u>20</u>	NOTICE OF APPEARANCE by Charles Korzenborn. (Smith, Thomas) (Entered: 08/14/2015)
08/14/2015	<u>21</u>	ORDER: A <u>PRELIMINARY PRETRIAL CONFERENCE</u> will be held in this matter on <u>8/18/2015 at 02:00 PM</u> at the 5th Floor Courtroom, United States Courthouse, 35 West Fifth Street, in COVINGTON before Judge William O. Bertelsman. The following matters will be addressed: 1) pending motions (<u>16</u> , <u>19</u>); 2) the need for an expedited pleading schedule; 3) the need for an expedited discovery schedule; 4) discovery ddls; 5) whether any documents or exhibits may be filed under seal; and 6) such other matters as may come before the Court. Signed by Judge William O. Bertelsman on 8/14/2015.(ECO)cc: COR w/copies mailed to Claudia Center and Susan Mizner. Modified text on 8/14/2015 (ECO). (Entered: 08/14/2015)
08/14/2015		NOTICE OF ACTION BY CLERK STRIKING A DOCUMENT FROM THE RECORD re <u>18</u> NOTICE OF APPEARANCE was an INCORRECT PDF document

		filed as main document; Attorney shall re-file the corrected Notice of Appearance within seven (7) calendar days. *cbd* cc: COR (TJZ) (Entered: 08/14/2015)
08/17/2015	<u>22</u>	NOTICE of Appearance by Justin A. Sanders on behalf of Kevin Sumner(in his individual capacity as School Resource Officer) (Sanders, Justin) (Entered: 08/17/2015)
08/17/2015	<u>23</u>	MOTION for More Definite Statement by Kevin Sumner(in his individual capacity as School Resource Officer) <i>and Compelling Completeness of the Record</i> Motions referred to J. Gregory Wehrman. Responses due by 9/8/2015 (Attachments: # <u>1</u> Proposed Order)(Sanders, Justin) (Entered: 08/17/2015)
08/17/2015	<u>24</u>	RESPONSE to Motion re <u>16</u> MOTION for Order by Charles Korzenborn <i>in his official capacity</i> , <u>23</u> MOTION for More Definite Statement by Kevin Sumner(in his individual capacity as School Resource Officer) <i>and Compelling Completeness of the Record</i> filed by L.G., S.R.. (Attachments: # <u>1</u> Proposed Order Order Denying Defendants' Motion as Moot)(Howard, Rickell) (Entered: 08/17/2015)
08/17/2015	<u>25</u>	RESPONSE in Opposition re <u>19</u> FIRST MOTION to Strike <u>1</u> Complaint, by Kevin Sumner(in his individual capacity as School Resource Officer) filed by L.G., S.R.. (Attachments: # <u>1</u> Proposed Order)(Sharp, William) (Entered: 08/17/2015)
08/18/2015	<u>26</u>	MINUTE ENTRY ORDER FOR PRELIMINARY PRETRIAL CONFERENCE held on 8/18/2015 before Judge William O. Bertelsman: Parties present as noted. IT IS ORDERED: 1) Def's motions for an order compelling a more definite statement and completeness of the record (<u>16</u> , <u>23</u>) are hereby DENIED AS MOOT ; 2) Having reviewed <i>in camera</i> the DVD, the Court directs that the DVD be FILED UNDER SEAL ; 3) Def's motion to strike <u>19</u> is DENIED , for reasons stated on the record; 4) By separate order, the Court is authorizing Def Sumner to turn over to his counsel all videos obtained from the Covington Independent Schools; 5) Defs shall file their answers or Rule 12 motions by 9/9/2015 ; 6) Failing dismissal of the complaint, parties shall have until 12/31/2015 to conduct discovery; 7) Any dispositive motions due 30 days following close of discovery . (PARTIES SHALL SEE ORDER FOR DETAILS). (Court Reporter JOAN AVERDICK.) Signed by William O. Bertelsman. (ECO)cc: COR w/copies mailed to Attys Claudia Center and Susan Mizner (Entered: 08/19/2015)
08/18/2015	<u>27</u>	CONVENTIONAL FILING received on behalf of S.R., et al. Exhibit C (1 DVD) is filed per Minute Entry Order for Preliminary Pretrial Conference re <u>26</u> . (MAINTAINED ON THE SHELF IN THE CLERK'S OFFICE) (ECO) (Entered: 08/19/2015)
08/18/2015	<u>28</u>	ORDER: 1) Def Sumner is hereby authorized to turn over to his attys all videos he obtained from Covington Independent Public Schools depicting Plfs or relating to the events that are the basis of the Plfs' Complaint. Signed by Judge William O. Bertelsman on 8/18/2015.(ECO)cc: COR w/copy mailed to attys Claudia Center and Susan Mizner (Entered: 08/19/2015)
09/09/2015	<u>29</u>	JOINT MOTION to Dismiss for failure to state a claim by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) <i>Kevin Sumner is a Kenton County Sheriff's Deputy who performs law enforcement duties as a sworn peace officer when school personnel call the police to respond to students' criminal conduct.</i> (Attachments: # <u>1</u> Memorandum in Support OF DISMISSAL ON BEHALF OF KENTON COUNTY AND KEVIN SUMNER, INDIVIDUALLY, # <u>2</u> Proposed Order DISMISSING THE COMPLAINT)(Nordloh, Christopher) (Entered: 09/09/2015)
09/30/2015	<u>30</u>	RESPONSE in Opposition re <u>29</u> JOINT MOTION to Dismiss for failure to state a claim by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) <i>Kevin Sumner is a Kenton County Sheriff and Cross Motion for Partial Judgment on the Pleadings filed by L.G., S.R..</i> (Attachments: # <u>1</u> Cross Motion for Partial Judgment on the Pleadings, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service)(Center, Claudia) (Entered: 09/30/2015)
09/30/2015	<u>31</u>	CROSS MOTION for Judgment on the Pleadings by L.G., S.R. (<i>duplicate of Docket Entry #30</i>) (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order, # <u>3</u>

		Certificate of Service)(Center, Claudia) (Entered: 09/30/2015)
10/02/2015	<u>32</u>	NOTICE by United States Department of Justice re <u>29</u> JOINT MOTION to Dismiss for failure to state a claim by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) <i>Kevin Sumner is a Kenton County Sheriff, 1 Complaint, Statement of Interest (Wilson, Ryan)</i> (Entered: 10/02/2015)
10/07/2015	<u>33</u>	TRANSCRIPT REQUEST by Charles Korzenborn for proceedings held on August 18, 2015 before Judge WOB.. (Nordloh, Christopher) (Entered: 10/07/2015)
10/12/2015	<u>34</u>	REPLY to Response to Motion re <u>29</u> JOINT MOTION to Dismiss for failure to state a claim by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) <i>Kevin Sumner is a Kenton County Sheriff filed by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer).</i> (Nordloh, Christopher) (Entered: 10/12/2015)
10/12/2015	<u>35</u>	RESPONSE in Opposition re <u>31</u> CROSS MOTION for Judgment on the Pleadings by L.G., S.R. (<i>duplicate of Docket Entry #30 Duplicate of Reply to Response to Motion to Dismiss 12(b)(6)</i>) filed by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer). (Nordloh, Christopher) (Entered: 10/12/2015)
10/13/2015		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>29</u> JOINT MOTION to Dismiss for failure to state a claim by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) <i>Kevin Sumner is a Kenton County Sheriff (TJZ)</i> (Entered: 10/13/2015)
10/19/2015	<u>36</u>	JOINT MOTION to Exclude by Kevin Sumner(in his individual capacity as School Resource Officer) <i>Statement of Interest of the United States of America for Purposes of Consideration of Defendants' Joint Motion to Dismiss</i> Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memorandum in Support of Defendants' Joint Motion to Exclude Statement of Interest of the United States of America for Purposes of Considering Defendants' Joint Motion to Dismiss, # <u>2</u> Proposed Order)(Sanders, Robert) (Entered: 10/19/2015)
10/23/2015	<u>37</u>	MOTION to Compel by L.G., S.R. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order)(Howard, Rickell) (Entered: 10/23/2015)
10/23/2015	<u>38</u>	ORDER: Defendants shall respond to the motion to compel <u>37</u> no later than 10/30/2015; plaintiffs shall file a reply no later than 11/3/2015. Signed by Magistrate Judge J. Gregory Wehrman on 10/23/2015.(TJZ)cc: COR (Entered: 10/23/2015)
10/26/2015	<u>39</u>	REPLY BRIEF to <u>31</u> , <u>35</u> in Support of Cross Motion for Partial Judgment on the Pleadings filed by L.G., S.R.. (Center, Claudia) (Entered: 10/26/2015)
10/27/2015		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>31</u> CROSS MOTION for Judgment on the Pleadings by L.G., S.R. (<i>duplicate of Docket Entry #30</i>) (TJZ) (Entered: 10/27/2015)
10/27/2015	<u>40</u>	TRANSCRIPT of Proceedings: PRELIMINARY PRETRIAL CONFERENCE held on 8/18/2015 before Judge William O. Bertelsman. Court Reporter: Joan Averdick, Telephone number (859) 291-9666. Transcript ordered by: Christopher Nordloh, Esq.. IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS: In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully</u> . Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript

		Restriction. Redaction Request due 11/20/2015. Redacted Transcript Deadline set for 12/3/2015. Release of Transcript Restriction set for 1/28/2016. (Entered: 10/27/2015)
10/29/2015	<u>41</u>	RESPONSE to Motion re <u>36</u> JOINT MOTION to Exclude by Kevin Sumner(in his individual capacity as School Resource Officer) <i>Statement of Interest of the United States of America for Purposes of Consideration of Defendants' Joint Motion to Dismiss</i> filed by United States Department of Justice. (Mazor, Marina) (Entered: 10/29/2015)
10/30/2015	<u>42</u>	RESPONSE in Opposition re <u>37</u> MOTION to Compel by L.G., S.R. filed by Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer). (Attachments: # <u>1</u> Exhibit Transcript of August Hearing)(Nordloh, Christopher) (Entered: 10/30/2015)
11/03/2015	<u>43</u>	REPLY to Response to Motion re <u>37</u> MOTION to Compel by L.G., S.R. filed by L.G., S.R.. (Howard, Rickell) (Entered: 11/03/2015)
11/03/2015	<u>44</u>	ORDER: Plaintiffs' motion to compel <u>37</u> is granted . The parties shall participate in Rule 26(f) conference by 11/10/2015 and shall produce their initial disclosures by 11/17/2015. Signed by Magistrate Judge J. Gregory Wehrman on 11/3/2015.(TJZ)cc: COR (Entered: 11/03/2015)
11/13/2015	<u>45</u>	INITIAL DISCLOSURES <i>for all Defendants, Jointly</i> , by Kevin Sumner(in his individual capacity as School Resource Officer).(Sanders, Robert) (Entered: 11/13/2015)
11/23/2015	<u>46</u>	ORDER: That a Formal Oral Argument Hearing , on all pending motions (<u>29</u> , <u>31</u> , <u>36</u>), is set for <u>12/18/2015 at 01:00 PM</u> , Fifth Floor Courtroom, Federal Courthouse in Covington, Kentucky. Signed by Judge William O. Bertelsman on 11/23/2015.(ECO)cc: COR (Entered: 11/23/2015)
11/23/2015	<u>47</u>	JOINT REPORT of Rule 26(f) Planning Meeting. (Sharp, William) (Entered: 11/23/2015)
11/24/2015	<u>48</u>	NOTICE of Appearance by Marina Mazor on behalf of United States Department of Justice (Mazor, Marina) (Entered: 11/24/2015)
11/24/2015	<u>49</u>	ORDER: 1) Fact discovery shall commence immediately and shall be completed by 3/24/16, with jt or separate status reports due the same date; 2) Plfs shall designate and provide required reports of their expert witnesses by 4/25/16; Defs shall designate their expert witnesses by 5/25/16 and shall provide required expert reports by 6/24/16. Expert discovery due by 7/25/16; 3) Dispositive motions due 8/25/16. Dates for the final pretrial conference and trial will be set, if necessary, upon the resolution of those dispositive motions; 4) All other aspects of the parties' Rule 26(f) report are adopted herein. Signed by Magistrate Judge J. Gregory Wehrman on 11/24/2015.(ECO)cc: COR (Entered: 11/24/2015)
11/27/2015	<u>50</u>	NOTICE by Kevin Sumner(in his individual capacity as School Resource Officer) <i>of Service of Subpoena Duces Tecum on Covington Independent Public Schools records custodian</i> (Attachments: # <u>1</u> Supplement subpoena duces tecum to Covington Independent Schools, # <u>2</u> Supplement Continuation page for subpoena duces tecum)(Sanders, Robert) (Entered: 11/27/2015)
12/01/2015	<u>51</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 12/1/2015 before Magistrate Judge J. Gregory Wehrman: Parties present as noted. IT IS ORDERED : By 12/7/2015, counsel for Plfs shall provide opposing counsel with damage assessment numbers for all claimed damages. (Court Reporter NONE.) (ECO)cc: COR (Entered: 12/01/2015)
12/08/2015	<u>52</u>	NOTICE OF FILING by Kevin Sumner(in his individual capacity as School Resource Officer) re <u>50</u> Notice, <i>of Cancellation of Records Deposition of CIP</i> (Attachments: # <u>1</u> Exhibit Waiver of objection to subpoena for CIPS documents)(Sanders, Robert) (Entered: 12/08/2015)
12/11/2015	<u>53</u>	NOTICE by Charles Korzenborn <i>of issuance of subpoena to command production of documents from Kenton County Circuit Court Clerk, Hon, John Middleton</i> (Attachments: # <u>1</u> Exhibit Subpoena Issued 12-11-2015)(Nordloh, Christopher) (Entered: 12/11/2015)

12/16/2015	<u>54</u>	ORDER: Parties shall be prepared to discuss <i>J.H. v. Bernalillo Co.</i> No. 14–2068, 2015 WL 7597462 (10th Cir. 11/27/2015) at the upcoming oral argument. Signed by Judge William O. Bertelsman on 12/16/2015.(TJZ)cc: COR (Entered: 12/16/2015)
12/18/2015	<u>55</u>	MINUTE ENTRY ORDER FOR AN ORAL ARGUMENT before Judge William O. Bertelsman: 1. Defendant, Kevin Sumner's Joint Motion to Exclude Statement of Interest of the United States for purposes of consideration of Defendants' Joint Motion to Dismiss <u>36</u> is DENIED 2. Plaintiff's Cross Motion for Judgment on the Pleadings <u>31</u> is DENIED WITHOUT PREJUDICE with leave to renew the arguments at the summary judgment stage. 3. Defendants, Charles Korzenborn and Kevin Sumner's Joint Motion to Dismiss for failure to state a claim <u>29</u> is TAKEN UNDER SUBMISSION (Court Reporter Peggy Weber.) (KRB)cc: COR (Entered: 12/18/2015)
12/22/2015	<u>56</u>	NOTICE by L.G., S.R. <i>Intent to serve subpoena duces tecum on Covington Ind. Public Schools</i> (Attachments: # <u>1</u> Exhibit Subpoena issued 12/22/15)(Sharp, William) (Entered: 12/22/2015)
12/22/2015	<u>57</u>	NOTICE by L.G., S.R. <i>Intent to serve subpoena duces tecum on Ky. Assoc. of Sch. Resource Officers</i> (Attachments: # <u>1</u> Exhibit Subpoena issued 12/22/15)(Sharp, William) (Entered: 12/22/2015)
12/23/2015	<u>58</u>	ANSWER to Interrogatories by Kevin Sumner(in his official capacity as School Resource Officer).(Sanders, Robert) (Entered: 12/23/2015)
12/28/2015	<u>59</u>	MEMORANDUM OPINION & ORDER; that defendants' joint motion to dismiss <u>29</u> be, and is hereby, DENIED WITHOUT PREJUDICE to renewing their arguments on summary judgment, after discovery has been completed. Signed by Judge William O. Bertelsman on 12/28/2015.(KRB)cc: COR (Entered: 12/28/2015)
12/29/2015	<u>60</u>	JOINT ANSWER to <u>1</u> Complaint, with Jury Demand by Kenton County Sheriff's Office, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer).(Nordloh, Christopher) (Entered: 12/29/2015)
12/29/2015	<u>61</u>	SEALED MINUTE ENTRY ORDER held on 12/29/2015 before Magistrate Judge J. Gregory Wehrman: cc: COR for Pla and Defs Korzenborn and Sumner service by U.S. Mail on paper.. (Court Reporter none.) (LST) (Entered: 12/30/2015)
12/30/2015	<u>62</u>	CONSENT MOTION for Order by Charles Korzenborn <i>filed jointly by agreement with counsel for the Plaintiffs</i> Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed Order GRANTING in camera of state court records)(Nordloh, Christopher) (Entered: 12/30/2015)
12/30/2015	<u>63</u>	ORDER; 1)The JOINT <u>62</u> Motion requesting an order granting in camera view by this Court of 3 state court confidential juvenile case records is GRANTED . Signed by Magistrate Judge J. Gregory Wehrman on 12/30/2015. (LST)cc: COR (Entered: 12/30/2015)
01/04/2016	<u>64</u>	JOINT MOTION for Protective Order by L.G., S.R. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed Protective Order)(Center, Claudia) (Entered: 01/04/2016)
01/05/2016	<u>65</u>	AGREED PROTECTIVE ORDER: See Order for details. (Parties to comply with all aspects of Protective Order). Signed by Magistrate Judge J. Gregory Wehrman on 1/5/2016.(ECO)cc: COR (Entered: 01/05/2016)
01/05/2016	<u>66</u>	NOTICE OF APPEARANCE by Kevin Sumner(in his individual capacity as School Resource Officer). (Sanders, Jeffrey) (Entered: 01/05/2016)
01/09/2016	<u>67</u>	NOTICE by L.G., S.R. <i>Intent to serve subpoena duces tecum on Ky. Dept. of Criminal Justice Training</i> (Attachments: # <u>1</u> Exhibit Subpoena issued 1/9/16)(Sharp, William) (Entered: 01/09/2016)
01/27/2016	<u>68</u>	NOTICE to Take Deposition of Joy Collins on 2/16/2016 9:00 am by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>69</u>	NOTICE to Take Deposition of Sharon Craig on 2/16/2016 at 1:00 pm by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)

01/27/2016	<u>70</u>	NOTICE to Take Deposition of Maranda Meyer on 2/17/2016 at 9:00 am by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>71</u>	NOTICE to Take Deposition of Joann Jones on 2/17/16 at 1:00 pm by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>72</u>	NOTICE to Take Deposition of Ken Kippenbrock on 2/18/16 at 9:00 am by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>73</u>	NOTICE to Take Deposition of Michael Shipley on 2/18/2016 at 1:00 pm by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>74</u>	NOTICE to Take Deposition of Nicholas Staples on 2/19/2016 at 9:00 am by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>75</u>	NOTICE to Take Deposition of Ashley Miller on 2/19/2016 at 1:00 by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/27/2016	<u>76</u>	NOTICE to Take Deposition of Caroline Lee on 2/19/2016 at 3:00 pm by L.G., S.R..(Sharp, William) (Entered: 01/27/2016)
01/28/2016	<u>77</u>	CORRECTED NOTICE to Take Deposition of Joann James on 2/17/2016 at 1:00 pm by L.G., S.R..(Sharp, William) (Entered: 01/28/2016)
01/28/2016	<u>78</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>61</u> Telephone Conference, Sealed Minute Entry by Kenton County Sheriff's Office (Nordloh, Christopher) (Entered: 01/28/2016)
02/04/2016	<u>79</u>	SEALED CONSENT MOTION for Order Granting in Camera Review of Ohio State Court Confidential Domestic Relations Court Records by Kenton County Sheriff's Office, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer) filed jointly by agreement of with counsel for Plaintiffs. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed Order)(ECO) Modified text on 2/5/2016 (ECO). (Entered: 02/04/2016)
02/04/2016		***MOTION SUBMITTED TO CHAMBERS of J. Gregory Wehrman for review: re <u>79</u> MOTION for Order by Kenton County Sheriff's Office, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer), Kevin Sumner(in his individual capacity as School Resource Officer) (ECO) (Entered: 02/04/2016)
02/04/2016	<u>80</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 2/4/2016. before Magistrate Judge J. Gregory Wehrman: Parties present as noted. IT IS ORDERED: 1) Justin Sanders shall submit a detailed agreed order to the court as soon as practicable regarding the Court's approval of tge parties' request to obtain Hamilton County divorce records. All such Hamilton County records, as well as the previously subpoenaed Kenton County juvenile records, shall be deemed sealed and/or subject to the extant protective order. State court records will be maintained by Clerk of Court. Clerk will notify all counsel upon receipt of subpoenaed records. (See Minute Entry Order for details). (Court Reporter NONE.) (ECO)cc: COR (Entered: 02/04/2016)
02/04/2016	<u>81</u>	ORDER: The parties' joint motion <u>79</u> requesting an order granting <i>in camera</i> review by this Court of confidential Ohio state court domestic realtions case records is GRANTED . Signed by Magistrate Judge J. Gregory Wehrman on 2/4/2016. (ECO)cc: COR (Entered: 02/04/2016)
02/05/2016	<u>82</u>	NOTICE OF MANDATORY ECF DIRECTED TO Justin Sanders, an ECF Filing User re <u>79</u> SEALED CONSENT MOTION was RECEIVED AS A PAPER PLEADING AND FILED BY THE CLERK, which is in direct violation of this court's General Orders re: Mandatory ECF. Failure to comply will result in this matter being submitted to the Chief Judge. cc: COR (ECO) (Entered: 02/05/2016)
02/08/2016		CLERK'S NOTE: Kenton County Clerk John Middleton hand-delivered juvenile cases bearing case numbers: 04-J-01170-002, 14-J-1726-001, 14-J-01727-001 per Order entered 12/30/2015 <u>63</u> . Records maintained under seal in the Clerk's office. Attorneys of record may review the records in the clerk's office, per chambers.(TJZ) (Entered: 02/08/2016)

02/26/2016	<u>83</u>	NOTICE by L.G., S.R. <i>Intent to serve subpoena duces tecum on Ky. Dept. of Criminal Justice Training</i> (Attachments: # <u>1</u> Exhibit Subpoena)(Sharp, William) (Entered: 02/26/2016)
02/26/2016	<u>84</u>	NOTICE by L.G., S.R. <i>Intent to serve subpoena duces tecum upon Crisis Solutions, Inc.</i> (Attachments: # <u>1</u> Exhibit Subpoena)(Sharp, William) (Entered: 02/26/2016)
03/04/2016	<u>85</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 3/4/2016. before Magistrate Judge J. Gregory Wehrman: the matter is taken under submission pending the issuance of an order adjudicating the discoverability of the letter. (KRB)cc: COR (Entered: 03/04/2016)
03/07/2016	<u>86</u>	MEMORANDUM ORDER: 1) The 6/10/2010 letter from the Cabinet for Health and Family Services to Kenton County Family Court Judge Mehling is discoverable. The parties also may arrange with the Clerk of Court to obtain copies of all state court records previously submitted for in camera review which the parties have agreed are discoverable. The usage of state court records in discovery shall occur subject to the extant protective order. Signed by Magistrate Judge J. Gregory Wehrman on 3/7/2016.(ECO)cc: COR (Entered: 03/07/2016)
03/10/2016	<u>87</u>	NOTICE to Take Deposition of Sharon Craig on 03/21/2016 at 10:00 am by L.G., S.R..(Sharp, William) (Entered: 03/10/2016)
03/14/2016	<u>88</u>	NOTICE OF FILING RESTRICTED EXHIBITS by Charles Korzenborn in support of re <u>65</u> Protective Order, Terminate Motions <i>DVD of SR introduced as Maranda Meyer Dep Exh. 15 without objection</i> (Nordloh, Christopher) (Entered: 03/14/2016)
03/14/2016	89	CONVENTIONAL FILING received on behalf of Charles Korzenborn. DVD filed per re <u>88</u> Notice of Filing Restricted Exhibits. (MAINTAINED ON THE SHELF IN THE CLERK'S OFFICE) (ECO) (Entered: 03/14/2016)
03/15/2016	<u>90</u>	MOTION for Leave to File by L.G., S.R. <i>Amended Complaint</i> Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed Order granting motion for leave to file amended complaint, # <u>2</u> Exhibit 1 – Redlined version of Amended Complaint, # <u>3</u> Exhibit 2 – Amended Complaint)(Meyer, R.) (Entered: 03/15/2016)
03/15/2016	<u>91</u>	AGREED ORDER: Plaintiffs' motion to file amended complaint <u>90</u> is granted. All defenses and objections previously raised by the defendants in their motion to dismiss the original complaint and in their answers to the complaint are preserved. The first amended complaint is deemed denied by the defendants and they need not file an answer. Signed by Magistrate Judge J. Gregory Wehrman on 3/15/2016. (TJZ)cc: COR (Entered: 03/16/2016)
03/15/2016	<u>92</u>	AMENDED COMPLAINT FOR DAMAGES AND DECLARATORY AND INJUNCTIVE RELIEF, filed by L.G., S.R., <u>filed pursuant to 91 Order</u> . (TJZ) (Entered: 03/16/2016)
03/16/2016		Clerk's Note: re <u>92</u> Amended Complaint. The Clerk notes an Amended Complaint was filed; however, no summons were provided to the Clerk for issuance. If you desire summons to be issued, the forms are available on the Courts website, www.kyed.uscourts.gov. A summons may be issued by presenting the prepared summons to the Clerk for issuance on paper or by electronically filing a Notice of Filing with the prepared summons as an attachment <u>within 7 calendar days</u> . (TJZ) (Entered: 03/16/2016)
03/17/2016	<u>93</u>	NOTICE OF FILING by L.G., S.R. re <u>92</u> Amended Complaint <i>summons for electronic issuance</i> (Attachments: # <u>1</u> Summons)(Meyer, R.) (Entered: 03/17/2016)
03/17/2016	<u>94</u>	NOTICE OF FILING by L.G., S.R. re <u>93</u> Notice of Filing, Clerk's Note, (Attachments: # <u>1</u> Summons for issuance electronically)(Meyer, R.) (Entered: 03/17/2016)
03/17/2016	<u>95</u>	MOTION for Extension of Time to Complete Discovery by L.G., S.R. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed Order)(Meyer, R.) (Entered: 03/17/2016)
03/17/2016	<u>96</u>	Summons Issued as to Kenton County, Kentucky; Summons issued and returned to counsel electronically (TJZ) (Entered: 03/21/2016)

03/21/2016	<u>97</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 3/21/2016. before Magistrate Judge J. Gregory Wehrman: Parties present as noted. IT IS ORDERED: 1) Plfss' motion for ext of time {95} is <bgranted as unopposed. Fact discovery due by 5/23/2016, with jt. or separate status report due the same date. Plf shall designate and provide required reports of their expert witnesses on or before 6/24/2016; Defs shal designate their expert witnesses by 7/25/2016 and shall provide required reports by 8/24/2016; Expert Discovery shall conclude by 9/26/2016. Dispositive motions due 10/25/2016. All other aspects of the Court's 11/24/2015 scheduling order {49} shall stand. (Court Reporter NONE.) (ECO)cc: COR (Entered: 03/21/2016)
03/22/2016	<u>98</u>	NOTICE OF FILING by Kenton County, Kentucky <i>Notice of Intent to Serve Subpoena</i> (Attachments: # <u>1</u> Subpoena for Documents Jean A. Deters, Psy.D.)(Nordloh, Christopher) (Entered: 03/22/2016)
03/28/2016	<u>99</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Attachments: # <u>1</u> Subpoena for Documents Saint Elizabeth Healthcare with Authorization signed by TR fbo SR) (Nordloh, Christopher) (Entered: 03/28/2016)
03/28/2016	<u>100</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office (Nordloh, Christopher) (Entered: 03/28/2016)
03/28/2016	<u>101</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Nordloh, Christopher) (Entered: 03/28/2016)
03/28/2016	<u>102</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Nordloh, Christopher) (Entered: 03/28/2016)
03/30/2016	<u>103</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Nordloh, Christopher) (Entered: 03/30/2016)
04/01/2016	<u>104</u>	SUMMONS Returned Executed by L.G., S.R. via certified mail to Kenton County, Kentucky served on 3/24/2016, answer due 4/14/2016. (Meyer, R.) (Entered: 04/01/2016)
04/06/2016	<u>105</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Attachments: # <u>1</u> Subpoena for Documents Saint Elizabeth Healthcare with Authorization signed by LJ fbo LG) (Nordloh, Christopher) (Entered: 04/06/2016)
04/06/2016	<u>106</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Nordloh, Christopher) (Entered: 04/06/2016)
04/14/2016	<u>107</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Attachments: # <u>1</u> Exhibit Subpoena for Video Surveillance maintained by Saint Elizabeth Healthcare) (Nordloh, Christopher) (Entered: 04/14/2016)
04/22/2016	<u>108</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Nordloh, Christopher) (Entered: 04/22/2016)
04/22/2016	109	SEALED CONVENTIONAL FILING received on behalf of Defendant, Charkes Korzenborn. Sealed Conventional Filing is filed per re <u>108</u> Sealed Document. (MAINTAINED ON THE SHELF IN THE CLERK'S OFFICE) (ECO) (Entered: 04/22/2016)
04/28/2016	<u>110</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Kenton County, Kentucky (Harris, Drew) (Entered: 04/28/2016)

04/29/2016	<u>111</u>	NOTICE to Take Deposition of Kevin Sumner on May 19, 2016 10 a.m. by L.G., S.R..(Meyer, R.) (Entered: 04/29/2016)
04/29/2016	<u>112</u>	NOTICE to Take Deposition of Charles Korzenborn on May 20, 2016 9:30 a.m. by L.G., S.R..(Meyer, R.) (Entered: 04/29/2016)
05/04/2016	<u>113</u>	NOTICE by L.G., S.R. of Intent to Serve Subpoena for CISD Documents (Attachments: # <u>1</u> Exhibit Subpoena for Production of Records)(Meyer, R.) (Entered: 05/04/2016)
05/09/2016	<u>114</u>	NOTICE to Take Deposition of Jerry Mills on May 19, 2016 at 9:30 a.m. ET by L.G., S.R..(Sharp, William) (Entered: 05/09/2016)
05/09/2016	<u>115</u>	AMENDED NOTICE to Take Deposition of Kevin Sumner on May 19, 2016 at 11:30 a.m. ET by L.G., S.R..(Sharp, William) (Entered: 05/09/2016)
05/10/2016	<u>116</u>	AMENDED NOTICE to Take Deposition of Charles Korzenborn on May 23,2016 at 12:00 p.m. by L.G., S.R..(Meyer, R.) (Entered: 05/10/2016)
05/11/2016	<u>117</u>	CONSENT NOTICE to Take Deposition of L.J. on May 23, 2016 at 10:00 a.m. prevailing time by Charles Korzenborn.(Nordloh, Christopher) (Entered: 05/11/2016)
05/16/2016	<u>118</u>	NOTICE by L.G., S.R. of Intent to Serve Subpoena on Covington Police Dept. (Attachments: # <u>1</u> Exhibit Subpoena to Covington Police Dept.)(Meyer, R.) (Entered: 05/16/2016)
05/23/2016	<u>119</u>	STATUS REPORT <i>at close of fact discovery</i> by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his individual capacity as School Resource Officer), Kevin Sumner(in his official capacity as School Resource Officer). (Nordloh, Christopher) (Entered: 05/23/2016)
05/23/2016	<u>120</u>	STATUS REPORT <i>on Discovery</i> by L.G., S.R.. (Center, Claudia) (Entered: 05/23/2016)
05/24/2016		***FILE SUBMITTED TO CHAMBERS of J. Gregory Wehrman for review: <u>119</u> Status Report, <u>120</u> Status Report (ECO) (Entered: 05/24/2016)
05/31/2016	<u>121</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 5/31/2016 before Magistrate Judge J. Gregory Wehrman: 1) After making any necessary redactions, defendant Sumner shall provide his file on L.J. to plaintiff's counsel no later than 6/1/2016. On or before 6/2/2016, defendant Sumners counsel shall provide plaintiffs counsel with all responsive emails which Sumners counsel does not believe are privileged and shall provide plaintiffs counsel with an appropriate privilege log for all emails which defense counsel believes are privileged. 2) The Kenton County Sheriffs Office shall provide forthwith to plaintiffs counsel responsive information regarding the incident of student handcuffing/restraint which was testified to by Ken Kippenbrock. After consultation with counsel for the Sheriffs Office, plaintiffs counsel is directed to forthwith send the letter described above to the Covington School District seeking information regarding other alleged incidents of elementary students being restrained. (Court Reporter Lisa Wiesman.) (TJZ)cc: COR (Entered: 05/31/2016)
06/06/2016	<u>122</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 6/6/2016. before Magistrate Judge J. Gregory Wehrman: Parties present as noted. IT IS ORDERED: 1) As it pertains to CIPS, Mary Ann Stewart will contact the principals of Covington's five elementary schools to determine the number and identity of children who have been handcuffed since January 2014; 2) Mr. Nordloh will undertake a search of the sheriff's records pertaining to Def Sumner's deposition recall of a least one other handcuffing incident involving an elementary student; 3) As it pertains to video footage of a subsequent handcuffing, Plfs may view that video (subject to protective order) at a mutually agreeable time and place with CIPS; if no agreement is reached, the video will be viewed at the U.S. Courthouse; 4) As it pertains to redactions, Defs will un-redact those identifiers as more fully discussed and on the record. (Court Reporter PEGGY WEBER.) (ECO)cc: COR Modified ct rep on 8/31/2016 (TJZ). (Entered: 06/08/2016)
07/08/2016	<u>123</u>	JOINT MOTION to Compel by Kevin Sumner(in his individual capacity as School Resource Officer) <i>FRCP 35 Examination of Plaintiffs by Allan M. Josephson, M.D.</i>

		Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Memorandum in Support of Defendants' Joint Motion for FRCP 35 Examination by Allan M. Josephson, M.D., # <u>2</u> Exhibit 1 – LG Response to Interrogatory 15, # <u>3</u> Exhibit 2 – SR Response to Interrogatory 15, # <u>4</u> Exhibit 3 – Dr. Lichtenstein Report, # <u>5</u> Exhibit 4 – Dr. Leone Report, # <u>6</u> Exhibit 5 – Email from Christopher Nordloh, 6-27-16, # <u>7</u> Exhibit 6 – Email from Kenyon Meyer, 7-4-16, # <u>8</u> Exhibit 7 – Mandujano v Geithner, # <u>9</u> Proposed Order on Motion for FRCP 35 Examination by Allan M. Josephson, M.D.)(Sanders, Justin) Modified Text on 7/8/2016 (KRB). sealed pursuant to <u>125</u> (Entered: 07/08/2016)
07/08/2016	<u>124</u>	ORDER: Plaintiffs shall respond to the motion to compel <u>123</u> , separately or jointly, no later than July 19, 2016; defendants shall file a reply no late than July 22, 2016. As with all discovery disputes, the Court strongly encourages the parties to engage in additional substantive attempts to resolve amicably the matters underlying the motion to compel. Signed by Magistrate Judge J. Gregory Wehrman on 07/08/2016.(KRB)cc: COR (Entered: 07/08/2016)
07/08/2016	<u>125</u>	ORDER: Defendants' motion to compel <u>123</u> and the attachments thereto shall be sealed pending further orders of the Court. Signed by Magistrate Judge J. Gregory Wehrman on 07/08/2016.(KRB)cc: COR (Entered: 07/08/2016)
07/19/2016	<u>126</u>	RESPONSE BRIEF to <u>123</u> <i>Defendants' Joint Motion to Compel</i> filed by L.G., S.R.. (Center, Claudia) (Entered: 07/19/2016)
07/22/2016	<u>127</u>	REPLY to Response to Motion re <u>123</u> JOINT MOTION to Compel by Kevin Sumner(in his individual capacity as School Resource Officer) <i>FRCP 35 Examination of Plaintiffs by Allan M. Josephson, M.D.</i> filed by Kevin Sumner(in his individual capacity as School Resource Officer). (Sanders, Justin) (Entered: 07/22/2016)
07/25/2016		***MOTION SUBMITTED TO CHAMBERS of J. Gregory Wehrman for review: re <u>123</u> JOINT MOTION to Compel by Kevin Sumner(in his individual capacity as School Resource Officer) <i>FRCP 35 Examination of Plaintiffs by Allan M. Josephson, M.D.</i> (ECO) (Entered: 07/25/2016)
07/26/2016	<u>128</u>	MEMORANDUM ORDER: 1) Defs' motion to compel Rule 35 examination of plfs <u>123</u> is granted ; (Parties shall see paragraphs 2–6 for details). Signed by Magistrate Judge J. Gregory Wehrman on 7/26/2016. (ECO)cc: COR (Entered: 07/26/2016)
07/29/2016	<u>129</u>	NOTICE to Take Deposition of Robert R. Rail on August 10, 2016 at 1:00 p.m. by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer). (Attachments: # <u>1</u> Subpoena Duces Tecum)(Nordloh, Christopher) (Entered: 07/29/2016)
08/01/2016	<u>130</u>	AMENDED NOTICE to Take Deposition of Robert R. Rail on August 10, 2016 at 1:00 p.m. by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer).(Nordloh, Christopher) (Entered: 08/01/2016)
08/18/2016	<u>131</u>	CONSENT NOTICE to Take Deposition of Peter E. Leone, Ph.D. on August 24, 2016, 10:00 a.m. prevailing time by Kenton County, Kentucky. (Attachments: # <u>1</u> Subpoena Duces Tecum, # <u>2</u> Map of College Park MD camus)(Nordloh, Christopher) (Entered: 08/18/2016)
08/26/2016	<u>132</u>	NOTICE to Take Deposition of Philip K. Lichtenstein, M.D. on 08/30/16, 9:00 a.m. by Kevin Sumner(in his individual capacity as School Resource Officer).(Sanders, Justin) (Entered: 08/26/2016)
08/29/2016		Set/Reset Hearings: <u>TELEPHONE CONFERENCE</u> set for <u>8/29/2016 at 01:30 PM</u> in COVINGTON before Magistrate Judge J. Gregory Wehrman. (TJZ) (Entered: 08/29/2016)
08/29/2016		Set/Reset Hearings: <u>TELEPHONE CONFERENCE</u> set for <u>8/31/2016 at 01:30 PM</u> in COVINGTON before Magistrate Judge J. Gregory Wehrman. (TJZ) (Entered: 08/29/2016)
08/31/2016		Set/Reset Hearings: <u>TELEPHONE CONFERENCE</u> set for <u>9/1/2016 at 11:30 AM</u> in COVINGTON before Magistrate Judge J. Gregory Wehrman. (TJZ) (Entered: 08/31/2016)

09/01/2016	<u>133</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 9/1/2016 before Magistrate Judge J. Gregory Wehrman:plaintiffs construed motion for production of the November 2015 videotape is denied . Counsel are also cautioned that it is improper for any party to unilaterally cancel any agreed-upon depositions. The Court expects all counsel to conduct themselves in a professional manner in all aspects of discovery (Court Reporter Joan Averdick.) (KRB)cc: COR (Entered: 09/01/2016)
09/06/2016	<u>134</u>	NOTICE to Take Deposition of Allan Josephson, MD on Sept. 21, 2016 at 10 a.m. by L.G., S.R..(Meyer, R.) (Entered: 09/06/2016)
09/07/2016	<u>135</u>	AMENDED NOTICE to Take Deposition of Allan Josephson, MD on Sept. 21, 2016 at 1:15 p.m. by L.G., S.R..(Meyer, R.) (Entered: 09/07/2016)
09/09/2016	<u>136</u>	TRANSCRIPT of Proceedings: Telephone Conference held on May 31, 2016 before Judge J. Gregory Wehrman. Court Reporter: Lisa Reed Wiesman, Telephone number 859-291-4410. Transcript ordered by: Claudia Center, Esq. <u>IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS:</u> In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully.</u> Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 10/3/2016. Redacted Transcript Deadline set for 10/14/2016. Release of Transcript Restriction set for 12/12/2016. (Entered: 09/09/2016)
09/12/2016	<u>137</u>	TRANSCRIPT of Proceedings: Telephonic Hearing held on 06-06-2016 before Judge Wehrman. Court Reporter: Peggy W. Weber, Telephone number 859-421-0814. Transcript ordered by: Claudia Center, Esq.. <u>IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS:</u> In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully.</u> Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 10/6/2016. Redacted Transcript Deadline set for 10/17/2016. Release of Transcript Restriction set for 12/15/2016. (Entered: 09/12/2016)
09/13/2016	<u>138</u>	NOTICE to Take Deposition of Matthew C. Aalsma, PhD on September 22, 2016 by Kevin Sumner(in his individual capacity as School Resource Officer).(Sanders, Justin) (Entered: 09/13/2016)
09/14/2016	<u>139</u>	AMENDED NOTICE to Take Deposition of Bill Eckler on Sept. 28 at 1 p.m. by L.G., S.R..(Meyer, R.) (Entered: 09/14/2016)
09/14/2016	<u>140</u>	TRANSCRIPT of Proceedings: TELEPHONE CONFERENCE held on 9/1/2016 before Judge J. Gregory Wehrman. Court Reporter: Joan Averdick, Telephone number (859) 291-9666. Transcript ordered by: Claudia Center, Esq.. <u>IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS:</u> In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully.</u> Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 10/11/2016. Redacted Transcript Deadline set for 10/20/2016. Release of Transcript Restriction set for 12/16/2016. (Entered: 09/14/2016)

09/15/2016	141	NOTICE to Take Deposition of Jon Akers on 9/23/16 9:00 AM by L.G., S.R..(Howard, Rickell) (Entered: 09/15/2016)
09/15/2016	142	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by L.G., S.R. (Attachments: # 1 Declaration of Claudia Center, # 2 Exhibit A to Center Declaration, # 3 Exhibit B to Center Declaration, # 4 Exhibit C to Center Declaration, # 5 Exhibit D to Center Declaration, # 6 Exhibit E to Center Declaration, # 7 Exhibit F to Center Declaration, # 8 Exhibit G to Center Declaration, # 9 Exhibit H to Center Declaration, # 10 Exhibit I to Center Declaration, # 11 Exhibit J to Center Declaration, # 12 Exhibit K to Center Declaration, # 13 Declaration of Rickell Howard)(Center, Claudia) (Entered: 09/15/2016)
09/15/2016	143	MOTION for leave to Seal a Document by L.G., S.R. . (Attachments: # 1 Proposed Order)(Center, Claudia) Modified to take out referral on 9/16/2016 (LST). (Entered: 09/15/2016)
09/16/2016	144	SEALED DOCUMENT Sealed pursuant to MOTION TO SEAL re 143 MOTION for leave to Seal a Document by L.G., S.R. by S.R. (Howard, Rickell) (Entered: 09/16/2016)
09/16/2016	145	NOTICE by L.G., S.R. of <i>Intent to Obtain Records via Subpoena</i> (Attachments: # 1 Exhibit Subpoena Duces Tecum for Allan Josephson, M.D., # 2 Exhibit Attachment to Subpoena for Allan Josephson, M.D.)(Meyer, R.) (Entered: 09/16/2016)
09/19/2016	146	RESPONSE to 142 <i>Plaintiffs' Objection to Magistrate Judge's 9/1/2016 Ruling</i> filed by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his individual capacity as School Resource Officer), Kevin Sumner(in his official capacity as School Resource Officer). (Attachments: # 1 Exhibit Defense letter to counsel, # 2 Exhibit Fed and State Courts Orders unsealing confidential juvenile state court records)(Nordloh, Christopher) (Entered: 09/19/2016)
09/19/2016	147	NOTICE to Take Deposition of Dr. Philip K. Lichtenstein on September 20, 2016, 9a.m. prevailing time by Kevin Sumner(in his individual capacity as School Resource Officer).(Sanders, Robert) (Entered: 09/19/2016)
09/21/2016	148	NOTICE to Take Deposition of William A. Payne on 09/27/2016 1:00 p.m. by L.G., S.R..(Sharp, William) (Entered: 09/21/2016)
09/21/2016	149	NOTICE by L.G., S.R. re 148 Notice to Take Deposition (Attachments: # 1 Exhibit subpoena for production)(Sharp, William) (Entered: 09/21/2016)
10/25/2016	150	SEALED MOTION re 65 Protective Order, Terminate Motions by Kenton County, Kentucky. (Attachments: # 1 Memorandum in Support Def. Joint Memorandum, # 2 Exhibit Def. Ex. 1, # 3 Exhibit Def. Ex. 2, # 4 Exhibit Def. Ex. 3, # 5 Exhibit Def. Ex. 4, # 6 Exhibit Def. Ex. 5, # 7 Exhibit Def. Ex. 6, # 8 Exhibit Def. Ex. 7, # 9 Proposed Order Proposed Order Severing) (Harris, Drew) (Entered: 10/25/2016)
10/25/2016	151	SEALED MOTION re 65 Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer). (Attachments: # 1 Memorandum in Support of Summary Judgment in favor of Kenton County, Kenton County Sheriff's Office and Deputy Kevin Sumner individually, # 2 Proposed Order Granting Summary Judgment, # 3 Exhibit Notice that S.R. moved from CIPS District, # 4 Exhibit SRO Agreement 2014-'15, # 5 Exhibit Deposition Transcript, KEN KIPPENBROCK, # 6 Exhibit Deposition Transcript, DEPUTY KEVIN SUMNER, # 7 Exhibit Deposition Transcript, SHERIFF CHARLES KORZENBORN, # 8 Exhibit Report to Sheriff dated January 22, 2015, # 9 Exhibit Deposition Transcript, MICHAEL SHIPLEY, # 10 Exhibit Deposition Transcript, ASST. PRINCIPAL MARANDA MEYER, # 11 Exhibit Deposition Transcript, NICHOLAS STAPLES, # 12 Exhibit Deposition Transcript, JOANNE JAMES, # 13 Exhibit Deposition Transcript, T.R. as NEXT FRIEND of S.R., # 14 Exhibit Deposition Transcript, MATTHEW AaLSMA, PhD, # 15 Exhibit Deposition Transcript, JON AKERS, # 16 Exhibit AFFIDAVIT, Deputy Kevin Sumner, # 17 Exhibit Deposition Transcript, PHILIP LICHTENSTEIN, MD, # 18 Exhibit Deposition Transcript, PETER LEONE, PhD, # 19 Exhibit Deposition Transcript, ROBERT RAIL, # 20 Exhibit Deposition Transcript, PRINCIPAL JOY COLLINS, # 21 Exhibit Deposition Transcript, ASST. PRINCIPAL SHARON CRAIG, # 22 Exhibit Special Ed. Committee Findings April 2015, # 23 Exhibit Allan M. Josephson, MD Report and vita, # 24 Exhibit AFFIDAVIT, Asst. Principal

		Maranda Meyer, # 25 Exhibit Northkey Letter dated January 2015, # 26 Exhibit School Safety Expert Report of JON AKERS, # 27 Exhibit Deposition Transcript, KSP DEPUTY COMMISSIONER ALEX PAYNE, # 28 Exhibit Handcuffing illustration published as the R.A.I.L. Method by Plaintiffs' Use of Force Expert ROBERT RAIL, # 29 Exhibit 704 KAR 7:160, # 30 Exhibit Kentucky Department of Education Guidance Letter dated September 13, 2016, # 31 Exhibit Excerpts from CRISIS INTERVENTION TRAINING MANUAL, # 32 Exhibit TRAINING TRANSCRIPT of Deputy Kevin Sumner, # 33 Exhibit SRO TRAINER BILL ECKLER Expert Report) (Nordloh, Christopher) (Entered: 10/25/2016)
10/25/2016	152	SEALED MOTION re 65 Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). (Attachments: # 1 Memorandum in Support of Defendants' Joint Motion for Summary Judgment on Claims Asserted by L.G. Through Next Friend and Mother, L.J., in the Complaint and Amended Complaint, # 2 Proposed Order on Defendants' Joint Motion for Summary Judgment on Claims Asserted by L.G. Through Next Friend and Mother, L.J., # 3 Exhibit 1 – Letter from Covington Independent Public Schools re Residency of LG & SR, # 4 Exhibit 2 – SRO Agreement 2014–15, # 5 Exhibit 3 – Kenneth Kippenbrock Deposition Transcript, # 6 Exhibit 4 – Kevin Sumner Deposition Transcript, # 7 Exhibit 5 – Charles Korzenborn Deposition Transcript, # 8 Exhibit 6 – Kevin Sumner Investigative Report on L.G.,1–22–15, # 9 Exhibit 7 – Sharon Craig Deposition Transcript, # 10 Exhibit 8 – Joy Collins Deposition Transcript, # 11 Exhibit 9 – Michael Shipley Deposition Transcript, # 12 Exhibit 10 – Maranda Meyer Deposition Transcript, # 13 Exhibit 11 – Nicholas Staples Deposition Transcript, # 14 Exhibit 12 – Joann James Deposition Transcript, # 15 Exhibit 13 – LJ Deposition Transcript, # 16 Exhibit 14 – LG Behavior Detail Report – LG POD 00025, # 17 Exhibit 15 – Affidavit of Kevin Sumner, # 18 Exhibit 16 – Jerry Mills Deposition Transcript, # 19 Exhibit 17 – LG Behavior Detail Report – LG POD 00024, # 20 Exhibit 18 – Peter Leone Deposition Transcript, # 21 Exhibit 19 – LG 504 Plan, # 22 Exhibit 20 – LG Conference Summary Report, # 23 Exhibit 21 – LG Kenton Family Court Records, # 24 Exhibit 22 – Jon Akers Expert Report LG, # 25 Exhibit 23 – Matthew Aalsma Deposition Transcript, # 26 Exhibit 24 – William Alexander Payne Expert Report, # 27 Exhibit 25 – William Alexander Payne Deposition Transcript, # 28 Exhibit 26 – Robert Rail Deposition Transcript, # 29 Exhibit 27 – Robert Rail Restraint Illustration, # 30 Exhibit 28 – 704 KAR 7:160, # 31 Exhibit 29 – Letter from Ky. Commissioner of Education, # 32 Exhibit 30 – Crisis Intervention Team Training Slides, # 33 Exhibit 31 – Kevin Sumner Training Transcript, # 34 Exhibit 32 – Bill Eckler Expert Report & Vita, # 35 Exhibit 33 – Allan M. Josephson, M.D. Deposition Transcript, # 36 Exhibit 34 – Allan M. Josephson, M.D. Expert Report LG, # 37 Exhibit 35 – Phillip Lichtenstein Deposition Transcript) (Sanders, Justin) (Entered: 10/25/2016)
10/25/2016	153	MOTION for Partial Summary Judgment by L.G., S.R. (Attachments: # 1 Memorandum in Support, # 2 Affidavit Declaration of Claudia Center, # 3 Exhibit Exhibit A, # 4 Exhibit Exhibit B, # 5 Exhibit Exhibit C, # 6 Exhibit Exhibit D, # 7 Exhibit Exhibit E, # 8 Exhibit Exhibit F, # 9 Exhibit Exhibit G, # 10 Exhibit Exhibit H, # 11 Exhibit Exhibit I, # 12 Exhibit Exhibit J, # 13 Exhibit Exhibit K, # 14 Exhibit Exhibit L, # 15 Exhibit Exhibit M, # 16 Exhibit Exhibit N, # 17 Exhibit Exhibit O, # 18 Exhibit Exhibit P, # 19 Exhibit Exhibit Q, # 20 Exhibit Exhibit R, # 21 Exhibit Exhibit S, # 22 Exhibit Exhibit T, # 23 Exhibit Exhibit U, # 24 Exhibit Exhibit V, # 25 Exhibit Exhibit W, # 26 Exhibit Exhibit X, # 27 Exhibit Exhibit Y, # 28 Exhibit Exhibit Z, # 29 Exhibit Exhibit AA, # 30 Exhibit Exhibit BB, # 31 Exhibit Exhibit CC, # 32 Exhibit Exhibit DD, # 33 Exhibit Exhibit EE, # 34 Exhibit Exhibit FF, # 35 Exhibit Exhibit GG, # 36 Exhibit Exhibit HH, # 37 Exhibit Exhibit II, # 38 Affidavit Declaration of Philip Galtizine, # 39 Proposed Order)(Center, Claudia) (Entered: 10/25/2016)
10/25/2016	154	SEALED DOCUMENT re 153 Sealed pursuant to PROTECTIVE ORDER re 65 Protective Order, by L.G., S.R. (Attachments: # 1 Exhibit Exhibit E, # 2 Exhibit Exhibit F, # 3 Exhibit Exhibit H, # 4 Exhibit Exhibit I, # 5 Exhibit Exhibit J, # 6 Exhibit Exhibit K, # 7 Exhibit Exhibit L, # 8 Exhibit Exhibit M, # 9 Exhibit Exhibit N, # 10 Exhibit Exhibit O, # 11 Exhibit Exhibit Q, # 12 Exhibit Exhibit R, # 13 Exhibit Exhibit S, # 14 Exhibit Exhibit T, # 15 Exhibit Exhibit W, # 16 Exhibit Exhibit X, # 17 Exhibit Exhibit Y, # 18 Exhibit Exhibit Z, # 19 Exhibit Exhibit AA, # 20 Exhibit Exhibit CC, # 21 Exhibit Exhibit DD, # 22 Exhibit Exhibit EE, # 23 Exhibit Exhibit HH, # 24 Exhibit Exhibit II) (Howard, Rickell) Modified link on 10/26/2016 (TJZ).

		(Entered: 10/25/2016)
10/25/2016	156	CONVENTIONAL FILING received on behalf of Plaintiffs. Ex A,B,C Videos are filed per re <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. . (MAINTAINED ON THE SHELF IN THE CLERK'S OFFICE) (TJZ) (Entered: 10/28/2016)
10/26/2016	<u>155</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). by Kevin Sumner(in his individual capacity as School Resource Officer) (Attachments: # <u>1</u> Exhibit 36 to Defendants' Joint Rule 56 Motion as to LG (Dkt. No. 152) – Jon Akers Deposition Transcript) (Sanders, Justin) (Entered: 10/26/2016)
10/28/2016	<u>157</u>	ORDER: Plaintiff's motion <u>143</u> to seal Exhibits H and J to Claudia Center's declaration in support of plaintiffs' objections to the Magistrate Judge's ruling of 9/1/2016 is DENIED . Signed by Judge William O. Bertelsman on 10/28/2016. (TJZ)cc: COR (Entered: 10/28/2016)
10/28/2016	<u>158</u>	AFFIDAVIT in Support re <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. filed by L.G., S.R.. (Attachments: # <u>1</u> Exhibit Exhibit HH–Citation Kenton Co. Sheriff's Office, # <u>2</u> Exhibit Exhibit II–PLP Contact Log)(Center, Claudia) Modified text on 11/1/2016 (TJZ). (Entered: 10/28/2016)
11/01/2016		NOTICE OF DOCKET MODIFICATION TO Claudia Center re <u>158</u> Affidavit in Support of Motion; Error: attachments were insufficiently described as Exhibit HH, Exhibit II.Entry by attorney; Correction: the Clerk renamed the attachments. Attachments must be adequately described. Example: Exhibit A (incorrect); Exhibit A Affidavit of John Doe (correct). No further action required by counsel. cc: COR (TJZ) (Entered: 11/01/2016)
11/14/2016	<u>159</u>	NOTICE of Change of Address by Justin A. Sanders (Sanders, Justin) (Entered: 11/14/2016)
11/14/2016	<u>160</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. by Kevin Sumner(in his individual capacity as School Resource Officer) (Attachments: # <u>1</u> Exhibit 1 – Excerpts from Deposition of Robert R. Rail, # <u>2</u> Exhibit 2 – Handcuffing Policy) (Sanders, Justin) (Entered: 11/14/2016)
11/18/2016	<u>161</u>	RESPONSE in Opposition re <u>150</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County, Kentucky. filed by L.G., S.R.. (Attachments: # <u>1</u> Exhibit A – Declaration of Maria Sanchez, # <u>2</u> Proposed Order Denying Motion to Sever)(Meyer, R.) (Entered: 11/18/2016)
11/18/2016	<u>162</u>	RESPONSE in Opposition re <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer)., <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). filed by L.G., S.R.. (Attachments: # <u>1</u> Affidavit Claudia Center's Decl. ISO of Oppn to Defs' MSJs, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit B , # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Exhibit Exhibit E, # <u>7</u> Exhibit Exhibit F, # <u>8</u> Exhibit G , # <u>9</u> Exhibit Exhibit H, # <u>10</u> Exhibit Exhibit I, # <u>11</u> Exhibit Exhibit J)(Center, Claudia) Modified to seal Ex B&G per Order <u>165</u> on 11/23/2016 (TJZ). (Entered: 11/18/2016)
11/18/2016	<u>163</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Attachments: # <u>1</u> Exhibit Exhibit C Under Seal, # <u>2</u> Exhibit Exhibit E Under Seal) (Howard, Rickell) (Entered: 11/18/2016)
11/21/2016	<u>164</u>	MOTION for leave to Seal a Document <u>162</u> Response in Opposition to Motion,, by L.G., S.R. Motions referred to J. Gregory Wehrman. (Attachments: # <u>1</u> Proposed order)(Center, Claudia) Modified text on 11/21/2016 (TJZ). (Entered: 11/21/2016)
11/21/2016		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>164</u> MOTION for leave to Seal a Document <u>162</u> Response in Opposition to Motion, by L.G., S.R. (TJZ) (Entered: 11/21/2016)

11/23/2016	<u>165</u>	ORDER: Plaintiffs' Motion to seal <u>164</u> is granted. Exhibit B [162-3] and Exhibit G [162-8] to Claudia Center's Declaration shall be sealed pending further orders. Signed by Judge William O. Bertelsman on 11/23/2016. (TJZ)cc: COR (Entered: 11/23/2016)
11/30/2016	<u>166</u>	REPLY to Response to Motion re <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. filed by L.G., S.R.. (Attachments: # <u>1</u> Affidavit Reply Decl of Claudia Center, # <u>2</u> Exhibit Exhibit A Under Seal)(Center, Claudia) (Entered: 11/30/2016)
11/30/2016	<u>167</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Howard, Rickell) (Entered: 11/30/2016)
12/01/2016		***MOTION SUBMITTED TO CHAMBERS of Judge Bertelsman for review: re <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. (AB) (Entered: 12/01/2016)
12/02/2016	<u>168</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Kenton County, Kentucky (Harris, Drew) (Entered: 12/02/2016)
12/02/2016	<u>169</u>	INCORRECTLY FILED PURSUANT NOTICE <u>170</u> . SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer)., <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). by Kevin Sumner(in his individual capacity as School Resource Officer) (Attachments: # <u>1</u> Exhibit 1 – LG POD000025) (Sanders, Robert) Modified text removing links of incorrect filing on 12/5/2016 (AB). (Entered: 12/02/2016)
12/02/2016	<u>171</u>	SEALED REPLY TO RESPONSE TO MOTION by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner, Kevin Sumner re <u>65</u> Protective Order, Terminate Motions, <u>150</u> SEALED MOTION re <u>65</u> Protective Order (AB) (Entered: 12/05/2016)
12/03/2016	<u>170</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer)., <u>169</u> Sealed Document., <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). by Kevin Sumner(in his individual capacity as School Resource Officer) (Attachments: # <u>1</u> Supplement Substitute Joint Reply Brief in Support of Defendants' Motions for Summary Judgment, # <u>2</u> Exhibit 1 – LG POD000025) (Sanders, Robert) (Entered: 12/03/2016)
12/03/2016	<u>172</u>	SEALED REPLY TO RESPONSE TO MOTION by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner, Kevin Sumner re <u>65</u> Protective Order re <u>151</u> SEALED MOTION re <u>65</u> Protective Order by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer). (Attachments: # <u>1</u> Notice of Filing Corrected Reply, # <u>2</u> Exhibit 1 – LG POD000025) (AB) (Entered: 12/05/2016)
12/05/2016		***MOTION SUBMITTED TO CHAMBERS of Judge Bertelsman for review: re <u>150</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County, Kentucky., <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer). (AB) (Entered: 12/05/2016)
01/04/2017	<u>173</u>	NOTICE OF FILING by Kevin Sumner re <u>160</u> Sealed Document, <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer)., <u>170</u> Sealed Document.,, <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). <i>Supplemental Caselaw in Support of Defendants' Joint Motions for Summary Judgment, Joint Response to Plaintiffs' Motion for Partial Summary Judgment, and Joint Reply to Plaintiffs' Response to Defendants' Motions for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit 1 – Jackson v

		Lubelan Opinion)(Sanders, Justin) (Entered: 01/04/2017)
01/11/2017	<u>174</u>	NOTICE OF FILING by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner re <u>151</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kenton County Sheriff's Office, Kenton County, Kentucky, Charles Korzenborn, Kevin Sumner(in his official capacity as School Resource Officer)., <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). <i>Supplemental SCOTUS authority (2017)</i> (Attachments: # <u>1</u> Supplement PER CURIAM Opinion White v. Pauly, 580 U.S. ---- (2017))(Nordloh, Christopher) (Entered: 01/11/2017)
01/20/2017	<u>175</u>	PLAINTIFFS' RESPONSE to DEFENDANTS' SUPPLEMENTAL FILINGS <u>173</u> , <u>174</u> filed by L.G., S.R.. (Center, Claudia) Modified text on 1/23/2017 (TJZ). (Entered: 01/20/2017)
06/15/2017		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>152</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by Kevin Sumner(in his individual capacity as School Resource Officer). (ECO) (Entered: 06/15/2017)
06/22/2017	<u>176</u>	ORDER: parties shall file complete transcripts of the depositions cited in their briefs on or before 6/28/2017 . Signed by Judge William O. Bertelsman on 6/22/2017.(TJZ)cc: COR (Entered: 06/22/2017)
06/27/2017	<u>177</u>	AMENDED DOCUMENT/Supplementation of Complete Transcripts of Depositions cited in Plaintiffs' Motion for Partial Summary Judgment by L.G., S.R.. re: <u>176</u> Order; Amendment to <u>153</u> MOTION for Partial Summary Judgment by L.G., S.R. <i>Deposition Transcripts</i> . (Attachments: # <u>1</u> Supplement Deposition Transcript – Collins, # <u>2</u> Supplement Deposition Transcript – Craig, # <u>3</u> Supplement Deposition Transcript – Eckler, # <u>4</u> Supplement Deposition Transcript – James, # <u>5</u> Supplement Deposition Transcript – Josephson, # <u>6</u> Supplement Deposition Transcript – Kippenbrock, # <u>7</u> Supplement Deposition Transcript – Korzenborn, # <u>8</u> Supplement Deposition Transcript – Lichtenstein, # <u>9</u> Supplement Deposition Transcript – Leone, # <u>10</u> Supplement Deposition Transcript – LJ, # <u>11</u> Supplement Deposition Transcript – Meyer, # <u>12</u> Supplement Deposition Transcript – Mills, # <u>13</u> Supplement Deposition Transcript – Payne, # <u>14</u> Supplement Deposition Transcript – Rail, # <u>15</u> Supplement Deposition Transcript – Shipley, # <u>16</u> Supplement Deposition Transcript – Staples, # <u>17</u> Supplement Deposition Transcript – Sumner)(Center, Claudia) Modified on 6/28/2017 (ECO). Modified on 6/28/2017 (ECO). (Entered: 06/27/2017)
06/27/2017	<u>178</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order and <u>176</u> Order by L.G., S.R. (Attachments: # <u>1</u> Exhibit Deposition Transcript – Collins, # <u>2</u> Exhibit Deposition Transcript – Craig, # <u>3</u> Exhibit Deposition Transcript – Eckler, # <u>4</u> Exhibit Deposition Transcript – James, # <u>5</u> Exhibit Deposition Transcript – Josephson, # <u>6</u> Exhibit Deposition Transcript – Kippenbrock, # <u>7</u> Exhibit Deposition Transcript – Korzenborn, # <u>8</u> Exhibit Deposition Transcript – Leone, # <u>9</u> Exhibit Deposition Transcript – Lichtenstein, # <u>10</u> Exhibit Deposition Transcript – LJ, # <u>11</u> Exhibit Deposition Transcript – Meyer, # <u>12</u> Exhibit Deposition Transcript – Mills, # <u>13</u> Exhibit Deposition Transcript – Payne, # <u>14</u> Exhibit Deposition Transcript – Rail, # <u>15</u> Exhibit Deposition Transcript – Shipley, # <u>16</u> Exhibit Deposition Transcript – Staples, # <u>17</u> Exhibit Deposition Transcript – Sumner) (Howard, Rickell) Modified on 6/28/2017 (ECO). (Entered: 06/27/2017)
07/18/2017	<u>179</u>	ORDER: ORAL ARGUMENT set for 8/22/2017 at 01:00 PM in COVINGTON before Judge William O. Bertelsman on defendants' motion to sever <u>150</u> , defendants' motion for summary judgment regarding plaintiff S.R. <u>151</u> , and plaintiff L.G. <u>152</u> , and plaintiffs' motion for partial summary judgment <u>153</u> .. Signed by Judge William O. Bertelsman on 7/18/2017.(TJZ)cc: COR (Entered: 07/18/2017)
07/26/2017	<u>180</u>	ORDER: That the Oral Argument Hearing currently set for 8/22/2017 at 1:00 p.m., will begin at 01:30 p.m.. Signed by Judge William O. Bertelsman on 7/26/2017.(ECO)cc: COR (Entered: 07/26/2017)
08/21/2017	<u>181</u>	TRANSCRIPT of Proceedings: Oral Arguments held on 12–18–2015 before Judge Bertelsman. Court Reporter: Peggy W. Weber, Telephone number 859–421–0814. Transcript ordered by: Justin A. Sanders, Esq.. IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS : In order to remove personal identifier data from

		the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully</u> . Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 9/14/2017. Redacted Transcript Deadline set for 9/25/2017. Release of Transcript Restriction set for 11/24/2017. (Entered: 08/21/2017)
08/24/2017	<u>182</u>	MINUTE ENTRY ORDER FOR ORAL ARGUMENT HEARING held on 8/22/2017 before Judge William O. Bertelsman: Parties present as noted. IT IS ORDERED: 1) Plaintiffs shall make a written settlement demand on Defendants within 15 days of entry of this Order ; 2) Defendants shall provide a written response to plaintiffs within 15 days thereafter ; and 3) The parties shall file a joint status report within 10 days of the above exchange , advising the Court whether the matter has been resolved. Failing such, the Court will promptly issue a written opinion ruling on the claims herein. (Court Reporter PEGGY WEBER.) Signed by Judge William O. Bertelsman on 8/24/2017. (ECO)cc: COR (Entered: 08/24/2017)
09/14/2017	<u>183</u>	ORDER: That Defendants joint motion to sever claims or, in the alternative, to file separate dispositive motions <u>150</u> be, and is hereby, DENIED IN PART AND GRANTED IN PART . The claims herein will not be severed, but defendants are granted permission nunc pro tunc to file separate dispositive motions. Signed by Judge William O. Bertelsman on 9/14/2017. (ECO)cc: COR (Entered: 09/14/2017)
09/18/2017	<u>184</u>	GENERAL ORDER 17-15: 1) Effective immediately, the Clerk is DIRECTED to REASSIGN all matters referred to Magistrate Judge J. Gregory Wehrman to another Magistrate Judge accepting cases on the docket of the pending matter as set forth in General Order 15-1 except cases reassigned pursuant to General Order 17-14. 2) A copy of this Order shall be filed in each appropriate case with a copy to all counsel. Signed by Judge Karen K. Caldwell on 9/18/2017.(ECO)cc: COR (Entered: 09/19/2017)
09/18/2017		Conflict Check run. (ECO) (Entered: 09/19/2017)
09/25/2017	<u>186</u>	JOINT STATUS REPORT <i>of the Parties</i> by Kenton County Sheriff's Office, Kenton County, Kentucky, Kevin Sumner. (Nordloh, Christopher) (Entered: 09/25/2017)
09/25/2017		***FILE SUBMITTED TO CHAMBERS of William O. Bertelsman for review: <u>186</u> Joint Status Report re: <u>182</u> Minute Entry Order (ECO) (Entered: 09/25/2017)
10/11/2017	<u>187</u>	OPINION AND ORDER: 1) Defs' motions for summary judgment (<u>151</u> , <u>152</u>) are GRANTED IN PART AND DENIED IN PART . Specifically, the motions are GRANTED as to Sumner's defense of qualified immunity and as to Plfs' ADA claims. The motions are DENIED , however, as to Plfs' claims of unlawful seizure and excessive force and municipal liability against Kenton County for those violations; 2) Plfs' motion for summary judgment <u>153</u> is GRANTED IN PART AND DENIED IN PART . Specifically, the motion is GRANTED as to Plfs' claims of unlawful seizure and excessive force and municipal liability against Kenton County for those violations. The motion is DENIED as to plfs' ADA claims; and 3) The parties shall confer and agree on three (3) dates between October 23 and November 17, 2017, when the Court can schedule a status conference to discuss setting this matter for a trial on damages. The parties shall file a status report on or before October 20, 2017 , advising the Court of these dates. Signed by Judge William O. Bertelsman on 10/11/2017.(ECO)cc: COR (Entered: 10/11/2017)
10/16/2017	<u>188</u>	NOTICE OF APPEARANCE by L.G., S.R.. (Gatnarek, Heather) (Entered: 10/16/2017)
10/18/2017	<u>189</u>	NOTICE OF APPEARANCE by L.G., S.R.. (Cubbage, Amy) (Entered: 10/18/2017)
10/20/2017	<u>190</u>	JOINT STATUS REPORT Filed Pursuant to Order Entered October 11,2017, DKT <u>187</u> <i>REQUESTING PRETRIAL CONFERENCE</i> by Kenton County, Kentucky Charels Korzenborn, Kevin Sumner L.G., S.R., Kenton County Sheriff's office . (Nordloh,

		Christopher) Modified text to add additional filers and to better describe document on 10/23/2017 (ECO). (Entered: 10/20/2017)
10/20/2017	<u>191</u>	MOTION to Withdraw as Attorney by L.G., S.R. <i>William E. Sharp</i> Motions referred to Candace J. Smith. (Attachments: # <u>1</u> Proposed Order)(Sharp, William) (Entered: 10/20/2017)
10/23/2017		***FILE SUBMITTED TO CHAMBERS of William O. Bertelsman for review: <u>190</u> Joint Status Report (ECO) (Entered: 10/23/2017)
10/23/2017		***MOTION SUBMITTED TO CHAMBERS of Candace J. Smith for review: re <u>191</u> MOTION to Withdraw as Attorney by L.G., S.R. <i>William E. Sharp</i> (ECO) (Entered: 10/23/2017)
10/23/2017	<u>192</u>	ORDER: That a STATUS CONFERENCE is set for <u>11/3/2017 at 01:30 PM</u> in COVINGTON before Judge William O. Bertelsman. Signed by Judge William O. Bertelsman on 10/23/2017.(ECO)cc: COR (Entered: 10/23/2017)
10/26/2017	<u>193</u>	VIRTUAL ORDER: granting <u>191</u> Motion to Withdraw as co-counsel for Plfs filed by Attorney William E. Sharp, the requirements of Jt Local Rule 83.6 having been satisfied. Following the Clerk's service of this Virtual Order, Atty Sharp may be termed on the case docket and his name removed from the case service list. Signed by Magistrate Judge Candace J. Smith on 10/25/2017. (ECO)cc: COR (Entered: 10/26/2017)
11/06/2017	<u>194</u>	NOTICE of Appearance by Justin A. Sanders on behalf of Charles Korzenborn (Sanders, Justin) (Entered: 11/06/2017)
11/06/2017	<u>195</u>	MINUTE ENTRY ORDER FOR STATUS CONFERENCE held on 11/3/2017 before Judge William O. Bertelsman: Parties present as noted. IT IS ORDERED: 1) A JURY TRIAL on damages be, and is hereby, set for <u>3/19/2018 at 10:00 AM</u> ; and 2) A FINAL PRETRIAL CONFERENCE be, and is hereby, set for <u>3/6/2018 at 01:00 PM</u> . A copy of the Court's standard final pretrial order shall enter concurrently herewith. (Court Reporter LISA WIESMAN.) Signed by Judge William O. Bertelsman on 11/6/2017. (ECO)cc: COR Modified text on 11/8/2017 (ECO). (Entered: 11/07/2017)
11/07/2017	<u>196</u>	FINAL PRETRIAL ORDER: The above case is hereby assigned for a Final Pretrial Conference, pursuant to Federal Rules of Civil Procedure 16(d), on Tuesday, March 6, 2018 at 1:00 p.m. , in Room 505, United States Courthouse, 35 West Fifth Street, in Covington, Kentucky. The Jury Trial is scheduled to commence on Monday, March 19, 2018 at 10:00 a.m. in Courtroom A in Covington, Kentucky. (Parties to comply with paragraph I – V of Order and I–VII of the Format for Pretrial Memorandum). Signed by Judge William O. Bertelsman on 11/6/2017.(ECO)cc: COR (Entered: 11/07/2017)
12/15/2017	<u>197</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 12/15/2017 before Magistrate Judge Candace J. Smith: 1) The parties shall confer by 12/22/2017 to determine whether they can reach an agreement; 2) If the parties cannot reach an agreement and Defendants intend to move forward with motion filing, they shall do so by 12/29/2017; 3) If such a motion directed to updated examination of Plaintiffs is filed by Defendants, the Court by separate order will address expedited briefing or schedule the matter for further conference to address expedited briefing. Signed by Magistrate Judge Candace J. Smith on 12/15/2017. (TJZ)cc: COR (Entered: 12/19/2017)
12/27/2017	<u>198</u>	SEALED MOTION re <u>197</u> Telephone Conference,, by Kenton County, Kentucky. (Attachments: # <u>1</u> Exhibit Declaration of Christopher S. Nordloh, # <u>2</u> Exhibit Lichtenstein IME Group billing statement S.R., # <u>3</u> Exhibit Lichtenstein IME Group billing statement L.G., # <u>4</u> Exhibit Allan M. Josephson, M.D. CV, # <u>5</u> Proposed Order Granting Motion for Updated IME by Allan M. Josephson, M.D.) (Nordloh, Christopher) (Entered: 12/27/2017)
12/28/2017	<u>199</u>	SEALED ORDER re <u>198</u> Sealed Motion. cc: service by U.S. Mail on paper.. Signed by Magistrate Judge Candace J. Smith on 12/28/2017.(TJZ)cc: COR (Entered: 12/28/2017)
01/11/2018	<u>200</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)

		(Howard, Rickell) (Entered: 01/11/2018)
01/11/2018	<u>201</u>	SEALED RESPONSE by L.G., S.R. re <u>65</u> Protective Order, Terminate Motions, <u>198</u> SEALED MOTION re <u>197</u> Telephone Conference,, by Kenton County, Kentucky. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) Filed per QC DE 200 (ECO) (Entered: 01/11/2018)
01/17/2018	<u>202</u>	"INCORRECTLY FILED AS A SEALED MOTION re Sealed Order, Set Motion and R&R Deadlines/Hearings" by Kenton County, Kentucky. (Attachments: # <u>1</u> Exhibit Lichtenstein, M.D. post discovery therapy records for S.R., # <u>2</u> Exhibit Lichtenstein, M.D. post discovery therapy records for L.G.) (Nordloh, Christopher) "Please see Docket Entry <u>203</u> for this document." Modified text on 1/18/2018 (ECO). (Entered: 01/17/2018)
01/17/2018	<u>203</u>	SEALED REPLY TO RESPONSE TO MOTION by Kenton County, Kentucky re <u>199</u> Sealed Order, <u>198</u> SEALED MOTION re <u>197</u> Telephone Conference,, by Kenton County, Kentucky. (Attachments: # <u>1</u> Exhibit Lichtenstein, M.D. post discovery therapy records for S.R., # <u>2</u> Exhibit Lichtenstein, M.D. post discovery therapy records for L.G.) (Filed per QC DE 202).(ECO) Modified on 1/18/2018 (ECO). (Entered: 01/18/2018)
01/18/2018		NOTICE OF DOCKET MODIFICATION TO Christopher Nordloh re <u>202</u> SEALED MOTION ; Error: the reply to <u>198</u> was incorrectly filed using the event motion. Entry by attorney; Clerk modified the docket text of <u>202</u> to state, incorrectly filed. Clerk filed the reply as <u>203</u> ; In the future, contact the ECF help desk when assistance is needed to select the correct event. No further action required by counsel. cc: COR (ECO) (Entered: 01/18/2018)
01/18/2018		***MOTION SUBMITTED TO CHAMBERS of Candace J. Smith for review: re <u>198</u> SEALED MOTION re <u>197</u> Telephone Conference,, by Kenton County, Kentucky. (ECO) (Entered: 01/18/2018)
02/05/2018	<u>204</u>	Witness List by L.G., S.R.. (Attachments: # <u>1</u> Exhibit FILED UNDER SEAL)(Howard, Rickell) (Entered: 02/05/2018)
02/05/2018	<u>205</u>	SEALED DOCUMENT as to <u>204</u> Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Howard, Rickell) Modified to add link on 2/6/2018 (ECO). (Entered: 02/05/2018)
02/05/2018	<u>206</u>	SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A – Josephson Depo, # <u>3</u> Exhibit B – Exhibit 44, # <u>4</u> Exhibit C – LG Report, # <u>5</u> Exhibit D – SR Report) (Howard, Rickell) (Additional attachment(s) added on 2/7/2018: # <u>6</u> Proposed Order) (ECO). (Entered: 02/05/2018)
02/06/2018		NOTICE OF DEFICIENCY TO Rickell Howard re <u>206</u> SEALED MOTION ; attorney failed to submit a proposed order as an electronic attachment to the motion. Entry by attorney. Within 7 calendar days , prepare a document entitled Notice of Filing (with a certificate of service). Using the event Sealed Document , file the Notice and attach the proposed order, and create a link to the <u>206</u> Sealed Motion . cc: COR (ECO) Modified text to correctly describe notice on 2/6/2018 (ECO). (Entered: 02/06/2018)
02/06/2018	<u>207</u>	NOTICE OF FILING by Charles Korzenborn, Kevin Sumner <i>in their respective OFFICIAL CAPACITIES</i> (Attachments: # <u>1</u> Exhibit Defendants' Witness and Exhibit Lists)(Nordloh, Christopher) (Entered: 02/06/2018)
02/06/2018	<u>208</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>206</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R., <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Attachments: # <u>1</u> Proposed Order) (Howard, Rickell) (Entered: 02/06/2018)
02/07/2018	<u>209</u>	MOTION to Dismiss for Lack of Jurisdiction by Charles Korzenborn, Kevin Sumner <i>in their respective OFFICIAL CAPACITIES</i> (Attachments: # <u>1</u> Memorandum in Support OF DISMISSING CLAIMS UNDER ELEVENTH AMEND. U.S. CONST., # <u>2</u> Affidavit COLONEL PAT MORGAN, KENTON COUNTY SHERIFF'S OFFICE, # <u>3</u> Exhibit KENTUCKY SAFE SCHOOLS ALLOCATION OF STATE FUNDS, # <u>4</u> Proposed Order GRANTING DISMISSAL FOR LACK OF JURISDICTION UNDER ELEVENTH AMEND. U.S. CONST.)(Nordloh, Christopher) (Entered: 02/07/2018)

02/09/2018	<u>210</u>	"INCORRECTLY FILED MOTION" in Limine by Charles Korzenborn, Kevin Sumner Motions referred to Candace J. Smith. (Attachments: # <u>1</u> Proposed Order EXCLUDING DETERS, Psy. D. FROM TESTIFYING AT TRIAL)(Nordloh, Christopher) Modified text to add "Incorrect" on 2/12/2018 (ECO). (See DE <u>211</u> for Corrected Motion). (Entered: 02/09/2018)
02/09/2018	<u>211</u>	CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> Motions referred to Candace J. Smith. (Nordloh, Christopher) (Additional attachment(s) added on 2/13/2018: # <u>1</u> Proposed Order) (ECO). (Entered: 02/09/2018)
02/12/2018		NOTICE OF DEFICIENCY TO Christopher Nordloh re <u>211</u> CORRECTED MOTION in Limine; attorney failed to submit a proposed order as an electronic attachment to the motion. Entry by attorney; <u>within 7 calendar days</u> , prepare a document entitled Notice of Filing (with a certificate of service), file the Notice using the event Notice of Filing, attach the proposed order, and create a link to the related docket entry. cc: COR (ECO) (Entered: 02/12/2018)
02/12/2018	<u>212</u>	NOTICE OF FILING by Charles Korzenborn, Kevin Sumner re <u>211</u> CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> (Attachments: # <u>1</u> Proposed Order)(Nordloh, Christopher) (Entered: 02/12/2018)
02/12/2018	<u>213</u>	MEMORANDUM ORDER: 1) Defs' Sealed Motion for Order Granting Def Kenton County's Request for an Updated Independent Medical Examination of Plfs <u>198</u> , which the Court construes as a Motion to Compel a second Rule 35 examination of Plfs, is granted ; 2) The examination of Plfs S.R. and L.G. shall be performed by Dr. Allan Josephson at the Bingham Clinic, University of Louisville School of Medicine, 200 East Chestnut Street, Louisville, KY 40202; 3) The examination of S.R. and L.G. shall be conducted separately from each other, but each child shall be accompanied by his/her mother, as next friend; 4) The examination of S.R. and L.G. shall consist of an updated clinical interview of each child and his/her parent, including but not limited to the taking of an oral history and observation by Dr. Josephson; 5) The parties shall agree upon a date, as soon as possible, for the examinations. Each examination shall begin at 10:00 a.m. and conclude no later than 2:00 p.m. that same date. Plfs may have a brief lunch break during the examination period; 6) Plfs shall either be reimbursed by Def for mileage and reasonable expenses (such as lunch) or Plfs may elect to have Def provide transportation and/or acceptable lunches for Plfs and their next friends; and 7) Def shall provide Plfs' counsel with a supplemental report regarding the updated examinations within 10 days of their occurrence. Signed by Magistrate Judge Candace J. Smith on 2/12/2018.(ECO)cc: COR (Entered: 02/12/2018)
02/20/2018	<u>214</u>	SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Proposed Order) (Meyer, R.) (Entered: 02/20/2018)
02/20/2018	<u>215</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Meyer, R.) (Entered: 02/20/2018)
02/20/2018	<u>216</u>	PRETRIAL MEMORANDUM by L.G., S.R.. (Attachments: # <u>1</u> Exhibit Proposed Jury Instructions)(Cubbage, Amy) (Entered: 02/20/2018)
02/20/2018	<u>217</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn (Sanders, Justin) (Entered: 02/20/2018)
02/20/2018	<u>218</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn, Kevin Sumner (Attachments: # <u>1</u> Exhibit Defendants' Proposed Jury Instructions) (Nordloh, Christopher) (Entered: 02/20/2018)
02/20/2018	<u>220</u>	SEALED RESPONSE by Charles Korzenborn, Kevin Sumner re <u>65</u> Protective Order, Terminate Motions, <u>206</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R.. (Filed pursuant to QC DE <u>217</u>). (ECO) (Entered: 02/21/2018)
02/21/2018	<u>219</u>	TRANSCRIPT of Proceedings: Oral Arguments held on 08-22-2017 before Judge William O. Bertelsman. Court Reporter: Peggy W. Weber, Telephone number 859-421-0814. Transcript ordered by: Christopher Nordloh, Esq.. IMPORTANT

		NOTICE – REDACTION OF TRANSCRIPTS: In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully.</u> Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 3/19/2018. Redacted Transcript Deadline set for 3/29/2018. Release of Transcript Restriction set for 5/25/2018. (Entered: 02/21/2018)
02/26/2018	<u>221</u>	OBJECTIONS to <u>213</u> Magistrate Judge's Ruling Regarding Defendant Kenton County's Motion to Compel a Second Rule 35 Examination of the Plaintiffs filed by L.G., S.R.. (Center, Claudia) Modified text to better describe document on 2/27/2018 (ECO). (Entered: 02/26/2018)
02/27/2018	<u>222</u>	SEALED DOCUMENT Sealed pursuant to REDACTED DOCUMENT re <u>65</u> Protective Order, Terminate Motions by Charles Korzenborn, Kevin Sumner (Nordloh, Christopher) (Entered: 02/27/2018)
02/27/2018	<u>223</u>	SEALED RESPONSE by Charles Korzenborn, Kevin Sumner, re <u>65</u> Protective Order, re: <u>214</u> SEALED MOTION re <u>65</u> Protective Order, by L.G., S.R.. (<u>Filed per QC DE 222</u>). (ECO) (Entered: 02/28/2018)
02/28/2018	<u>224</u>	RESPONSE in Opposition re <u>209</u> MOTION to Dismiss for Lack of Jurisdiction by Charles Korzenborn, Kevin Sumner <i>in their respective OFFICIAL CAPACITIES</i> filed by L.G., S.R.. (Attachments: # <u>1</u> Affidavit of Claudia Center, # <u>2</u> Exhibit A–Answers to Interrogatories, # <u>3</u> Exhibit B–Answers to Interrogatories, # <u>4</u> Exhibit C–Korzenborn Information, # <u>5</u> Exhibit D–Policy 1.01 Law Enforcement Role and Authority , # <u>6</u> Exhibit E – Filed under seal)(Center, Claudia) Modified text to better describe Exhibits A–D on 3/1/2018 (ECO). (Entered: 02/28/2018)
02/28/2018	<u>225</u>	SEALED DOCUMENT as to <u>224</u> Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Howard, Rickell) Modified on 3/1/2018 (ECO). (Entered: 02/28/2018)
03/01/2018		NOTICE OF DOCKET MODIFICATION TO Claudia Center re <u>224</u> Response in Opposition to Motion; Error: attachments were insufficiently described as Exhibits A–D. Entry by attorney; Correction: the Clerk renamed the attachments A–D. Attachments must be adequately described. Example: Exhibit A (incorrect); Exhibit A Affidavit of John Doe (correct). No further action required by counsel. cc: COR (ECO) (Entered: 03/01/2018)
03/02/2018	<u>226</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>211</u> CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> by L.G., S.R. (Attachments: # <u>1</u> Exhibit Exhibit 1— Report of Jean Deters, Psy.D.) (Cabbage, Amy) (Entered: 03/02/2018)
03/02/2018	<u>227</u>	ORDER: That a TELEPHONIC CONFERENCE will be held before the undersigned on Tuesday, March 6, 2018, at 11:30 a.m. Counsel shall connect to the conference five minutes before the call is scheduled to begin. To connect to the call, dial 877–873–8017 . Then, when prompted to enter the participant code, enter 7604592 . Signed by Magistrate Judge Candace J. Smith on 3/2/2018.(ECO)cc: COR (Entered: 03/02/2018)
03/02/2018	<u>228</u>	SEALED RESPONSE by L.G., S.R. re <u>65</u> Protective Order, Terminate Motions, <u>211</u> CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> (Attachments: # <u>1</u> Exhibit 1) (<u>Filed per QC DE 226</u>).(ECO) (Entered: 03/05/2018)
03/05/2018	<u>229</u>	MINUTE ENTRY ORDER FOR TELEPHONE CONFERENCE held on 3/5/2018 before Magistrate Judge Candace J. Smith: Brief telephone conference held with counsel to clarify the current case status with respect to the 2/12/18 Order concerning updated examinations of the Plfs by Defs' medical expert. Counsel updated that those

		examinations have not yet taken place, pending further proceedings before the presiding District Judge Bertelsman at the upcoming pretrial conference. (Tape #KYED-COV-2-15-cv-143-WOB-CJS 20180305 100148.) (ECO)cc: COR (Entered: 03/05/2018)
03/05/2018	<u>230</u>	REPLY BRIEF to <u>209</u> <i>Plaintiffs' Response to Defendants' Motion to Dismiss for Lack of Jurisdiction under the Eleventh Amend.</i> filed by Charles Korzenborn, Kevin Sumner. (Attachments: # <u>1</u> Exhibit Sixth Cir. Order in Hunter v. Board of Elections)(Nordloh, Christopher) (Entered: 03/05/2018)
03/06/2018		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>209</u> MOTION to Dismiss for Lack of Jurisdiction by Charles Korzenborn, Kevin Sumner <i>in their respective OFFICIAL CAPACITIES</i> (ECO) (Entered: 03/06/2018)
03/06/2018	<u>231</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>206</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R., <u>65</u> Protective Order, Terminate Motions by L.G., S.R. (Cubbage, Amy) (Entered: 03/06/2018)
03/06/2018	<u>232</u>	SEALED REPLY TO RESPONSE TO MOTION by L.G., S.R. re <u>65</u> Protective Order, re: <u>206</u> SEALED MOTION re <u>65</u> Protective Order, by L.G., S.R.. (<u>Filed per QC DE 231</u>). (ECO) (Entered: 03/07/2018)
03/07/2018		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>206</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R.. (ECO) (Entered: 03/07/2018)
03/07/2018	<u>233</u>	MINUTE ENTRY ORDER FOR FINAL PRETRIAL CONFERENCE held on 3/6/2018 before Judge William O. Bertelsman: Parties present as noted. IT IS ORDERED: 1) the trial in this matter set for March 19, 2018 be, and is hereby, CONTINUED PENDING FURTHER ORDER OF THE COURT; 2) the parties are ORDERED to contact the chambers of United States Magistrate Judge J. Gregory Wehrman to arrange a mediation at the Courts earliest convenience; and 3) defendants motion to dismiss <u>209</u> be, and is hereby, TAKEN UNDER ADVISEMENT. (Court Reporter JOAN AVERDICK.) Signed by Judge William O. Bertelsman on 3/7/2018. (ECO)cc: COR (Entered: 03/07/2018)
03/07/2018	<u>234</u>	REPLY to Response to Motion re <u>211</u> CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> filed by Charles Korzenborn, Kevin Sumner. (Attachments: # <u>1</u> Exhibit Plaintiffs' Rule 26 Supplemental Disclosures)(Nordloh, Christopher) (Entered: 03/07/2018)
03/08/2018		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>211</u> CORRECTED MOTION in Limine by Charles Korzenborn, Kevin Sumner <i>to exclude Jean Deters, Psy. D. from testifying at trial</i> (ECO) (Entered: 03/08/2018)
03/08/2018	<u>235</u>	TRANSCRIPT of Proceedings: ORAL ARGUMENT held on 3/6/2018 before Judge William O. Bertelsman. Court Reporter: Joan Averdick, Telephone number (859) 291-9666. Transcript ordered by: Christopher Nordloh, Esq. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: In order to remove personal identifier data from the transcript, a party must follow the Court's policy regarding the Redaction Responsibility of Counsel and Parties. The policy governing the redaction of personal information is located on the court website at www.kyed.uscourts.gov . <u>Read this policy carefully.</u> Sample forms, i.e., a Notice of Intent to Redact, may be found on the court website by clicking on <u>Local Forms</u> . If there are no redactions requested, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available via PACER 90 days from today's date. The Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. Redaction Request due 4/2/2018. Redacted Transcript Deadline set for 4/12/2018. Release of Transcript Restriction set for 6/11/2018. (Entered: 03/08/2018)
03/08/2018	<u>236</u>	NOTICE OF APPEARANCE by Charles Korzenborn. (Sanders, Justin) (Entered: 03/08/2018)
03/12/2018	<u>237</u>	ORDER: 1) SETTLEMENT CONFERENCE set for 4/13/2018 at 09:30 AM in COVINGTON before Magistrate Judge J. Gregory Wehrman. Parties are ordered to have their respective client and/or representative present in person. 2) Settlement

		evaluations due 4/6/2018. Signed by Magistrate Judge J. Gregory Wehrman on 3/12/2018.(TJZ)cc: COR (Entered: 03/12/2018)
03/12/2018	<u>238</u>	MOTION for Leave to File by L.G., S.R. <i>to file Sur-Reply</i> Motions referred to Candace J. Smith. (Attachments: # <u>1</u> Proposed Sur-Reply, # <u>2</u> Ex A – SDOH Order, # <u>3</u> Proposed Order)(Center, Claudia) (Entered: 03/12/2018)
03/13/2018	<u>239</u>	SEALED DOCUMENT Sealed pursuant to PROTECTIVE ORDER re <u>65</u> Protective Order, Terminate Motions, <u>214</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R., <u>215</u> Sealed Document by L.G., S.R. (Cubbage, Amy) (Entered: 03/13/2018)
03/13/2018	<u>240</u>	SEALED REPLY TO RESPONSE TO MOTION by L.G., S.R. re <u>65</u> Protective Order, <u>214</u> SEALED MOTION re <u>65</u> Protective Order, by L.G., S.R.. (<u>Filed per QC DE 239</u>). (ECO) Modified underline on 3/14/2018 (ECO). (Entered: 03/14/2018)
03/14/2018		***MOTION SUBMITTED TO CHAMBERS of William O. Bertelsman for review: re <u>214</u> SEALED MOTION re <u>65</u> Protective Order, Terminate Motions by L.G., S.R.. (ECO) (Entered: 03/14/2018)
03/14/2018	<u>241</u>	ORDER: That said MOTION for Leave to File <i>to file Sur-Reply</i> <u>238</u> is GRANTED and the proposed Sur-Reply be filed. Signed by Judge William O. Bertelsman on 3/14/2018.(ECO)cc: COR (Entered: 03/14/2018)
03/14/2018	<u>242</u>	SUR REPLY re <u>209</u> MOTION to Dismiss for Lack of Jurisdiction by Charles Korzenborn, Kevin Sumner <i>in their respective OFFICIAL CAPACITIES</i> , re: <u>238</u> MOTION for Leave to File by L.G., S.R. <i>to file Sur-Reply</i> . (Attachments: # <u>1</u> Exhibit A-Southern District of Ohio Order) (<u>Filed per Order DE 241</u>).(ECO) (Entered: 03/14/2018)
03/15/2018	<u>243</u>	NOTICE by Charles Korzenborn <i>of Objection to Plaintiffs' Motion for Leave to File Sur-Reply to Defendants' Response to Motion to Dismiss Based on Eleventh Amendment And Request for Hearing and Oral Argument</i> (Sanders, Justin) (Entered: 03/15/2018)
04/13/2018	<u>244</u>	MINUTE ENTRY ORDER FOR SETTLEMENT CONFERENCE held on 4/13/2018 before Magistrate Judge J. Gregory Wehrman: Parties present as noted. IT IS ORDERED : That on or before 5/31/2018 parties shall file a status report or otherwise notify the Court. (Court Reporter NONE.) (ECO)cc: COR (Entered: 04/16/2018)
06/29/2018	<u>245</u>	SEALED TRANSCRIPT of Official Proceedings: POST-SETTLEMENT HEARING held on 4/13/2018 before Judge J. Gregory Wehrman. Court Reporter: Joan Averdick. (Entered: 06/29/2018)
08/21/2018	<u>246</u>	ORDER: that all pending motions (Docs. <u>206</u> , <u>209</u> , <u>211</u> , <u>214</u>) be, and are hereby, DENIED AS MOOT . Signed by Judge William O. Bertelsman on 8/21/2018.(ECO)cc: COR (Entered: 08/21/2018)
11/01/2018	<u>247</u>	AGREED ORDER OF DISMISSAL: That the complaint and amended complaint be dismissed with prejudice, each party to pay their own costs. Signed by Judge William O. Bertelsman on 11/1/2018.(ECO)cc: COR (Entered: 11/01/2018)