

**U.S. District Court
Eastern District of Oklahoma (Muskogee)
CIVIL DOCKET FOR CASE #: 6:03-cv-00634-KEW**

Dicus, et al v. Seminole Pub Sch Dis, et al
Assigned to: Magistrate Judge Kimberly E. West
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 11/14/2003
Date Terminated: 04/30/2004
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Mark Dicus

*as parent and next friend of his minor
daughter
next friend of
Sarah Grace Lowry*

represented by **Raymond L. Yasser**
University of Tulsa College of Law
3120 E Fourth Pl
Tulsa, OK 74104
918-631-2442
Fax: 918-631-2194
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J. Schiller
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4113 Cumby Rd, Ste 200
Cookeville, TN 38501
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LEAD ATTORNEY
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Plaintiff

Jill Dicus

*as parent and next friend of her minor
daughter
next friend of
Sarah Grace Lowry*

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

Samuel J. Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Seminole Public School District
also known as
Seminole Public Schools

represented by **Karen L. Long**
Rosenstein Fist & Ringold
525 S Main St, Ste 700
Tulsa, OK 74103-4500
918-585-9211
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Email: karenl@rftlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Randy Allison

*in his official capacity as Superintendent
of Seminole Public Schools*

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

Defendant**Does 1 through 50**

Date Filed	#	Docket Text
11/14/2003	1	COMPLAINT (dma, Deputy Clerk) (Entered: 11/14/2003)
11/14/2003		MAGISTRATE'S CONSENT FORM furnished to plaintiffs' counsel. (dma, Deputy Clerk) (Entered: 11/14/2003)
11/14/2003	2	PRAECIPE by plaintiffs and issuing 2 Summons (dma, Deputy Clerk) (Entered: 11/14/2003)
11/14/2003		FILING FEE PAID on 11/14/03 in the amount of \$150.00, receipt #141327. (dma, Deputy Clerk) (Entered: 11/14/2003)
11/19/2003		CD # 7 deposited on 11/19/03 in the amount of \$ 150.00 (smg, Deputy Clerk) (Entered: 11/19/2003)
11/19/2003	3	MINUTE ORDER: In accordance with Misc. Order No. 03-09 which became effective for cases filed after October 15, 2003, this case has been assigned to United States Magistrate Judge Kimberly E. West for all purposes, including final disposition, subject to the consent of the parties to this action. As a result, it is ordered that: (1) Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties are to meet as soon as practicable but not later than 14 days prior to the Status and Scheduling Conference to discuss the nature and basis of claims and defenses. The parties are directed to file with the Clerk of the Court a written report of such meeting at least four (4) days prior to the Status and Scheduling Conference. The attached form, if completed and filed, satisfies this requirement.(2) Prior to the Status and Scheduling Conference, counsel must consult with their respective client(s) concerning the possibility of early settlement and be prepared to discuss the status of settlement at the Conference. (3) A Status and Scheduling Conference shall be conducted in this case on 1/8/04 at 2:15 p.m., before United States Magistrate Judge Kimberly E. West, Third Floor, U.S. Courthouse, Fifth & Okmulgee Streets, Muskogee, OK. (4) The parties are required to file the consent election form within twenty (20) days after service. Counsel shall be prepared to discuss the status of this election at the Status and Scheduling Conference. Should the parties choose not to consent to proceed before the United States Magistrate Judge, the case will immediately be returned to the case draw for the random assignment of a United States District Judge. However, even if the parties do not consent to proceed before the United States Magistrate Judge, the Status and Scheduling Conference shall be conducted as noticed before the United States Magistrate Judge utilizing the Scheduling Order of the assigned United States District Judge. AS A RESULT, A REQUEST FOR CONTINUANCE OF THE STATUS AND SCHEDULING CONFERENCE SET BEFORE THE UNITED STATES MAGISTRATE JUDGE WILL NOT BE ENTERTAINED IF IT IS BASED SOLELY UPON THE FACT THAT THE PARTIES DO NOT CONSENT TO PROCEED BEFORE THE UNITED STATES MAGISTRATE JUDGE. (KEW) (cc: all counsel) (nrh, Deputy Clerk) (Entered: 11/19/2003)
12/09/2003	4	CONSENT by plaintiffs to Jurisdiction by U.S. Magistrate Judge with CERTIFICATE of Service complete thereon (nrh, Deputy Clerk) (Entered: 12/09/2003)
12/10/2003	5	CONSENT to jurisdiction by United States Magistrate Judge by defendants with Certificate of Service thereon (law, Deputy Clerk) (Entered: 12/10/2003)
01/08/2004	6	ANSWER by defendants to plaintiffs' complaint [1-1] (law, Deputy Clerk) (Entered: 01/08/2004)
01/08/2004		STATUS AND SCHEDULING CONFERENCE before Honorable Kimberly E. West. Plaintiff present by counsel Samuel Schiller. Defendant present by counsel Karen Long. Courtroom Deputy: nh. Theories of the case discussed. Report on Planning Meeting filed. Counsel requests Settlement Conference be set during the last 2 weeks in April 2004. See the following SCHEDULING ORDER entered this

		date: (nrh, Deputy Clerk) (Entered: 01/09/2004)
01/08/2004	8	SCHEDULING ORDER by Mag. Judge Kimberly E. West: joinder/amendment ddl 1/23/04; exchange witness and exhibit lists by 6/3/04; discovery ddl 7/8/04; motion filing ddl 7/1/04; written settlement report filed by 7/22/04; Agreed Pretrial Order submitted by 8/5/04; trial exhibits exchanged by 8/5/04; requested jury instructions exchanged by 7/29/04; Agreed JI, VD, FoF CoL TB due by 8/5/04; pretrial conference set for 8/12/04; motions in limine filed by 7/29/04; demonstrative exhibits exchanged by 8/24/04; non-jury trial set for 8/30/04. Estimated length of trial 3 days. (cc: all counsel) (cjt, Deputy Clerk) (Entered: 01/12/2004)
01/08/2004	9	REPORT OF RULE 26 MEETING by plaintiffs, defendants (cjt, Deputy Clerk) (Entered: 01/12/2004)
01/08/2004	10	WAIVER OF SERVICE OF SUMMONS filed by defendant Randy Allison (cjt, Deputy Clerk) (Entered: 01/12/2004)
01/08/2004	11	WAIVER OF SERVICE OF SUMMONS filed by defendant Seminole Pub Sch District, signed by School Board Clerk, Dr. A.H. Shi (nrh, Deputy Clerk) (Entered: 01/13/2004)
01/12/2004	7	SETTLEMENT CONFERENCE ORDER setting case for Settlement Conference before Magistrate Judge Steven P. Shreder on 4/27/04 at 10:00 a.m.; Settlement Statements due 4/13/04 (cc:all (fe, Deputy Clerk) (Entered: 01/12/2004)
01/22/2004		NOTICE: SETTING Pretrial Conference on 8/12/04 at 9:00 a.m.; (Pretrial order ddl 8/5/04); and SETTING Non-jury trial 8/30/04 at 9:00 a.m. before Mag. Judge Kimberly E. West at the U.S. Courthouse, 5th and Okmulgee Streets, Muskogee, OK (cc: all counsel) sjw, Deputy Clerk) (Entered: 01/22/2004)
04/16/2004	12	AFFIDAVIT of Karen L. Long of Insurance Coverage for defendant Seminole Public Schools (trl, Deputy Clerk) (Entered: 04/19/2004)
04/27/2004		SETTLEMENT CONFERENCE MINUTES: Plaintiffs Jill Dicus, Mark Dicus and Sarah Grace Lowry were present with counsel, Samuel J. Schiller. Defendant, Seminole Public School, was represented by Jeff Pritchard, Administrative Assistant, Mike Vanlandingham, school board member, Hugh McGee, school board President, and Mike Snyder, Athletic Director. Defendant, Randy Allison, was also present. Counsel for Defendants Karen L. Long was present as well. Conference ended WITH settlement. (fe, Deputy Clerk) (Entered: 04/28/2004)
04/30/2004	13	JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT: by Mag. Judge Kimberly E. West (cc: all counsel) (nrh, Deputy Clerk) (Entered: 04/30/2004)
09/14/2004	14	JOINT STIPULATION of Dismissal as to Randy Allison, Superintendent of Seminole Public Schools (nrh, Deputy Clerk) (Entered: 09/14/2004)
10/13/2004	15	JOINT STIPULATION of Dismissal (nrh, Deputy Clerk) (Entered: 10/13/2004)