

**U.S. District Court
Eastern District of Oklahoma (Muskogee)
CIVIL DOCKET FOR CASE #: 6:00-cv-00008-MB**

Keesee, et al v. Holdenville Sch 35, et al
Assigned to: Judge Michael Burrage
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 01/06/2000
Date Terminated: 08/30/2000
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Paul Keesee
*parent and next friend of his minor
daughter
next friend of
Stephanie Keesee*

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
Email: raymond-yasser@utulsa.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J. Schiller
Schiller Law Firm
4113 Cumby Rd, Ste 200
Cookeville, TN 38501
931-528-5050
Fax: 931-528-5051
Email: sjs@schillerlawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Julia Keesee
*parent and next friend of her minor
daughter
next friend of
Stephanie Keesee*

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

Plaintiff

Jimmy Sipes
*parent and next friend of his minor
daughter
next friend of
Brandi Sipes*

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

Plaintiff

Jimmy Sipes
on behalf of all others similarly situated

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

Plaintiff

Cathy Sipes
*parent and next friend of her minor
daughter
next friend of
Brandi Sipes*

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

Plaintiff

Cathy Sipes
on behalf of all others similarly situated

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

**Holdenville School District #35 of
Hughes County, Oklahoma**
*also known as
Holdenville Public Schools*

represented by **Dwight D.D. Hayes**
Hayes Law Office
PO Box 1389
Muskogee, OK 74402
918-681-0529
Fax: 918-681-0533
Email: ddh@hayesericson.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Andy Young
*individually
TERMINATED: 08/01/2000*

represented by **Dwight D.D. Hayes**
(See above for address)
TERMINATED: 08/01/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Andy Young
*in his official capacity as Superintendent
TERMINATED: 08/01/2000*

represented by **Dwight D.D. Hayes**
(See above for address)
TERMINATED: 08/01/2000
ATTORNEY TO BE NOTICED

Defendant

Does
1 through 50

Date Filed	#	Docket Text
------------	---	-------------

01/06/2000	1	COMPLAINT with jury trial demanded. (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/06/2000		FILING FEE PAID: on 1/6/00 in the amount of \$ 150.00, receipt # 133236. (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/06/2000		MAGISTRATE'S CONSENT FORM furnished to plaintiff's counsel. (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/06/2000	2	PRAECIPE AND ISSUING 2 SUMMONS: by plaintiff (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/06/2000	3	ATTORNEY APPEARANCE for plaintiffs by Samuel J. Schiller. (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/06/2000	4	ATTORNEY APPEARANCE for plaintiffs by Ray Yasser. (nsb, Deputy Clerk) (Entered: 01/07/2000)
01/13/2000		CD # 19 deposited on 1/13/00 in the amount of \$ 150.00 (smg, Deputy Clerk) (Entered: 01/13/2000)
01/18/2000	5	MINUTE ORDER: It is ordered that this case is reassigned to Chief Judge Michael Burrage (FHS) (cc: all counsel) (trl, Deputy Clerk) (Entered: 01/18/2000)
01/18/2000	6	ATTORNEY APPEARANCE for defendants Holdenville School District #35 of Hughes County, Oklahoma and Andy Young by Dwight D.D. Hayes (law, Deputy Clerk) (Entered: 01/19/2000)
01/31/2000	7	ANSWER by defendants Holdenville Public Schools and Andy Young to [1-1] (mc, Deputy Clerk) (Entered: 02/01/2000)
02/10/2000	8	ENTERING ORDER by Chief Judge Michael Burrage directing parties pursuant to Rule 26(e), to meet as soon as practicable, but not less than 14 days prior to the Status and Scheduling Conference to discuss the nature and basis of claims and defenses, the possibility of prompt settlement and, consent to proceed before a United States Magistrate Judge. Parties are directed to file with the Clerk of Court a joint written report of such meeting four (4) working days prior to the Status and Scheduling Conference. Attorneys shall make known to their clients the contents of the report. The enclosed "Report on Planning Meeting Form", is to be completed and filed with the Clerk. All parties and their counsel are required to sign this form. The signatures of the parties may be submitted by facsimile. (MB) (cc: all counsel) (law, Deputy Clerk) (Entered: 02/10/2000)
02/10/2000		DOCKET mailed setting case for Status and Scheduling on 3/16/00 at 1:40 p.m. at the U.S. Courthouse, Muskogee, Oklahoma before the Honorable Michael Burrage (law, Deputy Clerk) (Entered: 02/10/2000)
02/17/2000	9	MOTION by plaintiffs' for class action certification ; response deadline 3/3/00 (mc, Deputy Clerk) (Entered: 02/18/2000)
02/17/2000	10	BRIEF in support of class action certification by plaintiffs' (mc, Deputy Clerk) (Entered: 02/18/2000)
03/01/2000	11	RESPONSE by defendants to plaintiff's motion for class action [9-1] ; reply deadline 03/13/00 (mc, Deputy Clerk) (Entered: 03/02/2000)
03/10/2000	12	REPORT OF RULE 26 MEETING (law, Deputy Clerk) (Entered: 03/10/2000)
03/13/2000	<u>13</u>	ORDER by Chief Judge Michael Burrage granting plaintiffs' motion for class action certification [9-1] (cc: all counsel) (law, Deputy Clerk) (pjw, Deputy Clerk). (Entered: 03/14/2000)
03/16/2000		MINUTES: STATUS AND SCHEDULING CONFERENCE before the Honorable Michael Burrage. Plaintiffs present by counsel Samuel J. Schiller. Defendants present by counsel Dwight D.D. Hayes. Courtroom deputy: lw. Theories of the case discussed. Counsel asked if there was possibility a settlement conference could be scheduled within 60 days. Court advised it would make magistrate's office aware of the request. (SEE SCHEDULING ORDER ENTERED BELOW) (law, Deputy Clerk) Modified on 03/17/2000 (Entered: 03/17/2000)

03/16/2000	14	SCHEDULING ORDER by Chief Judge Michael Burrage ; joinder/amendment ddl 4/13/00 ; discovery ddl 7/13/00 ; motion filing ddl 7/20/00 ; exchange witness and exhibit lists by 5/11/00 ; written settlement report filed by 6/15/00 ; pretrial order ddl 8/31/00 ; pretrial conference set for 9/7/00 ; Exchange All Trial Exhibits Except Demonstrative Exhibits By 8/31/00 ; JI, VD, FoF CoL, TB due by 8/31/00 ; motions in limine filed by 10/23/00 ; demonstrative exchanged by 10/30/00 ; jury trial set for 11/6/00 . Estimated length of trial 4 days. (cc: all counsel) (law, Deputy Clerk) (Entered: 03/17/2000)
03/20/2000	15	WAIVER of Jury Trial by defendants (nrh, Deputy Clerk) (Entered: 03/20/2000)
03/28/2000		NOTICE SETTING Pretrial Conference FOR 9/7/00 at 9:40 a.m. (Pretrial Order ddl 8/31/00) and Jury Trial FOR 11/6/00 at 9:00 a.m. before Judge Michael Burrage at the U.S. Courthouse, 5th and Okmulgee Streets, Muskogee, OK (cc: all counsel) (law, Deputy Clerk) Modified on 03/28/2000 (Entered: 03/28/2000)
03/31/2000	16	SETTLEMENT CONFERENCE ORDER setting case for Settlement Conference before Mag Judge James H. Payne on 5/16/00 at 2:00 p.m., U. S. Courthouse, Muskogee, OK ; Settlement Statements due 5/2/00 (cc:all counsel) (pyb, Deputy Clerk) (Entered: 03/31/2000)
05/16/2000		SETTLEMENT CONFERENCE conducted by Magistrate Judge Payne and concluded WITHOUT settlement. (nrh, Deputy Clerk) (Entered: 05/17/2000)
05/17/2000		NOTICE: SETTING Further Settlement Conference on 6/12/00 at 9:00 a.m. before Judge James H. Payne at the U.S. Courthouse, 5th and Okmulgee Streets, Muskogee, OK (cc: all counsel) (nrh, Deputy Clerk) (Entered: 05/17/2000)
06/12/2000	17	MINUTE ORDER: Pursuant to a telephone conference conducted by Court and counsel in this case, the Settlement Conference set 6/12/00 at 9:00 a.m. is hereby STRICKEN and RESET for 6/16/00 at 9:00 a.m. before Magistrate James H. Payne, 101 North 5th, Muskogee, OK. (JHP) (cc: all counsel) (nrh, Deputy Clerk) (Entered: 06/12/2000)
06/15/2000	18	SETTLEMENT REPORT by defendants Holdenville Public School and Andy Young (law, Deputy Clerk) (Entered: 06/15/2000)
06/16/2000	19	SETTLEMENT REPORT by plaintiffs (law, Deputy Clerk) (Entered: 06/16/2000)
06/16/2000	20	AMENDED WRITTEN SETTLEMENT REPORT by defendant Holdenville Sch 35 (mc, Deputy Clerk) (Entered: 06/16/2000)
07/11/2000		NOTICE setting further settlement conference for 7/24/00 at 9:00 a.m. before United States Magistrate Judge James H. Payne, Fourth Floor Courtroom, at the U.S. Courthouse, 5th and Okmulgee Streets, Muskogee, OK. Updated settlement conference statements may be faxed by 7/21/00. All other provisions of the Settlement Conference Order entered 3/31/00 shall remain in full force and effect. (cc: all counsel) (law, Deputy Clerk) (Entered: 07/11/2000)
08/01/2000	21	JOINT STIPULATION of Dismissal as to Andy Young, Superintendent of Holdenville Public Schools (individually and in his official capacity) (nrh, Deputy Clerk) (Entered: 08/01/2000)
08/17/2000	22	SETTLEMENT AGREEMENT with ORDER thereon by Chief Judge Michael Burrage (cc: all counsel) (nsb, Deputy Clerk) (Entered: 08/18/2000)
08/30/2000	23	ADMINISTRATION CLOSING ORDER by Chief Judge Michael Burrage closing case (cc: all counsel) (nrh, Deputy Clerk) (Entered: 08/31/2000)