

**U.S. District Court**  
**U.S. District Court for the Northern District of Oklahoma (Tulsa)**  
**CIVIL DOCKET FOR CASE #: 4:99-cv-00660-mb**

McCartney, et al v. Mayes Sch Dist 32, et al  
Assigned to: Judge Michael Burrage  
Demand: \$0  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 08/10/1999  
Date Terminated: 05/17/2000  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Robert McCartney**  
*as parent and next friend of his daughter,*  
*Allison McCartney*

represented by **Raymond L Yasser**  
Smolen Smolen & Roytman PLLC  
701 S CINCINNATI AVE  
TULSA, OK 74119  
918-585-2667  
Fax: 918-585-2669  
Email: [raymond-yasser@utulsa.edu](mailto: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](mailto:sjs@schillerlawfirm.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Cheryl McCartney**  
*as parent and next friend of her minor*  
*daughter*  
—  
Allison McCartney

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**

**Deborah Johnson**  
*as parent and next friend of her minor*  
*daughter, Rikkee Johnson*

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**

**Michael Johnson**  
*as parent and next friend of his minor*  
*daughter*  
—  
Rikkee Johnson

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**

**Daniel Jantz**  
*as parent and next friend of his minor daughter, Shelby Sheats*

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**

**Kelly Jantz**  
*as parent and next friend of her minor daughter*  
 –  
 Shelby Sheats

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**

**Independent School District No. 32 of Mayes County**  
*also known as*  
 Chouteau Public Schools

represented by **Karen Lea Long**  
 Rosenstein Fist & Ringold  
 525 S MAIN STE 700  
 TULSA, OK 74103  
 918-585-9211  
 Fax: 918-583-5617  
 Email: [karenl@rftlaw.com](mailto:karenl@rftlaw.com)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Defendant**

**John Phillips**  
*individually and in his official capacity as Superintendent*

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

**Defendant**

**John Doe**  
*Sued as: Does 1 through 50*

Date Filed	#	Docket Text
08/10/1999	<u>1</u>	CLASS ACTION COMPLAINT (fee status: pd) (fe, Dpty Clk) (Entered: 08/10/1999)
08/10/1999		FILING FEE PAID IN FULL by plaintiffs on 8/10/99 in the amount of \$ 150.00 receipt # 87489 (fee status: pd) (fe, Dpty Clk) (Entered: 08/10/1999)
08/26/1999	<u>2</u>	ATTORNEY APPEARANCE for plaintiffs by Samuel J Schiller (sac, Dpty Clk) (Entered: 08/26/1999)

08/26/1999	<u>3</u>	ATTORNEY APPEARANCE for plaintiffs by Ray Yasser (sac, Dpty Clk) (Entered: 08/26/1999)
09/30/1999	<u>4</u>	ATTORNEY APPEARANCE for defendants Mayes Sch Dist 32 & John Phillips by Karen Lea Long (sac, Dpty Clk) (Entered: 10/01/1999)
09/30/1999	<u>5</u>	ANSWER by defendants Mayes Sch Dist 32 & defendant John Phillips to complt [1-1] (sac, Dpty Clk) (Entered: 10/01/1999)
10/04/1999		MINUTE ORDER: ; CASE MANAGEMENT CONF set for 11:15 a.m., 10/28/99 . Parties are directed to comply with the Local Rules of Court in regard to the submission of the Case Management Plan. (cc: all counsel) (fe, Dpty Clk) (Entered: 10/04/1999)
10/15/1999	<u>6</u>	MOTION by plaintiffs to certify class action (o/j) (sac, Dpty Clk) (Entered: 10/18/1999)
10/15/1999	<u>7</u>	BRIEF by plaintiffs in support of their motion to certify class action [6-1] (sac, Dpty Clk) (Entered: 10/18/1999)
10/22/1999	<u>8</u>	CASE MANAGEMENT PLAN Received (sac, Dpty Clk) (Entered: 10/25/1999)
10/28/1999	<u>9</u>	ORDER by Judge Michael Burrage granting motion to certify class action [6-1]; Pltfs need not provide any formal ntc to any members of the certified class (cc: all counsel) (crp, Dpty Clk) (Entered: 10/29/1999)
10/28/1999	<u>10</u>	MINUTES: by Judge Michael Burrage ; Case Management Conference held 10/28/99 . Parties approve Order re Class Certification. Order signed. Schedo entered. Pltf's req/monthly status conf. denied at this time. If need arises, counsel to file a request. [N/R] (fe, Dpty Clk) (Entered: 10/29/1999)
10/28/1999	<u>11</u>	SCHEDULING ORDER Judge Michael Burrage motion filing ddl set for 3/6/00 discovery due 2/25/00 proposed pretrial order due 5/22/00 ; PRETRIAL CONF set for 10:00 5/25/00 ; TRIAL set for 9:30 6/19/00 ETT: 8-10 days. Setcon to be set in Mar '00 and parties DO NOT consent to adjunct. [cc: counsel/MJ] (fe, Dpty Clk) (Entered: 10/29/1999)
11/01/1999	<u>12</u>	ORDER by Magistrate Claire V. Eagan SETTLMT CONF set for 9:30 3/13/00 before Magistrate Claire V. Eagan (cc: all counsel) (sjm, Dpty Clk) (Entered: 11/01/1999)
01/31/2000	<u>13</u>	FINAL WITNESS list by plaintiff Robert McCartney, plaintiff Cheryl McCartney, plaintiff Deborah Johnson, plaintiff Michael Johnson, plaintiff Daniel Jantz, plaintiff Kelly Jantz (fe, Dpty Clk) (Entered: 02/01/2000)
01/31/2000	<u>14</u>	WITNESS list by defendant Mayes Sch Dist 32, defendant John Phillips (sac, Dpty Clk) (Entered: 02/02/2000)
02/18/2000	<u>15</u>	MOTION by plaintiff Robert McCartney, plaintiff Cheryl McCartney, plaintiff Deborah Johnson, plaintiff Michael Johnson, plaintiff Daniel Jantz, plaintiff Kelly Jantz, defendant Mayes Sch Dist 32, defendant John Phillips, defendant John Doe to extend deadlines imposed by sched order (fe, Dpty Clk) (Entered: 02/18/2000)
02/22/2000	<u>16</u>	ORDER by Judge Michael Burrage granting joint motion to extend deadlines imposed by sched order [15-1]; discovery ddl re set for 3/27/00; motion filing ddl reset for 4/3/00; pretrial order ddl reset for 5/22/00; PRETRIAL CONF reset for 10:00 5/25/00 ; TRIAL reset for 9:30 6/19/00 before Judge Michael Burrage (see ord for further ddlns) (cc: all counsel) (sac, Dpty Clk) (Entered: 02/23/2000)
03/14/2000	<u>17</u>	SETTLEMENT CONFERENCE REPORT by Magistrate Judge Claire V. Eagan advising litigation was settled, as soon as practicable parties shall file mtn to approve consent decree; Settlement Conference held 3/13/00 (fe, Dpty Clk) (Entered: 03/14/2000)
03/28/2000	<u>18</u>	MINUTE ORDER: by Judge Michael Burrage ; Due to Court conflict, PRETRIAL CONF, heretofore set 5/25/00, is ADVANCED to 10:30 a.m., 5/23/00 (cc: all counsel) (fe, Dpty Clk) (Entered: 03/28/2000)

05/17/2000	<u>19</u>	ADMINISTRATIVE Closing Order by Judge Michael Burrage (cc: all counsel); Documents pending: none (crp, Dpty Clk) (Entered: 05/17/2000)
05/25/2000	<u>20</u>	JOINT STIPULATION OF DISMISSAL AS TO DEFENDANT JOHN PHILLIPS, SUPERINTENDENT OF CHOUTEAU-MAZIE PUBLIC SCHOOLS (crp, Dpty Clk) (Entered: 05/30/2000)
06/27/2000	<u>21</u>	ORDER (SETTLEMENT AGREEMENT) by Judge Michael Burrage (cc: all counsel) (sac, Dpty Clk) (Entered: 06/28/2000)
07/17/2000	<u>22</u>	STIPULATION OF DISMISSAL w/ prej by defendant John Phillips, defendant Mayes Sch Dist 32, plaintiff Kelly Jantz, plaintiff Daniel Jantz, plaintiff Michael Johnson, plaintiff Deborah Johnson, plaintiff Cheryl McCartney, plaintiff Robert McCartney; CASE DISMISSED (fe, Dpty Clk) (Entered: 07/17/2000)