

CLOSED

**U.S. District Court
District of South Dakota (Central Division)
CIVIL DOCKET FOR CASE #: 3:06-cv-03007-CBK**

Antoine et al v. Winner School District 59-2 et al
Assigned to: U.S. District Judge Charles B. Kornmann
Cause: 42:1983 Civil Rights Act – Civil Action for Deprivation
of Rights

Date Filed: 03/27/2006
Date Terminated: 12/10/2007
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Sam Antoine
*a minor, by and through Lavina Milk, his
legal guardian*
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
ACLU (New York, NY)
125 Broad Street, 18th Floor
New York, NY 10004-2400
(212) 549-2682
Fax: (212) 549-2651
Email: ckim@aclu.org
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
Hanna Law Office, P.C.
P.O. Box 3080
629 Quincy Street, #105
Rapid City, SD 57709
(605) 791-1832
Fax: (605) 791-1834
Email: dhanna@midconetwork.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2602
Fax: (212) 549-2651
Email: rdahlberg@aclu.org
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
ACLU Foundation (Hartford, CT)
765 Asylum Avenue
Hartford, CT 06105
(860) 570-9830
Fax: (860) 570-9840
Email: pevaraclu@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
American Civil Liberties Union of South
Dakota
PO Box 1170
Sioux Falls, SD 57101
(201) 284-9500
Fax: (605) 332-5648
Email: cbowie@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Richard Chasing Hawk
a minor, by and through Rose Mendoza,
his legal guardian
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Charles Dubray
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Mindi Felix
a minor, by and through Donna
Eisenbraun, her mother.
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Jesse Milk
a minor, by and through Joanne Bates, his
mother.
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Deidrick Old Lodge
a minor, by and through Yvette Iron Heart,
his mother.
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Jennifer Peneaux
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Johnathon Scruggs
a minor, by and through Christine Rinker,
his mother.
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Josephine Traversie
a minor, by and through Regina
Traversie-LaPointe, her mother.
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Taylor White Buffalo
a minor, by and through Dale and
Beatrice White Buffalo, his parents; and
all others similarly situated
TERMINATED: 04/28/2014

represented by **Catherine Yonsoo Kim**
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Dana Hanna
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Lee Dahlberg
(See above for address)
TERMINATED: 12/20/2013
LEAD ATTORNEY

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Yvette Iron Heart
mother, and all others similarly situated
Minor
W.I.H.
Minor
J.I.H.

represented by **Dana Hanna**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen L. Pevar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Courtney A. Bowie
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Winner School District 59-2

represented by **Donald P. Knudsen**
Gunderson, Palmer, Nelson & Ashmore,
LLP
506 Sixth Street
PO Box 8045
Rapid City, SD 57709-8045
(605) 342-1078
Fax: (605) 342-0480
Email: dknudsen@gpnalaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer K. Trucano
Gunderson, Palmer, Goodsell & Nelson,
LLP
PO Box 8045
Rapid City, SD 57709-8045
342-1078
Fax: 342-9503
Email: jtrucano@gpnalaw.com
TERMINATED: 06/01/2017

Sara Frankenstein
Gunderson, Palmer, Nelson & Ashmore,
LLP
506 Sixth Street
PO Box 8045
Rapid City, SD 57709-8045
(605) 342-1078
Fax: (605) 342-0480
Email: sfrankenstein@gpnalaw.com
ATTORNEY TO BE NOTICED

Defendant

Bruce Carrier
*in his Official Capacity as Superintendent
of Winner School District*

represented by **Donald P. Knudsen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer K. Trucano
(See above for address)
TERMINATED: 06/01/2017

Sara Frankenstein
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Brian Naasz
*Individually and in his Official Capacity
as Principal of Winner Middle School*

represented by **Donald P. Knudsen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer K. Trucano
(See above for address)
TERMINATED: 06/01/2017

Sara Frankenstein
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Gerald Witte
*in his Official Capacity as Principal of
 Winner High School*

represented by **Donald P. Knudsen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer K. Trucano
 (See above for address)
TERMINATED: 06/01/2017

Sara Frankenstein
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/27/2006	<u>1</u>	COMPLAINT Receipt Number SDX300000202 in the amount of \$ 250, filed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray.(SRN,) (Entered: 03/27/2006)
03/27/2006	<u>2</u>	CIVIL COVER SHEET (SRN,) (Entered: 03/27/2006)
03/27/2006		Filer will mail the summons form back and inform the clerk's office of the number they need. (SRN,) (Entered: 03/27/2006)
03/29/2006	<u>3</u>	NOTICE of Appearance by Donald P. Knudsen on behalf of all defendants (Knudsen, Donald) (Entered: 03/29/2006)
03/30/2006	<u>4</u>	Summons Issued as to Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (SRN,) (Entered: 03/30/2006)
04/04/2006	<u>5</u>	SUMMONS Returned Executed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. Winner School District 59-2 served on 3/31/2006, answer due 4/20/2006. (SRN) (Entered: 04/04/2006)
04/04/2006	<u>6</u>	SUMMONS Returned Executed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. Mike Hanson served on 3/31/2006, answer due 4/20/2006. (SRN,) (Entered: 04/04/2006)
04/04/2006	<u>7</u>	SUMMONS Returned Executed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. Mary Fisher served on 3/31/2006, answer due 4/20/2006. (SRN,) (Entered: 04/04/2006)
04/04/2006	<u>8</u>	SUMMONS Returned Executed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. Brian Naasz served on 3/31/2006, answer due 4/20/2006. (SRN,) (Entered: 04/04/2006)
04/04/2006		SUMMONS (Defendant(s)) Served (SRN,) (Entered: 04/04/2006)
04/17/2006	<u>9</u>	MOTION for attorney Catherine Kim to Appear Pro Hac Vice by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (Attachments: # <u>1</u> Text of Proposed Order)(JAB) (Entered: 04/17/2006)
04/17/2006	<u>10</u>	MOTION for attorney Robin Dahlberg to Appear Pro Hac Vice by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (Attachments: # <u>1</u> Text of Proposed Order)(JAB) (Entered: 04/17/2006)
04/18/2006	<u>11</u>	ORDER TO ADMIT PRO HAC VICE granting <u>9</u> Motion for Attorney Catherine Kim to appear Pro Hac Vice, granting <u>10</u> Motion for Attorney Robin Dahlberg to appear Pro Hac Vice. Signed by Judge Charles B. Kornmann on 4/18/06. (JAB) (Entered: 04/18/2006)

04/20/2006	<u>13</u>	ANSWER to Complaint with Jury Demand by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson.(Knudsen, Donald) (Entered: 04/20/2006)
04/21/2006	<u>14</u>	ORDER For Form 35 Report and Scheduling Information. Signed by Judge Charles B. Kornmann on 4/21/06. (JAB) (Entered: 04/21/2006)
04/21/2006	<u>16</u>	MEMORANDUM LETTER re: instructions for future filings Signed by Judge Charles B. Kornmann on April 21, 2006. (DLC) (Entered: 04/24/2006)
04/24/2006	<u>17</u>	PRO HAC VICE fee paid by Catherine Y. Kim and Robin L. Dahlberg (SLL,) (Entered: 04/24/2006)
04/28/2006	<u>18</u>	MOTION for Class Certification by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (Attachments: # <u>1</u> Text of Proposed Order)(JAB) (Entered: 04/28/2006)
04/28/2006	<u>19</u>	MEMORANDUM OF LAW in Support of <u>18</u> MOTION for Class Certification filed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (JAB) (Entered: 04/28/2006)
05/05/2006	<u>20</u>	NOTICE of Appearance by Catherine Yonsoo Kim on behalf of Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray (DLC) (Entered: 05/05/2006)
05/05/2006	<u>21</u>	NOTICE of Appearance by Robin Lee Dahlberg on behalf of Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray (DLC) (Entered: 05/05/2006)
05/10/2006	<u>22</u>	AMENDED ANSWER to <u>1</u> Complaint, by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Knudsen, Donald) (Entered: 05/10/2006)
05/12/2006	<u>23</u>	CORRECTED COMPLAINT , filed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (Attachments: # <u>1</u> Letter)(SRN,) (Entered: 05/12/2006)
05/22/2006	<u>24</u>	NOTICE of Appearance by Sara Frankenstein on behalf of Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson (Frankenstein, Sara) (Entered: 05/22/2006)
05/22/2006	<u>25</u>	RESPONSE to Motion re <u>18</u> MOTION for Leave to for Class Certification filed by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Frankenstein, Sara) (Entered: 05/22/2006)
06/01/2006	<u>26</u>	REPORT of Rule 26(f) Planning Meeting. (Frankenstein, Sara) (Entered: 06/01/2006)
06/01/2006	<u>27</u>	MOTION to Amend/Correct <u>22</u> Amended Answer to Complaint by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Attachments: # <u>1</u> Second Amended Answer)(Frankenstein, Sara) (Entered: 06/01/2006)
06/02/2006	<u>28</u>	ORDER granting <u>27</u> Motion to Amend Answer. Signed by Judge Charles B. Kornmann on June 2, 2006. (DLC) (Entered: 06/02/2006)
06/02/2006	<u>29</u>	RULE 16 SCHEDULING ORDER: Discovery due by 2/16/2007. Motions due by 3/19/2007. Pretrial Conference and Motions Hearing set for 6/1/2007 at 1:00 PM in PR Courtroom 1 before Charles B. Kornmann. Signed by Judge Charles B. Kornmann on June 2, 2006. (DLC) (Entered: 06/02/2006)
06/08/2006	<u>31</u>	<i>Second Amended</i> ANSWER to Amended Complaint by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson.(Frankenstein, Sara) (Entered: 06/08/2006)
07/26/2006	<u>32</u>	MEMORANDUM LETTER re: class action Signed by Judge Charles B. Kornmann on 7/26/06. (SRN,) (Entered: 07/27/2006)
10/20/2006	<u>33</u>	ORDER AND OPINION GRANTING CLASS CERTIFICATION <u>18</u> . Signed by Judge Charles B. Kornmann on October 19, 2006. (DLC) (Entered: 10/20/2006)

11/16/2006	<u>35</u>	First MOTION to Compel <i>Discovery and Extend Discovery Deadlines</i> by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Knudsen, Donald) (Entered: 11/16/2006)
11/16/2006	<u>36</u>	MOTION to Extend by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Frankenstein, Sara) (Entered: 11/16/2006)
11/16/2006	<u>37</u>	MEMORANDUM in Support re <u>36</u> MOTION to Extend filed by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Frankenstein, Sara) (Entered: 11/16/2006)
11/16/2006	<u>38</u>	MEMORANDUM in Support re <u>35</u> First MOTION to Compel <i>Discovery and Extend Discovery Deadlines</i> filed by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Attachments: # <u>1</u> Exhibit A – May 31, 2006, correspondence# <u>2</u> Exhibit B – Defendants' discovery responses)(Knudsen, Donald) (Entered: 11/16/2006)
11/16/2006	<u>39</u>	PROPOSED ORDER by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson re <u>35</u> First MOTION to Compel <i>Discovery and Extend Discovery Deadlines</i> . (Knudsen, Donald) (Entered: 11/16/2006)
11/21/2006	<u>40</u>	ORDER Granting <u>35</u> Motion to Compel and Granting <u>36</u> Motion to Extend Filing Deadlines. Signed by Judge Charles B. Kornmann on 11/21/06. (SRN,) (Entered: 11/22/2006)
11/27/2006	<u>42</u>	AMENDED RULE 16 SCHEDULING ORDER: Discovery due by 9/17/2007. Motions due by 10/17/2007. Pretrial Conference set for 1/11/2008 at 01:30 PM in Aberdeen Courtroom before Charles B. Kornmann. Signed by Judge Charles B. Kornmann on 11/27/06. (SRN,) (Entered: 11/27/2006)
12/15/2006	<u>44</u>	Second MOTION to Amend/Correct <i>Answer</i> by Winner School District 59-2. (Attachments: # <u>1</u> Exhibit Exhibit A – Third Amended Answer)(Frankenstein, Sara) (Entered: 12/15/2006)
12/15/2006	<u>45</u>	MEMORANDUM in Support re <u>44</u> Second MOTION to Amend/Correct <i>Answer</i> filed by Winner School District 59-2. (Attachments: # <u>1</u> Exhibit Exhibit A – Copy of Webb v. Pennington County et al)(Frankenstein, Sara) (Entered: 12/15/2006)
01/04/2007	<u>46</u>	RESPONSE to Motion re <u>44</u> Second MOTION to Amend/Correct <i>Answer</i> filed by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray. (JAB) (Entered: 01/04/2007)
01/05/2007	<u>47</u>	ORDER granting <u>44</u> Motion to Amend Signed by Judge Charles B. Kornmann on 1/5/07. (JAB) (Entered: 01/05/2007)
01/08/2007	<u>49</u>	<i>Third Amended ANSWER</i> to Amended Complaint by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson.(Frankenstein, Sara) (Entered: 01/08/2007)
04/11/2007	<u>50</u>	JOINT STIPULATION REGARDING CONFIDENTIALITY OF DISCOVERY by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson, Richard Chasing Hawk, Charles Dubray. (DJP) (Entered: 04/11/2007)
05/22/2007		Settlement Conference held on Tuesday, 5/22/2007 before Judge John E. Simko. Mediation to continue on Wednesday, 5/23/2007. (CG) (Entered: 05/23/2007)
05/23/2007		Settlement Conference held on 5/23/2007 before Judge John E. Simko (to be continued on 5/24/2007). (CG) (Entered: 05/24/2007)
05/24/2007		Settlement Conference concluded on 5/24/2007 before Judge John E. Simko. (Court Reporter FTR Ct #2) (CG) (Entered: 05/24/2007)
05/30/2007	<u>51</u>	Sealed Document (Settlement Agreement reached during mediation held May 22-24). (DJP) (Entered: 05/30/2007)
07/12/2007	<u>52</u>	MOTION Order Directing Notice to the Class of the Proposed Consent Decree and Scheduling a Fairness Hearing by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam

		Antoine, Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson, Richard Chasing Hawk, Charles Dubray. (Attachments: # <u>1</u> Exhibit A: Consent Decree# <u>2</u> Exhibit B: Notice of Proposed Settlement of School – Discrimination Lawsuit# <u>3</u> Proposed Order)(MWT) (Entered: 07/12/2007)
10/04/2007	<u>53</u>	ORDER fairness hearing re for October 17, 2007 at 9:00 am in Pierre Signed by Judge Charles B. Kornmann on 10/4/07. (JAB) (Entered: 10/05/2007)
10/04/2007		Set/Reset Hearings: fairness hearing set for 10/17/2007 at 09:00 AM in PR Courtroom 1 before Charles B. Kornmann. (JAB) (Entered: 10/05/2007)
10/05/2007	<u>54</u>	ORDER VACATING ORDER FOR FAIRNESS HEARING re vacating <u>53</u> Order Signed by Judge Charles B. Kornmann on 10/5/07. (JAB) (Entered: 10/05/2007)
10/05/2007	<u>55</u>	ORDER DIRECTING NOTICE TO THE CLASS OF THE PROPOSED CONSENT DECREE AND SCHEDULING A FINAL FAIRNESS HEARING Hearings Set Fairness Hearing set for 12/10/2007 at 02:00 PM in PR Courtroom 1 before Charles B. Kornmann. Signed by Judge Charles B. Kornmann on 10/5/07. (JAB) (Entered: 10/05/2007)
10/16/2007	<u>56</u>	NOTICE OF PROPOSED SETTLEMENT by Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Sam Antoine, Richard Chasing Hawk, Charles Dubray (DLC) (Entered: 10/16/2007)
12/06/2007	<u>57</u>	AFFIDAVIT of Marilyn Herman. (Knudsen, Donald) (Entered: 12/06/2007)
12/06/2007	<u>58</u>	AFFIDAVIT of Diz Herman. (Knudsen, Donald) (Entered: 12/06/2007)
12/06/2007	<u>59</u>	AFFIDAVIT of Bill J. Kaiser. (Knudsen, Donald) (Entered: 12/06/2007)
12/06/2007	<u>60</u>	AFFIDAVIT of Sonya Hespe. (Attachments: # <u>1</u> Exhibit List of students, parents and guardians)(Knudsen, Donald) (Entered: 12/06/2007)
12/06/2007	<u>61</u>	AFFIDAVIT of Cathy Ducheneaux. (Knudsen, Donald) (Entered: 12/06/2007)
12/06/2007	<u>62</u>	AFFIDAVIT of Cathy Ducheneaux. (Attachments: # <u>1</u> Exhibit List of students, parents and guardians)(Knudsen, Donald) (Entered: 12/06/2007)
12/10/2007	<u>63</u>	Fairness Hearing held on 12/10/2007 before Judge Charles B. Kornmann (Court Reporter Cheryl Hook) (SRN) (Entered: 12/10/2007)
12/10/2007	<u>64</u>	CONSENT DECREE. Signed by Judge Charles B. Kornmann on 12/10/07. (SRN) (Entered: 12/10/2007)
12/14/2007	<u>65</u>	TRANSCRIPT of Fairness Hearing Proceedings: re <u>63</u> held on December 10, 2007 (JAB) (Entered: 12/14/2007)
06/02/2008	<u>66</u>	STATUS REPORT by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Attachments: # <u>1</u> Progress Report #1, # <u>2</u> Exhibit A – Draft Disciplinary Matrix dated April 14, 2008, # <u>3</u> Exhibit B – Paraprofessional Contract with DeAnne Felix, # <u>4</u> Exhibit C – List of Olweus Bullying Prevention Coordinating Committee members, # <u>5</u> Exhibit D – Paraprofessional Contract with Ralph Wendell, # <u>6</u> Exhibit E – Materials and notes from first co-construction team)(Frankenstein, Sara) (Entered: 06/02/2008)
06/03/2008	<u>67</u>	NOTICE of Appearance by Jennifer Kay Trucano on behalf of Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson (Trucano, Jennifer) (Entered: 06/03/2008)
09/10/2008	<u>68</u>	STATUS REPORT by Winner School District 59-2, Mary Fisher, Brian Naasz, Mike Hanson. (Attachments: # <u>1</u> Progress Report #1 for Year 2, 2008-09, # <u>2</u> Exhibit A – Disciplinary Matrix revised August 12, 2008, # <u>3</u> Exhibit B – Infinite Campus Flags, # <u>4</u> Exhibit C – Ombudsperson Job Description, # <u>5</u> Exhibit D – Ombudsperson Job Description(2), # <u>6</u> Exhibit E – Teacher's Contract, # <u>7</u> Exhibit F – Parental Involvement, # <u>8</u> Exhibit G – Accountability Plan)(Trucano, Jennifer) (Entered: 09/10/2008)

12/19/2013	<u>69</u>	MOTION for Attorney Courtney A. Bowie to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-1730054) by Sam Antoine, Richard Chasing Hawk, Charles Dubray, Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Pevar, Stephen) (Entered: 12/19/2013)
12/20/2013	<u>70</u>	ORDER TO ADMIT PRO HAC VICE granting <u>69</u> Motion for Admission Pro Hac Vice of Attorney Courtney A. Bowie for Sam Antoine, Richard Chasing Hawk, Charles Dubray, Mindi Felix, Jesse Milk, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, and Taylor White Buffalo. Signed by Charles B. Kornmann on 12/20/2013. (SAT) (Entered: 12/20/2013)
01/08/2014	<u>71</u>	Joint MOTION for Order to Direct Notice to Class of Proposed Amended Consent Decree and Schedule Fairness Hearing re <u>64</u> Order on Motion for Miscellaneous Relief by Sam Antoine, Richard Chasing Hawk, Charles Dubray, Mindi Felix, Mary Fisher, Mike Hanson, Jesse Milk, Brian Naasz, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Winner School District 59-2. (Attachments: # <u>1</u> Exhibit A -Proposed Notice to Class of Amended Consent Decree, # <u>2</u> Exhibit B - Proposed Amended Consent Decree)(Pevar, Stephen) (Entered: 01/08/2014)
01/09/2014	<u>72</u>	ORDER DIRECTING NOTICE TO PLAINTIFF CLASS OF A PROPOSED AMENDED CONSENT DECREE AND SCHEDULING A FINAL FAIRNESS HEARING granting <u>71</u> Motion for Order. Signed by Charles B. Kornmann on January 9, 2014. (DLC) (Entered: 01/09/2014)
01/09/2014		Set Hearing: Status Conference set for 5/12/2014 at 11:30 AM in the federal courtroom of the United States Courthouse in Aberdeen, South Dakota, before Charles B. Kornmann. (DLC) (Entered: 01/09/2014)
01/22/2014	<u>73</u>	DECLARATION of Courtney A. Bowie of <i>Service of Notice on Members of Plaintiff Class</i> . (Pevar, Stephen) (Entered: 01/22/2014)
03/17/2014	<u>74</u>	Letter to the Court regarding notice to Plaintiff Class and request for telephonic fairness hearing. (Pevar, Stephen) (Entered: 03/17/2014)
04/01/2014	<u>75</u>	ORDER FOR TELEPHONIC FAIRNESS HEARING set for 4/10/2014 at 03:00 PM before U.S. District Judge Charles B. Kornmann. Signed by U.S. District Judge Charles B. Kornmann on 04/01/2014. (SAT) (Entered: 04/01/2014)
04/10/2014	<u>76</u>	Fairness Hearing held on 4/10/2014. before U.S. District Judge Charles B. Kornmann (Court Reporter Leslie Hicks) (DLC) (Main Document 76 replaced on 4/10/2014) (DLC). (Entered: 04/10/2014)
04/18/2014	<u>77</u>	Joint MOTION to Substitute Party <i>and Amend Case Caption</i> by Sam Antoine, Richard Chasing Hawk, Charles Dubray, Mindi Felix, Mary Fisher, Mike Hanson, Jesse Milk, Brian Naasz, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Winner School District 59-2. (Attachments: # <u>1</u> Text of Proposed Order)(Pevar, Stephen) (Entered: 04/18/2014)
04/28/2014	<u>78</u>	ORDER ON JOINT MOTION TO SUBSTITUTE PARTIES AND AMEND CASE CAPTION granting <u>77</u> Motion to Substitute Party. Yvette Iron Heart added. Signed by U.S. District Judge Charles B. Kornmann on April 28, 2014. (DLC) (Entered: 04/28/2014)
04/29/2014	<u>79</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW. Signed by U.S. District Judge Charles B. Kornmann on 4/29/14. (SKK) (Entered: 04/29/2014)
11/03/2014	<u>80</u>	JOINT MOTION for Order Entering Amended Decree by Sam Antoine, Bruce Carrier, Richard Chasing Hawk, Charles Dubray, Mindi Felix, Yvette Iron Heart, Jesse Milk, Brian Naasz, Deidrick Old Lodge, Jennifer Peneaux, Johnathon Scruggs, Josephine Traversie, Taylor White Buffalo, Winner School District 59-2, Gerald Witte. <i>Motion to Enter Consent Decree with Proper Heading</i> . (Attachments: # <u>1</u> Amended Consent Decree)(Pevar, Stephen) Modified on 11/3/2014 to change into a motion (SLT). (Entered: 11/03/2014)
11/04/2014	<u>81</u>	(TERMINATED per <u>83</u> order) AMENDED CONSENT DECREE granting <u>80</u> Motion to Amend/Correct. Signed by U.S. District Judge Charles B. Kornmann on 11/4/14.

		(SKK) Modified on 6/6/2017 (SAC). (Entered: 11/04/2014)
05/31/2017	<u>82</u>	MOTION Joint Motion of Parties To Terminate Consent Decree by Winner School District 59-2. (White, Jana) (Entered: 05/31/2017)
06/06/2017	<u>83</u>	ORDER granting <u>82</u> Joint Motion to terminate the <u>81</u> consent decree. Signed by U.S. District Judge Charles B. Kornmann on 06/06/2017. (SAC) (Entered: 06/06/2017)