

CLOSED

**United States District Court  
Southern District of West Virginia (Parkersburg)  
CIVIL DOCKET FOR CASE #: 6:12-cv-04355**

Doe et al v. Wood County Board of Education et al  
Assigned to: Judge Joseph R. Goodwin  
Cause: 42:1983 Civil Rights Act

Date Filed: 08/15/2012  
Date Terminated: 07/08/2013  
Jury Demand: Defendant  
Nature of Suit: 448 Civil Rights: Education  
Jurisdiction: Federal Question

**Plaintiff**

**Jane Doe**

*individually and as next friend to her  
minor daughters*

represented by **Amy Lynn Katz**  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
Womens Rights Project  
18th Floor  
125 Broad Street  
New York, NY 10004  
212/ 549-2615  
Fax: 212/549-2580  
Email: [wrp\\_ak@aclu.org](mailto:wrp_ak@aclu.org)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Christina Brandt-Young**  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
Womens Rights Project  
18th Floor  
125 Broad Street  
New York, NY 10004  
212/ 549-2615  
Fax: 212/549-2580  
Email: [wrp\\_cby@aclu.org](mailto:wrp_cby@aclu.org)  
**TERMINATED: 01/25/2013**  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Galen Sherwin**  
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Email: [gsherwin@aclu.org](mailto:gsherwin@aclu.org)  
**LEAD ATTORNEY**  
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**Joshua A. Hartman**  
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Suite 6000  
2000 Pennsylvania Avenue, NW  
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**LEAD ATTORNEY**

*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Lenora M. Lapidus**  
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**Roger D. Forman**  
FORMAN & RIST  
Suite 400  
100 Capitol Street  
Charleston, WV 25301  
304/799-6406  
Fax: 304/799-6604  
Email: [forman.roger@yahoo.com](mailto:forman.roger@yahoo.com)  
*TERMINATED: 10/01/2012  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Roxann E. Henry**  
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2000 Pennsylvania Avenue, NW  
Washington, DC 20006  
202/ 887-1500  
Fax: 202/887-0763  
Email: [RHenry@mofo.com](mailto:RHenry@mofo.com)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Sarah Austin Rogers**  
AMERICAN CIVIL LIBERTIES UNION  
OF WEST VIRGINIA FOUNDATION  
P. O. Box 3952  
Charleston, WV 25311  
304/345-9246  
Fax: 304/345-0207  
Email: [srogers@acluwv.org](mailto:srogers@acluwv.org)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Anne Doe**

represented by **Amy Lynn Katz**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christina Brandt-Young**  
(See above for address)  
*TERMINATED: 01/25/2013*  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Galen Sherwin**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Joshua A. Hartman**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lenora M. Lapidus**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Marissa P. Harris**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Roger D. Forman**  
(See above for address)  
*TERMINATED: 10/01/2012*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roxann E. Henry**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Austin Rogers**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Beth Doe**  
*and*

represented by **Amy Lynn Katz**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christina Brandt-Young**  
(See above for address)  
*TERMINATED: 01/25/2013*

*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Galen Sherwin**  
(See above for address)  
*LEAD ATTORNEY  
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ATTORNEY TO BE NOTICED*

**Joshua A. Hartman**  
(See above for address)  
*LEAD ATTORNEY  
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ATTORNEY TO BE NOTICED*

**Lenora M. Lapidus**  
(See above for address)  
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**Marissa P. Harris**  
(See above for address)  
*LEAD ATTORNEY  
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**Roger D. Forman**  
(See above for address)  
*TERMINATED: 10/01/2012  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Roxann E. Henry**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Sarah Austin Rogers**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Carol Doe**

represented by **Amy Lynn Katz**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Christina Brandt-Young**  
(See above for address)  
*TERMINATED: 01/25/2013  
LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Galen Sherwin**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Joshua A. Hartman**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lenora M. Lapidus**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Marissa P. Harris**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Roger D. Forman**  
(See above for address)  
*TERMINATED: 10/01/2012*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roxann E. Henry**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Austin Rogers**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Wood County Board of Education**

represented by **Aaron C. Boone**  
BOWLES RICE MCDAVID GRAFF &  
LOVE  
P. O. Box 49  
Parkersburg, WV 26102-0049  
304/485-8500  
Fax: 304/420-5587  
Email: [aboone@bowlesrice.com](mailto:aboone@bowlesrice.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert J. Kent**  
BOWLES RICE MCDAVID GRAFF &  
LOVE  
P. O. Box 49  
Parkersburg, WV 26102-0049  
304/485-8500  
Fax: 304/420-5587  
Email: [rkent@bowlesrice.com](mailto:rkent@bowlesrice.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

represented by

**J. Patrick Law**  
*Superintendent, in his Official Capacity*  
 TERMINATED: 10/15/2012

**Aaron C. Boone**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Robert J. Kent**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Defendant**

**Stephen Taylor**  
*Principal, Van Devender Middle School,*  
*in his Official and Individual Capacity,*  
 and  
 TERMINATED: 10/15/2012

represented by **Aaron C. Boone**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Robert J. Kent**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Defendant**

**Penny Tonelli Coleman**  
*Former Assistant Principal of Van*  
*Devender Middle School, in her*  
*Individual Capacity*  
 TERMINATED: 10/15/2012

represented by **Aaron C. Boone**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Robert J. Kent**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Guardian ad Litem**

**J. Nicholas Barth**

represented by **J. Nicholas Barth**  
 BARTH & THOMPSON  
 P. O. Box 129  
 Charleston, WV 25321-0129  
 304/342-7111  
 Fax: 342-6215  
 Email: [nbarth@barth-thompson.com](mailto:nbarth@barth-thompson.com)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/15/2012	<u>1</u>	COMPLAINT. Filing Fee \$350.00. Receipt # 0425-1950351. (Attachment: # <u>1</u> Civil Cover Sheet) (taq)
08/15/2012	<u>2</u>	STANDING ORDER IN RE: ASSIGNMENT AND REFERRAL OF CIVIL ACTIONS AND MATTERS TO MAGISTRATE JUDGES ENTERED SEPTEMBER 2, 2010. This matter referred to Magistrate Judge Stanley for discovery. (cc: attys; any unrepresented party) (taq)
08/15/2012		CASE assigned to Judge Joseph R. Goodwin. (ras)
08/15/2012	<u>3</u>	MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Protective Order (Forman, Roger) (skh). (Modified on 8/15/2012 to remove memorandum in support and file as entry #5) (skh). (Modified on 8/16/2012 to remove Declarations of plaintiffs (attachments ## 1-4) and add them to the #4 motion for temporary restraining order and preliminary injunction as attachments ## 32-35) (skh).
08/15/2012	<u>4</u>	MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction (Attachments: # <u>1</u> Affidavit of Sarah Rogers, # <u>2</u>

		Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17-1, # <u>19</u> Exhibit 17-2, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Exhibit 23, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28-1, # <u>31</u> Exhibit 28-2)(Forman, Roger). (Modified on 8/15/2012 to remove memorandum and file as entry #6) (skh). (Additional attachments added on 8/16/2012: # <u>32</u> Declaration of Jane Doe, # <u>33</u> Declaration of Beth Doe, # <u>34</u> Declaration of Anne Doe, # <u>35</u> Declaration of Carol Doe, # <u>36</u> Declaration of Diane F. Halpern w/Exhibits A and B attached) (skh). (Modified on 8/16/2012 to add attachments 32-36 omitted at time case was filed) (skh).
08/15/2012	<u>5</u>	MEMORANDUM by Anne Doe, Beth Doe, Carol Doe, Jane Doe in support of <u>3</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Protective Order (skh)
08/15/2012	<u>6</u>	MEMORANDUM by Anne Doe, Beth Doe, Carol Doe, Jane Doe in support of <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction. (skh)
08/15/2012		NOTICE OF DOCKET CORRECTION re: <u>3</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Protective Order and <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction. ERROR: Memoranda in support attached. CORRECTION: Removed memoranda and filed using the event Memorandum In Support, entries <u>5</u> and <u>6</u> . (skh)
08/16/2012	<u>7</u>	STATEMENT OF VISITING ATTORNEY from Sarah Rogers on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951188. (Forman, Roger)
08/16/2012	<u>8</u>	STATEMENT OF VISITING ATTORNEY from Amy Katz on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951200. (Forman, Roger)
08/16/2012	<u>9</u>	STATEMENT OF VISITING ATTORNEY from Marissa Harris on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951205. (Forman, Roger)
08/16/2012	<u>10</u>	STATEMENT OF VISITING ATTORNEY from Christina Brandt-Young on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951208. (Forman, Roger)
08/16/2012	<u>11</u>	STATEMENT OF VISITING ATTORNEY from Joshua Hartman on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951210. (Forman, Roger)
08/16/2012	<u>12</u>	STATEMENT OF VISITING ATTORNEY from Roxann Henry on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951212. (Forman, Roger)
08/16/2012	<u>13</u>	STATEMENT OF VISITING ATTORNEY from Lenora Lapidus on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Roger Forman. Fee \$50.00. Receipt # 0425-1951221. (Forman, Roger)
08/16/2012		NOTICE OF DOCKET CORRECTION re: <u>3</u> Motion by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Protective Order. ERROR: Declarations of plaintiffs incorrectly attached. CORRECTION: Declarations removed (attachments ## 1-4) and attached to the #4 motion for a temporary restraining order and preliminary injunction as attachments ## 32-35. (skh)
08/16/2012		NOTICE OF DOCKET CORRECTION re: <u>4</u> Motion by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction. ERROR: Declaration of Diane F. Halpern, with Exhibits A and B, omitted at time of electronic filing. CORRECTION: Declaration of Diane F. Halpern, with Exhibits A and B, added as attachment #36. (skh)
08/16/2012	<u>14</u>	SUMMONS SUBMITTED by Anne Doe, Carol Doe, Jane Doe, Beth Doe for Wood County Board of Education, J. Patrick Law, Stephen Taylor, Penny Tonelli Coleman

		re: <u>1</u> Complaint. (Forman, Roger)
08/16/2012	<u>15</u>	ORDER directing that a hearing on plaintiffs' <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Preliminary Injunction is scheduled for 8/20/2012 at 1:30 PM in courtroom B 5600 at the Robert C. Byrd United States Courthouse in Charleston, West Virginia. Signed by Judge Joseph R. Goodwin on 8/16/2012. (cc: attys; any unrepresented party) (lca)
08/16/2012	<u>16</u>	MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Leave to Proceed Under Pseudonym (Forman, Roger) (Modified on 8/16/2012 to remove memorandum and file as entry #17) (skh).
08/16/2012	<u>17</u>	MEMORANDUM by Anne Doe, Beth Doe, Carol Doe, Jane Doe in support of <u>16</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Leave to Proceed Under Pseudonym (skh)
08/16/2012		NOTICE OF DOCKET CORRECTION re: <u>16</u> Motion by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Leave to Proceed Under Pseudonym. ERROR: Memorandum attached. CORRECTION: Removed memorandum and filed using the event Memorandum In Support, entry <u>17</u> . (skh)
08/17/2012	<u>18</u>	SUMMONS ISSUED by the Clerk on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe for Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, re: <u>1</u> Complaint, returnable 21 days. Original Summons and 1 copy for each defendant returned to plaintiff's counsel for service. (tmh)
08/17/2012	<u>19</u>	SUMMONS ISSUED by the Clerk on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe for Wood County Board of Education, re: <u>1</u> Complaint, returnable 21 days. Original Summons and 2 copies returned to plaintiff's counsel for service. (tmh)
08/20/2012	<u>20</u>	NOTICE OF ATTORNEY APPEARANCE by Robert J. Kent on behalf of Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education. (Kent, Robert)
08/20/2012	<u>21</u>	NOTICE OF ATTORNEY APPEARANCE by Aaron C. Boone on behalf of Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education. (Boone, Aaron)
08/20/2012	<u>22</u>	EMAIL NOTIFICATION to Amy Lynn Katz, Christina Brandt-Young, Galen Sherwin, Joshua A. Hartman, Lenora M. Lapidus, Marissa P. Harris, Roxann E. Henry and Sarah Rogers with Notice from Teresa L. Deppner, Clerk, Re: Electronic filing requirements. (Attachments: # <u>1</u> Clerk's Notice) (jkk)
08/20/2012	<u>23</u>	MOTION HEARING held by Judge Joseph R. Goodwin on 8/20/2012 re: <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and for Preliminary Injunction Court Reporter: Ayme Cochran. (rac)
08/21/2012	<u>24</u>	ORDER denying Plaintiffs' <u>4</u> MOTION for a Temporary Restraining Order; a hearing on the MOTION for Preliminary Injunction will be held on 8/27/2012 at 1:30 PM in Charleston; granting Plaintiffs' <u>16</u> MOTION for Leave to Proceed Under Pseudonym. Signed by Judge Joseph R. Goodwin on 8/20/2012. (cc: attys; any unrepresented party) (jkk)
08/21/2012	<u>25</u>	WITNESS LIST by Plaintiffs Anne Doe, Beth Doe, Carol Doe, Jane Doe and Defendants Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education, for hearing held 8/20/2012. (jkk)
08/21/2012	<u>26</u>	EXHIBIT LIST FROM MOTION HEARING held 8/20/2012. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3) (jkk)
08/22/2012	<u>27</u>	CERTIFICATE OF SERVICE filed by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education for Defendants' First Set of Interrogatories and Requests for Production to Plaintiffs. (Kent, Robert)
08/22/2012	<u>28</u>	ORDER granting in part <u>3</u> MOTION for Protective Order, directing that exhibits, memoranda, affidavits and other papers filed with the Court in connection with this action shall be written or redacted to refer to the plaintiffs by their pseudonyms; denying in part the remainder of the Motion for Protective Order. Signed by Judge



		Joseph R. Goodwin on 8/22/2012. (cc: attys; any unrepresented party) (jkk)
08/22/2012	<u>29</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' First Set of Interrogatories and Requests for Production to Defendants (Forman, Roger) (Modified on 8/23/2012 for clarity and to remove excess text) (taq).
08/23/2012	<u>30</u>	SUMMONS RETURNED EXECUTED by Personal Service for Stephen Taylor. Stephen Taylor served on 8/17/2012, answer due 9/7/2012. Summons served on Stephen Taylor, Principal, Van Devender Middle School. (Forman, Roger) (Modified on 8/24/2012 to correctly reflect summons was served on Defendant Stephen Taylor) (skh).
08/23/2012	<u>31</u>	SUMMONS RETURNED EXECUTED by Personal Service for J. Patrick Law. J. Patrick Law served on 8/17/2012, answer due 9/7/2012. Summons served on Sharon J. Buzzard, Superintendent's Secretary. (Forman, Roger) Modified on 12/2/2012 to add text for clarity (arb).
08/23/2012	<u>32</u>	SUMMONS RETURNED EXECUTED by Personal Service for Penny Tonelli Coleman. Penny Tonelli Coleman served on 8/17/2012, answer due 9/7/2012. Summons served on Penny Tonelli Coleman. (Forman, Roger)
08/23/2012	<u>33</u>	SUMMONS RETURNED EXECUTED by Personal Service for Wood County Board of Education. Wood County Board of Education served on 8/17/2012, answer due 9/7/2012. Summons served on Sharon J. Buzzard, Superintendent's Secretary. (Forman, Roger) Modified on 12/2/2012 to add text for clarity (arb).
08/23/2012	<u>34</u>	NOTICE OF CERTIFICATION FOR USE OF COURTROOM TECHNOLOGY on 8/27/2010 [sic] by Anne Doe, Beth Doe, Carol Doe, Jane Doe. (Forman, Roger)
08/24/2012	<u>35</u>	NOTICE OF CERTIFICATION FOR USE OF COURTROOM TECHNOLOGY on August 27, 2012 at 4:00 p.m. to 7:00 p.m. in Judge Goodwin's Courtroom, 7009 Robert C. Byrd United States Courthouse, 300 Virginia Street East, Charleston, WV 25301 (Kent, Robert)
08/24/2012	<u>36</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' Response to Defendant's First Set of Interrogatories and Requests for Production (Forman, Roger)
08/24/2012	<u>37</u>	TRANSCRIPT OF PROCEEDINGS of Motions Hearing held on 8-20-12, before Judge Joseph R. Goodwin. Court Reporter Ayme Cochran, Telephone number 304-347-3128. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due 9/4/2012. Redaction Request due 9/14/2012. Redacted Transcript Deadline set for 9/24/2012. Release of Transcript Restriction set for 11/26/2012. (aac)
08/27/2012	<u>38</u>	MEMORANDUM by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education in opposition to <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction(Boone, Aaron)
08/27/2012	<u>39</u>	RETURN OF SERVICE ON SUBPOENA for Cindy Wade. (Kent, Robert)
08/27/2012	<u>40</u>	RETURN OF SERVICE ON SUBPOENA for Noel Clinton. (Kent, Robert)
08/27/2012	<u>41</u>	RETURN OF SERVICE ON SUBPOENA for Alisha Mendez. (Kent, Robert)
08/27/2012	<u>42</u>	PRELIMINARY INJUNCTION HEARING held by Judge Joseph R. Goodwin on 8/27/2012 re: <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Preliminary Injunction Court Reporter: Teresa Harvey. (rac) (Entered: 08/28/2012)
08/28/2012	<u>43</u>	SUPPLEMENTAL RESPONSE by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education in opposition of <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction (Boone, Aaron)
08/28/2012	<u>44</u>	POST-HEARING MEMORANDUM by Anne Doe, Beth Doe, Carol Doe, Jane Doe in support of <u>4</u> MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for a Temporary Restraining Order and Preliminary Injunction(Forman, Roger) (Modified

		on 8/29/2012 to correct link to #4 motion and to replace unsigned image with signed image) (skh).
08/28/2012	<u>45</u>	WITNESS LIST by Plaintiffs Anne Doe, Beth Doe, Carol Doe, Jane Doe, and Defendants Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education, for hearing held 8/27/2012. (jkk)
08/28/2012	<u>46</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' Post-hearing Memorandum in Support of Preliminary Injunction (Forman, Roger) (Modified on 8/29/2012 to remove excess text)(taq).
08/28/2012	<u>47</u>	DOCUMENT SUBMITTED BY PLAINTIFFS TO VOUCH THE RECORD, RE: PRELIMINARY INJUNCTION HEARING held 8/27/2012. (Attachments: # <u>1</u> CD) (jkk)
08/28/2012	<u>48</u>	DOCUMENT SUBMITTED BY PLAINTIFFS TO VOUCH THE RECORD, RE: PRELIMINARY INJUNCTION HEARING held 8/27/2012 (Attachments: # <u>1</u> Survey about Gender) (jkk)
08/28/2012	<u>49</u>	DOCUMENT SUBMITTED BY DEFENDANTS TO VOUCH THE RECORD, RE: PRELIMINARY INJUNCTION HEARING held 8/27/2012 (Attachments: # <u>1</u> VanDevender Middle Trend Data) (jkk)
08/28/2012	<u>50</u>	EXHIBIT LIST FROM PRELIMINARY INJUNCTION HEARING held 8/27/2012. (jkk) (Additional attachment(s) added on 8/31/2012: # <u>1</u> Plaintiffs' Exhibits 1, 2, 3, # <u>2</u> Plaintiffs' Exhibits 4, 6, 7, 16, # <u>3</u> Defendants' Exhibits 6, 9, 10, 11, 43, 46) (jkk).
08/29/2012		NOTICE OF DOCKET CORRECTION re: <u>44</u> Post-Hearing Memorandum by Anne Doe, Beth Doe, Carol Doe, Jane Doe. ERROR: Image did not contain a signature. CORRECTION: Unsigned image removed and replaced with signed image. (skh)
08/29/2012	<u>51</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part plaintiffs' <u>4</u> MOTION for Preliminary Injunction. The court hereby enjoins the defendants from separating students into single-sex classes at Van Devender Middle School for the remainder of the 2012-13 school year, and unless and until any single-sex program offered meets the requirements of the constitution and Title IX, in particular the Department of Education regulations as interpreted by the court today. This injunction will take effect at the beginning of the school day on Monday, September 3, 2012. Signed by Judge Joseph R. Goodwin on 8/29/2012. (cc: attys; any unrepresented party; posted on the court's website, www.wvsc.uscourts.gov) (jkk)
09/07/2012	<u>52</u>	MOTION by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education to Dismiss Pursuant to Rule 12(b)(6) (Boone, Aaron)
09/07/2012	<u>53</u>	MEMORANDUM by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education in support of <u>52</u> MOTION by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education to Dismiss Pursuant to Rule 12(b)(6) (Boone, Aaron)
09/07/2012	<u>54</u>	ANSWER TO <u>1</u> Complaint with Jury Demand by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education.(Boone, Aaron) (Modified on 9/8/2012 to add jury demand) (skh).
09/10/2012	<u>55</u>	ORDER AND NOTICE: Rule 12(b) Motions due 10/10/2012. Last day for Rule 26(f) Meeting 11/9/2012. Last day to file report of Rule 26(f) Meeting 11/16/2012. Scheduling Conference at 10:00 AM on 11/30/2012 in Charleston. Entry of Scheduling Order 12/10/2012. Last Day to make Rule 26(a)(1) disclosures 12/14/2012. Signed by Judge Joseph R. Goodwin on 9/10/2012. (cc: attys; any unrepresented party) (jkk)
09/14/2012	<u>56</u>	NOTICE OF INTENT TO REQUEST REDACTION by Roxann E. Henry re <u>37</u> Transcript – Miscellaneous,, (Henry, Roxann)
09/14/2012	<u>57</u>	TRANSCRIPT REDACTION REQUEST re <u>37</u> Transcript – Miscellaneous,, (Henry, Roxann)
09/21/2012	<u>58</u>	BRIEF by Anne Doe, Beth Doe, Carol Doe, Jane Doe in opposition to <u>52</u> MOTION by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education to Dismiss Pursuant to Rule 12(b)(6), <u>53</u> Memorandum In Support, (Rogers,

		Sarah)
09/26/2012	<u>59</u>	MOTION by Roger D. Forman to Withdraw as Counsel on behalf of Anne Doe, Beth Doe, Carol Doe, Jane Doe (Attachment: # <u>1</u> Proposed Order)(Forman, Roger)
09/28/2012	<u>60</u>	AMENDED ANSWER to <u>1</u> Complaint by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education (Boone, Aaron)
09/28/2012	<u>61</u>	REPLY by Penny Tonelli Coleman, J. Patrick Law, Stephen Taylor, Wood County Board of Education to <u>58</u> Brief In Opposition. (Boone, Aaron)
10/01/2012	<u>62</u>	ORDER granting <u>59</u> MOTION by Roger D. Forman to Withdraw as Counsel. Attorney Roger D. Forman terminated. Signed by Judge Joseph R. Goodwin on 10/1/2012. (cc: attys; any unrepresented party) (jkk)
10/01/2012	<u>63</u>	INCORRECT ENTRY – DOCUMENT FILED IN INCORRECT CASE – IMAGE DELETED. Modified on 10/1/2012 to delete image. (jkk)
10/01/2012		NOTICE OF DOCKET CORRECTION re: ENTRY NO. <u>63</u> . (Error: Document filed in incorrect case. Correction: Image deleted.) (jkk)
10/04/2012	<u>64</u>	TRANSCRIPT OF PROCEEDINGS of Motion for Preliminary Injunction held on August 27, 2012, before Chief Judge Joseph R. Goodwin. Court Reporter Teresa Harvey, Telephone number 304–254–8052. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due 10/15/2012. Redaction Request due 10/25/2012. Redacted Transcript Deadline set for 11/5/2012. Release of Transcript Restriction set for 1/2/2013. (tlh)
10/04/2012	<u>65</u>	NOTICE OF INTENT TO REQUEST REDACTION by Roxann E. Henry re <u>64</u> Transcript (Henry, Roxann)
10/15/2012	<u>66</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part defendants' <u>52</u> Motion to Dismiss. The motion is granted as to the claims against defendants Taylor and Coleman in their individual capacities and defendants Law and Taylor in their official capacities, and denied as to the remaining claims. Signed by Judge Joseph R. Goodwin on 10/15/2012. (cc: attys; any unrepresented party) (jkk)
10/25/2012	<u>67</u>	TRANSCRIPT REDACTION REQUEST re <u>64</u> Transcript of Proceedings held on August 27, 2012. (Henry, Roxann) (Modified on 10/25/2012 to add docket text for clarity) (klc)
11/05/2012	<u>68</u>	RESPONSE by Wood County Board of Education to <u>67</u> Transcript Redaction Request (Boone, Aaron)
11/16/2012	<u>69</u>	RULE 26(f) REPORT OF PLANNING MEETING by Anne Doe, Beth Doe, Carol Doe, Jane Doe, Wood County Board of Education. (Henry, Roxann) (Modified on 11/16/2012 to add additional filer) (skh).
11/26/2012	<u>70</u>	ORDER rescheduling the Scheduling Conference to 12/10/2012 at 01:30 p.m. in Charleston. Signed by Judge Joseph R. Goodwin on 11/26/2012. (cc: attys; any unrepresented party) (jkk)
12/10/2012	<u>71</u>	SCHEDULING CONFERENCE held by Judge Joseph R. Goodwin on 12/10/2012; Court Reporter: Lisa Cook. (rac)
12/12/2012	<u>72</u>	SCHEDULING ORDER: Amendment of pleadings and joinder of parties 1/10/2013. Deadline for written discovery requests 4/26/2013. Expert disclosure by party with burden of proof 4/11/2013, by opposing party 5/13/2013, and disclosure for rebuttal purposes 5/28/2013. Deposition deadline and close of discovery 6/10/2013. Dispositive Motions 7/1/2013, responses 7/15/2013, reply to response 7/22/2013. Hearing on Motions for Summary Judgment set for 8/22/2013 at 10:00 a.m. in Charleston. Settlement meeting and mediation deadline 9/3/2013. Motions in Limine to be filed by 9/9/2013, with responses due by 9/16/2013, Plaintiffs' draft of Pretrial Order to defendants due by 9/4/2013. Integrated Pretrial Order filed by defendant by 9/11/2013. Pretrial Conference set for 10/3/2013 at 11:00 a.m. in Charleston. Proposed jury instructions filed by 10/7/2013. Final Settlement Conference at 09:30 AM on 10/15/2013 in Charleston. Trial set for 10/16/2013 at 08:30 AM in Parkersburg before

		Judge Joseph R. Goodwin. Signed by Judge Joseph R. Goodwin on 12/12/2012. (cc: attys; any unrepresented party) (jkk)
12/14/2012	<u>73</u>	CERTIFICATE OF SERVICE by Wood County Board of Education for Rule 26(a)(1) Initial Disclosures. (Kent, Robert)
12/14/2012	<u>74</u>	CERTIFICATE OF SERVICE by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Rule 26(a)(1) Initial Disclosures. (Henry, Roxann)
12/17/2012	<u>75</u>	TRANSCRIPT OF PROCEEDINGS of Status Conference held on December 10, 2012, before Judge Joseph R. Goodwin. Court Reporter Lisa Cook, Telephone number 304-347-3198. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due 12/27/2012. Redaction Request due 1/7/2013. Redacted Transcript Deadline set for 1/17/2013. Release of Transcript Restriction set for 3/18/2013. (lac)
01/23/2013	<u>76</u>	MOTION by Christina Brandt-Young to Withdraw as Counsel on behalf of Anne Doe, Beth Doe, Carol Doe, Jane Doe (Rogers, Sarah) (Modified text to correctly reflect motion is filed on behalf of Attorney Christina Brandt-Young on 1/23/2013) (skh).
01/23/2013	<u>77</u>	STATEMENT OF VISITING ATTORNEY from Galen Sherwin on behalf of Anne Doe, Carol Doe, Jane Doe, Beth Doe. Local counsel: Sarah Rogers. Fee \$50.00. Receipt # 0425-2190075. (Rogers, Sarah) (Modified on 1/23/2013 to remove and replace incomplete image) (skh).
01/23/2013		NOTICE OF DOCKET CORRECTION re: <u>77</u> Statement of Visiting Attorney from Galen Sherwin. ERROR: Incomplete image attached. CORRECTION: Incomplete image removed and replaced with complete image. (skh)
01/25/2013	<u>78</u>	ORDER granting <u>76</u> MOTION by Christina Brandt-Young to Withdraw as Counsel. Signed by Judge Joseph R. Goodwin on 1/25/2013. (cc: attys; any unrepresented party) (jkk)
03/05/2013	<u>79</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' First Request for Admissions to Defendants (Henry, Roxann)
03/05/2013	<u>80</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' Second Set of Requests for Production of Documents to Defendants (Henry, Roxann)
03/05/2013	<u>81</u>	CERTIFICATE OF SERVICE filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Plaintiffs' Second Set of Interrogatories to Defendants (Henry, Roxann)
04/09/2013	<u>82</u>	STIPULATION extending time up to and including 4/18/2013 for Defendant to serve its responses, answers and/or objections to Plaintiffs' Second Set of Interrogatories, Second Set of Requests for Production of Documents and First Request for Admissions and for the parties to make their expert disclosures to 4/18/2013 for plaintiffs and to 5/20/2013 for defendant by Wood County Board of Education, Anne Doe, Beth Doe, Carol Doe, Jane Doe (Boone, Aaron) (Modified text for clarity and to add party filers on 4/9/2013) (skh).
04/17/2013	<u>83</u>	CLERK'S ORDER WITHDRAWING AND TRANSFERRING REFERENCE TO UNITED STATES MAGISTRATE JUDGE. The referral of discovery matters is TRANSFERRED to the Honorable Dwane L. Tinsley, United States Magistrate Judge. Signed by Clerk of Court Teresa L. Deppner on 4/17/2013. (cc: Honorable Joseph R. Goodwin, U. S. District Judge, the Honorable Dwane L. Tinsley, U. S. Magistrate Judge, counsel of record, and any unrepresented party) (lca)
04/19/2013	<u>84</u>	STIPULATION extending deadlines by Wood County Board of Education, Anne Doe, Beth Doe, Carol Doe, Jane Doe (Kent, Robert) (Modified on 4/19/2013 to add party filers) (skh).
05/20/2013	<u>85</u>	JOINT MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe, Wood County Board of Education to Stay Proceedings (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Service)(Henry, Roxann) (Modified on 5/20/2013 to add party filer) (skh).

05/21/2013	<u>86</u>	ORDER granting <u>85</u> JOINT MOTION to Stay; directing that this matter is stayed until further order of the court. Signed by Judge Joseph R. Goodwin on 5/21/2013. (cc: attys; any unrepresented party) (jkk)
05/31/2013	<u>87</u>	JOINT MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe, Wood County Board of Education to Seal Attachments to the Consent Decree. (Attachments: # <u>1</u> Plaintiffs' Memorandum of Law in Support of Joint Motion to Seal, # <u>2</u> Defendant's Memorandum of Law in Support of Joint Motion to Seal, # <u>3</u> Plaintiffs' Motion to Compromise and Settle Claims, # <u>4</u> Exhibit 1 to Plaintiffs' Motion to Compromise and Settle Claims, # <u>5</u> Attachment A to Exhibit 1, # <u>6</u> Attachment B to Exhibit 1, # <u>7</u> Proposed Order Appointing Guardian Ad Litem and Setting Hearing, # <u>8</u> Proposed Order Entering Consent Decree Agreement and Sealing Attachments, # <u>9</u> Certificate of Service)(Henry, Roxann) (Modified on 6/1/2013 to add party filer) (skh). Modified on 7/8/2013 to unseal Motion to Seal, Memorandum in Support and Motion to Compromise and Settle Claims pursuant to <u>92</u> Order. (jkk).
06/06/2013	<u>88</u>	ORDER directing that J. Nicholas Barth is appointed as Guardian ad Litem for plaintiffs Anne Doe, Beth Doe and Carol Doe; directing that a settlement approval hearing will take place on 7/1/2013 at 2:00 p.m. in Charleston. Signed by Judge Joseph R. Goodwin on 6/6/2013. (cc: J. Nicholas Barth, counsel of record, any unrepresented party) (jkk)
06/27/2013	<u>89</u>	ANSWER BY GUARDIAN AD LITEM by J. Nicholas Barth (Barth, J.)
07/01/2013	<u>90</u>	SETTLEMENT HEARING held by Judge Joseph R. Goodwin on 7/1/2013 re: <u>87</u> JOINT MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe, Wood County Board of Education to Seal Attachments to the Consent Decree; Court Reporter: Ayme Cochran. (rac)
07/03/2013	<u>91</u>	CONSENT DECREE (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Certificate of Service)(Henry, Roxann) Modified on 7/8/2013 to unseal Consent Decree pursuant to <u>92</u> Order. (jkk)
07/08/2013	<u>92</u>	ORDER granting in part and denying in part <u>87</u> JOINT MOTION to Seal; directing that Attachment A and Attachment B to the Consent Decree shall remain under seal; directing that the Consent Decree, the Joint Motion to Seal and the Memoranda of Law thereto, as well as the Plaintiffs' Motion to Compromise and Settle Claims shall be entered into the public record. Signed by Judge Joseph R. Goodwin on 7/8/2013. (cc: attys; any unrepresented party) (jkk)
07/08/2013	<u>93</u>	CONSENT DECREE. Signed by Judge Joseph R. Goodwin on 7/8/2013. (cc: attys; any unrepresented party) (jkk)
07/29/2013	<u>94</u>	UNOPPOSED MOTION by Anne Doe, Beth Doe, Carol Doe, Jane Doe for Order of Dismissal with Prejudice (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service)(Henry, Roxann)
07/29/2013	<u>95</u>	SEALED MATERIALS filed by Anne Doe, Beth Doe, Carol Doe, Jane Doe pursuant to Court Order: Attachments A & B to the Consent Decree (Attachment: # <u>1</u> Attachment B to Consent Decree)(Henry, Roxann)
08/06/2013	<u>96</u>	ORDER granting <u>94</u> MOTION for Order of Dismissal with Prejudice; directing that (1) the case is dismissed with prejudice; (2) the Consent Decree is incorporated into this Order; (3) Defendant Wood County Board of Education is permanently enjoined from providing any single-sex activity except as provided in the terms of the Consent Decree and until further Order of the Court; and (4) the Court shall retain jurisdiction over this action as provided in paragraph 27 of the Consent Decree for the purpose of enforcing the terms of this Order and the Consent Decree. Signed by Judge Joseph R. Goodwin on 8/6/2013. (cc: attys; any unrepresented party) (jkk)