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General Docket

US Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 02-35884
 Nsuit: 3440 Other civil rights (Fed)
 Columbia Alaska, et al v. Logan
 Appeal from: District of Alaska (Anchorage)

Filed: 9/25/02

Case type information:

- 1) civil
- 2) private
- 3)

Lower court information:

District: 097X-3 : CV-00-00023-A-HRH
 presiding judge: H. Russel Holland, Chief Judge
 court reporter: Elisa Singleton, Court Reporter
 Date Filed: 1/25/00
 Date order/judgment: 8/13/02
 Date NOA filed: 9/16/02

Fee status: in forma pauperis-----
Prior cases:

None

Current cases:

None

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EQUAL EMPLOYMENT OPPORTUNITY	No appearance
COMMISSION	No appearance
Plaintiff	

v.

COLUMBIA ALASKA REGIONAL
 HOSPITAL
 Defendant - Appellee

James H. Juliussen, Esq.
 907/257-5300
 Suite 800
 [COR LD NTC ret]
 DAVIS WRIGHT TREMAINE, LLP
 701 W. Eighth Ave.
 Anchorage, AK 99501-3408

v.

HIAWATHA B. LOGAN
 Plaintiff-intervenor -
 Appellant

H. Ryan Fortson, Esq.
 907/276-4557
 Suite 600
 [COR LD NTC ret]
 DORSEY & WHITNEY, LLP
 1031 W. Fourth Ave.
 Anchorage, AK 99501

Hiawatha B. Logan
 907/264-2720
 [NTC prs]

3721 Core Court
Anchorage, AK 99502

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Plaintiff

v.

COLUMBIA ALASKA REGIONAL HOSPITAL

Defendant - Appellee

v.

HIAWATHA B. LOGAN

Plaintiff-intervenor - Appellant

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9/25/02 DOCKETED CAUSE AND ENTERED APPEARANCE OF COUNSEL FOR APPELLEE AND APPELLANT IN PRO PER. CADS SENT: no. The brfing schedule is as follows: aplt's designation of RT is due 9/26/02; aple's designation of RT is due 10/7/02; aplt shall order transcript by 10/16/02; court reporter shall file transcript in DC by 11/18/02 for Elisa Singleton; certificate of record shall be filed by 11/25/02; aplt's opening brf is due 1/2/03; aple's brf is due 2/3/03; aplt's rpy brf is due 2/18/03. [02-35884] (jr)

10/7/02 Filed notice of appearance of James H. Juliussen for aple. [02-35884] (crw)

10/7/02 Filed Appellee Regional Hospital's motion to dismiss the case for lack of jurisdiction. [02-35884] . Served on 10/3/02 MOATT [02-35884] (crw)

10/11/02 Filed Appellant Hiawatha B. Logan response opposing dispositive motion to dismiss the case w/affidavit [4549896-1] served on 10/11/02 MOATT [02-35884] (crw)

10/15/02 Rcvd aplts supp affidavit in support of opposition to dismiss. MOATT [02-35884] (crw)

10/21/02 Filed Appellee Regional Hospital reply to response supporting dispositive motion to dismiss the case [4549896-1] ;served on 10/18/02 MOATT [02-35884] (crw)

10/24/02 Filed Appellee Regional Hospital opposition to mtn for ext of time to file NOA (attached to 10/11/02 aplts response) served on 10/22/02 MOATT VIA PROMO [02-35884] (crw)

10/31/02 Filed Appellant Hiawatha B. Logan reply to opposition to mtn for ext of time to file NOA ;served on 10/29/02 MOATT [02-35884] (crw)

12/16/02 Order filed: Aples mtn to dismiss this appeal for lack of

jurisdiction is granted...this appeal is DISMISSED. (Procedurally Terminated After Other Judicial Action; Jurisdictional Defects. J. C. WALLACE, M. M. McKEOWN, Raymond C. FISHER) [02-35884] (crw)

12/16/02 Filed notice of appearance of Robert C. Bundy for aplt [02-35884] (crw)

12/16/02 Received Appellant Hiawatha B. Logan's motion to extend time to file appellant's opening brief [02-35884] ; served on 12/13/02 [4607874] NAN/CASE CLOSED [02-35884] (crw)

12/27/02 Filed Appellant Hiawatha B. Logan's motion for reconsideration of order dismissing appeal; served on 12/27/02 [4615910] (to MOATT) [02-35884] (hh)

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1/10/03 Filed certificate of record on appeal RT filed in DC None stated [02-35884] (crw)

4/8/03 Filed order (J. C. WALLACE, M. M. McKEOWN, Raymond C. FISHER): Aples mtn for recon of this cts 12/16/02 order raised issues that warrant a response...aple shall file an serve a response within 14 days of this order. Specifically, aple shall address aplts argument that the DC clk erred in rejecting her FRAP 4a5 mtn and that this appeal should be remanded for the ltd purpose of allowing the the DC to consider that mtn. [02-35884] (crw)

4/21/03 Filed Appellee Regional Hospital response opposing appellant's motion to reconsider order of the Court w/affidavit of James Juliussen [4615910-1] served on 4/18/03 MOATT [02-35884] (crw)

4/28/03 Filed Appellant Hiawatha B. Logan reply to response supporting appellant's motion to reconsider order of the Court [4615910-1] ;served on 4/28/03 MOATT [02-35884] (crw)

7/28/03 Referred appellant's motion to reconsider order of the Court pending since 12/27/02 to MOATT [02-35884] (crw)

8/13/03 Filed order (J. C. WALLACE, M. M. McKEOWN, Raymond C. FISHER): Aplts opposed mtn for recon of this cts 12/16/02 order is granted. The ct hereby vacates the 12/16/02 order and reinstates this appeal. The ct remands this case to the DC for the ltd purpose of determining whether the DC clk improperly rejected aplts pro se mtn pursuant to FRAP 4(a)(5) or gave aplt misleading instructions in doing so, and, if so, whether the mtn should be granted on its merits. Within 30 days of the filing date of this order, and every 30 days thereafter, or within 7 days of the DC's ruling on the issue presented in this ltd remand, aplt shall file 1) a rpt on the status of DC proceedings and request for appropriate relief; or 2) the opening brief. The filing of the opn br will automatically terminate the ltd rmd...If the opn br is filed, the ans br will be due 30 days after service of the opn br, and the opt rpy br will be due within 14 days after service of the ans br. [02-35884] (crw)

8/26/03 Received copy of District Court order responding to the limited remand, filed on 8/21/03 MOATT [02-35884]

(crw)

9/9/03 Received copy of District Court order filed on 9/3/03 "... the ct will entertain pltf-intv mtn for recon. Def shall serve and file its opposition on or before 9/16/03..." MOATT. [02-35884] (crw)

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9/12/03 Filed Hiawatha B. Logan's status report, served on 9/12/03 MOATT [02-35884] (crw)

9/30/03 Received copy of District Court order filed on 9/26/03 granting pltf-intv mtn for recon of the DC's 8/21/03 order. MOATT [02-35884] (crw)

10/1/03 Filed aplt and aple's "faxed" stipulation for ext of time for filing aplt's opening brief and aple's brief; served on 10/1/03 [4859118] (MOATT) (hh)

11/12/03 Received Appellant Hiawatha B. Logan's brief in 15 copies 28 pages (Informal: no) deficient mtn to file late w/MOATT: Excerpts of record in 1 vol. Served on 11/10/03 [02-35884] (crw)

11/13/03 Filed order MOATT (JES) The parties stipulated mtn to reset the br sch is granted. The opn br is due 11/17/03; the ans br is due 12/17/03 and the opt rpy br is due 14 days from svc of the ans br. [02-35884] (crw)

11/13/03 Filed original and 15 copies Appellant Hiawatha B. Logan opening brief (Informal: no) 28 pages and five excerpts of record in 1 vols; served on 11/10/03 [02-35884] (crw)

12/11/03 14 day oral extension by phone of time to file Appellee's brief. [02-35884] appellees' brief due 12/31/03;the optional reply brief is due 14 days from service of the answering brief. (cg)

1/5/04 Filed original and 15 copies appellee Regional Hospital's 27 pages brief, 1 Exc. vols: ; served on 12/31/03 [02-35884] (crw)

1/7/04 14 day oral extension by phone of time to file Appellant's reply brief. [02-35884] appellants' reply brief due 2/3/04; (kym)

2/5/04 Filed original and 15 copies Hiawatha B. Logan reply brief, (Informal: no) 24 pages; served on 2/3/04 [02-35884] (crw)

2/5/04 Filed Appellee CORRECTED/REPLACEMENT excerpts of record in 1 vol; originally filed 11/13/03. Refiled to correct pagination problem. [02-35884] (crw)

4/19/04 Calendar check performed [02-35884] (aw)

4/29/04 Calendar materials being prepared. [02-35884] [02-35884] (rei)

5/3/04 CALENDARED: ANCHORAGE July 7, 2004 9:00 AM Courtroom 2, 2nd Floor [02-35884] (rei)

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7/7/04 ARGUED AND SUBMITTED TO Cynthia H. HALL, Andrew J. KLEINFELD, Kim M. WARDLAW [02-35884] (jmr)

3/18/05 FILED MEMORANDUM DISPOSITION: AFFIRMED (Terminated on the Merits after Oral Hearing; Affirmed; Written, Unsigned, Unpublished. Cynthia H. HALL, Andrew J. KLEINFELD, Kim M. WARDLAW) FILED AND ENTERED JUDGMENT. [02-35884] (crw)

4/1/05 Filed Appellant Hiawatha B. Logan's motion for ext of time in which to file petition for rehearing and rehearing en banc until 4/15/05; served on 3/30/05 [5386231] (to PANEL) [02-35884] (hh)

4/1/05 Filed Dorsy & Whitney, LLP's motion to withdraw (as counsel for aplt); served on 3/30/05 (to PANEL) (hh)

4/5/05 Filed order (Cynthia H. HALL, Andrew J. KLEINFELD, Kim M. WARDLAW): Robert C. Bundy's mtn to w/d as csl for aplt is granted. The unopposed mtn for ext of time to file a petn for rhrgr and petn for rhrgr enbanc is granted. The petn shall be filed on or before 4/15/05. PARTIES CONTACTED 10:55 [02-35884] (crw)

4/15/05 Filed original and 3 copies Appellant Hiawatha B. Logan petition for rehearing, (PANEL) 3 p.pages, served on 4/15/05 [02-35884] (crw)

4/25/05 Rcvd missing pg 5 from aplts petn for rhrgr. PANEL [02-35884] (crw)

4/27/05 Filed order (Cynthia H. HALL, Andrew J. KLEINFELD, Kim M. WARDLAW): The petn for rhrgr is denied. Judge Wardlaw voted to grant the petn for rhrgr. [02-35884] (crw)

5/5/05 MANDATE ISSUED [02-35884] (crw)

7/21/05 RECORD RETURNED. (See control card for details.) (jay)

8/26/05 Received notice from Supreme Court: petition for certiorari filed Supreme Court No. 05-5898 filed on 6/16/05. PANEL [02-35884] (crw)

10/17/05 Filed Supreme Court order, certiorari denied on 10/11/05. Supreme Court No. 05-5898 [02-35884] (crw)

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05/23/2007 10:21:00			
PACER Login:	hs0328	Client Code:	eeoc
Description:	dkt report	Case Number:	02-35884
Billable Pages:	7	Cost:	0.56