



**United States Court of Appeals
for the Eleventh Circuit**

56 Forsyth Street, N.W.
Atlanta, GA 30303-2289
(404) 335-6100

**99-12216-CC
Daniel Webster v. Fulton County, Georgia**

Closed

Docket #: 99-12216-CC

Short Style: Daniel Webster v. Fulton County, Georgia

Docket Date: 07/14/1999

Lead Case:

Agency:

Nature of Suit: Civil Rights: Other

Misc. Type:

Clerk: Dixon, Eleanor

Clerk Phone: (404) 335-6172

District Information

Docket #: 96-02399-CV-TWT-1 **Judge:** Thomas W. Thrash

Dkt Date: 09/17/1996 **District:** Georgia-Northern

NOA Date: 07/07/1999 **Office:** NGA-Atlanta

Secondary Case Information

Docket #: **Judge:**

Dkt Date: //

Case Relationships

Docket #	Short Style	Relation	Status
99-12492-CC	Daniel Webster v. Fulton County, Georgia	Cross	Closed
00-11644-CC	Daniel Webster v. Fulton County, Georgia	Related	Closed
00-15227-CC	Daniel Webster v. Fulton County, Georgia	Related	Closed

Pending Motions

No Pending Motions



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99-12216-CC Daniel Webster v. Fulton County, Georgia

DANIEL WEBSTER and

PEGGY WEBSTER,

KELLY GOFF,

Plaintiffs-

Cross-Appellants,

WEBSTER GREEN THUMB COMPANY,

and others similarly situated,

Plaintiffs-Appellees,

Cross-Appellants,

versus

FULTON COUNTY, GEORGIA,

Defendant-Appellant,

Cross-Appellee,

MIKE KENN;

MICHAEL HIGHTOWER; NANCY A.

BOXILL; EMMA I. DARNELL;

GORDON L. JOYNER; TOM

LOWE, ET AL.,

Defendants-

Cross-Appellees.



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Appellant	Appellant Attorney
Fulton County, GA Address Not On File <i>No Briefing Information Found.</i> <i>Fees: Paid on 07/08/1999</i>	Deborah McIver Floyd Floyd Law Offices 255 HIGHWAY 74 N PO BOX 3319 PEACHTREE CTY, GA 30269-7319 (770) 486-6311 <i>No Briefing Information Found.</i>
	Charles George Hicks 141 PRYOR ST SW STE 4038 ATLANTA, GA 30303-3468

	<i>No Briefing Information Found.</i>
	<p>Donald B. Verrilli, Jr. Jenner & Block, LLC 601 13TH ST NW STE 1200 WASHINGTON, DC 20005-3807 (202) 639-6095 dverrilli@jenner.com <i>No Briefing Information Found.</i></p>
Appellee	Appellee Attorney
<p>Webster Green Thumb Company Address Not On File</p>	<i>No Briefing Information Found.</i>
<p>Vernitia Averett Shannon Fulton County Attorney's Office Suite 4038 - 141 Pryor Street Atlanta, GA 30303 (404) 730-7141 vernitia.shannon@co.fulton.ga.us</p>	<i>No Briefing Information Found.</i>
<p>Rodney Tyrone Floyd Office of the Fulton County Attorney 141 PRYOR ST SW STE 4038 ATLANTA, GA 30303-3468 404/730-5485</p>	<i>No Briefing Information Found.</i>
	<p>Richmond Mason Barge R. Mason Barge, Esq. 127 PEACHTREE ST NE STE 923 ATLANTA, GA 30303-1825 (404) 688-9780 Fax: (404) 688-9899 <i>No Briefing Information Found.</i></p>
	<p>Patrick W. McKee McKee & Mitchell 19 SPRING ST NEWNAN, GA 30263-2721 (770) 683-8900 Fax: (770) 683-8905 pwmckee@mckeelaw.com <i>No Briefing Information Found.</i></p>
Initial Service	
<p>Overtis Hicks Brantley City of Atlanta Law Department 141 PRYOR ST SW STE 4038 ATLANTA, GA 30303-3468 (404) 612-0246</p>	

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File Date	Entry	Party	Pending
07/14/1999	Appearance Form Submitted: Charles George Hicks	Charles George Hicks	No
07/14/1999	Civil Appeal Statement Form		No
07/22/1999	Transcript Order Form		No
07/23/1999	Civil Appeal Statement Form		No
07/26/1999	Staff Attorney Jurisdiction		No
07/26/1999	DKT2 (Docketing - Regular Notice) issued. cc: Thomas, Luther D. cc: Brantley, Overtis Hicks cc: Hicks, Charles George cc: Barge, Richmond Mason cc: McKee, Patrick W.		No
07/27/1999	Court Reporter Acknowledgement		No
07/27/1999	Transcript Order Form		No
07/28/1999	Probable Jurisdiction Noted		No
07/29/1999	Appearance Form Submitted: Patrick W. McKee	Patrick W. McKee	No
07/29/1999	Appearance Form Submitted: Richmond Mason Barge	Richmond Mason Barge	No
08/04/1999	Probable Jurisdiction Noted (X-appeal)		No
08/12/1999	DKT1 (Docketing - Abbreviated Notice) issued. cc: Hicks, Charles George cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Thomas, Luther D. cc: Brantley, Overtis Hicks		No
08/20/1999	Transcript		No
08/24/1999	Transcript Filed in D.C.		No

09/03/1999	Appearance Form Submitted: Deborah McIver Floyd	Deborah McIver Floyd	No
09/20/1999	Briefing Notice Issued		No
09/20/1999	BR1 (Brief Letter One) issued. cc: Hicks, Charles George cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
09/24/1999	Aplts/X-Aples' Unopposed Motion for Extension to File Brief		No
09/24/1999	Appearance Form Submitted: Donald B. Verrilli Jr.	Donald B. Verrilli, Jr.	No
10/01/1999	Aplts/X-Aples' Unopposed Motion for Extension to File Brief is GRANTED until 10/12/99 by AW. NFE		No
10/01/1999	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
10/04/1999	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
10/12/1999	Record Excerpts		No
10/12/1999	Appellant Brief Atty-Verrilli		No
10/29/1999	Aple/X-Aplt's Record Excerpts		No
10/29/1999	Appellee/X-Aplt's Unopposed Motion to File Brief in Excess of Volume Limitation		No
11/08/1999	X-Aplt/Aple-X-Aplt's motion to file brief in excess of 14000 words is DENIED. X-Aplts/Aplt/X-Aplt are directed to file a corrected brief of no more than 14000 words within fourteen (14) days of the date of this order. JFD		No
11/08/1999	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
11/19/1999	Appellee/Cross-Appellant's CORRECTED Brief (Atty. Barge)		No
11/22/1999	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
12/10/1999	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc:		No

	Brantley, Overtis Hicks		
12/22/1999	Cross-Appellee Brief (Atty. Verrilli)		No
01/05/2000	X-Appls Motion for Extension to File Reply Brief to and including January 14, 2000		No
01/10/2000	X-Appls Motion for Extension to File Reply Brief to and including January 14, 2000 is GRANTED. (By CK for AW. Issued 1/10/00)		No
01/10/2000	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
01/14/2000	Reply Brief - Atty R. Mason Barge		No
02/29/2000	MOT2 (Motion - Court Action) issued. To: Verrilli, Donald B., Jr.		No
03/03/2000	Certificate of Readiness		No
03/10/2000	Exhibits		No
03/10/2000	Record on Appeal		No
03/13/2000	Appellant/Cross-Appellee's Motion to File Additional Record Excerpts		No
03/27/2000	Appellant Fulton County's "Motion for leave to File Additional Record Excerpts" is DENIED. See 11th Cir. R. 30-1. (SM)(j)		No
03/27/2000	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
05/30/2000	Argument Scheduled		No
07/11/2000	Supplemental Authority for Appellant		No
07/14/2000	Donald B. Verrilli, Jr. argued for appellants; R.M. Barge argued for appellees.		No
07/19/2000	Opinion Issued		No
07/19/2000	Judgment Entered		No
07/19/2000	OPIN1A (Opinion - Issuance with Costs) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Thrash, Thomas W.		No
07/19/2000	WRAP-1 (Wrappers w/ addresses) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Thrash, Thomas W.		No

08/01/2000	Appellee's Petition for Attorney's Fees		No
08/02/2000	Bill of Costs Filed: Costs awarded to Apellee		No
08/02/2000	Petition for Rehearing En Banc: Appellant-Fulton County, Georgia, (Atty: Deborah McIver Floyd)	Fulton County, GA	No
08/14/2000	Appellant/Cross-Appellee's Response to Motion for Attorney's Fees		No
10/12/2000	The Petition(s) for Rehearing are DENIED and no member of this panel nor other Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc, the Petition(s) for Rehearing En Banc are DENIED.		No
10/12/2000	REHG1 (Rehearing - Transmittal) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Brantley, Overtis Hicks		No
11/09/2000	Appellees' "motion for award of attorneys' fees," seeking an award of appellate atty's fees is GRANTED as to entitlement. This matter is REMANDED to dist.ct. to determine amount to be awarded to appellees in reasonable atty's fees. (RLA/JFD/JCH)(j)		No
11/09/2000	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Thomas, Luther D. cc: Thrash, Thomas W. cc: Evans, Orinda D.		No
11/14/2000	CASE CLOSED- Mandate Issued		No
11/14/2000	Mandate Issued		No
11/14/2000	MDT1 (Mandate - Issuance) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. To: Thomas, Luther D. cc: Brantley, Overtis Hicks		No
12/05/2000	MDT1 (Mandate - Issuance) issued. To: Thomas, Luther D.		No
01/26/2001	Notice of Filing Certiorari SC# 00-1174		No
03/29/2001	Certiorari Denied SC# 00-1174		No
05/11/2001	Appellees' Supplemental Petition for Attorney's Fees		No
05/23/2001	Response to Motion: Appellant-Fulton County, Georgia, (Atty: Deborah McIver Floyd)	Fulton County, GA	No
06/11/2001	Reply to Response to Motion for Attorneys' Fees		No
06/22/2001	Appellee's "Supplemental Motion for Attorneys' Fees and Non-Taxable Costs Concerning Defendant's Unsuccessful		No

	Petition for Certiorari" is GRTD as to entitlement, & REMANDED to the District Court to determine the amount.. RLA/JFD/JCH (j)		
06/22/2001	MOT2 (Motion - Court Action) issued. cc: Hicks, Charles George cc: Floyd, Deborah McIver cc: Verrilli, Donald B., Jr. cc: Barge, Richmond Mason cc: McKee, Patrick W. cc: Thomas, Luther D. cc: Brantley, Overtis Hicks		No
