

**U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)
CIVIL DOCKET FOR CASE #: 5:93-cv-00763-BO**

USA v. State of NC, et al
Assigned to: Judge Terrence W. Boyle
Demand: \$0
Case in other court: 98-01805
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 12/07/1993
Date Terminated: 09/10/1999
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

USA

represented by **R. A. Renfer , Jr.**
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V.

Defendant

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Defendant

North Carolina Department of Correction
an Agency of the State of North Carolina

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James Peeler Smith
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Valerie L. Bateman
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Defendant

Mack Jarvis
in his official capacity as Secretary of the North Carolina Department of Correction

represented by **James Peeler Smith**
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Defendant

Dan Stieneke
in his official capacity as Director of the Division of Prisons, a Division of the North Carolina Department of Corrections

represented by **James Peeler Smith**
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Date Filed	#	Docket Text
12/07/1993	1	Complaint filed, alleges employment discrimination, seeks injunctive relief. (fdc) (Entered: 01/04/1994)
12/07/1993		Summonses issued for State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips (fdc) (Entered: 01/04/1994)
12/14/1993	2	Motion by State of NC, NC Dept. of Corr., Franklin Freeman to extend time to answer until 1/18/94 (fdc) (Entered: 01/04/1994)
12/14/1993	3	Order granting [2-1] motion to extend time to answer until 1/18/94 signed by C. Wells, Dep. Clerk. Cnsl svg. (fdc) (Entered: 01/04/1994)
01/18/1994	4	Answer to Complaint by NC Dept. of Corr., Franklin Freeman, Lynn Phillips; request for costs and fees (bb) (Entered: 01/20/1994)
01/28/1994	5	Request for Discovery Plan: Discovery Plan due by 3/10/94 (bb) (Entered: 02/02/1994)
03/10/1994	6	Answer to Complaint by State of NC; request for costs and fees (bb) (Entered: 03/15/1994)
03/10/1994	7	Joint Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to bifurcate for trial issues of liability and individual relief (bb) (Entered: 03/15/1994)

03/10/1994	8	Memorandum by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips in support of [7-1] motion to bifurcate for trial issues of liability and individual relief (bb) (Entered: 03/15/1994)
03/10/1994	9	Stipulation by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips stipulating that plaintiff will name local counsel on each document it files with the Court, but Plaintiff will not be required to secure the signature of local counsel on each document it files with the Court; copy to USMJ McCotter for consideration (bb) (Entered: 03/15/1994)
03/10/1994	10	Report of Planning Meeting; case file submitted to USMJ McCotter for order on scheduling (bb) (Entered: 03/15/1994)
03/17/1994	11	Order on Scheduling by Magistrate McCotter setting Discovery cutoff 3/14/95 Deadline for filing of all motions 4/14/95 Expert Witness List due on 4/28/95 Bench Trial scheduled for first session after 7/1/95 , No of Interrogatories: unlimited, and No of Depositions: unlimited, Place of Trial: Raleigh Trial Judge: Boyle; cc to counsel & operations manager; consent to USMJ form to counsel. (bb) (Entered: 03/17/1994)
03/18/1994		Motion(s) submitted: [7-1] motion to bifurcate for trial issues of liability and individual relief submitted to Judge Boyle (bb) (Entered: 03/18/1994)
03/23/1994	12	Order granting [7-1] motion to bifurcate for trial issues of liability and individual relief signed by Judge Boyle. OB Ref: 128, p. 23; served; cy to operations manager (bb) (Entered: 03/23/1994)
03/24/1994	13	Return of service executed as to State of NC 2/28/94; return receipt attached; Answer due on 3/21/94 for State of NC (bb) (Entered: 03/24/1994)
10/03/1994	14	Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to amend [11-1] Scheduling order (bb) (Entered: 10/04/1994)
10/04/1994		Motion(s) submitted: [14-1] motion to amend [11-1] Scheduling order submitted to USMJ McCotter (bb) (Entered: 10/04/1994)
10/07/1994	15	Order on Scheduling by Magistrate Judge McCotter setting Discovery cutoff 5/16/95 Deadline for filing of all motions 4/14/95 Expert Witness List due on 6/30/95 Bench Trial scheduled for 7/11/95, : before Judge: Boyle Place of Hrg/Trl: Raleigh. Parties have 14 days after service of witnesses & exhibits lists to file objections. Cy. to counsel & Scheduling Clerk. (fdc) (Entered: 10/07/1994)
02/15/1995	16	Notice of attorney appearance for State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips by W. Dale Talbert (bb) (Entered: 02/23/1995)
02/24/1995	17	Motion by USA with memorandum in support for protective order concerning certain discovery requests (bb) (Entered: 03/01/1995)
02/24/1995	18	Motion by USA to shorten time and expedite disposition of motion for protective order (bb) (Entered: 03/01/1995)
02/24/1995	<u>19</u>	Order granting [17-1] motion for protective order; in addition, the court hereby orders that the parties are to submit to the court for approval the requests for depositions and further discovery so that the court is informed of the extent of discovery in this case. If necessary the court will have a discovery conference at an appropriate time in order to control discovery. The court heard argument (via telephone conference) from counsel on this motion and rules accordingly; signed by Judge Boyle. OB Ref: BO-1, p. 150; served (bb) (Entered: 03/01/1995)

03/20/1995	20	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips for protective order re defts' refusal to schedule depositions of defts' managing agents designated in defts' response to pltf's Rule 30(b)(6) notice of deposition; cy to Judge Boyle by defts. (bb) (Entered: 03/22/1995)
03/20/1995	21	Affidavit of Joseph Hamilton Re: [20-1] motion for protective order (bb) (Entered: 03/22/1995)
03/20/1995	22	Memorandum by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips in support of [20-1] motion for protective order; copy to Judge Boyle by defts. (bb) (Entered: 03/22/1995)
03/21/1995	23	Motion by USA with memorandum in support to compel production of Joseph Hamilton for deposition , to extend discovery for the USA from May 14, 1995 to a date as determined by the Court, and for defts. to pay costs of deposition reporter's fee on March 20, 1995 ; w/attached proposed order and government exhibits; copy fed-ex'd to Judge Boyle by gov't counsel (bb) (Entered: 03/22/1995)
03/23/1995		Issued Notice of Hearing: Motion hearing before Judge Terrence W. Boyle set for 2:00 3/31/95 for [23-1] motion to compel production of Joseph Hamilton for deposition, set for 2:00 3/31/95 for [23-2] motion to extend discovery for the USA from May 14, 1995, set for 2:00 3/31/95 for [23-3] motion for defts. to pay costs of deposition reporter's fee on March 20, 1995, set for 2:00 3/31/95 for [20-1] motion for protective order, set for 2:00 3/31/95 for [18-1] motion to shorten time and expedite disposition of motion for protective order at Elizabeth City; copy to counsel; Judge Boyle; court reporter; courtroom deputy; operations manager (bb) (Entered: 03/23/1995)
03/23/1995	24	Amended by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips [20-1] motion for protective order for protective order (bb) (Entered: 03/28/1995)
03/23/1995	25	Response by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to [23-1] motion to compel production of Joseph Hamilton for deposition (bb) (Entered: 03/28/1995)
03/23/1995	25	Memorandum by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips in support of [24-1] amended motion for protective order (bb) (Entered: 03/28/1995)
03/23/1995	26	Affidavit by Franklin Freeman Re: [24-1] amended motion for protective order (bb) (Entered: 03/28/1995)
03/28/1995		Case submitted to: Judge Boyle for Motion hearing before Judge Terrence W. Boyle set for 2:00 for [23-1] motion to compel production of Joseph Hamilton for deposition, set for 2:00 3/31/95 for [23-2] motion to extend discovery for the USA from May 14, 1995, set for 3/31/95 for [23-3] motion for defts. to pay costs of deposition reporter's fee on March 20, 1995, set for 2:00 3/31/95 for [20-1] motion for protective order, set for 3/31/95 for [18-1] motion to shorten time and expedite disposition of motion for protective order submitted (bb) (Entered: 03/28/1995)
04/04/1995	<u>27</u>	Order mooting [24-1] amended motion for protective order, mooting [23-1] motion to compel production of Joseph Hamilton for deposition, mooting [23-2] motion to extend discovery for the USA from May 14, 1995, denying [23-3] motion for defts. to pay costs of deposition reporter's fee on March 20, 1995, mooting [20-1] motion for protective order, mooting [18-1] motion to shorten time and expedite disposition of motion for protective order, mooting [14-1] motion to amend [11-1] Scheduling order: the court had a hearing w/parties present through counsel on Mar. 31, 1995. As a result of the court's hearing, the State of North Carolina agreed to produce the witness Hamilton for deposition on April 3, 1995. The court extended discovery for an additional 30 days until May 1, 1995. Costs for the

		hearing and previously scheduled depositions are denied. The parties have agreed to and the court will permit, the deposition testimony for discovery and use of the eight Area Commanders identified as Managers by the State within the Dept. of Corrections. These Commanders are to produce all relevant documents in the possession of the Dept. of Corrections having to do with the discovery requests of the plaintiff identified at the hearing from Jan. 1984, through the present. The court will retain jurisdiction over the discovery proceedings in this case for further orders as may be necessary; signed by Judge Boyle. OB Ref: BO-1, p. 206; served (bb) (Entered: 04/04/1995)
04/07/1995		Transcript Filed – regarding hearing on Mar. 31 at E. City before Judge Boyle Court Reporter – S. Graham (bb) (Entered: 04/10/1995)
04/10/1995	28	Order, reset discovery due for 6/30/95 signed by Judge Boyle; served. (bb) (Entered: 04/10/1995)
04/10/1995	29	Document filed by defendant State of NC, defendant NC Dept. of Corr., defendant Franklin Freeman, defendant Lynn Phillips titled: Amended Rule 30(b)(6) designations (bb) (Entered: 04/12/1995)
04/21/1995	30	Document filed by defendant State of NC, defendant NC Dept. of Corr., defendant Franklin Freeman, defendant Lynn Phillips titled: Defendants' Second Amended Rule 30(b)(6) Designations (bb) (Entered: 04/24/1995)
05/01/1995		Pre-trial conference set at 10:00 6/26/95 before USMJ Wallace W. Dixon, 6th Floor Courtroom, @ Raleigh (bb) (Entered: 05/02/1995)
05/01/1995		Bench trial set at 10:00 7/10/95 before Judge Terrence W. Boyle, Courtroom No. 1, @ Raleigh (bb) (Entered: 05/02/1995)
05/03/1995	31	Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to stay pending voluntary resolution of this matter (bb) (Entered: 05/08/1995)
05/04/1995	<u>32</u>	Order granting [31-1] motion to stay of new, formal discovery and the adjournment of remaining USA depositions of 45 days, from May 2, 1995 to June 26, 1995, and a concomitant 45-day extension of all subsequent court-ordered deadlines related to this case, pending voluntary resolution of this matter signed by Judge Boyle; served. (bb) (Entered: 05/08/1995)
05/25/1995	33	Motion by USA for preclusion of evidence , or, alternatively to compel (bb) (Entered: 06/05/1995)
05/25/1995	34	Motion by USA for leave to file memorandum exceeding page limit w/proposed memorandum and Exhibits 1 – 11 (bb) (Entered: 06/05/1995)
05/26/1995	35	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to extend time to respond to gov't motion to preclude evidence/or compel (bb) (Entered: 06/05/1995)
06/01/1995	36	Response by USA in opposition to [35-1] motion to extend time to respond to gov't motion to preclude evidence/or compel (bb) (Entered: 06/05/1995)
06/06/1995		Stipulated protective order submitted to Judge Boyle for his consideration (bb) (Entered: 06/06/1995)
06/14/1995	37	Stipulated Protective Order regarding disclosure of certain discovery in this matter; signed by all counsel; approved by Judge Boyle. (bb) (Entered: 06/15/1995)
06/14/1995	38	Order granting [35-1] motion to extend time to respond to gov't motion to preclude evidence/or compel, Response to motion reset to 6/26/95 for [33-1] motion for preclusion of evidence, reset to 6/26/95 for [33-2] motion to compel signed by Judge Boyle; served. (bb) (Entered: 06/15/1995)

		06/15/1995)
06/19/1995	39	Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips, Marisa J. Demeo, John Gadzichowski to stay of new, formal discovery and the adjournment of the remaining US scheduled depositions of 24 days from June 16, 1995 until July 10, 1995, and a concomitant 24 day extension of all subsequent court-ordered deadlines related to this case; parties are seeking resolution of this case; (bb) (Entered: 06/20/1995)
06/20/1995		Motion(s) submitted: [39-1] motion to stay submitted to Judge Boyle w/prop. order (bb) (Entered: 06/20/1995)
06/20/1995	40	Order granting [34-1] motion for leave to file memorandum exceeding page limit signed by J. Boyle. Served. (fdc) (Entered: 06/21/1995)
06/20/1995	41	Memorandum by USA in support of [33-1] motion for preclusion of evidence, [33-2] motion to compel - w/SEPARATE BINDER of Exh. 1-11. (fdc) (Entered: 06/21/1995)
06/26/1995	43	Response by State of NC, NC Dept. of Corr., Franklin Freeman to [33-1] motion for preclusion of evidence, [33-2] motion to compel - opposing & asking for costs. Exh. A & B. (fdc) Modified on 06/29/1995 (Entered: 06/29/1995)
06/26/1995	44	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to amend [4-1] answer, & to preclude plff. from asserting discrimination based on gender to only a subgroup of female employees in the Dept. of Correction (fdc) (Entered: 06/29/1995)
06/26/1995	45	Memorandum by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips in support of [44-1] motion to amend [4-1] answer, [44-2] motion to preclude plff. from asserting discrimination based on gender to only a subgroup of female employees in the Dept. of Correction - w/Exh. A-L. (fdc) (Entered: 06/29/1995)
06/27/1995	42	Order granting [39-1] motion to stay of new, formal discovery and the adjournment of the remaining US scheduled depositions of 24 days from June 16, 1995 to July 10, 1995 and a concomitant 24-day extension of all subsequent court-ordered deadlines related to this case, subject to para. 2,6,7 of the May 2, 1995 letter of understanding between counsel for the parties which accompanied their Joint Motion and which is incorporated herein as reference; terminated deadlines signed by Judge Boyle; served. (bb) (Entered: 06/28/1995)
07/14/1995	46	Agreed Order: the parties' joint motion is granted and there shall be a stay of all discovery and the adjournment of the remaining United States' scheduled Rule 30(b)(6) depositions of 22 days from July 10, 1995, to August 1, 1995, and a concomitant 22-day extension of all subsequent Court-ordered deadlines related to this case; and the court will hold in abeyance the parties' pending motions before the court until August 1, 1995, w/o prejudice to either party thereafter to file memoranda responsive to the other party's motion; signed by all counsel and Judge Boyle; served. (bb) (Entered: 07/19/1995)
08/11/1995	47	Joint Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to stay these proceedings pending settlement; copy to Judge Boyle w/proposed order (bb) (Entered: 08/11/1995)
08/18/1995	48	Agreed Order granting [47-1] motion to stay these proceedings pending settlement signed by Judge Boyle; served (bb) (Entered: 08/30/1995)
08/25/1995	49	Joint Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips for entry of agreement and implementing order and for a fairness hearing (bb) Modified on 08/30/1995 (Entered: 08/28/1995)

08/25/1995	50	Memorandum by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips in support of [49-1] motion for entry of agreement and implementing order and for a fairness hearing (bb) Modified on 08/30/1995 (Entered: 08/28/1995)
08/25/1995	51	Defendants' memorandum in support of provisional approval of agreement w/attached copy of proposed agreement (bb) Modified on 08/30/1995 (Entered: 08/28/1995)
08/28/1995		Case submitted to: Judge Boyle for consideration of proposed settlement agreement (bb) (Entered: 08/28/1995)
08/30/1995	52	Order granting [49-1] motion for implementing agreement and order between the parties; signed by Judge Boyle; served. (bb) (Entered: 08/30/1995)
08/30/1995	53	Order: ORDER that the Joint Motion for Entry of Agreement and Implementing Order is entered provisionally this 29th day of August, 1995, subject to final approval and entry by this Court after a fairness hearing to be held on December 4, 1995, at 2:00 p.m. in Courtroom 1 of USDC, Raleigh, NC; FURTHER ORDERED that the States shall (a) at least 40 days prior to the scheduled hearing, mail a copy of this Order and the attached Notice of Fairness Hearing to each incumbent NCDOC employee in a position in the correctional officer line of progression; (b) post a copy of this Order, the Agreement and the Implementing Order – commencing within 5 days from the date of entry of this order and continuing for a period of time of three successive weeks in a prominent location on all bulletin boards for NCDOC personnel employed in positions in the correctional officer line of progression, in all NCDOC correctional institutions, area, regional and central NCDOC offices; and (c) provide incumbent NCDOC employees in positions in the correctional officer line of progression w/access to a copy of the Agreement and Implementing Order; FURTHER ORDERED that any comment or objections any incumbent NCDOC employee in a position in the correctional officer line of progression may have regarding the Agreement or Implementing Order must be served upon counsel for the US no later than 25 days prior to the scheduled hearing date; and that counsel for the US will file with the court, and will serve upon counsel for the State, copies of all such comments and objections w/in 5 days of receipt thereof; FURTHER ORDERED that the parties to this action may file written responses to any such comments or objections w/the court, if they so choose, not less than 5 days prior to the scheduled date of the fairness hearing; signed by Judge Boyle; served. (bb) (Entered: 08/30/1995)
10/06/1995	54	Objection to proposed consent decree by Edwin Sattiewhite (bb) (Entered: 10/11/1995)
10/16/1995	55	Objection by Linwood W. Bryant to proposed consent decree (bb) (Entered: 10/25/1995)
10/16/1995	56	Objection by Gregory S. Riley to proposed consent decree (bb) (Entered: 10/25/1995)
10/16/1995	57	Objection by Paul A. Thorade, Jr., to proposed consent decree (bb) (Entered: 10/25/1995)
10/20/1995	58	Request to be included in proposed consent decree by Claudia Adams, P. O. Box 1073, Biscoe, NC 27209 (bb) (Entered: 10/25/1995)
10/23/1995	59	Objection by Regina Herring Draughon to proposed consent decree (bb) (Entered: 10/25/1995)
10/23/1995	60	Objection by Harold Kovolenko to proposed consent decree (bb) (Entered: 10/25/1995)

10/23/1995	61	Objection by Danny Marion to proposed consent decree (bb) (Entered: 10/25/1995)
10/23/1995	62	Objection by Jose Luis Fernandez to proposed consent decree (bb) (Entered: 10/25/1995)
10/23/1995	63	Objection by Deborah A. Griffin to proposed consent decree (bb) (Entered: 10/25/1995)
10/23/1995	64	Objection by Kenneth L. Hickman to proposed consent decree (bb) (Entered: 10/25/1995)
11/01/1995	65	Objection to Settlement agreement and order by James A. King (bb) (Entered: 11/03/1995)
11/01/1995	66	Objection to Settlement Agreement and Order by Shirley Ann Bennett (bb) (Entered: 11/03/1995)
11/03/1995	67	Objection to Settlement Agreement and order by Steve Matthews (bb) (Entered: 11/03/1995)
11/08/1995	68	Objection to Settlement Agreement and Order by James E. Kelly, III (bb) (Entered: 11/08/1995)
11/08/1995	69	Objection to Settlement Agreement and Order by Evelyn E. Munn (bb) (Entered: 11/08/1995)
11/08/1995	70	Objection to Settlement Agreement and Order by Betsy K. Raynor (bb) (Entered: 11/08/1995)
11/09/1995	71	Letter requesting to join in settlement agreement by Patricia A. Thomas (bb) Modified on 11/27/1995 (Entered: 11/09/1995)
11/15/1995	72	Objection to proposed settlement agreement by Eric Alston (bb) (Entered: 11/16/1995)
11/15/1995	73	Objection to Settlement agreement and order by Gwendolyn Baptist (bb) (Entered: 11/16/1995)
11/15/1995	74	Objection to Settlement Agreement and Order by Charmaine Stokes Beecham (bb) (Entered: 11/16/1995)
11/15/1995	75	Objection to Settlement Agreement and order by Catherine Louise Bottoms (bb) (Entered: 11/16/1995)
11/15/1995	76	Objection to Settlement Agreement and Order by Evelyn J. Harris (bb) (Entered: 11/16/1995)
11/15/1995	77	Objection to Settlement Agreement and Order by Cathy D. Faison-Henry (bb) (Entered: 11/16/1995)
11/15/1995	78	Objection to Settlement Agreement and Order by Luby D. Hester, Jr. (bb) (Entered: 11/16/1995)
11/15/1995	79	Objection to Settlement Agreement and Order by Susan W. Hester (bb) (Entered: 11/16/1995)
11/15/1995	80	Objection to Settlement Agreement and Order by Anne Hughes High (bb) (Entered: 11/16/1995)
11/15/1995	81	Objection to Settlement Agreement and Order by Bedelia N. Jackson (bb) (Entered: 11/16/1995)
11/15/1995	82	Objection to Settlement Agreement and Order by Joan J. Jenkins (bb) (Entered: 11/16/1995)
11/15/1995	83	Objection to Settlement Agreement and Order by Ruth Marie Kearney (bb) (Entered: 11/16/1995)
11/15/1995	84	Objection to Settlement Agreement and Order by Melissa K. Littlejohn (bb) (Entered: 11/16/1995)

11/15/1995	85	Objection to Settlement Agreement and Order by Brent Macemore (bb) (Entered: 11/16/1995)
11/15/1995	86	Objection to Settlement Agreement and Order by Daniel R. Miller (bb) (Entered: 11/16/1995)
11/15/1995	87	Objection to Settlement Agreement and Order by Barry Lewis Pruett (bb) (Entered: 11/16/1995)
11/15/1995	88	Objection to Settlement Agreement and Order by Audrey Smith-Cunningham (bb) (Entered: 11/16/1995)
11/15/1995	89	Objection to Settlement Agreement and Order by Beatrice B. Tomadakis (bb) (Entered: 11/16/1995)
11/15/1995	90	Objection to proposed consent decree by Ann R. Williams (bb) Modified on 11/28/1995 (Entered: 11/27/1995)
11/22/1995	91	Objection to settlement agreement and order by Effie Conchetta Dawkins (bb) Modified on 11/28/1995 (Entered: 11/27/1995)
11/22/1995	92	Objection to settlement agreement and order by Soniece Morgan (bb) (Entered: 11/27/1995)
11/22/1995	93	Objection to settlement agreement and order by Linda Skinner (bb) (Entered: 11/27/1995)
11/22/1995	94	Objection to Settlement Agreement and Order by Constance Alice Taub (bb) (Entered: 11/27/1995)
11/22/1995	95	Objection to Settlement Agreement and Order by Shirley Kay Tucker (bb) (Entered: 11/27/1995)
11/22/1995	96	Objection to Settlement Agreement and Order by Melva Warner (bb) (Entered: 11/27/1995)
11/22/1995	97	Objection to Settlement Agreement and Order by Atlanta Solomon (bb) (Entered: 11/27/1995)
11/29/1995	98	Objection to settlement agreement and order by Erma Deans Kennedy; copy to Judge Boyle (bb) (Entered: 11/30/1995)
11/30/1995	99	Memorandum by USA in support of [49-1] motion for entry of agreement and implementing order and response to objections; w/attached exhibits 1 through 6 (bb) (Entered: 11/30/1995)
11/30/1995		Advised this date by counsel for USA that copy of their brief re final entry of settlement agreement was fed-ex'd to Judge Boyle (bb) (Entered: 11/30/1995)
11/30/1995	100	Memorandum by State of NC, NC Dept. of Corr., Franklin Freeman in support of [49-1] motion for entry of agreement and implementing order; copy to Judge Boyle (bb) (Entered: 11/30/1995)
11/30/1995	101	Affidavit of Jerry R. Becker, Director of Personnel, Dept. of Corrections Re: [100-1] support memorandum; attached case law submitted by State; copy to Judge Boyle (bb) (Entered: 11/30/1995)
12/04/1995		Status conference held in Raleigh before J. Boyle. Court Reporter: Jo Bush. Robert Dempsey, counsel for plffs.: James Peeler Smith for deft. One witnesses - Harold Kovolenko for five minutes. Time: 1 hr. (fdc) (Entered: 12/05/1995)
12/06/1995		Transcript Filed - regarding hearing on proposed settlement before Judge Boyle @ Raleigh 12/4/95 Court Reporter - Jo Bush (bb) (Entered: 12/07/1995)
12/11/1995		Letter From: James Peller Smith, NC/AG Re: court notices; requesting all notices for def't sent to him only (bb) (Entered: 12/11/1995)

01/16/1996	<u>102</u>	Order: The court's order of August 29, 1995, implementing the agreement between the US and the State of North Carolina was issued in error and is VACATED. An order containing the Court's Judgment and opinion in this matter will be forthcoming; signed by Judge Boyle. OB Ref: BO-3, p. 102; served (bb) (Entered: 01/18/1996)
02/08/1996	<u>103</u>	Order: the order of August 29, 1995, provisionally entering the agreement and implementing order, is hereby VACATED, and the Attorney General is ORDERED to show cause within 90 days of the date of this order, why this Court has subject matter jurisdiction over the dispute. The defendant is permitted to withdraw its consent to the agreement and implementing order, and may resume a position adversary to that of plaintiff. c onsequently, defendant shall have thirty (30) days in which to file an opposition to plaintiff's response to this order; signed by Judge Boyle. OB Ref: BO-3, p. 123; served (bb) (Entered: 02/09/1996)
03/29/1996	104	Document filed by defendant State of NC, defendant NC Dept. of Corr., defendant Franklin Freeman, defendant Lynn Phillips titled: Defendants' Suggestion that Subject Matter Jurisdiction is Lacking (bb) (Entered: 04/04/1996)
04/04/1996	105	Notice of interlocutory appeal of [103-1] 28: U.S.C. Sec. 1292(a)(1) order by USA (No filing fee required - USA) (Appealing order of 2/8/96). lc: 4th Circuit Court of Appeals, lc: Judge Boyle, lc: counsel of record. (fdc) (Entered: 04/05/1996)
04/05/1996		Notice of Appellate Action to USCA and counsel re: [105-1] interlocutory appeal by USA Appeal Pkg. mailed consisting of Dkting Statement, Transm. Sheet and Index (fdc) (Entered: 04/05/1996)
04/05/1996		Proposed 11-E "Order Retaining Record in District Court during pendency of Interlocutory Appeal" submitted to Judge Boyle for approval and signature. (fdc) (Entered: 04/05/1996)
04/05/1996		Volume I -Interlocutory Appeal - 28: 1292(a)(1) - 1. complaint -- 2. Opinion & Order (103) filed on 2/8/96 -- with original proposed Order retaining Record in District Court during pendency of interlocutory appeal. (fdc) (Entered: 04/05/1996)
04/10/1996	<u>106</u>	Order - Retaining Record in District Court during pendency of interlocutory appeal signed by Terrence W. Boyle, USDJ. OB Ref: BO 4, P 52. Cys. served (fdc) (Entered: 04/10/1996)
04/10/1996		Suppl. 1 - Volume II - (Order Retaining Record in District Court during pendency of Interlocutory Appeal). (fdc) (Entered: 04/10/1996)
04/12/1996		Notice of Docketing ROA from USCA Re: [105-1] interlocutory appeal by USA USCA NUMBER: 96-1509 Case Manager: Sharon Wiley (fdc) (Entered: 04/12/1996)
04/12/1996	107	Order: The plaitniff is ORDERED to brief a response to defendants' Rule 12(h)(3) suggestion w/in 10 days from the filing and service of this order; signed by Judge Boyle; served. (bb) (Entered: 04/30/1996)
04/26/1996	108	Response by plaintiff USA to [103-1] order - w/attachments 1-5. SEPARATE FILE FOLDER (fdc) (Entered: 05/09/1996)
05/01/1996	<u>109</u>	Order - defts. to file a brief re: U.S. juris. in this case set Response to Order due 5/11/96 signed by J. Boyle. Served. BO #4, p. 65. (fdc) (Entered: 05/09/1996)
05/09/1996	110	Memorandum by State of NC in support of its R. 12(h)(3) suggestion (fdc) (Entered: 05/13/1996)
05/20/1996		Letter From: Atty. Talbert Re: corrected cert. of svc. on defts' brief in support of its R. 12(h)(3) suggestion. (fdc) (Entered: 05/22/1996)

05/24/1996	111	Memorandum by USA in opposition to [110-1] support memorandum – w/Exh. 1-5. Cy. to J. Boyle. (fdc) Modified on 05/31/1996 (Entered: 05/31/1996)
05/28/1996	112	Response by defendant State of NC, defendant NC Dept. of Corr., defendant Franklin Freeman to [103-1] order. Cy. to J. Boyle. On 5/30/96 corrected pages were brought w/a letter. A copy was sent to J. Boyle. (fdc) (Entered: 05/31/1996)
05/28/1996	113	Affidavit of David W. Peterson, pres. of PRI Associates, Inc., Re: [112-1] order response – w/attachments. Cy. to J. Boyle. (fdc) (Entered: 05/31/1996)
06/03/1996	114	Order – Appellees have filed a motion to dismiss appeal and the government has filed a response in opposition to the motion to dismiss. The government filed a motion for leave to file a supplemental response to appellees' motion to dismiss appeal and by order dated May 9, 1996, the Clerk granted the motion. Appellees have filed a response in opposition to the motion. The Court dismisses the appeal and dismisses the objection and supplemental response filed by appellees as moot. Entered at the direction of Judge Wilkins with the concurrent of Judge Hamilton and Judge Motz signed by Bert M. Montague, Clerk USCA. lc: Judge Boyle. (fdc) (Entered: 06/03/1996)
06/03/1996		**Remove appeal flag – no further appeals pending (fdc) (Entered: 06/03/1996)
06/10/1996	115	Response by plaintiff USA in reply defts' response to [103-1] order – w/attachments. Cy. to J. Boyle. (fdc) (Entered: 06/12/1996)
07/25/1996	116	Order – Appellees have filed a motion to dismiss appeal and the government has filed a response in opposition to the motion to dismiss. The government filed a motion for leave to file a supplemental response to appellees' motion to dismiss appeal and by order dated May 9, 1996, the Clerk granted the motion. Appellees have filed a response in opposition to the motion. The court dismisses the appeal and dismisses the objection and supplemental response filed by appellees as moot. signed by Bert M. Montague, Clerk USCA. lc: Judge Boyle. (fdc) (Entered: 07/25/1996)
07/25/1996		**Remove appeal flag – no further appeals pending (fdc) (Entered: 07/25/1996)
07/26/1996		Record on appeal returned from U.S. Court of Appeals: Interlocutory Appeal – 28:1292(a)(1) – consisting of Volume I – pleadings 1, 103, 105 & 106. (fdc) (Entered: 07/29/1996)
08/30/1996	117	Document filed by defendant State of NC titled: Citation of Additional Authority (bb) (Entered: 09/11/1996)
09/16/1996	118	Response by USA in opposition to [117-1] Citation of Additional Authority; copy to Judge Boyle (bb) (Entered: 09/23/1996)
04/18/1997		Issued Notice of Hearing: set status conference before Judge Terrence W. Boyle for 9:30 4/30/97 at Raleigh, Courtroom No. 1 ; cys to counsel; Judge Boyle; Court Reporter; Courtroom Deputy; Operations Manager; Criminal Section (bb) (Entered: 04/21/1997)
04/30/1997		Status conference held, Wed., 4/30/97, Courtroom No. 1, 7th floor, USCourthouse and Federal Bldg., Raleigh, before Judge Boyle. Court Reporter: JoBush Hours. (fdc) (Entered: 05/01/1997)
04/30/1997		Motion hearing re: subject matter jurisdiction before Judge Terrence W. Boyle, Wednesday, April 30, 1997, courtroom number 1, USCthse. & Fed. Bldg., Raleigh. Jo Bush, court reporter. Time: 1.5 hours. Taken under advisement. (fdc) (Entered: 05/05/1997)

05/08/1997		Transcript Filed – regarding hearing on Status Conference held on 4/30/97 in Raleigh before J. Boyle. Cy. sent to J. Boyle. Court Reporter – Jo Bush, Raleigh, N.C. (fdc) (Entered: 05/08/1997)
05/09/1997	<u>119</u>	Order – this court has determined that plaintiff had pled a proper basis for this court's subject matter jurisdiction. This court will retain jurisdiction over this case until its resolution. signed by Boyle, Judge. OB Ref: BO6, page 187 Copies mailed to counsel. (fdc) (Entered: 05/09/1997)
10/14/1997		Bench trial set at 1/2/97 before Chief Judge Terrence W. Boyle (fdc) (Entered: 10/14/1997)
11/19/1997	120	Motion by USA to enter parties' a greement and the implementing order filed w/this court on 8/25/95 (bb) (Entered: 11/24/1997)
12/02/1997	121	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to extend time to respond to Motion to Enter Parties' Agreement; cy to Clerk w/prop. order (bb) (Entered: 12/05/1997)
12/05/1997	122	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to amend caption to substitute defendants (bb) (Entered: 12/10/1997)
12/08/1997	123	Order granting [121–1] motion to extend time, Response to motion reset to 12/15/97 for [120–1] motion to enter parties' a greement and the implementing order filed w/this court on 8/25/95 signed by Clerk Daniel; served. (bb) (Entered: 12/10/1997)
12/15/1997	126	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips for leave to withdraw from settlement agreement (bb) (Entered: 12/16/1997)
12/15/1997		Letter From: atty. Dempsey/Dept. of Justice Re: defts' motion to amend caption; USA has no objection (bb) (Entered: 12/17/1997)
12/15/1997	124	Motion by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips with memorandum in support to dismiss , or for summary judgment (bb) (Entered: 01/20/1998)
12/15/1997	125	Response by State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips to [120–1] motion to enter parties' agreement and the implementing order filed w/this court on 8/25/95 w/attached Exhibits 1 – 7; cy to Judge Boyle (bb) (Entered: 01/20/1998)
01/06/1998		Sent memo to counsel advising Judge Boyle has continued this case from pre–trial and trial calendar pending disposition of summary judgment (bb) (Entered: 01/06/1998)
01/06/1998	127	Motion by USA to extend time to respond to motion for summary judgment ; copy to Judge Boyle w/prop. order (bb) (Entered: 01/06/1998)
01/12/1998	128	Order granting [127–1] motion to extend time to respond to motion for summary judgment signed by Judge Boyle; served. (bb) (Entered: 01/12/1998)
01/15/1998	129	Motion by USA for leave to file excessive brief in response to defendants' motion to dismiss (bb) (Entered: 01/20/1998)
01/15/1998		Rec'd Plaintiff's memorandum in opposition to State Defts' Motion to Dismiss; cy to Judge Boyle w/Motion for leave to file excessive brief (bb) (Entered: 01/20/1998)
01/20/1998		Motion(s) submitted: [129–1] motion for leave to file excessive brief submitted, [124–1] motion to dismiss submitted, [124–2] motion for summary judgment submitted, [126–1] motion for leave to withdraw from settlement agreement submitted, [122–1] motion to amend caption to substitute defendants submitted, [120–1] motion to enter

		parties' a greement and the implementing order filed w/this court on 8/25/95 submitted (bb) (Entered: 02/02/1998)
01/29/1998	130	Motion by USA, State of NC, NC Dept. of Corr., Franklin Freeman, Lynn Phillips for oral arguments on pending motions (bb) (Entered: 02/02/1998)
02/03/1998		Issued Notice of Hearing: Motion hearing before Chief Judge Terrence W. Boyle set for 11:00 2/25/98 at Elizabeth City for [124-1] motion to dismiss, set for 11:00 2/25/98 for [124-2] motion for summary judgment, set for 11:00 2/25/98 for [126-1] motion for leave to withdraw from settlement agreement, set for 11:00 2/25/98 for [122-1] motion to amend caption to substitute defendants, set for 11:00 2/25/98 for [120-1] motion to enter parties' a greement and the implementing order filed w/this court on 8/25/95 ; cys. to Counsel; Judge Boyle; court reporter; operations manager; scheduling clerk; criminal section (bb) (Entered: 02/03/1998)
02/04/1998	131	Order granting [122-1] motion to amend caption to substitute defendants signed by Judge Boyle; served. (bb) (Entered: 02/05/1998)
03/11/1998	<u>132</u>	Order denying [124-1] motion to dismiss, denying [124-2] motion for summary judgment, mooting [126-1] motion for leave to withdraw from settlement agreement, denying [120-1] motion to enter parties' agreement and the implementing order filed w/this court on 8/25/95 signed by Judge Boyle; served. OB Ref: BO-9, p.53 (bb) (Entered: 03/16/1998)
03/24/1998		Transcript Filed – regarding hearing on motions at E. City before Judge Boyle 2/25/98; Court Reporter – Sandra Graham (bb) (Entered: 03/26/1998)
03/25/1998	133	Motion by State of NC, NC Dept. of Corr. with memorandum in support to amend [132-1] order , and to stay of proceedings (bb) (Entered: 03/26/1998)
04/17/1998	134	Response by USA in opposition to [133-1] motion to amend [132-1] order, [133-2] motion to stay of proceedings (bb) (Entered: 04/21/1998)
05/08/1998	136	Notice of appeal by USA Appeal record due on 6/17/98 (rp) (Entered: 05/20/1998)
05/11/1998	<u>135</u>	Order denying [133-1] motion to amend [132-1] order, denying [133-2] motion to stay of proceedings signed by Chief Judge Boyle. OB Ref: BO-10, p. 17; served (bb) (Entered: 05/11/1998)
05/20/1998		Notice of Appellate Action to USCA and counsel re: [136-1] appeal by USA Appeal Pkg. mailed consisting of Dkting Statement, Transm. Sheet and Index (rp) (Entered: 05/20/1998)
05/22/1998	137	Notice of cross-appeal by State of NC, NC Dept. of Corr., Mack Jarvis, Dan Stieneke (rp) (Entered: 06/01/1998)
05/22/1998		USCA appeal fees received: APPEAL FEE \$ 105.00 RECEIPT # 10516 (rp) (Entered: 06/09/1998)
06/01/1998		Notice of Appellate Action to USCA and counsel re: [137-1] cross appeal by Dan Stieneke, Mack Jarvis, NC Dept. of Corr., State of NC Appeal Pkg. mailed consisting of Dkting Statement, Transm. Sheet and Index (rp) (Entered: 06/01/1998)
06/10/1998	138	Order THE COURT CONSOLIDATES THESE CASES FOR PURPOSES OF BRIEFING AND ORAL ARGUMENT signed by Patricia S. Connor. (rp) (Entered: 06/15/1998)
06/15/1998		Notice of Docketing ROA from USCA Re: [136-1] appeal by USA USCA NUMBER: 98-1805 CONSOLIDATED W/ 98-1759 Case Manager: Nagle (rp) Modified on 06/15/1998 (Entered: 06/15/1998)

06/18/1998		Certificate to USCA and counsel re: [137-1] cross appeal, [136-1] appeal certifying that the record in this case is complete for purposes of the appeal. Cy. to Judge (rp) (Entered: 06/18/1998)
06/14/1999	<u>139</u>	Opinion from USCA Re: [137-1] cross appeal, [136-1] appeal – REVERSED AND REMANDED (rp) (Entered: 06/14/1999)
08/03/1999	<u>142</u>	Motion by USA to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference (rp) (Entered: 08/12/1999)
08/03/1999	<u>143</u>	Memorandum by USA in support of [142-1] motion to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference (rp) (Entered: 08/12/1999)
08/03/1999	<u>144</u>	Notice of attorney appearance for USA by CHARLES E. LEGGOTT and DAWN HENRY (rp) (Entered: 08/12/1999)
08/06/1999	<u>140</u>	Certified copy of judgment of USCA Re: [137-1] cross appeal, [136-1] appeal – REVERSED AND REMANDED (rp) (Entered: 08/06/1999)
08/06/1999		**Remove appeal flag – no further appeals pending (rp) (Entered: 08/06/1999)
08/06/1999	<u>141</u>	Order THE COURT AWARDS U.S. \$555.20 IN COSTS signed by Patricia Connor. (rp) (Entered: 08/06/1999)
08/24/1999	<u>145</u>	Motion by State of NC, NC Dept. of Corr. to extend time to respond to the United States' motion to enter the parties' agreement and implementing order w/o consent; cy of motion w/ proposed order to David W. Daniel, Clerk. (fdc) (Entered: 08/25/1999)
08/26/1999	<u>146</u>	Order granting [145-1] motion to extend time to respond to the United States' motion to enter the parties' agreement and implementing order, Response to motion reset to 9/3/99 for [142-1] motion to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference signed by Clerk Daniel; served. (bb) (Entered: 08/26/1999)
09/03/1999	<u>147</u>	Response by State of NC, NC Dept. of Corr. to [142-1] motion to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference (bb) (Entered: 09/07/1999)
09/10/1999	<u>149</u>	Reply by USA to response to [142-1] motion to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference (bb) (Entered: 09/10/1999)
09/10/1999	<u>150</u>	Order granting [142-1] motion to enter the parties' agreement and implementing order pursuant to the mandate of the court of appeals for the Fourth Circuit and to deny deft's letter request for a scheduling conference signed by Chief Judge Boyle. OB Ref: BO-13, p. 137 (bb) (Entered: 09/10/1999)
09/10/1999	<u>151</u>	CONSENT AGREEMENT between the parties in settlement of all issues raised in the U.S. Government's complaint against the State of North Carolina; the State shall be entitled to the dismissal of this actin upon the expiration and dissolution of all Parts of this Agreement; approved and ordered by Chief Judge Boyle; cys to counsel (bb) (Entered: 09/10/1999)
09/10/1999		Case closed permanent (bb) (Entered: 09/10/1999)

11/24/1999	<u>152</u>	Joint motion by USA, State of NC, NC Dept. of Corr. for an order approving modifications to the Notice Provisions of the Parties' settlement agreement entered by this court on Sept. 10, 1999 ; (bb) (Entered: 11/29/1999)
11/29/1999		Motion(s) submitted: [152-1] joint motion for an order approving modifications to the Notice Provisions of the Parties' settlement agreement entered by this court on Sept. 10, 1999 submitted to Chief Judge Boyle w/prop. order (bb) (Entered: 11/29/1999)
12/06/1999	<u>153</u>	Order granting [152-1] joint motion for an order approving modifications to the Notice Provisions of the Parties' settlement agreement entered by this court on Sept. 10, 1999 signed by Chief Judge Boyle. OB Ref: BO-14, p. 54; served (bb) (Entered: 12/06/1999)
12/21/1999	<u>154</u>	Joint motion by USA, State of NC, NC Dept. of Corr. for an Order Approving Modifications to the Parties' Settlement Agreement Entered by this Court on September 10, 1999 (fdc) (Entered: 12/22/1999)
12/21/1999		Received proposed Agreement and order regarding joint motion approving modification. (fdc) (Entered: 12/22/1999)
12/22/1999		Motion submitted to Judge Boyle: [154-1] joint motion for an Order Approving Modifications to the Parties' Settlement Entered by this Court on September 10, 1999 submitted (fdc) (Entered: 12/22/1999)
12/28/1999	<u>155</u>	Order granting [154-1] joint motion for an Order Approving Modifications to the Parties' Settlement Agreement Entered by this Court on September 10, 1999 signed by Chief Judge Boyle; served. (bb) (Entered: 12/28/1999)
10/23/2000	<u>156</u>	Document filed by plaintiff USA titled: Remedial Relief Report of Plaintiff US Pursuant to e Para. 44 of the Parties' Settlement Agreement Entered by this Court on 9/10/99 and Modified on 12/28/99 w/attachments 1 through 7 (bb) (Entered: 10/26/2000)
02/15/2001	<u>157</u>	Document filed by defendant State of NC titled: Objections to Proposed Relief of US (bb) (Entered: 02/26/2001)
04/16/2001	158	Joint motion by State of NC, USA to extend time to Submit Joint Report to the Court w/prop. order; submitted to Chief Judge Boyle for consideration (bb) (Entered: 04/17/2001)
04/19/2001	<u>159</u>	Order granting [158-1] joint motion to extend time; parties shall have until 5/28/01 to submit joint report and motion for entr of order as required by Para. 47 of their Settlement Agreement; signed by Chief Judge Boyle; served. (bb) (Entered: 04/19/2001)
05/24/2001	160	Joint motion by Dan Stieneke, Mack Jarvis, NC Dept. of Corr., State of NC, USA to extend time to submit parties' joint report to the court; cy to Chief Judge Boyle (bb) (Entered: 05/30/2001)
06/19/2001	<u>161</u>	Joint motion by Dan Stieneke, Mack Jarvis, NC Dept. of Corr., State of NC, USA for the entry of an order setting a hearing (fdc) (Entered: 06/20/2001)
06/19/2001	<u>162</u>	Memorandum by Dan Stieneke, Mack Jarvis, NC Dept. of Corr., State of NC, USA in support of [161-1] joint motion for the entry of an order setting a hearing w/ attachments 1-7. (fdc) (Entered: 06/20/2001)
06/26/2001	<u>163</u>	Order granting [160-1] joint motion to extend time signed by Terrence W. Boyle, USDJ. OB Ref: BO # 18, p. 73; served. (fdc) (Entered: 06/26/2001)
07/06/2001		Motion(s) submitted: [161-1] joint motion for the entry of an order setting a hearing submitted to CHief Judge Boyle (bb) (Entered: 07/06/2001)

07/10/2001	<u>164</u>	Order granting [161-1] joint motion for the entry of an order setting a hearing, set miscellaneous hearing before Chief Judge Terrence W. Boyle to 10/17/01 for [161-1] joint motion for the entry of an order setting a hearing to approve claims for non-monetary relief and hear objections by US signed by Chief Judge Boyle; served. (bb) (Entered: 07/11/2001)
08/08/2001		Advised parties by phone this date that fairness hearing will be held Tuesday, Nov. 20, 2001 at 10:00 a.m. in Elizabeth City per Chief Judge Boyle's office (bb) (Entered: 08/09/2001)
08/14/2001	<u>165</u>	Order setting hearing for Tuesday, November 20, 2001, at 10:00 a.m. in the Federal Courthouse in Elizabeth City, NC signed by Terrence W. Boyle, USDJ regarding settlement agreement. OB Ref: BO # 18, p. 138; served. Cy to C. Morgan. (fdc) (Entered: 08/14/2001)
08/27/2001		Letter From: Charles E. Leggot, Senior Trial Attorney, U.S. Dept. of Justice, Re: objections to relief sought at fairness hearing; pursuant to para. 49 of the Agreement, the Dept. will file with the Court copies of all objections received by the Department within fifteen days of their receipt (bb) (Entered: 08/28/2001)
09/06/2001		REc'd copies of objections to Settlement Agreement which were rec'd by USDept. of Justice as of 9/5/01; second batch to be forwarded to Clerk's Office Sept. 19th or thereabout (bb) (Entered: 09/10/2001)
09/21/2001		Rec'd second batch of objections to Agreement consisting of 57 letters; third and final batch expected approximately 10/5/01 (bb) (Entered: 09/25/2001)
10/09/2001		Rec'd last batch of objections to settlement agreement rec'd by Dept. of Justice consisting of 30 letters (bb) (Entered: 10/09/2001)
10/24/2001		Letters of objection and volume 7 of case file forwarded to Chief Judge Boyle for preparation of fairness hearing scheduled for 11/20/01 (bb) (Entered: 10/24/2001)
11/02/2001		Rec'd one more objection to proposed settlement which was lost in the mail; forwarded to Chief Judge Boyle (bb) (Entered: 11/02/2001)
11/16/2001	<u>166</u>	Document filed by defendant Dan Stieneke, defendant Mack Jarvis, defendant NC Dept. of Corr., defendant State of NC, plaintiff USA titled: Joint Response of the Parties to all Objections of the Claimants to the Joint Report on Relief Proposed by the US and the State of NC, et al; cy to Chief Judge Boyle (bb) (Entered: 11/29/2001)
11/20/2001		Miscellaneous hearing at Elizabeth City re:fairness of proposed settlement agreement before Chief Judge Terrence W. Boyle; Stephanie Graham, ct. reporter; parties have 30 days to respond to objections; 3.0 hrs. (bb) (Entered: 12/13/2001)
01/07/2002	<u>167</u>	Document filed by plaintiff USA titled: Response of the US to the Objections of Delores Woodard, Mattie Stevens and Audrey Williams w/attachments A - D; proposed Order Approving the Final Disposition of Claims submitted; State of NC says they will respond to this document (bb) (Entered: 01/24/2002)
02/04/2002		Forwarded Response of the US to the objections of Woodard, Stevens and Williams w/proposed order approving final disposition to Chief Judge Boyle for consideration (bb) (Entered: 02/04/2002)
02/06/2002	<u>168</u>	Response by State of NC to [161-1] joint motion for the entry of an order setting a hearing concerning the objections of claimant Woodard specifically (bb) (Entered: 02/13/2002)
03/12/2002	<u>169</u>	Order Approving the Final Disposition of Claims under the Agreement Entered on Sept. 10, 1999; signed by Chief Judge Boyle. OB Ref: BO-20, p. 66; served all counsel (bb) (Entered: 03/19/2002)

03/12/2002	<u>170</u>	Order approving disposition of the claims by the US as fair and reasonable and setting amounts as to Delores Woodard, Mattie Stevens and Audrey Williams; any and all other outstanding objections of the claimants are OVERRULED; signed by Chief Judge Boyle. OB Ref: BO-20, p. 65; served (bb) (Entered: 03/21/2002)
03/25/2002	<u>171</u>	Order: the Clerk is hereby directed to disburse to the State of North Carolina the principal amount of \$5,500,000.00 plus interest accrued, minus registry fee. Further disbursements are to be made in accordance with the stipulations of the parties; signed by Chief Judge Boyle; copies to counsel; financial deputy. (bb) (Entered: 04/04/2002)
05/29/2002	172	Joint motion by NC Dept. of Corr., State of NC, USA for an order correcting a clerical mistae in the Report attached to the March 12, 2002 Order ; cy to Chief Judge Boyle w/prop. order (bb) (Entered: 06/07/2002)
05/29/2002	173	Certificate of service by USA of Joint Motion filed this date (bb) (Entered: 06/07/2002)
06/10/2002	<u>174</u>	Order granting [172-1] joint motion for an order correcting a clerical mistae in the Report attached to the March 12, 2002 Order signed by Chief Judge Boyle; served. (bb) (Entered: 06/12/2002)
07/01/2002	<u>175</u>	Joint motion by State of NC, USA for order correcting clerical mistakes in the report attached to the March 12, 2002 order pursuant to FRCiv.P. 60(a) (bb) (Entered: 07/03/2002)
07/03/2002		Motion(s) submitted: [175-1] joint motion for order correcting clerical mistakes in the report attached to the March 12, 2002 order pursuant to FRCiv.P. 60(a) submitted (bb) (Entered: 07/03/2002)
07/09/2002	<u>176</u>	Order granting [175-1] joint motion for order correcting clerical mistakes in the report attached to the March 12, 2002 order pursuant to FRCiv.P. 60(a) signed by Chief Judge Boyle; served. (bb) (Entered: 07/17/2002)
03/11/2003	<u>177</u>	Joint motion by USA, State of NC, NC Dept. of Corr., Mack Jarvis, Dan Stieneke for an order correcting clerical mistakes in the report attached to the 3/12/02 order (js) (Entered: 03/15/2003)
03/15/2003		Motion(s) submitted: [177-1] joint motion for an order correcting clerical mistakes in the report attached to the 3/12/02 order submitted to CJ Boyle on 3/15/03. (js) (Entered: 03/15/2003)
03/25/2003	<u>178</u>	Order granting [177-1] joint motion for an order correcting clerical mistakes in the report attached to the 3/12/02 order. The 3/12/02 order is corrected to include a monetary relief award for cindy Beaver in the amt. of \$8,155 and a monetary relief award for Judith McCanless int he amt. of \$3,536. signed by Boyle, CJ. served. (js) (Entered: 03/28/2003)