

CLOSED,STAYED

**U.S. District Court  
Eastern District of Michigan (Detroit)  
CIVIL DOCKET FOR CASE #: 2:15-cv-10373-BAF-RSW**

Moratorium Now! et al v. Detroit 300 Conservancy et al  
Assigned to: District Judge Bernard A. Friedman  
Referred to: Magistrate Judge R. Steven Whalen  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 01/28/2015  
Date Terminated: 02/16/2016  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Moratorium Now!**

represented by **Brooke A. Merriweather-Tucker**  
American Civil Liberties Union of  
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**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Cheryl LaBash**

represented by **Brooke A. Merriweather-Tucker**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Christine Hopkins – INACTIVE**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Gerald D. Wahl**  
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**ATTORNEY TO BE NOTICED**

**Michael J. Steinberg**

(See above for address)  
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**Plaintiff**

**Thomas Michalak**

represented by **Brooke A. Merriweather–Tucker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christine Hopkins – INACTIVE**  
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**Gerald D. Wahl**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Steinberg**  
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**Plaintiff**

**Wallis Andersen**

represented by **Brooke A. Merriweather–Tucker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christine Hopkins – INACTIVE**  
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*ATTORNEY TO BE NOTICED*

**Gerald D. Wahl**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Steinberg**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Joan Mandell**

represented by **Brooke A. Merriweather–Tucker**  
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*ATTORNEY TO BE NOTICED*

**Christine Hopkins – INACTIVE**  
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**Gerald D. Wahl**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Steinberg**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Detroit 300 Conservancy**

represented by **Jill M. Wheaton**  
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Ann Arbor, MI 48104–6188

734-214-7660  
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 ATTORNEY TO BE NOTICED

**Defendant**

**Robert F. Gregory**

represented by **Jill M. Wheaton**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**Heather Badrak**

represented by **Jill M. Wheaton**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Defendant**

**Guardsmark, LLC**

represented by **Erica L. Fitzgerald**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**Gene Doe**

**Defendant**

**John Doe**

**Defendant**

**Sergeant Thomas Taylor**

represented by **Eric B. Gaabo**  
 Detroit City Law Department  
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 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/28/2015		Addition of Parties to CM/ECF: Plaintiffs Wallis Andersen, Cheryl LaBash, Thomas Michalak, Moratorium Now!. Reason: The party was not added to CM/ECF <a href="#">Plaintiff requests summons issued.</a> (Steinberg, Michael) (Entered: 01/28/2015)
01/28/2015	<u>1</u>	COMPLAINT filed by All Plaintiffs against All Plaintiffs. <a href="#">Plaintiff requests summons issued.</a> Receipt No: 0645-5001508 - Fee: &#36 400. <a href="#">County of 1st Plaintiff: Wayne - County Where Action Arose: Wayne - County of 1st Defendant: Wayne.</a>

		[Previously dismissed case: No] [Possible companion case(s): None] (Steinberg, Michael) (Entered: 01/28/2015)
01/28/2015	<u>2</u>	MOTION Preliminary Injunction by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – CM Photo, # <u>3</u> Exhibit 2 – About Campus Martius, # <u>4</u> Exhibit 3 – D300 Agreement, # <u>5</u> Exhibit 4 – Park Rules, # <u>6</u> Exhibit 5 – LaBash Declaration, # <u>7</u> Exhibit 6 – Michalak Declaration, # <u>8</u> Exhibit 7 – WIB Flyer, # <u>9</u> Exhibit 8 – Petition, # <u>10</u> Exhibit 9 – Mandell Declaration, # <u>11</u> Exhibit 10 – About Det Gathering Place) (Steinberg, Michael) (Entered: 01/28/2015)
01/28/2015	<u>3</u>	NOTICE of Appearance by Brooke A. Merriweather–Tucker on behalf of All Plaintiffs. (Merriweather–Tucker, Brooke) (Entered: 01/28/2015)
01/28/2015		Addition of Parties to CM/ECF: Plaintiff Joan Mandell. Reason: The party was not added to CM/ECF when e–filing <u>2</u> MOTION Preliminary Injunction , Addition of Parties, <u>1</u> Complaint, <u>3</u> Notice of Appearance (Steinberg, Michael) (Entered: 01/28/2015)
01/29/2015	<u>4</u>	SUMMONS Issued for *Heather Badrak, Detroit 300 Conservancy, Robert F. Gregory, Guardsmark, LLC, Sergeant Thomas Taylor* (TMcg) (Entered: 01/29/2015)
01/29/2015		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at <a href="http://www.mied.uscourts.gov">http://www.mied.uscourts.gov</a> (TMcg) (Entered: 01/29/2015)
01/30/2015	<u>5</u>	NOTICE of Appearance by Christine Hopkins on behalf of All Plaintiffs. (Hopkins, Christine) (Entered: 01/30/2015)
02/09/2015	<u>6</u>	SCHEDULING ORDER AND NOTICE OF HEARING re <u>2</u> MOTION Preliminary Injunction filed by Moratorium Now!, Wallis Andersen, Thomas Michalak, Cheryl LaBash. Signed by District Judge Bernard A. Friedman. (MVer) (Entered: 02/09/2015)
02/13/2015	<u>7</u>	NOTICE of Appearance by Jill M. Wheaton on behalf of Heather Badrak, Detroit 300 Conservancy, Robert F. Gregory. (Wheaton, Jill) (Entered: 02/13/2015)
02/17/2015	<u>8</u>	NOTICE OF HEARING on <u>2</u> MOTION Preliminary Injunction . <b>Motion Hearing set for 3/27/2015 09:00 AM before District Judge Bernard A. Friedman</b> HEARING TO BE HELD AT THE WAYNE STATE UNIVERSITY LAW BUILDING (MVer) (Entered: 02/17/2015)
02/18/2015	<u>9</u>	CERTIFICATE of Service/Summons Returned Executed. Robert F. Gregory served on 2/10/2015, answer due 3/3/2015. (Steinberg, Michael) (Entered: 02/18/2015)
02/18/2015	<u>10</u>	CERTIFICATE of Service/Summons Returned Executed. Guardsmark, LLC served on 2/9/2015, answer due 3/2/2015. (Steinberg, Michael) (Entered: 02/18/2015)
02/20/2015	<u>11</u>	STIPULATION AND ORDER EXTENDING TIME TO FILE RESPONSES TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION TO MARCH 2, 2015. Signed by District Judge Bernard A. Friedman. (MVer) (Entered: 02/20/2015)
02/23/2015	<u>12</u>	CERTIFICATE of Service/Summons Returned Executed. Sergeant Thomas Taylor served on 2/6/2015, answer due 2/27/2015. (Steinberg, Michael) (Entered: 02/23/2015)
02/24/2015	<u>13</u>	NOTICE of Appearance by Eric B. Gaabo on behalf of Sergeant Thomas Taylor. (Gaabo, Eric) (Entered: 02/24/2015)
03/03/2015	<u>14</u>	ORDER modifying briefing schedule re <u>2</u> MOTION Preliminary Injunction filed by Moratorium Now!, Wallis Andersen, Thomas Michalak, Cheryl LaBash. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 03/03/2015)
03/10/2015	<u>15</u>	NOTICE by All Plaintiffs <i>That They Are Not Seeking Preliminary Injunctive Relief From Guardsmark Defendants</i> (Steinberg, Michael) (Entered: 03/10/2015)
03/13/2015	<u>16</u>	STIPULATION AND ORDER re <u>1</u> Complaint, Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 03/13/2015)
03/16/2015	<u>17</u>	NOTICE by All Plaintiffs <i>Notice of Withdrawal of Preliminary Injunction Motion</i> (Merriweather–Tucker, Brooke) (Entered: 03/16/2015)

03/17/2015		TEXT-ONLY NOTICE: Hearing on March 27, 2015 is Cancelled re 8 Notice of Hearing on Motion, (CMul) (Entered: 03/17/2015)
04/09/2015	<u>18</u>	ATTORNEY APPEARANCE: Stephen E. Glazek appearing on behalf of Guardsmark, LLC (Glazek, Stephen) (Entered: 04/09/2015)
04/09/2015	<u>19</u>	MOTION to Dismiss by Guardsmark, LLC. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E) (Fitzgerald, Erica) Modified on 4/27/2015 (CMul). (Entered: 04/09/2015)
04/13/2015	<u>20</u>	STIPULATION AND ORDER of partial dismissal and termination of defendants Guardsmark, LLC, Gene Doe and John Doe Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 04/13/2015)
04/15/2015	<u>21</u>	STIPULATION AND ORDER re <u>1</u> Complaint, Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 04/15/2015)
04/15/2015	<u>22</u>	NOTICE TO APPEAR: <b>Status Conference set for 4/28/2015 10:00 AM before District Judge Bernard A. Friedman</b> (CMul) (Entered: 04/15/2015)
04/27/2015		TEXT-ONLY NOTICE: Hearing on April 28, 2015 is Cancelled re <u>22</u> Notice to Appear (CMul) (Entered: 04/27/2015)
04/30/2015	<u>23</u>	AMENDED COMPLAINT filed by All Plaintiffs against All Defendants. <b>NO NEW PARTIES ADDED.</b> (Merriweather-Tucker, Brooke) (Entered: 04/30/2015)
05/04/2015	<u>24</u>	STIPULATION AND ORDER re <u>19</u> MOTION to Dismiss Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 05/04/2015)
05/11/2015	<u>25</u>	STIPULATION AND ORDER holding case against certain defendants in abeyance Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 05/11/2015)
05/11/2015	<u>26</u>	RESPONSE to <u>19</u> MOTION to Dismiss filed by All Plaintiffs. (Merriweather-Tucker, Brooke) (Entered: 05/11/2015)
05/13/2015	<u>27</u>	NOTICE by Guardsmark, LLC <i>OF RELIANCE ON MOTION TO DISMISS</i> (Fitzgerald, Erica) (Entered: 05/13/2015)
05/28/2015	<u>28</u>	REPLY to Response re <u>19</u> MOTION to Dismiss filed by Guardsmark, LLC. (Fitzgerald, Erica) (Entered: 05/28/2015)
06/04/2015	<u>29</u>	Notice of Determination of Motion Without Oral Argument re <u>19</u> MOTION to Dismiss (CMul) (Entered: 06/04/2015)
06/05/2015	<u>30</u>	NOTICE by All Plaintiffs re <u>26</u> Response to Motion <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Slip Opinion) (Merriweather-Tucker, Brooke) (Entered: 06/05/2015)
06/17/2015	<u>31</u>	SUPPLEMENTAL BRIEF re <u>30</u> Notice (Other) <i>RESPONSE TO PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY</i> filed by Guardsmark, LLC. (Fitzgerald, Erica) (Entered: 06/17/2015)
07/22/2015	<u>32</u>	ORDER denying <u>19</u> Motion to Dismiss. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 07/22/2015)
08/03/2015	<u>33</u>	STIPULATION AND ORDER to hold all defendants in abeyance re <u>25</u> Stipulation and Order Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 08/03/2015)
09/03/2015	<u>34</u>	ORDER EXTENDING STAY Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 09/03/2015)
10/14/2015		Minute Entry for proceedings before District Judge Bernard A. Friedman: Telephonic Status Conference held on 10/14/2015 (CMul) (Entered: 10/14/2015)
10/14/2015	<u>35</u>	ORDER REFERRING OTHER MATTERS to Magistrate Judge Whalen : Settlement Conference to be scheduled after 11/24/2015 Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 10/14/2015)
10/15/2015	<u>36</u>	NOTICE TO APPEAR: <b>Settlement Conference set for 12/1/2015 at 01:30 PM before Magistrate Judge R. Steven Whalen.</b> (THac) (Entered: 10/15/2015)

10/15/2015	<u>37</u>	ORDER extending stay. Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 10/15/2015)
11/25/2015	<u>38</u>	NOTICE of Appearance by Gerald D. Wahl on behalf of Wallis Andersen, Cheryl LaBash, Joan Mandell, Thomas Michalak, Moratorium Now!. (Wahl, Gerald) (Entered: 11/25/2015)
12/01/2015		Minute Entry for proceedings before Magistrate Judge R. Steven Whalen: Settlement Conference held on 12/1/2015. Disposition: CASE SETTLED/CONTIGENT ON CITY OF DETROIT'S APPROVAL – CITY COUNCIL MEETING IS ON 01/05/2016. (Court Reporter Digitally Recorded) (CCie) (Entered: 12/01/2015)
02/16/2016	<u>39</u>	STIPULATED ORDER DISMISSING CASE Signed by District Judge Bernard A. Friedman. (CMul) (Entered: 02/16/2016)