

**U.S. District Court
Southern District of Mississippi (Northern (Jackson))
CIVIL DOCKET FOR CASE #: 3:06-cv-00374-WHB-LRA**

Britton et al v. Anderson et al
Assigned to: District Judge William H. Barbour, Jr
Referred to: Magistrate Judge Linda R. Anderson
Cause: 42:1983 Civil Rights Act

Date Filed: 07/11/2006
Date Terminated: 03/18/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Tanya Britton

represented by **Stephen M. Crampton**
LIBERTY COUNSEL
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LEAD ATTORNEY
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Michael J. DePrimo
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LAW CENTER
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TERMINATED: 06/11/2007
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Plaintiff

Joseph Carson

represented by **Stephen M. Crampton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. DePrimo
(See above for address)
TERMINATED: 06/11/2007
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Plaintiff

Marilyn Carroll

represented by **Stephen M. Crampton**
(See above for address)
LEAD ATTORNEY
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Michael J. DePrimo
(See above for address)
TERMINATED: 06/11/2007
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Plaintiff

Carmen Vasquez

represented by **Stephen M. Crampton**
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LEAD ATTORNEY
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Michael J. DePrimo
(See above for address)

TERMINATED: 06/11/2007
ATTORNEY TO BE NOTICED

Plaintiff

Pro-Life Mississippi

represented by **Stephen M. Crampton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. DePrimo
(See above for address)
TERMINATED: 06/11/2007
ATTORNEY TO BE NOTICED

V.

Defendant

Shirlene Anderson

*Individually and in her official capacity
as Chief of Police for the City of Jackson,
MS*

represented by **Pieter Teeuwissen**
SIMON & TEEUWISSEN, PLLC
621 East Northside Drive
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Marvell M. Gordon
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Email: mgordon@cochranfirm.com
ATTORNEY TO BE NOTICED

Defendant

Rosemary Harper

*Individually and in her official capacity
as a police officer for the City of Jackson,
MS*

represented by **Marvell M. Gordon**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jerry Brister

*Individually and in his official capacity as
a police officer for the City of Jackson,
MS*

represented by **Marvell M. Gordon**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

City of Jackson

represented by **Pieter Teeuwissen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jessie Robinson

individually

Defendant

represented by

Pieter Teeuwissen

individually

TERMINATED: 03/14/2008

Pieter Teeuwissen

(See above for address)

Date Filed	#	Docket Text
07/11/2006	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350 receipt number JO14020) , filed by Carmen Vasquez, et al. (Attachments: # <u>1</u> Civil Cover Sheet)(Lowery, R.) (Entered: 07/12/2006)
07/11/2006		Summons Issued as to Shirlene Anderson, Rosemary Harper, Jerry Brister. (Lowery, R.) (Entered: 07/12/2006)
07/17/2006	<u>2</u>	MOTION for Temporary Restraining Order by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll. (Attachments: # <u>1</u> Exhibit)(THR,) (Entered: 07/17/2006)
07/17/2006	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll. (THR,) (Entered: 07/17/2006)
07/18/2006		Minute Entry for proceedings held before Judge William H. Barbour Jr.: Motion Hearing held on 7/18/2006 re <u>2</u> MOTION for Temporary Restraining Order filed by Pro-Life Mississippi,, Tanya Britton,, Joseph Carson,, Marilyn Carroll,, Carmen Vasquez,- Motion for Preliminary Injunction was denied (Court Reporter Cheri Bond 540-5482.) (Nelson, Ann) (Entered: 07/19/2006)
07/19/2006	<u>4</u>	MOTION for Reconsideration re <u>2</u> MOTION for Temporary Restraining Order by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll. (Crampton, Stephen) (Entered: 07/19/2006)
07/19/2006	<u>5</u>	Defendant's Exhibit List by Shirlene Anderson, Rosemary Harper, Jerry Brister.(THR,) (Entered: 07/20/2006)
07/19/2006	<u>6</u>	Plaintiff's Exhibit List by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll.(THR,) (Entered: 07/20/2006)
07/19/2006	<u>7</u>	EXHIBITS P-A, P-B, P-C, P-D, D-1, D-2 by Carmen Vasquez, Pro-Life Mississippi, Shirlene Anderson, Rosemary Harper, Jerry Brister, Tanya Britton, Joseph Carson, Marilyn Carroll. (exhibits in 1 envelope)(THR,) (Entered: 07/20/2006)
07/20/2006		TEXT ORDER ONLY denying Plaintiffs' <u>2</u> Motion for Temporary Restraining Order. The Motion is denied in accordance with THE stenographically recorded motion hearing before the undersigned which occurred on July 18, 2006. NO FURTHER WRITTEN ORDER SHALL FOLLOW. Signed by Judge William H. Barbour Jr. on 07-20-06. (Turner, Tom) (Entered: 07/20/2006)
07/20/2006	<u>8</u>	RESPONSE to Motion re <u>2</u> MOTION for Temporary Restraining Order filed by City of Jackson. (Teeuwissen, Pieter) (Entered: 07/20/2006)
07/20/2006	<u>9</u>	AFFIDAVIT by Jerry Brister. (Teeuwissen, Pieter) (Entered: 07/20/2006)
07/20/2006	<u>10</u>	RESPONSE to Motion re <u>4</u> MOTION for Reconsideration re <u>2</u> MOTION for Temporary Restraining Order filed by City of Jackson. (Teeuwissen, Pieter) (Entered: 07/20/2006)
07/21/2006	<u>11</u>	REPLY to Response to Motion re <u>4</u> MOTION for Reconsideration re <u>2</u> MOTION for Temporary Restraining Order, <u>10</u> Response to Motion filed by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll. (Crampton, Stephen) (Entered: 07/21/2006)
07/21/2006	<u>12</u>	OPINION AND ORDER denying Plaintiff's <u>4</u> Motion for Reconsideration . Signed by Judge William H. Barbour Jr. on 7/21/06. (Nelson, Ann) (Entered: 07/21/2006)
07/21/2006	<u>13</u>	NOTICE of Appearance by Pieter Teeuwissen on behalf of City of Jackson (Teeuwissen, Pieter) (Entered: 07/21/2006)

07/28/2006	<u>14</u>	TRANSCRIPT of Proceedings held on July 18, 2006 before Judge William H. Barbour. Court Reporter: Cherie G. Bond. (THR,) (Entered: 07/31/2006)
07/31/2006	<u>15</u>	ANSWER to Complaint by City of Jackson.(Gordon, Marvell) (Entered: 07/31/2006)
07/31/2006	<u>16</u>	ANSWER to Complaint by Rosemary Harper.(Gordon, Marvell) (Entered: 07/31/2006)
07/31/2006	<u>17</u>	MOTION to Dismiss by Jerry Brister. (Gordon, Marvell) (Entered: 07/31/2006)
07/31/2006	<u>18</u>	MOTION to Dismiss by Shirlene Anderson. (Gordon, Marvell) (Entered: 07/31/2006)
08/02/2006	<u>19</u>	ORDER STAYING CASE pending a ruling on the immunity defense motions of Jerry Brister and Shirlene Anderson. Signed by Judge James C. Sumner on August 2, 2006. (wg,) (Entered: 08/02/2006)
08/03/2006		DOCKET ANNOTATION as to #19. Signed copy of document now attached. (wg,) (Entered: 08/03/2006)
08/28/2006	<u>20</u>	Response in Opposition re <u>17</u> MOTION to Dismiss by Jerry Brister. (Gordon, Marvell), <u>18</u> MOTION to Dismiss by Shirlene Anderson. (Gordon, Marvell) filed by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll. (Crampton, Stephen) (Entered: 08/28/2006)
08/28/2006	<u>21</u>	Rebuttal re <u>20</u> Response in Opposition, to <i>Defendants' Motion to Dismiss Based on Immunity</i> filed by Jerry Brister. (Teeuwissen, Pieter) (Entered: 08/28/2006)
08/28/2006	<u>22</u>	Rebuttal re <u>20</u> Response in Opposition, to <i>Defendants' Motion to Dismiss Based on Immunity</i> filed by Shirlene Anderson. (Teeuwissen, Pieter) (Entered: 08/28/2006)
11/08/2006	<u>23</u>	OPINION AND ORDER denying Jerry Brister's <u>17</u> Motion to Dismiss and denying Shirlene Anderson's <u>18</u> Motion to Dismiss. The stay previously entered in this case is hereby lifted. Plaintiffs shall file an amended complaint on or before November 22, 2006. In the event an amended complaint is not filed, the claims against Shirlene Anderson, in her individual capacity, will be dismissed on the basis of qualified immunity, upon motion filed by defendant, without further briefing on the issue. Signed by Judge William H. Barbour Jr. on 11-8-06. (Lewis, Nijah) (Entered: 11/08/2006)
11/22/2006	<u>24</u>	AMENDED COMPLAINT <i>First Amended Complaint</i> against all defendants, filed by Pro-Life Mississippi, Tanya Britton, Joseph Carson.(Crampton, Stephen) (Entered: 11/22/2006)
12/05/2006		Summons Issued as to Jessie Robinson, Pieter Teeuwissen, Shirlene Anderson, Rosemary Harper, Jerry Brister. (lbt) (Entered: 12/05/2006)
12/08/2006	<u>25</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Linda R. Anderson for all further proceedings. Judge James C. Sumner no longer assigned to case. Signed by Judge Henry T. Wingate on 12/7/06. (cwl, Deputy Clerk) (Entered: 12/14/2006)
12/27/2006	<u>26</u>	MOTION for Extension of Time to File Answer re <u>24</u> Amended Complaint by City of Jackson. (Teeuwissen, Pieter) (Entered: 12/27/2006)
12/29/2006		TEXT ONLY ORDER granting <u>26</u> Motion for Extension of Time to Answer City of Jackson answer due 1/3/2007. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Judge Linda R. Anderson on December 29, 2006. (TKR) (Entered: 12/29/2006)
01/03/2007	<u>27</u>	<i>City of Jackson Defendants'</i> ANSWER to Amended Complaint by City of Jackson.(Teeuwissen, Pieter) (Entered: 01/03/2007)
01/04/2007	<u>28</u>	ANSWER to Amended Complaint by Shirlene Anderson.(Teeuwissen, Pieter) (Entered: 01/04/2007)
01/09/2007	<u>29</u>	SUMMONS Returned Executed by Plaintiffs as to Jessie Robinson served on 12/11/2006, answer due 12/31/2006; Shirlene Anderson served on 12/11/2006, answer due 12/31/2006; Rosemary Harper served on 12/11/2006, answer due 12/31/2006; Jerry Brister served on 12/11/2006, answer due 12/31/2006. (Lowery,

		R.) (Entered: 01/09/2007)
01/11/2007	<u>30</u>	Rule 16.1(A) Initial Order Telephonic Case Management Conference set for 2/21/2007 10:00 AM before Magistrate Judge Linda R. Anderson. (wg,) (Entered: 01/11/2007)
02/16/2007	<u>31</u>	SUMMONS Returned Executed by Carmen Vasquez, Pro-Life Mississippi, Tanya Britton, Joseph Carson, Marilyn Carroll, as to Pieter Teeuwissen served on 2/12/2007, answer due 3/4/2007. (THR,) (Entered: 02/20/2007)
02/20/2007		Set/Reset Hearings: Telephonic Case Management Conference reset for 3/15/2007 at 11:00 AM before Magistrate Judge Linda R. Anderson at the request of counsel for the parties via telephone on this date. (wg,) (Entered: 02/20/2007)
03/05/2007	<u>32</u>	ANSWER to Amended Complaint by Pieter Teeuwissen.(Teeuwissen, Pieter) (Entered: 03/05/2007)
03/15/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Telephonic Case Management Conference held on 3/15/2007. Participants: Stephen M. Crampton, counsel for plaintiffs; and Pieter Teeuwissen, counsel for defendants. A Scheduling Order shall be entered by the Court setting this case for trial on a trial calendar commencing April 7, 2008. (wg,)(20) (Entered: 03/22/2007)
03/22/2007	<u>33</u>	SCHEDULING ORDER: Final Pretrial Conference set for 3/7/2008 09:00 AM before District Judge William H. Barbour Jr.. Status/Settlement Conference set for 4/26/2007 at 02:30 PM before Magistrate Judge Linda R. Anderson. Amended Pleadings due by 4/15/2007. Discovery due by 12/7/2007. Disclosure due by 3/23/2007. Designate Experts Plaintiff Deadline due by 9/7/2007. Designate Experts for Defendant Deadline due by 10/8/2007. Bench Trial set for trial calendar that begins 4/7/2008 and ends 4/18/2008 before District Judge William H. Barbour Jr.. Joinder of Parties due by 4/15/2007. Motions due by 12/24/2007. Signed by Judge Linda R. Anderson on March 22, 2007. (wg,) (Entered: 03/22/2007)
04/26/2007		Set Deadlines/Hearings: Status/Settlement Conference reset for 5/11/2007 at 02:00 PM before Magistrate Judge Linda R. Anderson at the James Eastland Courthouse, 245 E. Capitol Street, Fifth Floor, Hearing Room 526, Jackson, Mississippi.(wg,) (Entered: 04/26/2007)
05/11/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Status/Settlement Conference held on 5/11/2007. Appearances: Stephen M. Crampton, counsel for plaintiff; and Mark McLeod, counsel for defendants. The Court discussed the present status of the case with counsel for the parties. The Court will set another status conference herein for 6/11/07 at 9:00 AM. (wg,)(30) (Entered: 05/11/2007)
05/11/2007		Set Deadlines/Hearings: Status Conference via conference call set for 6/11/2007 at 09:00 AM with Magistrate Judge Linda R. Anderson. Plaintiff's counsel shall initiate the call. Telephone number for conference: 601-965-4528. (wg,) (Entered: 05/11/2007)
06/07/2007	<u>34</u>	MOTION to Withdraw as Attorney by Pro-Life Mississippi, Tanya Britton, Joseph Carson (Crampton, Stephen) (Entered: 06/07/2007)
06/08/2007	<u>35</u>	NOTICE of Service of Disclosure by City of Jackson (McLeod, Mark) (Entered: 06/08/2007)
06/11/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Status Conference held on 6/11/2007. Participants: Stephen M. Crampton, counsel for plaintiffs; and Pieter Teeuwissen, counsel for defendants. Counsel for the parties informed the Court that the parties are engaged in settlement negotiations and are working out the terms of a consent decree. Same must be presented to the Jackson City Council. Court will set another status conference for 6/26/2007. (WG)(15) (Entered: 06/11/2007)
06/11/2007		Set Deadlines/Hearings: Status Conference set for 6/26/2007 at 09:00 AM before Magistrate Judge Linda R. Anderson. Plaintiff's counsel shall initiate the call. Telephone number for conference: 601-965-4528. (WG) (Entered: 06/11/2007)

06/11/2007		TEXT ONLY ORDER granting <u>34</u> Motion to Withdraw as Attorney. Attorney Michael J. DePrimo terminated for plaintiffs. Signed by Judge Linda R. Anderson on June 11, 2007. No further written order shall be issued. (WG) (Entered: 06/11/2007)
06/26/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Status Conference held on 6/26/2007. Participants: Stephen Crampton, counsel for plaintiffs; and Pieter Teeuwissen, counsel for defendants. Parties are continuing their efforts to negotiate a settlement. Presentation to City Council scheduled for July 3. Court will set another status conference herein. (WG)(15) (Entered: 06/27/2007)
06/27/2007		Set Deadlines/Hearings: Status Conference set for 7/9/2007 09:00 AM before Magistrate Judge Linda R. Anderson. Plaintiff's counsel shall initiate the conference call. Telephone number for conference: 601-965-4528. (WG) (Entered: 06/27/2007)
07/09/2007	<u>36</u>	ORDER requiring counsel to submit a Status Report due on or before 8/14/2007 at 9:00 AM. Signed by Judge Linda R. Anderson on July 9, 2007. (WG) (Entered: 07/09/2007)
07/09/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Status Conference held on 7/9/2007. Participants: Stephen M. Crampton, counsel for plaintiffs; and Pieter Teeuwissen, counsel for defendants. Court inquired of the parties as to status of settlement negotiations. Parties were unable to report that a final resolution has been made. Court will set another status conference for August 14, 2007 at 9:00 AM. (WG)(15) (Entered: 07/09/2007)
08/21/2007	<u>37</u>	NOTICE of Filing by City of Jackson (Attachments: # <u>1</u> Exhibit August 21, 2007 letter)(Teeuwissen, Pieter) (Entered: 08/21/2007)
09/06/2007		Set Deadlines/Hearings: Telephonic Status Conference set for 9/12/2007 at 09:00 AM with Magistrate Judge Linda R. Anderson. Plaintiffs' counsel shall initiate the conference call. Telephone number for conference: 601-965-4528 (WG) (Entered: 09/06/2007)
09/13/2007		ORDER STAYING CASE per ore tenus motion of counsel for the parties to finalize the terms of an agreement reached herein. Counsel for the parties shall notify the Court on or before November 13, 2007 as to the status of the case if an Order of Dismissal has not been entered prior to said date. Signed by Judge Linda R. Anderson on September 13, 2007. NO FURTHER WRITTEN ORDER SHALL BE ISSUED.(WG) (Entered: 09/13/2007)
09/13/2007		Minute Entry for proceedings held before Judge Linda R. Anderson : Status Conference held on 9/13/2007. Participants: Stephen M. Crampton, counsel for plaintiff; and Pieter Teeuwissen, counsel for defendants. Counsel requested a 60-day stay of the case to finalize the terms of an agreement reached herein which the Court will grant. (WG) (Entered: 09/13/2007)
02/06/2008		TEXT ONLY ORDER setting Status Conference for 2/15/2008 at 11:00 AM before Magistrate Judge Linda R. Anderson regarding stay entered 9/13/2007. Plaintiff's counsel shall initiate the conference call. Telephone number for conference: 601-965-4528. Signed by Magistrate Judge Linda R. Anderson on February 6, 2008. NO FURTHER WRITTEN ORDER SHALL BE ISSUED. (WG) (Entered: 02/06/2008)
02/15/2008		Minute Entry for proceedings held before Magistrate Judge Linda R. Anderson: Status Conference held on 2/15/2008. Parties advised the Court that they are in agreement on all material terms. The Court expects the parties to take the steps necessary to consummate the entry of a consent decree herein within 30 days. Another status conference will be set by the Court, but will be cancelled if a consent decree has been entered on the docket on or before 3/17/08. (WG) (Entered: 02/15/2008)
02/15/2008		Set/Reset Hearings: Telephonic Status Conference set for 3/17/2008 09:00 AM before Magistrate Judge Linda R. Anderson in the event a consent decree has not been entered in this case before said date. (WG) (Entered: 02/15/2008)

02/19/2008	<u>38</u>	NOTICE of Judge Barbour's March 17, 2008 pretrials, and April 7, 2008 civil trial calendar setting. (Lewis, Nijah) (Entered: 02/19/2008)
02/27/2008		Set/Reset Hearings: Final Pretrial Conference set for 3/17/2008 at 09:30 AM before District Judge William H. Barbour Jr. (Lewis, Nijah) (Entered: 02/27/2008)
03/14/2008		TEXT ONLY ORDER Cancelling Pretrial Conference set for March 17, 2008 at 9:30 before District Judge William H. Barbour, Jr. The Court was notified that the parties have reached an agreement. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge William H. Barbour, Jr on 3-14-08 (Lewis, Nijah) (Entered: 03/14/2008)
03/14/2008	<u>39</u>	CONSENT DECREE. Signed by District Judge William H. Barbour, Jr on 3-14-08 (Lewis, Nijah) (Entered: 03/14/2008)
03/14/2008		ORAL MOTION to Dismiss by Pieter Teeuwissen (cwl) (Entered: 03/14/2008)
03/14/2008	<u>40</u>	AGREED ORDER granting [] Motion to Dismiss. That Pieter Teeuwissen, Esq., is fully and finally dismissed from this cause with prejudice without finding against him in either and individual or official capacity. Signed by District Judge William H. Barbour, Jr on 3/14/08 (cwl) (Entered: 03/14/2008)
03/18/2008	<u>41</u>	ORDER DISMISSING CASE with prejudice to all parties. Parties having settled. Signed by District Judge William H. Barbour, Jr on 3/18/08 (THR) (Entered: 03/18/2008)