

**U.S. District Court
Northern District of Ohio (Akron)
CIVIL DOCKET FOR CASE #: 5:10-cv-02319-DDD**

United States of America v. Testa Family Enterprises, LTD,
LLC
Assigned to: Judge David D. Dowd, Jr
Cause: 42:405 Fair Housing Act

Date Filed: 10/12/2010
Date Terminated: 06/08/2011
Jury Demand: None
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: U.S. Government Plaintiff

Plaintiff**United States of America**

represented by **Michelle L. Heyer**
Office of the U.S. Attorney – Cleveland
Northern District of Ohio
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Cleveland, OH 44113
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ATTORNEY TO BE NOTICED

V.

Defendant

Testa Family Enterprises, Ltd., LLC
doing business as
Royal Arms Apartments

represented by **Randall M. Traub**
Pelini & Associates LLC
400 Bretton Commons
8040 Cleveland Avenue, NW
North Canton, OH 44720
330-305-6400
Fax: 330-305-0042
Email: rmtraub@pelini-law.com
ATTORNEY TO BE NOTICED

Defendant**Christine Testa**

represented by **Randall M. Traub**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/12/2010	<u>1</u>	Complaint against Christine Testa, Testa Family Enterprises, LTD, LLC., filed by United States of America. (Attachments: # <u>1</u> Summons Testa Family Enterprises, # <u>2</u> Summons Christine Testa, # <u>3</u> Civil Cover Sheet) (Heyer, Michelle) Modified text on 10/13/2010 (M,TL). (Entered: 10/12/2010)
10/12/2010		Judge David D. Dowd, Jr. assigned to case. (M,TL) (Entered: 10/12/2010)
10/12/2010		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge George J. Limbert. (M,TL) (Entered: 10/12/2010)
10/12/2010	<u>2</u>	Original Summons and Magistrate Consent Form issued for service upon Christine Testa, Testa Family Enterprises, LTD., LLC. (Attachments: # <u>1</u> Magistrate Consent Form) (M,TL) (Entered: 10/12/2010)
10/13/2010		Service by Clerk. Summons and Complaint addressed to Christine Testa & Testa Family Enterprises, LTD., LLC placed in U.S. Mail. Type of service: certified mail. Receipt # 70052570000010248807/8814. (C,BA) (Entered: 10/13/2010)

10/18/2010	<u>3</u>	Return of Service by Clerk by certified mail executed upon Christine Testa on 10/14/2010; Testa Family Enterprises, LTD., LLC on 10/14/2010, filed on behalf of United States of America (E,P) (Entered: 10/18/2010)
10/19/2010		Order (non-document) referring case to Magistrate Judge George Limbert for general pretrial supervision. Hereafter all filings in this action shall bear the names of both Judge David D.Dowd, Jr. and the Magistrate Judge. The parties may still exercise their right to consent to the exercise of full jurisdiction by a magistrate judge and this order does not alter the parties' responsibility to file their election with the Court with reference to whether they consent to a magistrate judge exercising full jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1) and LR 73.1, if the parties have not already done so. Approved by Judge David D. Dowd, Jr. on 10/19/2010. (M,De) (Entered: 10/19/2010)
10/25/2010	<u>4</u>	Magistrate Consent Package issued. (S,AA) (Entered: 10/25/2010)
11/03/2010	<u>5</u>	<i>Defendants' Answer</i> to <u>1</u> Complaint, filed by Christine Testa, Testa Family Enterprises, LTD., LLC. (Traub, Randall) (Entered: 11/03/2010)
11/05/2010	<u>6</u>	Case Management Conference Scheduling Order: Pursuant to the agreement of counsel, a case management conference is scheduled for 11/30/10 at 10:30 AM in Room No. 229 in Youngstown, Ohio, before Magistrate Judge George J. Limbert. Signed by Magistrate Judge George J. Limbert on 11/5/10. (Attachments: # <u>1</u> Attachment 1 – Report of Parties' Planning Meeting, # <u>2</u> Attachment 2 – L.R.–Appendix K)(S,AA) (Entered: 11/05/2010)
11/23/2010	<u>7</u>	Report of Parties' Planning Meeting filed by Christine Testa, Testa Family Enterprises, Ltd., LLC, United States of America. Related document(s) <u>6</u> .(Heyer, Michelle) (Main Document 7 replaced on 11/24/2010 – double headers removed) (P, S). (Entered: 11/23/2010)
11/30/2010		Minutes of proceedings [non-document] before Magistrate Judge George J. Limbert; case management conference held on 11/30/10; case is assigned to the standard track; Michelle L. Heyer was present as counsel for plaintiff, and Randall M. Traub was present as counsel for defendants; (Court Reporter: None);Time: 15 minutes. (S,AA) (Entered: 11/30/2010)
11/30/2010	<u>8</u>	Case Management Conference Order: Case is assigned to the standard track; this case is not suitable for reference to an alternative dispute resolution program at this time; the parties did not consent to the jurisdiction of a U.S. Magistrate Judge; discovery shall be completed on or before 6/1/11; the parties agreed to follow the default standard for discovery of electronically-stored information; new parties shall be joined, and pleadings shall be amended, on or before 6/1/11; dispositive motions shall be filed on or before 7/1/11; a status conference is scheduled before Magistrate Judge Limbert in Room No. 229 in Youngstown, Ohio on 6/1/11 at 1:30 p.m. Signed by Magistrate Judge George J. Limbert on 11/30/10. (S,AA) (Entered: 11/30/2010)
05/31/2011		DOCUMENT FILED IN ERROR; PLEASE SEE DOCUMENT NUMBER <u>9</u> FOR CORRECT ENTRY: Minutes of proceedings [non-document] before Magistrate Judge George J. Limbert. The Status Conference scheduled for 6/1/11 at 1:30 PM is continued based upon the representation of Plaintiff's counsel that the matter may be settled. The parties shall submit an agreed order on or before 6/10/11. (Court Reporter: None.)Time: 10 minutes. (BR,S) Modified on 6/1/2011 (S,AA). (Entered: 05/31/2011)
06/01/2011	<u>9</u>	Notice: Based upon the representation of plaintiff's counsel that this matter may be settled, the status conference which was scheduled to be held before Magistrate Judge Limbert on 6/1/11 is continued; the parties shall submit an agreed order on or before 6/10/11. (S,AA) (Entered: 06/01/2011)
06/06/2011	<u>10</u>	Proposed Consent Order (Motion for) filed by Christine Testa, Testa Family Enterprises, Ltd., LLC, Plaintiff United States of America. Related document(s) <u>1</u> , <u>2</u> . (Heyer, Michelle) Modified text on 6/7/2011 (S,He). (Entered: 06/06/2011)
06/08/2011	<u>11</u>	Consent Order that the Court shall retain jurisdiction for the duration of this order to enforce the terms of the Order, after which time the case shall be dismissed with prejudice. All parties shall be responsible for their own attorney's fees and court

		costs, except as provided for in Section H of this order. Signed by Judge David D. Dowd, Jr. on 6/8/2011. (M,De) (Entered: 06/08/2011)
06/08/2011	<u>12</u>	Notice of Dismissal Under FRCP 41(a)(1) <i>Without Prejudice</i> filed by United States of America. (Heyer, Michelle) (Entered: 06/08/2011)
06/08/2011	<u>13</u>	Marginal Entry Order approving Notice of Dismissal without prejudice. Pursuant to paragraph 13 of the proposed consent order <u>11</u> signed by all parties, the United States shall dismiss this matter with prejudice upon conclusion of the period during which the consent order is in effect. Signed by Judge David D. Dowd, Jr. on 6/8/2011. (M,De) (Entered: 06/08/2011)