

CLOSED

**U.S. District Court
District of South Dakota (Southern Division)
CIVIL DOCKET FOR CASE #: 4:09-cv-04153-KES**

USA v TK Properties
Assigned to: Chief Judge Karen E. Schreier
Cause: 42:405 Fair Housing Act

Date Filed: 10/15/2009
Date Terminated: 12/21/2010
Jury Demand: None
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff

United States of America

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Defendant

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Defendant

Scott Terveen

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Defendant

Ann Wagner

Defendant

Corey Anderson

Date Filed	#	Docket Text
10/15/2009		Remark: Per discussion with Max Lapertosa, we DO NOT need to mail copies of any documents to Thomas Perez, Steven Rosenbaum, or Timothy J. Moran. (CMS) (Entered: 10/16/2009)
10/15/2009	<u>1</u>	COMPLAINT, filed by United States of America.(CMS) (Entered: 10/16/2009)

10/15/2009	<u>2</u>	CIVIL COVER SHEET (CMS) (Entered: 10/16/2009)
10/15/2009	<u>3</u>	Summons Issued as to Ann Wagner; handed two true copies to runner. (CMS) (Entered: 10/16/2009)
10/15/2009	<u>4</u>	Summons Issued as to Corey Anderson; handed two true copies to runner. (CMS) (Entered: 10/16/2009)
10/15/2009	<u>5</u>	Summons Issued as to Scott Terveen; handed two true copies to runner. (CMS) (Entered: 10/16/2009)
10/15/2009	<u>6</u>	Summons Issued as to TK Properties, L.L.C.; handed two true copies to runner. (CMS) (Entered: 10/16/2009)
11/09/2009	<u>7</u>	WAIVER OF SERVICE Returned Executed by United States of America. TK Properties, L.L.C. waiver sent on 10/20/2009, answer due 12/21/2009; Scott Terveen waiver sent on 10/20/2009, answer due 12/21/2009. (Lapertosa, Max) (Entered: 11/09/2009)
11/09/2009	<u>8</u>	<i>Separate</i> ANSWER to <u>1</u> Complaint by TK Properties, L.L.C., Scott Terveen.(Fritz, Daniel) (Entered: 11/09/2009)
12/29/2009	<u>9</u>	AFFIDAVIT of Service for Complaint/Summons served on Anderson, Corey on 11/18/2009, filed by United States of America., SUMMONS Returned Executed by United States of America. Corey Anderson served on 11/18/2009, answer due 12/9/2009. (Lapertosa, Max) (Entered: 12/29/2009)
12/29/2009	<u>10</u>	AFFIDAVIT of Service for Complaint/Summons served on Wagner, Ann on 11/18/2009, filed by United States of America., SUMMONS Returned Executed by United States of America. Ann Wagner served on 11/18/2009, answer due 12/9/2009. (Lapertosa, Max) (Entered: 12/29/2009)
01/26/2010	<u>11</u>	NOTICE of Appearance by Neta Borshansky on behalf of United States of America (Borshansky, Neta) (Entered: 01/26/2010)
02/08/2010	<u>12</u>	FORM 52 REPORT of Parties Planning Meeting. (Fritz, Daniel) (Entered: 02/08/2010)
02/09/2010	<u>13</u>	SCHEDULING ORDER: Discovery due by 9/24/2010. Motions due by 10/12/2010. Signed by Chief Judge Karen E. Schreier on 2/9/2010. (KC) (Entered: 02/09/2010)
05/14/2010	<u>14</u>	Motion/ STIPULATION for Extension of Deadline by TK Properties, L.L.C., Scott Terveen. (Fritz, Daniel) Modified on 5/14/2010 to change to motion(SLW). (Entered: 05/14/2010)
05/17/2010	<u>15</u>	ORDER granting <u>14</u> Motion to Extend Deadlines. Signed by Chief Judge Karen E. Schreier on 5/17/2010. (KC) (Entered: 05/17/2010)
07/08/2010	<u>16</u>	APPLICATION for Entry of Default Judgment Against Defendants Anderson and Wagner by Plaintiff United States of America. (Attachments: # <u>1</u> Exhibit 1. Declaration of Neta Borshansky, # <u>2</u> Exhibit 2. 2010.01.07 Letter, # <u>3</u> Exhibit 3. 2010.03.02 Letter, # <u>4</u> Exhibit 4. 2010.03.19 Letter, # <u>5</u> Exhibit 5. 2010.04.21 Letter, # <u>6</u> Exhibit 6. Certificates of Military Status, # <u>7</u> Text of Proposed Order Proposed Entry of Default re Defendants Anderson and Wagner)(Borshansky, Neta) (Entered: 07/08/2010)
07/09/2010	<u>17</u>	Clerk's ENTRY OF DEFAULT as to Corey Anderson, Ann Wagner (jh) (Entered: 07/09/2010)
07/12/2010	<u>18</u>	CERTIFICATE of Service for Application for Entry of Default Judgment (Dkt. No. 16) by United States of America. (Borshansky, Neta) (Entered: 07/12/2010)
07/13/2010	<u>19</u>	APPLICATION for Default Judgment Against Defendants Corey Anderson and Ann Wagner by Plaintiff United States of America. (Borshansky, Neta) (Entered: 07/13/2010)
07/13/2010		Mediation set for 8/17/2010 09:30 AM in Sioux Falls Grand Jury Room before U.S.Magistrate Judge John E. Simko. (CG) (Entered: 07/13/2010)

07/13/2010	<u>20</u>	MEDIATION Agreement signed by United States of America and Scott Terveen. (Borshansky, Neta) Modified on 7/14/2010 (DJP). (Entered: 07/13/2010)
07/21/2010	<u>21</u>	DEFAULT JUDGMENT in favor of United States of America against Ann Wagner, Corey Anderson on the issue of LIABILITY for violations of the Fair Housing Act. Signed by Chief Judge Karen E. Schreier on 7/21/10. (SLW) (Entered: 07/21/2010)
07/29/2010	<u>22</u>	Mail Returned as Undeliverable (Doc. 21) addressed to Ann Wagner at 209 North Dogwood Place, Sioux Falls, SD 57106 (DJP) (Entered: 07/30/2010)
08/17/2010	<u>23</u>	Mediation held on 8/17/2010 before U.S. Magistrate Judge John E. Simko (parties successfully resolved their dispute). (Court Reporter FTR Ct#3) (CG) Oral minutes; sealed attachment (per chambers) added on 8/18/2010 (SLW). (Entered: 08/18/2010)
10/05/2010	<u>24</u>	First MOTION to Extend Deadlines <i>Motion to Amend the February 9, 2010 Scheduling Order</i> by United States of America. (Attachments: # <u>1</u> Proposed Order)(Borshansky, Neta) (Entered: 10/05/2010)
10/06/2010	<u>25</u>	ORDER granting <u>24</u> Motion to Extend Deadlines. Motions due by 11/12/2010. Signed by Chief Judge Karen E. Schreier on 10/06/2010. (KC) (Entered: 10/06/2010)
11/10/2010	<u>26</u>	Joint MOTION to Extend Deadlines by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(Borshansky, Neta) (Entered: 11/10/2010)
11/10/2010	<u>27</u>	ORDER granting <u>26</u> Motion to Extend Deadlines. Motions due by 1/11/2011. Signed by Chief Judge Karen E. Schreier on 11/10/2010. (KC) (Entered: 11/10/2010)
12/20/2010	<u>28</u>	Joint MOTION Entry of Consent Order Between the United States and Defendants TK Properties, L.L.C. and Scott Terveen by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(Borshansky, Neta) (Entered: 12/20/2010)
12/21/2010	<u>29</u>	CONSENT ORDER BETWEEN THE UNITED STATES AND DEFENDANTS TK PROPERTIES, L.L.C and Scott Terveen. Signed by Chief Judge Karen E. Schreier on 12/21/10. (DJP) (Entered: 12/21/2010)
01/11/2011	<u>30</u>	MOTION for Order Awarding Civil Penalties and Injunctive Relief Against Defendants Anderson and Wagner by United States of America. (Attachments: # <u>1</u> Exhibit US v. Silva (Final Judgment), # <u>2</u> Exhibit US v. Sturdevant (Memorandum and Order), # <u>3</u> Exhibit US v. Veal (Order), # <u>4</u> Exhibit US v. Koch (Memorandum and Order), # <u>5</u> Exhibit US v. Wingo (Consent Decree), # <u>6</u> Exhibit US v. Mills (Consent Decree), # <u>7</u> Text of Proposed Order Order Awarding Civil Penalties and Injunctive Relief Against Defendants Anderson and Wagner)(Borshansky, Neta) (Entered: 01/11/2011)
03/09/2011	<u>31</u>	ORDER granting <u>30</u> Motion for civil penalties and injunctive relief. Signed by Chief Judge Karen E. Schreier on 3/9/2011. (KC) (Entered: 03/09/2011)