

CLOSED,NEBRASKA-DEFENDANT,NEBRASKADOCKET,TRIAL-OMAHA,USAPLAINTIFF

U.S. District Court
District of Nebraska (8 Omaha)
CIVIL DOCKET FOR CASE #: 8:08-cv-00271-RGK-DLP

United States of America v. State of Nebraska et al
Assigned to: Senior Judge Richard G. Kopf
Referred to: Magistrate Judge David L. Piester
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 06/30/2008
Date Terminated: 08/03/2015
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America

represented by **Benjamin O. Tayloe**
U.S. DEPARTMENT OF JUSTICE -
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ATTORNEY TO BE NOTICED

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V.

Defendant

State of Nebraska
The

represented by **Bradley Gianakos**
NEBRASKA DEPARTMENT OF
HEALTH & HUMAN SERVICES –
LINCOLN
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TERMINATED: 03/07/2011

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Jodi M. Fenner

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TERMINATED: 08/17/2009

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TERMINATED: 08/17/2009

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TERMINATED: 02/19/2013

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ATTORNEY TO BE NOTICED

Defendant

Dave Heineman
*Governor of the State of Nebraska, in his
official capacity only*

represented by **Bradley Gianakos**
(See above for address)
TERMINATED: 03/07/2011

Gregory J. Walklin
(See above for address)
ATTORNEY TO BE NOTICED

Jodi M. Fenner
(See above for address)
TERMINATED: 08/17/2009

Mark A. Ludwig
(See above for address)
TERMINATED: 08/17/2009

Matthew J. Effken
(See above for address)
TERMINATED: 02/19/2013

Susan A. Knabe
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Christine Peterson
*Chief Executive Officer, Nebraska
Department of Health and Human
Services, in her official capacity only*

represented by **Bradley Gianakos**
(See above for address)
TERMINATED: 03/07/2011

Gregory J. Walklin
(See above for address)
ATTORNEY TO BE NOTICED

Jodi M. Fenner
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TERMINATED: 08/17/2009

Mark A. Ludwig
(See above for address)
TERMINATED: 08/17/2009

Matthew J. Effken
(See above for address)
TERMINATED: 02/19/2013

Susan A. Knabe
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Wyvill
*Director, Division of Developmental
Disabilities, Nebraska Department of
Health and Human Services, in his
official capacity only*

represented by **Bradley Gianakos**
(See above for address)
TERMINATED: 03/07/2011

Gregory J. Walklin
(See above for address)
ATTORNEY TO BE NOTICED

Jodi M. Fenner
(See above for address)
TERMINATED: 08/17/2009

Mark A. Ludwig
(See above for address)
TERMINATED: 08/17/2009

Matthew J. Effken
(See above for address)
TERMINATED: 02/19/2013

Susan A. Knabe
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ron Stegemann
*Chief Executive Officer, Beatrice State
Developmental Center, in his official
capacity only*

represented by **Bradley Gianakos**
(See above for address)
TERMINATED: 03/07/2011

Gregory J. Walklin
(See above for address)
ATTORNEY TO BE NOTICED

Jodi M. Fenner
(See above for address)
TERMINATED: 08/17/2009

Mark A. Ludwig
(See above for address)
TERMINATED: 08/17/2009

Matthew J. Effken
(See above for address)
TERMINATED: 02/19/2013

Susan A. Knabe
(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/30/2008	<u>1</u>	COMPLAINT against John Wyvill, Ron Stegemann, State of Nebraska, Dave Heineman and Christine Peterson. No Summons issued by Attorney Grace Chung Becker on behalf of United States of America.(MKR) (Entered: 06/30/2008)
06/30/2008	<u>2</u>	APPLICATION/ORDER admitting pro hac vice Attorney Marina Mazor for Plaintiff United States of America. Ordered by Deputy Clerk. (Copies given at the counter) (MKR) (Entered: 06/30/2008)
06/30/2008	<u>3</u>	APPLICATION/ORDER admitting pro hac vice Attorney Richard J. Farano for Plaintiff United States of America. Ordered by Deputy Clerk. (Copies given at the counter) (MKR) (Entered: 06/30/2008)
06/30/2008	<u>4</u>	APPLICATION/ORDER admitting pro hac vice Attorney Benjamin O. Tayloe for Plaintiff United States of America. Ordered by Deputy Clerk. (Copies given at the counter) (MKR) (Entered: 06/30/2008)
06/30/2008	<u>5</u>	APPLICATION/ORDER admitting pro hac vice Attorney Shanetta Y. Brown Cutlar for Plaintiff United States of America. Ordered by Deputy Clerk. (Copies given at the counter) (MKR) (Entered: 06/30/2008)
06/30/2008	<u>6</u>	APPLICATION/ORDER admitting pro hac vice Attorney Grace Chung Becker for Plaintiff United States of America. Ordered by Deputy Clerk. (Copies given at the counter) (MKR) (Entered: 06/30/2008)
06/30/2008	<u>7</u>	Joint MOTION that the Court Enter the Parties' Negotiated Settlement Agreement by Attorney Joe W. Stecher on behalf of Plaintiff United States of America.(Stecher, Joe) (Entered: 06/30/2008)
06/30/2008	<u>8</u>	BRIEF in support of Joint MOTION that the Court Enter the Parties' Negotiated Settlement Agreement <u>7</u> by Attorney Joe W. Stecher on behalf of Plaintiff United States of America.(Stecher, Joe) (Entered: 06/30/2008)
07/02/2008	<u>9</u>	MEMORANDUM AND ORDER – After consultation by telephone with Richard Farano, counsel for the United States, and Jodi Fenner, counsel for the defendants, and with their agreement, IT IS ORDERED that: 1. No evidentiary hearing or other hearing is required or is necessary prior to the approval of the settlement agreement by the undersigned. 2. In accordance with Federal Rules of Civil Procedure 58 and 79, the settlement agreement, with the approval of the undersigned at page 38, shall constitute a final judgment the entry of which shall be deemed for all purposes to have occurred when the same is recorded on the Court's CM/ECF system. Notwithstanding this provision, the undersigned retains continuing jurisdiction over this case and the parties to construe and enforce the settlement agreement. Ordered by Judge Richard G. Kopf. (Copy to Financial)(JAB) (Entered: 07/02/2008)
07/02/2008	<u>10</u>	JUDGMENT with Settlement Agreement regarding Memorandum and Order, <u>9</u> . Ordered by Judge Richard G. Kopf. (JAB) (Entered: 07/02/2008)
08/18/2008	<u>11</u>	LETTER – Activities and Expense Report of Independent Expert John J. McGee. (JAB) (Entered: 08/18/2008)
08/20/2008		TEXT RECEIPT number 4–2417, in the amount of \$ 12,000.00 by Defendant State of Nebraska pursuant to Order <u>12</u> . (JAB) (Entered: 03/24/2009)
08/20/2008		TEXT RECEIPT number CQ08464700389, in the amount of \$100,000.00 paid by Defendant State of Nebraska pursuant to Judgment with Settlement Agreement <u>10</u> . (JAB) (Entered: 03/27/2009)
09/04/2008	<u>12</u>	MEMORANDUM AND ORDER regarding Memorandum and Order <u>9</u> , and Judgment <u>10</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall pay to independent expert John J. McGee, Ph.D., \$12,000.00 for services rendered in July 2008 in the above–captioned case. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). Within 45 days of the date of this order, the defendants shall replenish the above described interest–bearing account with

		the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Finance)(JAB) (Entered: 09/04/2008)
09/19/2008	<u>13</u>	LETTER – Activities and expense report of independent expert John J. McGee. (LKL) (Entered: 09/19/2008)
09/24/2008		TEXT RECEIPT number 4–2511, in the amount of \$ 12,000.00 by Defendant State of Nebraska pursuant to Order <u>14</u> . (JAB) (Entered: 03/24/2009)
10/02/2008	<u>14</u>	MEMORANDUM AND ORDER regarding Letter <u>13</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall pay to independent expert John J. McGee, Ph.D., \$12,000.00 for services rendered in August 2008 in the abovementioned case. As provided in the parties settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above described interest–bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Finance) (JAB) (Entered: 10/02/2008)
10/15/2008	<u>15</u>	LETTER – Activities and expense report for September, of independent expert John J. McGee.(JAB) (Entered: 10/15/2008)
10/27/2008	<u>16</u>	STRICKEN – MEMORANDUM AND ORDER regarding Letter <u>15</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall pay to independent expert John J. McGee, Ph.D., \$12,000.00 for professional services rendered in September 2008 and \$1,475.45 in mileage and meal expenses incurred in July, August, and September 2008. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest–bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to finance)(JAB) Modified on 10/29/2008 to add "sricken" text pursuant to Order <u>17</u> . (JAB) (Entered: 10/27/2008)
10/29/2008	<u>17</u>	AMENDED MEMORANDUM AND ORDER regarding Memorandum and Order, <u>16</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall pay to independent expert John J. McGee, Ph.D., \$15,310.17 for professional services, meal expenses, hotel costs, and copying expenses. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). Within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest–bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. The court's prior order entered on October 27, 2008 (filing <u>16</u>), shall be stricken. Ordered by Judge Richard G. Kopf. (Copy to Finance)(JAB) (Entered: 10/29/2008)
10/29/2008		TEXT RECEIPT number 4–2582, in the amount of \$ 15,310.17 by Defendant State of Nebraska pursuant to Order <u>17</u> . (JAB) (Entered: 03/24/2009)
02/18/2009	<u>18</u>	LETTER – Activities and expense report of independent expert John J. McGee for November, 2008.(JAB) (Entered: 02/18/2009)
02/18/2009	<u>19</u>	LETTER – Activities and expense report of independent expert John J. McGee for December, 2008.(JAB) (Entered: 02/18/2009)
02/18/2009	<u>20</u>	LETTER – Activities and expense report of independent expert John J. McGee for January, 2009.(JAB) (Entered: 02/18/2009)
02/26/2009	<u>21</u>	MOTION for fees for consultants Macomb–Oakland Regional Center, John Williams, and Life Project Consulting (from September, 2008 – December, 2008) filed by Independent Expert John J. McGee. (JAB) (Entered: 02/26/2009)
03/06/2009	<u>22</u>	MEMORANDUM AND ORDER regarding: Letters <u>18</u> , <u>19</u> and <u>20</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall pay to independent expert John J. McGee, Ph.D., \$37,207.86 for

		professional services and gasoline and auto-related expenses for the months of November 2008, December 2008, and January 2009. The defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to finance)(JAB) (Entered: 03/06/2009)
03/10/2009	<u>23</u>	MOTION for Fees – Activities and expense report of independent expert John J. McGee for February, 2009. (JAB) (Entered: 03/10/2009)
03/16/2009		TEXT RECEIPT number 4–2926, in the amount of \$ 22,417.09 by Defendant State of Nebraska pursuant to Order <u>22</u> . (JAB) (Entered: 03/24/2009)
03/17/2009		TEXT RECEIPT number 4–2929, in the amount of \$ 14,790.77 by Defendant State of Nebraska pursuant to Order <u>22</u> . (JAB) (Entered: 03/24/2009)
03/18/2009		TEXT RECEIPT number 4–2930, in the amount of \$ 16,285.76 by Defendant State of Nebraska pursuant to Order <u>24</u> . (JAB) (Entered: 03/24/2009)
03/23/2009		TEXT RECEIPT number 4–2933, in the amount of \$ 12,877.83 by Defendant State of Nebraska pursuant to Order <u>24</u> . (JAB) (Entered: 03/24/2009)
03/24/2009	<u>24</u>	MEMORANDUM AND ORDER granting Motions for Reimbursement <u>21</u> and <u>23</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of the Macomb–Oakland Regional Center in the amount of \$40,492.86; John Williams in the amount of \$9,600.00; and Life Project Consulting, LLC, in the amount of \$16,285.76. Further, the Clerk of Court shall disburse to independent expert John J. McGee, Ph.D., the amount of \$12,877.83 for professional services and expenses for February 2009. The defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., and other consultants in order to restore the accounts total to \$100,000.00. Ordered by Judge Richard G. Kopf. (JAB) (Entered: 03/24/2009)
05/15/2009		TEXT RECEIPT number 4–3048, in the amount of \$ 50,092.86 by Defendant State of Nebraska pursuant to Order <u>24</u> . (SDA,) (Entered: 05/15/2009)
05/19/2009	<u>25</u>	Mail Returned as Undeliverable addressed to grace.becker@usdoj.gov regarding Receipt (Monetary). E-mail not resent. Attorney no longer works in the office. Motion to withdraw coming. (JAB) (Entered: 05/19/2009)
05/19/2009	<u>26</u>	MOTION to Withdraw as Attorney (<i>Grace Chung Becker</i>) by Attorney Marina Mazor on behalf of Plaintiff United States of America. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Mazor, Marina) (Entered: 05/19/2009)
05/20/2009	<u>27</u>	TEXT NOTICE REGARDING PROPOSED ORDER attached to motion withdraw as attorney <u>26</u> by Deputy Clerk. Pursuant to NECivR 7.2, a moving party shall submit a proposed order to the judge. Electronically submitted proposed orders may not be combined with the motion into one document. The proposed order should be e-mailed in a word-processing format to the assigned judge. This notice is for your information for future filings. (SED) (Entered: 05/20/2009)
05/20/2009	<u>28</u>	ORDER granting <u>26</u> United States' Motion to Withdraw as Attorney (Grace Chung Becker). Ordered by Magistrate Judge David L. Piester. (JAB) (Entered: 05/20/2009)
07/20/2009	<u>29</u>	LETTER – Activities and Expense Report of Independent Expert John J. McGee for March 2009. (JAB) (Entered: 07/20/2009)
07/20/2009	<u>30</u>	LETTER – Activities and Expense Report of Independent Expert John J. McGee for April 2009. (JAB) (Entered: 07/20/2009)
07/20/2009	<u>31</u>	LETTER – Activities and Expense Report of Independent Expert John J. McGee for May 2009. (JAB) (Entered: 07/20/2009)
07/20/2009	<u>32</u>	LETTER – Activities and Expense Report of Independent Expert John J. McGee for June 2009. (JAB) (Entered: 07/20/2009)
07/23/2009	<u>33</u>	MOTION to Appoint Counsel by Attorney Mark A. Ludwig on behalf of Defendants John Wyvill, Ron Stegemann, State of Nebraska, Dave Heineman, Christine

		Peterson.(Ludwig, Mark) (Entered: 07/23/2009)
07/24/2009	<u>34</u>	TEXT NOTICE OF INCORRECT EVENT used when filing the Motion to Appoint Counsel <u>33</u> by Deputy Clerk. In the future, use the event Notice of Appearance found under "Notices".(JAB) (Entered: 07/24/2009)
08/05/2009	<u>35</u>	MEMORANDUM AND ORDER – The motions for reimbursement (filings <u>29</u> , <u>30</u> , <u>31</u> , <u>32</u>) are granted, and within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert John J. McGee, Ph.D., the amounts of \$5,405.00 for March 2009; \$10,580.00 for April 2009; \$9,425.00 for May 2009; and \$13,250.00 for June 2009. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at <u>6</u>), and within 45 days of the date of this order, the defendants shall replenish the above–described interest–bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (GJG)(Copy to Financial) (Entered: 08/05/2009)
08/05/2009		TEXT RECEIPT number 4–3195, in the amount of \$ 14,830.00 by Defendant State of Nebraska pursuant to Order <u>35</u> . (SDA) (Entered: 08/05/2009)
08/07/2009		TEXT RECEIPT number 4–3198, in the amount of \$ 10,580.00 by Defendant State of Nebraska pursuant to Order <u>35</u> . (SDA) (Entered: 08/07/2009)
08/14/2009	<u>36</u>	NOTICE of Appearance by Attorney Bradley Gianakos on behalf of Defendants John Wyvill, Ron Stegemann, State of Nebraska, Dave Heineman, Christine Peterson (Gianakos, Bradley) (Entered: 08/14/2009)
08/14/2009	<u>37</u>	MOTION to Withdraw as Attorney by Attorney Bradley Gianakos on behalf of Defendants John Wyvill, Ron Stegemann, State of Nebraska, Dave Heineman, Christine Peterson.(Gianakos, Bradley) (Entered: 08/14/2009)
08/14/2009	<u>38</u>	MOTION to Withdraw as Attorney by Attorney Bradley Gianakos on behalf of Defendants John Wyvill, Ron Stegemann, State of Nebraska, Dave Heineman, Christine Peterson.(Gianakos, Bradley) (Entered: 08/14/2009)
08/17/2009	<u>39</u>	TEXT NOTICE REGARDING ELECTRONIC SIGNATURE re certificates of services to Motion to Withdraw as Attorney <u>37</u> , Motion to Withdraw as Attorney <u>38</u> and Notice of Appearance <u>36</u> by Deputy Clerk. This document does not comply with NECivR 11.1(a) regarding signatures as to the certificates of service. This notice is for your information for future filings.(SED) (Entered: 08/17/2009)
08/17/2009	<u>40</u>	ORDER – The motions to withdraw Jodi M. Fenner, (filing no. <u>37</u>), and Mark A. Ludwig, (filing no. <u>38</u>), as counsel of record for the defendants, are granted. Ordered by Judge Richard G. Kopf. (JAB) (Entered: 08/17/2009)
08/19/2009		TEXT RECEIPT number 4–3210, in the amount of \$ 13,250.00 by Defendant State of Nebraska pursuant to Order <u>35</u> . (JAB) (Entered: 08/19/2009)
09/29/2009	<u>41</u>	INDEPENDENT EXPERT REPORT Quarter 2, 2009 filed by John J. McGee, PhD. (JAB) (Entered: 09/29/2009)
09/29/2009	<u>42</u>	MOTION for Fees of Independent Expert John J. McGee, PhD., for July, 2009. (JAB) (Entered: 09/29/2009)
09/29/2009	<u>43</u>	MOTION for Fees of Independent Expert John J. McGee, PhD for August, 2009. (JAB) (Entered: 09/29/2009)
10/15/2009	<u>44</u>	MEMORANDUM AND ORDER granting motions for reimbursement <u>42</u> and <u>43</u> . Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert John J. McGee, Ph.D., the amounts of \$12,012.22 for July 2009 (filing <u>42</u>) and \$12,029.58 for August 2009 (filing <u>43</u>). Within 45 days of the date of this order, the defendants shall replenish the above–described

		interest-bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Finance) (JAB) (Entered: 10/15/2009)
12/02/2009	<u>45</u>	MOTION for Fees of Independent Expert John J. McGee, PhD for September, 2009. (JAB) (Entered: 12/02/2009)
12/02/2009	<u>46</u>	MOTION for Fees of Independent Expert John J. McGee, PhD for October, 2009(JAB) (Entered: 12/02/2009)
12/16/2009	<u>47</u>	MEMORANDUM AND ORDER granting <u>45</u> and <u>46</u> motions for reimbursement. Within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert John J. McGee, Ph.D., in the amounts of \$12,539.07 for September 2009 (filing <u>45</u>) and \$12,380.00 for October 2009 (filing <u>46</u>). Within 45 days of the date of this order, the defendants shall replenish the abovescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert John J. McGee, Ph.D., in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Financial)(JAB) (Entered: 12/16/2009)
12/22/2009	<u>48</u>	<i>NOTICE OF RESIGNATION AND REPLACEMENT OF INDEPENDENT EXPERT</i> by Attorney Bradley Gianakos on behalf of Defendants Dave Heineman, Christine Peterson, State of Nebraska, Ron Stegemann, John Wyvill, Plaintiff United States of America (Gianakos, Bradley) (Entered: 12/22/2009)
01/21/2010		TEXT RECEIPT number 4-3575, in the amount of \$ 48,960.87 by Defendant State of Nebraska pursuant to Order <u>44</u> and <u>47</u> . (AOA) (Entered: 01/21/2010)
03/24/2010	<u>49</u>	MOTION for Fees of Consultant John Williams from January – May, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) (CD Attachment [AT49] Maintained in Clerk's Office) ACCESS TO THE COVER LETTER IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT.(JAB) (Entered: 03/26/2010)
03/24/2010	<u>50</u>	MOTION for Fees of Consultant John Williams from June – July, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) ACCESS TO THE COVER LETTER IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT.(JAB) (Entered: 03/26/2010)
03/24/2010	<u>51</u>	MOTION for Fees of Consultant Marge Brown of Life Project Consulting from January – May, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) (CD Attachment [AT51] Maintained in Clerk's Office) ACCESS TO THE COVER LETTER IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT.(JAB) (Entered: 03/26/2010)
03/24/2010	<u>52</u>	MOTION for Fees of Consultant Marge Brown of Life Project Consulting from June-July, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT.(JAB) (Entered: 03/26/2010)
03/24/2010	<u>53</u>	MOTION for Fees of Consultants from Macomb-Oakland Regional Center from January – May, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) ACCESS TO THE COVER LETTER IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT.(JAB) (Entered: 03/26/2010)
03/24/2010	<u>54</u>	MOTION for Fees of Consultants from Macomb-Oakland Regional Center from June-July, 2009 filed by Independent Expert John J. McGee, PhD. (Attachments: # <u>1</u> Cover letter) ACCESS TO THE COVER LETTER IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (JAB) (Entered: 03/26/2010)

04/02/2010	<u>55</u>	OBJECTION to Motion for Attorney Fees, <u>53</u> , Motion for Attorney Fees, <u>51</u> , Motion for Attorney Fees, <u>54</u> , Motion for Attorney Fees, <u>50</u> , Motion for Attorney Fees, <u>52</u> , Motion for Attorney Fees, <u>49</u> <i>Objection to Fees</i> by Attorney Bradley Gianakos on behalf of Defendant State of Nebraska.(Gianakos, Bradley) (Entered: 04/02/2010)
04/13/2010	<u>56</u>	MEMORANDUM AND ORDER that by 4/28/2010, independent expert John J. McGee, Ph.D., shall file with the court additional documentation supporting his requests for reimbursement. The motions for reimbursement <u>49</u> , <u>50</u> , <u>51</u> , <u>52</u> , <u>53</u> and <u>54</u> filed by independent expert John J. McGee, Ph.D., shall be held in abeyance until 4/29/2010, at which time the motions shall be deemed submitted for disposition. Ordered by Judge Richard G. Kopf. (JSF) (Entered: 04/13/2010)
04/13/2010	<u>57</u>	LETTER from John J. McGee, Ph.D. regarding submission of receipts. (JSF) (Entered: 04/13/2010)
04/14/2010	<u>58</u>	MEMORANDUM AND ORDER that on or before May 4, 2010, independent expert John J. McGee, Ph.D., shall file with the court additional documentation supporting his requests for reimbursement; specifically, Dr.McGee should file the documentation characterized as insufficient in the State's objection to Dr.McGee's reimbursement requests, if such documentation is available <u>55</u> ; the motions for reimbursement <u>49</u> , <u>50</u> , <u>51</u> , <u>52</u> , <u>53</u> , <u>54</u> filed by independent expert John J. McGee, Ph.D., shall be held in abeyance until May 4,2010, at which time the motions shall be deemed submitted for disposition; the Clerk of Court shall ensure that John J. McGee, Ph.D., receives a copy of this memorandum and order, as well as the court's memorandum and order dated April 13, 2010 <u>56</u> . Ordered by Judge Richard G. Kopf. (copies mailed as directed)(CJP) (Entered: 04/14/2010)
05/03/2010	<u>59</u>	LETTER from John J. McGee, Ph.D. regarding submission of receipts.(CJP) (Entered: 05/04/2010)
05/03/2010	<u>60</u>	INFORMATIVE MOTION reimbursement of services rendered by consultant Marge Brown for the independent expert. (Attachments: # <u>1</u> Transmittal Letter)(CJP) ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (Entered: 05/04/2010)
05/03/2010	<u>61</u>	INFORMATIVE MOTION reimbursement of services rendered by the Macomb-Oakland Regional Center Consultants for the independent expert. (Attachments: # <u>1</u> Transmittal Letter)(CJP) ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (Entered: 05/04/2010)
05/03/2010	<u>62</u>	INFORMATIVE MOTION reimbursement of services rendered by consultant John Williams for the independent expert (Attachments: # <u>1</u> Transmittal Letter)(CJP) ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (Entered: 05/04/2010)
05/06/2010	<u>63</u>	MEMORANDUM AND ORDER that the motions for reimbursement <u>49</u> , <u>50</u> , <u>51</u> , <u>52</u> , <u>53</u> , <u>54</u> filed by independent expert John J. McGee, Ph.D., shall be denied as moot for the reason that the independent expert has filed amended motions for reimbursement <u>60</u> , <u>61</u> , <u>62</u> ; however, the supporting documentation that was submitted with the now-moot motions <u>49</u> , <u>50</u> , <u>51</u> , <u>52</u> , <u>53</u> , <u>54</u> shall be considered in the court's review of the independent expert's amended motions for reimbursement <u>60</u> , <u>61</u> , <u>62</u> ; the State of Nebraska shall file any desired comments or objections to the independent expert's amended motions for reimbursement <u>60</u> , <u>61</u> , <u>62</u> on or before May 14, 2010, after which the pending motions shall be deemed submitted for decision. Ordered by Judge Richard G. Kopf. (Copy mailed to independent expert John J. McGee, PH.D.)(CJP) (Entered: 05/06/2010)
05/14/2010	<u>64</u>	OBJECTION to Motion for Miscellaneous Relief, <u>61</u> , Motion for Miscellaneous Relief, <u>62</u> , Motion for Miscellaneous Relief, <u>60</u> by Attorney Bradley Gianakos on behalf of Defendants Dave Heineman, Christine Peterson, State of Nebraska, Ron Stegemann, John Wyvill.(Gianakos, Bradley) (Entered: 05/14/2010)

05/17/2010	<u>65</u>	MOTION for request for payment of services by independant expert, Maria E. Laurence. (Attachments: # <u>1</u> Submission From Sender) ACCESS TO THE ATTACHMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (SED) (Entered: 05/17/2010)
05/20/2010	<u>66</u>	RESPONSE regarding OBJECTION <u>64</u> by John McGee. (ADB,) (Entered: 05/20/2010)
05/26/2010	<u>67</u>	MEMORANDUM AND ORDER that the amended motions for reimbursement <u>60</u> , <u>61</u> , <u>62</u> are granted in part, and within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of Marge Brown of Life Project Consulting, LLC, in the amount of \$30,273.37; Macomb-Oakland Regional Center, Inc., in the amount of \$26,685.65; and consultant John Williams in the amount of \$7,200.00; such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order <u>9</u> ; as provided in this court's prior order <u>9</u> , the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed"; as provided in the parties' settlement agreement (<u>10</u> at 6), and within 45 days of the date of this order, the defendants shall replenish the above-described interestbearing account with the full amount paid by the Clerk of Court to the above-named consultants in order to restore the account's total to \$100,000.00; the objections filed by the State of Nebraska <u>55</u> <u>64</u> are granted to the extent that Dr. McGee's original reimbursement requests <u>49</u> , <u>50</u> , <u>51</u> , <u>52</u> , <u>53</u> , <u>54</u> , <u>60</u> , <u>61</u> , <u>62</u> were not granted in the full amount requested; such objections <u>55</u> , <u>64</u> are otherwise denied. Ordered by Judge Richard G. Kopf. (copy to financial) (CJP) (Entered: 05/26/2010)
06/22/2010	<u>68</u>	MEMORANDUM AND ORDER granting <u>65</u> Motion for reimbursement, and within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$60,525.55 for services provided from January 1, 2010, to April 30, 2010. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order <u>9</u> . As provided in this court's prior order <u>9</u> , the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (<u>10</u> at 6), and within 45 days of the date of this order, the defendants shall replenish the above-described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Financial) (JSF) (Entered: 06/22/2010)
06/29/2010		TEXT RECEIPT number 4-3924, in the amount of \$ 68,054.05 by Defendant State of Nebraska pursuant to order <u>67</u> . (AOA) (Entered: 07/01/2010)
07/06/2010		TEXT RECEIPT number 4-3930, in the amount of \$ 60,525.55 by Defendant State of Nebraska pursuant to order <u>68</u> . (AOA) (Entered: 07/07/2010)
08/31/2010	<u>69</u>	MOTION for Fees of Independent Expert, Maria Laurence, for May 1, 2010 through July 31, 2010. (Attachments: # <u>1</u> Cover letter)(JAB) (Entered: 08/31/2010)
09/13/2010	<u>70</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>69</u>) is granted, and within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$75,112.23 for services provided from May 1, 2010, to July 31, 2010. Within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Financial)(JAB) (Entered: 09/13/2010)
10/12/2010	<u>71</u>	MOTION for Fees of Independent Expert, Maria Laurence, for August 1 through August 31, 2010. (TCL) (Entered: 10/12/2010)

10/25/2010	<u>72</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>71</u>) is granted, and within 10 days of the date of this order, the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$44,068.50 for services provided from August 1, 2010, to August 31, 2010. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above–described interest–bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy TO Finance)(TCL) (Entered: 10/25/2010)
11/08/2010		TEXT RECEIPT number 4–4239, in the amount of \$ 75,112.23 by Defendant State of Nebraska pursuant to order <u>70</u> . (TEL) (Entered: 12/14/2010)
11/08/2010		TEXT RECEIPT number 4–4238, in the amount of \$ 44,068.50 by Defendant State of Nebraska pursuant to order <u>72</u> . (TEL) (Entered: 12/14/2010)
11/19/2010	<u>73</u>	MOTION for Fees of Independent Expert, Maria Laurence, for September 1 through October 31, 2010. (JAB) (Entered: 11/19/2010)
12/09/2010	<u>74</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>73</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$44,306.25 for services provided from September 1, 2010, to October 31, 2010. Within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest–bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (JAB) (Entered: 12/09/2010)
12/14/2010		TEXT RECEIPT number 4–4305, in the amount of \$ 40,602.33 by Defendant State of Nebraska pursuant to order <u>74</u> . (TEL) (Entered: 12/14/2010)
03/01/2011	<u>75</u>	MEMORANDUM AND ORDER – On March 1, 2011, my law clerk took a telephone call from independent expert Maria Laurence, the substance of which is summarized in the attached memorandum. The Clerk of Court shall file this order and the attached memorandum and treat them as restricted documents only available to counsel; and The court will take no further action. Ordered by Judge Richard G. Kopf. (ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E–GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT) (Attachments: # <u>1</u> Memorandum)(JAB) (Entered: 03/01/2011)
03/02/2011	<u>76</u>	MOTION to Withdraw as Attorney by Attorney Bradley Gianakos on behalf of Defendants Dave Heineman, Christine Peterson, State of Nebraska, Ron Stegemann, John Wyvill.(Gianakos, Bradley) (Entered: 03/02/2011)
03/02/2011	<u>77</u>	NOTICE of Appearance by Attorney Matthew J. Effken on behalf of Defendants Dave Heineman, Christine Peterson, State of Nebraska, Ron Stegemann, John Wyvill (Effken, Matthew) (Entered: 03/02/2011)
03/04/2011	<u>78</u>	MOTION for Fees of Independent Expert, Maria Laurence, from November 1, 2010 to December 31, 2010. (TEL) (Entered: 03/04/2011)
03/07/2011	79	TEXT ORDER granting <u>76</u> Defendant's Motion to Withdraw as Attorney. Attorney Bradley Gianakos is allowed to withdraw from this case. Ordered by Judge Richard G. Kopf. (JAB) (Entered: 03/07/2011)
03/24/2011	<u>80</u>	MEMORANDUM AND ORDER granting Motion for Reimbursement <u>78</u> . IT IS ORDERED: The motion for reimbursement (filing <u>78</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$74,287.22 for services provided from November 1, 2010, to December 31, 2010. Such funds shall be paid from the interest–bearing account set up by the Clerk of

		Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest-bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed. As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. DATED this 24th day of March, 2011. Ordered by Judge Richard G. Kopf. (TEL) (Entered: 03/24/2011)
05/05/2011	<u>81</u>	MOTION for Fees of Independent Expert, Maria Laurence, from January 1, 2011 through March 31, 2011. (TEL) (Entered: 05/05/2011)
05/24/2011	<u>82</u>	MEMORANDUM AND ORDER granting Motion for Reimbursement <u>81</u> . IT IS ORDERED: The motion for reimbursement (filing <u>81</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$79,930.05 for services provided from January 1, 2011, to March 31, 2011. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest-bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (TEL) (Entered: 05/24/2011)
07/25/2011	<u>83</u>	MOTION for Fees of Independent Expert, Maria Laurence, from April 1, 2011 through June 30, 2011. (TEL) (Entered: 07/25/2011)
08/12/2011		TEXT RECEIPT number 4-4837, in the amount of \$ 79,930.05 by Defendant State of Nebraska pursuant to order <u>82</u> . (AOA) (Entered: 08/12/2011)
08/17/2011	<u>84</u>	MEMORANDUM AND ORDER granting <u>83</u> Motion for Fees of Independent Expert, Maria Laurence, from April 1, 2011 through June 30, 2011. The Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$88,533.71 for services provided from April 1, 2011, to June 30, 2011. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). Within 45 days of the date of this order, the defendants shall replenish the above-described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Finance)(JAB) (Entered: 08/17/2011)
09/15/2011	<u>85</u>	MOTION for Fees of Independent Expert, Maria Laurence, from July 1, 2011 through August 31, 2011. (TEL) (Entered: 09/15/2011)
10/04/2011	<u>86</u>	MEMORANDUM AND ORDER granting <u>85</u> Motion for Fees of Independent Expert, Maria Laurence. The Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$45,434.30 for services provided from July 1, 2011, to August 31, 2011. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). Within 45 days of the date of this order, the defendants shall replenish the above-described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Judge Richard G. Kopf. (Copy to Finance)(JAB) (Entered: 10/04/2011)

10/25/2011	87	TEXT MINUTE ENTRY for proceedings held before Judge Richard G. Kopf on 10/25/11 in Lincoln. Independent expert Maria Laurence sought advice from Judge Kopf regarding potential meeting with Nebraska Senator Lathrop. With agreement of counsel, Judge Kopf advised independent expert to request that senator's office provide, in writing, reason for meeting and questions to be asked. Counsel for the United States and the State of Nebraska should be given opportunity to attend meeting. If counsel do not object to questions and independent expert is comfortable, Judge Kopf advised that independent expert could meet with the senator if desired. Appearance for Plaintiff: Richard J. Farano; for Defendants: Matthew Effken; Courtroom Deputy: Colleen Beran; Court Reporter: Digital. Time Start: 3:02 p.m.; Time Stop: 3:20 p.m.; Time in Court: 18 Minutes. (CCB) (Entered: 10/25/2011)
10/25/2011	<u>88</u>	🔊 AUDIO FILE. Court Date & Time [10/25/2011 2:52:57 PM]. File Size [4497 KB]. Run Time [00:18:44]. (In court hearing). (auto-docket). (Entered: 10/25/2011)
11/28/2011	<u>89</u>	MOTION for Fees of Independent Expert, Maria Laurence, from September 1, 2011 through October 31, 2011. (TEL) (Entered: 11/29/2011)
12/07/2011		TEXT RECEIPT number 4-5070, in the amount of \$ 45,434.30 by Defendant State of Nebraska pursuant to Order <u>86</u> . (AOA) (Entered: 12/07/2011)
12/14/2011	<u>90</u>	MEMORANDUM AND ORDER granting <u>89</u> Motion for Fees of Independent Expert, Maria Laurence. The Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$79,287.37 for services provided from September 1, 2011, to October 31, 2011. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). Within 45 days of the date of this order, the defendants shall replenish the above-described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (Copy to Finance)(JAB) (Entered: 12/14/2011)
02/02/2012	91	NOTICE regarding Order on Motion <u>9</u> : Please be advised that pursuant to General Order 2011-15, the United States District Court for the District of Nebraska will transfer all registry funds from the Court On-Line Banking system to the Court Registry Investment System (CRIS) on Monday, February 6, 2012. Registry funds will not be available for disbursement until Thursday, February 9, 2012. Registry funds are disbursed only once a week and only upon order of the court. (MTB) (Entered: 02/02/2012)
04/02/2012	<u>92</u>	MOTION for Fees of Independent Expert, Maria Laurence, from November 1, 2011 through February 29, 2012. (TEL) (Entered: 04/03/2012)
04/18/2012	<u>93</u>	MEMORANDUM AND ORDER granting <u>92</u> Motion for Fees of Independent Expert, Maria Laurence. The Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$87,274.05 for services provided from November 1, 2011, to February 29, 2012. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable and the Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed. As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the accounts total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (E-mailed to Financial Specialist)(ADB) (Entered: 04/18/2012)
04/20/2012		TEXT RECEIPT number 4-5359, in the amount of \$79,287.37 by Defendant State of Nebraska pursuant to Order <u>90</u> . (TEL) (Entered: 04/20/2012)
07/23/2012	<u>94</u>	MOTION for Fees of Independent Expert, Maria Laurence, from March 1, 2012 through May 31, 2012. (TEL) (Entered: 07/23/2012)
08/13/2012	<u>95</u>	MEMORANDUM AND ORDER – IT IS ORDERED: The motion for reimbursement(filing <u>94</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of

		independent expert Maria Laurence in the amount of \$113,131.78 for services provided from March 1, 2012, to May 31, 2012. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest-bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the accounts total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (E-mailed to Financial Specialist)(TCL) (Entered: 08/13/2012)
08/15/2012		TEXT RECEIPT number 4-5591, in the amount of \$ 113,131.78 by Defendant State of Nebraska pursuant to Order <u>95</u> . (JAB) (Entered: 02/21/2013)
09/24/2012	<u>96</u>	INDEPENDENT EXPERT'S MOTION for Payment of Invoice submitted by Maria E. Laurence. (GJG) (Entered: 09/25/2012)
10/17/2012	<u>97</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>96</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$19,265.90 for services provided from June 1, 2012, to August 31, 2012. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest-bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above described interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (GJG) (Copy to Financial) (Entered: 10/17/2012)
10/19/2012		TEXT RECEIPT number 4-5654, in the amount of \$ 87,082.84 by Defendant State of Nebraska pursuant to Order <u>93</u> . (AOA) Modified on 2/21/2013 to reflect payment was received pursuant to Order <u>93</u> . (JAB) (Entered: 10/30/2012)
10/24/2012	<u>98</u>	INDEPENDENT EXPERT'S MOTION for Payment of Invoice submitted by Maria E. Laurence. (GJG) (Entered: 10/24/2012)
11/15/2012	<u>99</u>	MEMORANDUM AND ORDER – IT IS ORDERED: The motion for reimbursement (filing <u>98</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$32,051.73 for services provided from September 1, 2012, to September 30, 2012. Such funds shall be paid from the interest-bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest-bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest-bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the accounts total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (E-mailed to Finance)(TCL) (Entered: 11/15/2012)
02/05/2013	<u>100</u>	INDEPENDENT EXPERT'S MOTION for Payment of Invoice filed by Maria E. Laurence. (Attachments: # <u>1</u> Expense documents)(GJG) (Entered: 02/05/2013)

02/14/2013	<u>101</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>100</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$46,310.73 for services provided from October 1, 2012, to December 31, 2012. Ordered by Senior Judge Richard G. Kopf. (E–mailed to Financial)(GJG) (Entered: 02/14/2013)
02/14/2013	<u>102</u>	MOTION to Withdraw as Attorney by Attorney Bradley Gianakos on behalf of Defendant State of Nebraska.(Gianakos, Bradley) (Entered: 02/14/2013)
02/14/2013	<u>103</u>	NOTICE of Appearance by Attorney Bradley Gianakos on behalf of Defendant State of Nebraska (Gianakos, Bradley) (Entered: 02/14/2013)
02/19/2013	104	TEXT ORDER granting Filing <u>102</u> , Motion to Withdraw as Attorney. Ordered by Senior Judge Richard G. Kopf. (TCL) (Entered: 02/19/2013)
02/21/2013		TEXT RECEIPT number 24999, in the amount of \$ 97,628.36 by Defendant State of Nebraska pursuant to Orders <u>97</u> , <u>99</u> , and <u>101</u> . (JAB) (Entered: 02/21/2013)
03/01/2013	<u>105</u>	MOTION for Independent Expert's Payment of Invoice. (GJG) (Entered: 03/01/2013)
03/11/2013	<u>106</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>105</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$40,432.17 for services provided from January 1, 2013, to February 1, 2013. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest–bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the abovedescribed interest–bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (E–mailed to Finance) (AOA) (Entered: 03/11/2013)
09/16/2013	<u>107</u>	INDEPENDENT EXPERT'S MOTION for payment of invoice. (Attachments: # <u>1</u> Documents in Support of)(GJG) (Entered: 09/16/2013)
09/30/2013	<u>108</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>107</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$115,111.02 for services provided from February 2, 2013, to August 31, 2013. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest–bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above described interest–bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the accounts total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (E–mailed to Finance) (GJG) (Entered: 09/30/2013)
10/29/2013		TEXT RECEIPT number 4006004, in the amount of \$155,543.19 by Defendant State of Nebraska pursuant to Orders <u>106</u> and <u>108</u> . (JAB) (Entered: 10/29/2013)
10/06/2014	<u>109</u>	MEMORANDUM AND ORDER – On or before October 20, 2014, counsel for the parties shall file a joint status report regarding the status of this matter, particularly the necessity of retaining the interest–bearing account maintained by the Clerk of Court. Ordered by Senior Judge Richard G. Kopf. (GJG) (Entered: 10/06/2014)
10/15/2014	<u>110</u>	NOTICE of Appearance by Attorney Gregory J. Walklin on behalf of Defendants Dave Heineman, Christine Peterson, State of Nebraska, Ron Stegemann, John Wyvill

		(Walklin, Gregory) (Entered: 10/15/2014)
10/17/2014	<u>111</u>	STATUS REPORT <i>JOINT</i> by Attorney Richard J. Farano on behalf of Plaintiff United States of America.(Farano, Richard) (Entered: 10/17/2014)
01/13/2015	<u>112</u>	MOTION for Fees of Independent Expert, Maria Laurence, from January 1, 2014 through December 31, 2014. (JAB) (Entered: 01/13/2015)
01/26/2015	<u>113</u>	ORDER granting <u>112</u> Motion for Attorney Fees and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services and expenses of independent expert Maria Laurence in the amount of \$100,632.35 for services provided from January 1, 2014, to December 31, 2014. Such funds shall be paid from the interest– bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest–bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." As provided in the parties' settlement agreement (filing <u>10</u> , at 6), and within 45 days of the date of this order, the defendants shall replenish the above–described interest–bearing account with the full amount paid by the Clerk of Court to independent expert Maria Laurence in order to restore the account's total to \$100,000.00. Ordered by Senior Judge Richard G. Kopf. (KMG) Modified on 1/26/2015 to reflect copy to Finance. (JAB) (Entered: 01/26/2015)
01/27/2015		TEXT RECEIPT number 4–6355, in the amount of \$ 100632.35 by Defendant State of Nebraska pursuant to Order <u>113</u> . (NMW) (Entered: 01/27/2015)
07/22/2015	<u>114</u>	JOINT MOTION to Dismiss by Attorney Richard J. Farano on behalf of Plaintiff United States of America.(Farano, Richard) (Entered: 07/22/2015)
07/22/2015	<u>115</u>	BRIEF in Support of MOTION to Dismiss <i>Memorandum in Support</i> by Attorney Richard J. Farano on behalf of Plaintiff United States of America.(Farano, Richard) Modified on 7/27/2015 to correct event (CS). (Entered: 07/22/2015)
07/22/2015	<u>116</u>	INDEX in support of <i>Motion to Dismiss</i> by Attorney Richard J. Farano on behalf of Plaintiff United States of America. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B, # <u>3</u> Appendix C, # <u>4</u> Appendix D)(Farano, Richard) (Entered: 07/22/2015)
07/24/2015	<u>117</u>	MOTION for Fees of Independent Expert, Maria E. Laurence from January 1, 2015 through July 22, 2015. (GJG) (Entered: 07/29/2015)
07/29/2015	<u>118</u>	JOINT MOTION Approve Payment to Independent Expert by Attorney Richard J. Farano on behalf of Plaintiff United States of America.(Farano, Richard) (Entered: 07/29/2015)
08/03/2015	<u>119</u>	MEMORANDUM AND ORDER – The motion for reimbursement (filing <u>117</u>) is granted, and the Clerk of the United States District Court for the District of Nebraska shall disburse funds for the consulting services of independent expert Maria Laurence in the amount of \$2,396.88 for services provided from January 1, 2015, to July 22, 2015. Such funds shall be paid from the interest–bearing account set up by the Clerk of Court pursuant to this court's prior order (filing <u>9</u>). The Clerk of Court shall disburse such funds as soon as practicable; that is, on the date that the interest–bearing account has been sufficiently replenished by the defendants to allow payment of the full amount. As provided in this court's prior order (filing <u>9</u>), the "Clerk is authorized to deduct from any monies deposited with the Clerk a fee of 10% of the interest earned each time funds are disbursed." The parties' Joint Motion on the Independent Expert's Reimbursement Motion and Disposition of the Court Account (filing <u>118</u>) is granted. Because this is the final disbursement to be made to independent expert Maria E. Laurence, after such final payment is made, the Clerk of Court shall return to the State of Nebraska any residual amount remaining in the court's interest–bearing account to which the State of Nebraska is entitled and shall then close the account. Ordered by Senior Judge Richard G. Kopf. (GJG)(Copy to Finance and Maria E. Laurence) (Entered: 08/03/2015)

08/03/2015	<u>120</u>	ORDER – The parties' settlement agreement, which constituted a judgment in this case (filings <u>9</u> & <u>10</u>), is terminated pursuant to Fed. R. Civ. P. 60(b)(5). The parties' Joint Motion to Dismiss (filing <u>114</u> is granted. This case is dismissed with prejudice. Judgment shall be entered by separate document. Ordered by Senior Judge Richard G. Kopf. (GJG) (Entered: 08/03/2015)
08/03/2015	<u>121</u>	JUDGMENT – Pursuant to the order entered this date pursuant to Fed. R. Civ. P. 60(b)(5) terminating the parties' settlement agreement, which constituted a judgment in this case (filings <u>9</u> & <u>10</u>), and granting the parties' Joint Motion to Dismiss (filing <u>114</u>), this matter is dismissed with prejudice. Ordered by Senior Judge Richard G. Kopf. (GJG) (Entered: 08/03/2015)