

FRC, TERMINATED

**U.S. District Court
District of Oregon (Portland)
CIVIL DOCKET FOR CASE #: 3:86-cv-00961-MA**

USA v. State of Oregon, et al
Assigned to: Judge Malcolm F. Marsh
Demand: \$0
Case in other court: C/A89-35447
Cause: 42:1981 Civil Rights

Date Filed: 07/28/1986
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff**USA**

represented by **Jack G Collins**
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V.

Intervenor Plaintiff**Sonya Fryer**

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

Ronald Brelsford
TERMINATED: 04/04/1989

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Intervenor

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

**Oregon State Board of Higher
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Date Filed	#	Docket Text
		CASE FILE SENT TO THE FRC Accession number 21-91-0012 Box number 14 Location number 147878 umber 21-91-0012 (former employee) Modified on 02/07/1995 (Entered: 02/07/1995)
01/20/1989	253	Pltf-Intervenors MOTION to file docs under seal (former employee) (Entered: 01/27/1989)
01/20/1989	254	RECORD OF HRG:Pltf-Intervenors & defts may file suppl memo & briefs re: Handling of pend motions by 1/31/89. Thereafter, Court will iss procedural ord on all pend mots. ORD: transcript of proceedings filed pursuant to proto announced by court at this conf. ORD: granting motion to file docs under seal [253-1] Rpts of H.D. Bud Fredericks, Garald Provencal & Rbot. L. Carl, Jr, Ph.D are filed U/Seal. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 01/27/1989)
01/20/1989	255	Pltfs Intervenors' expert witness report (Robert L. Carl, Jr., PH.D (former employee) (Entered: 01/27/1989)
01/20/1989	256	Pltfs intervenors' expert witness rpt (Gerald Provencal) (former employee) (Entered: 01/27/1989)
01/20/1989	257	Pltfs Intervenors' expert witness rpt (H.D. Bud Fredericks) (former employee) (Entered: 01/27/1989)
01/30/1989	258	Supplemental authority in support of mot to partially dismiss Intervenors' complnt by defendants (former employee) (Entered: 01/30/1989)
01/31/1989	259	Motion & ORDER to file memo under seal & for protective order of OR defts: Defts memo re pend mots file under seal & Parties keep confid such memo & its contents. ntfd Signed 1/30/89 microfilmed 2/3/89 Honorabl Helen J. Frye (former employee) (Entered: 02/03/1989)
01/31/1989	260	Defts' (OR State) Memo re pending mots & entry of consent decree (sealed) (former employee) (Entered: 02/03/1989)
02/21/1989	261	JOINT MOTION by plaintiff United States of America to enter consent decree as an order of the court (dn) (Entered: 02/23/1989)

02/21/1989	262	RECORD OF HRG: Court's protective order re: settlement status is lifted to the extent that parties may announce that the USA & State of OR have signed & filed a proposed consent decree together w/mot for approval by the court. (pr;pr:pr) Honorable Malcolm F. Marsh (former employee) (Entered: 02/24/1989)
02/24/1989	263	RECORD OF ORD: Pltf-Intervenors shall file any objs to the proposed consent decree by THU, 3/9/89, noon. (ntfd c/d) Honorable Malcolm F. Marsh (former employee) (Entered: 02/27/1989)
02/27/1989	264	RECORD OF ORD: ; setting status hrg for WED 10:00 3/1/89 (ntfd c/d) Honorable Malcolm F. Marsh (former employee) (Entered: 02/28/1989)
03/01/1989	265	RECORD OF HRG: Intervenors file renewed mot for class cert by 3/13/89. OR respond by 3/20/89. US & OR file responses to interven's objs to proposed consent decree by 3/17/89. Interven's file rply by 3/24/89. Interven's mot for rulings #243 & Mot for cont #241 DENIED as MOOT. Tentatively ; setting in court hrg on consent decree for 9:30 4/7/89 (ntfd c/d) Honorable Malcolm F. Marsh (former employee) (Entered: 03/03/1989)
03/03/1989	266	Opinion (ntfd c/d) Signed 3/3/89 microfilmed 3/6/89 Honorable Malcolm F. Marsh (former employee) (Entered: 03/06/1989)
03/03/1989	267	ORDER Defts' mot to dismiss #208 granted in part & denied in part. grant as to count 1 & denied as to count II, denied as to count III, granted as to count IV & granted as to count VII (see order) (ntfd c/d) Signed 3/3/89 microfilmed 3/6/89 Honorable Malcol F. Marsh (former employee) (Entered: 03/06/1989)
03/07/1989	268	Notice rquired by Federal Regulation (former employee) (Entered: 03/08/1989)
03/09/1989	269	Objections by plaintiff /Intervenors' to joint mot to enter consent decree as an order of the ct (placed under seal pursuant to the court's previous order) (former employee) Modified on 03/13/1989 (Entered: 03/10/1989)
03/10/1989	270	RECORD OF ORD: striking hrg on consent decree 4/7/89 & ; setting in court hrg for 9:30 4/6/89 , ORD: defts' oral mot to place under seal pltf-intervens' objs to joint mot to enter consent decree etc #269 granted. Objs #269 sealed per ct's previous order ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 03/13/1989)
03/13/1989	271	Affidavit of Robert L. Carl, Jr. Ph.D. (former employee) (Entered: 03/13/1989)
03/13/1989	272	RECORD OF ORD: ; setting status hrg for TUE 2:30 3/14/89 crtrm #11 , any out of state cnsl wishing to participate by phone may do so please advise court priort to time for hrg ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 03/13/1989)
03/14/1989	274	RECORD OF HRG: formal order to follow , ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 03/16/1989)

03/15/1989	273	ORDER Pltf-Intervs shall show cause in writing by 3/21/89 why sanctions should not be imposed for violation of court's protos placing interv's objs to consent decree #269 under seal as well as placing all expert rpts under seal. The US & State of OR submit memo on 3/21/89. Court will take matter U/A (see order) ntf'd Signed 3/15/89 microfilmed 3/15/89 Honorable Malcolm F. Marsh (former employee) (Entered: 03/15/1989)
03/15/1989	275	RECORD OF ORD: Intervenor's mot pursuant to FRCP 68 #238 DENIED ntf'd Honorable Malcolm F. Marsh (former employee) (Entered: 03/16/1989)
03/16/1989	276	RECORD OF ORD: Pltf-Intven's oral mot to allow disclosure of certain protected materials to Atty Don H. Marmaduke is GRANTED on following basis: (1) Disclosure ltd to: (a) interven's objs to consent decree #269; (b) expert rpts of J.J. McGee, PH.D. dated 7/87 & 2/87; (c) expert rpt of HD Bud Fredericks; (d) expert rpt of Robt L Carl, Jr, PH.D; (3) expert rpt of W. Sailor, PH.D., Geo. Singer, PH.D & Duaner Lundervold, M.S; & (f) expert rpt of Gerold Provencal. (2) Foregoing material may be disclosed to Atty Marmaduke & his office personnel directly involved in preparation of intvens' show cause memo. Said persons be informed of, & given copies of, this court's previous protective orders concern disclosed materials. (3) all disclosed materials & any copies made shall be rtnd to interv's w/in 10 days after resolution of show cause matter. ntf'd Honorable Malcolm F. Marsh (former employee) Modified on 03/16/1989 (Entered: 03/16/1989)
03/20/1989	277	Defts' supplemental memo re Intervens' motion for class certification (former employee) (Entered: 03/20/1989)
03/21/1989	278	United States' Memorandum re confidentiality orders (former employee) (Entered: 03/21/1989)
03/21/1989	279	Defts' memo re imposition of sanctions (Filed Under Seal) (former employee) (Entered: 03/21/1989)
03/21/1989	280	Response to order to show cause [273-2] by pltf-intervs & their cnsl (former employee) (Entered: 03/22/1989)
03/22/1989	281	Amended response to Order to Show Cause (former employee) (Entered: 03/22/1989)
03/22/1989	282	US' memo in response to pltf-intervs' objs to joint mot to enter consent decree as an ord of the court (former employee) (Entered: 03/23/1989)
03/22/1989	283	Defts' response to pltf-intervs' objs to joint mot to enter consent decree as an order of the court (filed under seal) OR defts (former employee) (Entered: 03/23/1989)
03/29/1989	284	RECORD OF ORD: Set hrg on Intervenor's response to Order to show cause TUE, 4/4/89, 3:00 pm Ptl'd time , ntf'd Honorable Malcolm F. Marsh (former employee) (Entered: 03/31/1989)
03/30/1989	285	RECORD OF ORD: In accord w/ord of 6/23/88 (#191) exhibit B to U.S.

		Oppos to defts' disc plan #133 placed under seal ntfid Honorable Malcolm F. Marsh (former employee) (Entered: 03/31/1989)
04/04/1989	286	RECORD OF HRG: Intervens' mot for class cert #202 GRANT under FRPC 23(b)(2)- formal opn & ord to follow. Intervens finle formal dism of Interv Brelsford. Sacntions entered against interven's cnsl, excluding S. Brischetto, for violation of court's proto - formal opn & ord to follow. ntfid Honorable Malcolm F. Marsh (former employee) (Entered: 04/05/1989)
04/05/1989	287	Opinion re sanctions (see opn) (ntfd) Signed 4/5/89 4/6/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/06/1989)
04/05/1989	288	ORDER DC cnsl of Mental Health Law Proj including I Burnim may no lonter appear (see ord) Costs, expense, atty fees assessed against Elam Lantz, Jr. personally in amt to be determined. Attys for ptlf & defts submit affids of all expenses in relation to show cause w/support docs. D Hatton meet w/me personally private conf re role in dissemination of sealed docs. Lantz ord to recover all copies, etc of any sealed docs. Brischetto absolved of any responsibil of actns calling for sanctions. No sanctions imposed on idivid res interven's. ntfid Signed 4/5/89 microfilmed 4/6/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/06/1989)
04/05/1989	289	Opinion re class cert (see opn) Signed 4/5/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/06/1989)
04/05/1989	290	ORDER intvs' mot for class cert #202 granted. Class cert Rule 23(b)(2) & consist of all persons who've resided at Fairview since 10/2/86, or in future. As to intvs' 504 claims, subclass consist of members of class who req & were denied community svcs on basis of severity of handicaps, phys handicaps or maladaptive behaviors. (see ord) , ntfid Signed 4/5/89 microfilmed 4/6/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/06/1989)
04/06/1989	291	MOTION by pltf intvs to file reply brief & hrg memo on objs to proposed decree (former employee) (Entered: 04/06/1989)
04/06/1989	292	RECORD OF HRG: granting motion to file reply brief & hrg memo on objs to proposed decree [291-1] taking under advisement on 4/6/89 motion to enter consent decree as an order of the court [261-1] ntfid Honorable Malcolm F. Marsh (former employee) (Entered: 04/10/1989)
04/06/1989	293	Pltf-Intvs' reply brief & hrg memo on objs to proposed consent decree, affid of Sundram (former employee) (Entered: 04/10/1989)
04/10/1989	294	MOTION by pla-intvs for order of dismissal- Roanld Brelsford #294 (former employee) (Entered: 04/10/1989)
04/10/1989	295	ORDER granting motion for order of dismissal- Ronald Brelsford [294-1] to dismiss Brelsford , ntfid Signed 4/10/89 microfilmed & ent 4/10/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/11/1989)
04/11/1989	296	MOTION by pla/intvrs for release of confidential info (former employee)

		(Entered: 04/11/1989)
04/11/1989	297	ORDER granting motion for release of confidential info [296-1] to allow disclosure of certain protected materials to J. Hassett atty, DC for purpose of representing Burnim re appeal ntfld Signed 4/11/89 Honorable Malcolm F. Mars (former employee) (Entered: 04/11/1989)
04/14/1989	298	Opinion-(see ord date 4/14/89) ntfld Signed 4/14/89 microfilmed & ent 4/14/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/14/1989)
04/14/1989	299	ORDER-Pltf & efts' joint mot for entry of the decree is granted. The decree is ent as an ord of this ct. The parties contemplate that State officials shall provide an adequate plan to HCFA by 4/30/89. The State may move to dissolve this ord & the ct may grant the mot for good cause shown after 6/30/89, if HCFA has failed to approve the State's plan . ntfld Signed 4/14/89 microfilmed & ent 4/14/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/14/1989)
04/17/1989	300	Declaration of Pamela L. Abernethy relating to costs and fees in sanctions matter (former employee) (Entered: 04/17/1989)
04/18/1989	301	Declaration of Robinsue Frohboese re expenses ans fees incurred in relation to sow cause proceeding by plaintiff (former employee) (Entered: 04/19/1989)
04/19/1989	302	MOTION by pltf/intvs for Pro Hac Vice admission of counsel-Joseph Hassett, Geo. Merncik, III, David G. Leitch & Albert W. Turnbull in DC (former employee) (Entered: 04/20/1989)
04/19/1989	303	MOTION by pltf/intvs to alter or amend the judgment of 4/5/89 #303 (former employee) (Entered: 04/20/1989)
04/19/1989	304	Memorandum by pltf/intvs in support of motion to alter or amend the of 4/5/89 [303-1] supplemental affid of Elam Lantz (former employee) (Entered: 04/20/1989)
04/27/1989	305	RECORD OF ORD: SET Pltf/Intvs motion to alter or amend the judgment of 4/5/89 [303-1] on M/C MON, 5/22/89 (noa) ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 04/28/1989)
04/27/1989	306	ORDER granting motion for Pro Hac Vice admission of counsel-Joseph Hassett, Geo. Merncik, III, David G. Leitch & Albert W. Turnbull in DC [302-1] Said cnsl admitted pro hac vice to rep pltf/intvs & their cnsl, in mot of pltf/intfs to alter or amend jdgmt of 4/5/89, & other proceedings related to the Order to Show Cause of 3/15/89 ntfld Signed 4/27/89 microfilmed & ent 4/28/89 Honorable Malcolm F. Marsh (former employee) (Entered: 04/28/1989)
05/02/1989	307	MOTION by plaintiff USA for release of sealed material to advisory panel members #307 memo (former employee) (Entered: 05/03/1989)
05/03/1989	308	ORDER re mot for release of info under seal etc. #307 (see order) ntfld Signed 5/3/89 microfilmed & ent 5/3/89 Honorable Malcolm F. Marsh

		(former employee) (Entered: 05/03/1989)
05/09/1989	309	RECORD OF ORD: set Rule 16 sched conf for intvs & state of OR MON, 5/15/89, 10:00 in chmbrs. Ms Abernethy may appear by phone, court place call , ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 05/10/1989)
05/10/1989	310	Case Management Order (see order) ntfd Signed 5/10/89 microfilmed & ent 5/10/89 Honorable Malcolm F. Marsh (former employee) (Entered: 05/10/1989)
05/10/1989	311	ORDER Elam Lantz, Jr is ordered to pay deflt State of OR fees and expenses in amt of \$917.79 & pltf USA \$281.50 ntfd Signed 5/10/89 microfilmed & ent 5/10/89 Honorable Malcolm F. Marsh (former employee) (Entered: 05/10/1989)
05/15/1989	312	RECORD OF ORD: Rec of pretrial sched conf: ,ORD on 6/2/89 parties exchange & file their plan of case management. Responses are filed and exchanged 6/9/89. Further sched conf be set after court has recd the plans and comments ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 05/17/1989)
05/19/1989	313	Reporter's Transcript of proceedings had 3/1/89 filed (former employee) (Entered: 05/19/1989)
05/19/1989	314	Reporter's Transcript of proceedings had 3/10/89 & 3/13/89 filed (former employee) (Entered: 05/19/1989)
05/19/1989	315	Reporter's Transcript of proceedings had 3/14/89 filed (former employee) (Entered: 05/19/1989)
05/31/1989	316	Opinion (see following order) Signed 5/31/89 microfilmed & entered 5/31/89 Honorable Malcolm F. Marsh (former employee) (Entered: 05/31/1989)
05/31/1989	317	ORDER: Intervenor's motion to alter or amend the judgment of 4/5/89 [303-1], treated as a motion for reconsideration of sanctions, is DENIED. ntfd Signed 5/31/89 microfilmed & entered 5/31/89 Honorable Malcolm F. Marsh (former employee) (Entered: 05/31/1989)
06/02/1989	318	Defts' case management plan (former employee) (Entered: 06/02/1989)
06/02/1989	319	MOTION by pltf-intvs' for leave to file documents under seal #319 (former employee) (Entered: 06/05/1989)
06/07/1989	321	ORDER granting motion for leave to file documents under seal #319 [319-1] ntfd Signed 6/7/89 microfilmed & ent 6/8/89 Honorable Malcolm F. Marsh (former employee) (Entered: 06/08/1989)
06/09/1989	322	Defts' (Oregon) response to intervenor's case management plan (former employee) (Entered: 06/12/1989)
06/09/1989	323	Pltf/Intvs' response to defts' case management plan (Elam Lantz/Hatton (former employee) (Entered: 06/12/1989)

06/14/1989	324	Stipulation and ORDER extending, by 14 days, time for plan design: date for plan design be extended by 14 days, to 6/27/89 ntf Signed 6/14/89 Honorable Malcolm F. Marsh (former employee) (Entered: 06/15/1989)
06/15/1989	325	Notice of appeal by pltf/intvs Davis, Fryer, Jackson, Jones, Lee, Long, Lyle, Oliver & their cnsl Elam Lantz, Jr, David B Hatton, Ira A Burnim & Leonard S Rubenstein from Dist. Court decision opinion & order 5/31/89 denying pltf/intvs mot to alter or amend jgmt of 4/5/89, from opn & ord entered 4/5/89, imposing sanctions on cnsl & from order ent 5/10/89, specifying amt of monetary sanctions imposed on Elam Lantz, Jr. [325-1] (former employee) (Entered: 06/15/1989)
06/15/1989		Received C/A fee of \$: 100.00 D/C fee of \$: 5.00 (Receipt # 072769) (former employee) (Entered: 06/15/1989)
06/15/1989		Mailed copy of notice of appeal to C/A and cnsl & necessary info (former employee) (Entered: 06/15/1989)
06/16/1989	326	MOTION by pltf/intv to join party Verne Duncan #326 affidavit of Stephen L Brischetto (former employee) (Entered: 06/19/1989)
06/21/1989	327	RECORD OF ord setting scheduling conf. for 6/22/89 at 10am. , ntf Honorable Malcolm F. Marsh (former employee) (Entered: 06/21/1989)
06/22/1989	328	RECORD OF Sched Conf: see formal order , ntf Honorable Malcolm F. Marsh (former employee) (Entered: 06/22/1989)
06/22/1989	329	ORDER re case management S/J motions file by 7/14/89, Response 7/25/89. Replies 8/2/89. Hrg on s/j motions 8/7/89, 2:30. , Final PTO 10/27/89, Discovery 8/1/89, Intvs submit proposed PTO 10/2/89. PTC 11/21/89, 1:30, C/Trial 1/9/90 (2 wk) , (see order) all expert tours be conducted in accord w/prev orders of court. ntf Signed 6/22/89 Honorable Malcolm F Marsh (former employee) (Entered: 06/22/1989)
06/28/1989	332	RECORD OF ORD: granting motion to join party Verne Duncan and amend complaint [326-1] ntf Honorable Malcolm F. Marsh (former employee) (Entered: 07/03/1989)
06/30/1989	330	Certified Copy of Order from the US Court of Appeals for the Ninth District re appeal #[325-1] Dkt statement 7/11/89. Applt nfy applee re tn 6/26/89; Applee nfy applt re tn 7/5/89; Applt file desig form tn 7/17/89; File repr trnsrpts 8/15/89; applt opening brief 10/2/89; applee brief 10/31/89 (former employee) (Entered: 06/30/1989)
06/30/1989	331	Notification by US Court of Appeals for the Ninth Circuit of Docket Number 89-35447 (former employee) (Entered: 06/30/1989)
07/03/1989	333	Pltf-intvs' deposition list and report to the court re scheudling of discovery (former employee) (Entered: 07/05/1989)
07/07/1989	334	MOTION by pltf/intv to stay payment of monetary sanctions #334 (former employee) (Entered: 07/07/1989)
07/07/1989	335	Memorandum in support of motion to stay payment of monetary

		sanctions [334-1] (former employee) (Entered: 07/07/1989)
07/07/1989	336	Declaration of Elam Lantz, Jr cnsl for intv/pltfs (former employee) (Entered: 07/07/1989)
07/07/1989	337	Certificate of service for #334,335,336 by intv/pltf (former employee) (Entered: 07/07/1989)
07/10/1989	338	Transcript Designation and Ordering Form for date(s) March 1, 13, 14/89, & 4/4/89 (filed #313, 314, 315 tn for 4/4/89 not completed yet) (former employee) (Entered: 07/10/1989)
07/10/1989	339	Summons issued Verne Duncan (former employee) (Entered: 07/10/1989)
07/12/1989	340	MOTION by pltf-intv for order permitting submission of documents to experts #340 , memo in support (former employee) (Entered: 07/13/1989)
07/13/1989	341	AMENDED COMPLAINT in intervention- civil rights (former employee) (Entered: 07/13/1989)
07/13/1989	342	Certificate of service pltf/intvs (former employee) (Entered: 07/13/1989)
07/20/1989	343	RECORD OF ORD: granting motion to stay payment of monetary sanctions [334-1] ntf'd Honorable Malcolm F. Marsh (former employee) (Entered: 07/21/1989)
07/21/1989	344	Consent decree, affidavit of counsel David B Hatton, (no signature line for judge) (former employee) (Entered: 07/24/1989)
07/21/1989	345	Joint MOTION by intvps & defts to enter consent decree as order of court #345-1 , for approval of settlement agreement and partial dismissal of claims #345-2 ; proposed order entering consent decree; proposed order of dismissal; proposed consent decree and settlement agreement (former employee) (Entered: 07/24/1989)
07/24/1989	346	ORDER granting motion to enter consent decree as order of court [345-1] ntf'd Signed 7/24/89 & entered 7/25/89 Honorable Malcolm F. Marsh (former employee) (Entered: 07/25/1989)
07/24/1989	347	ORDER granting pltf/intvs motion for approval of settlement agreement and partial dismissal of claims #345 ORDER: claims under the rehabilitation Act and Title XIX of the Society Security Act dismissed w/prej and w/out costs or atty fees. termcs , ntf'd Signed 7/24/89 microfilmed & ent 7/25/89 Honorable F. Marsh (former employee) (Entered: 07/25/1989)
08/03/1989	348	MOTION by plaintiff-intv for release of sealed or confidential materials to advisory panel #348 (former employee) (Entered: 08/03/1989)
08/08/1989	349	ORDER granting pltf-intvs motion for release of sealed or confidential materials to advisory panel [348-1] be disclosed only to the 3 Advisory panel members, who shall keep rpts confidential (see order) ntf'd Signed 8/8/89 microfilmed & ent 8/8/89 Honorable Malcolm F. (former employee) (Entered: 08/08/1989)

08/22/1989	350	Notice of appeal by plaintiff/intervenors & their cnsl from final order 7/24/89 etc., suggest appeal #89-35447 be consol(former employee) Modified on 08/22/1989 (Entered: 08/22/1989)
08/22/1989		Received C/A fee of \$: 100 D/C fee of \$: 5 (Receipt # 073891) (former employee) (Entered: 08/22/1989)
08/22/1989		Notification form sent to US Court of Appeals for the Ninth Circuit / cnsl (former employee) (Entered: 08/22/1989)
09/05/1989		Notification by US Court of Appeals for the Ninth Circuit of Docket Number 89-35587 (app filed 8/22/89) (former employee) (Entered: 09/05/1989)
09/05/1989	351	C/Appeals Order time schedule R/trans designation due 9/21/89; Court Reporter file tn 10/23/89; Applt breif 12/8/89; Applee br 1/8/90 (former employee) (Entered: 09/05/1989)
09/11/1989	352	Transcript Designation and Ordering Form for date(s) no additional (dates 3/1/89, 3/13/89, 3/14/89 filed & 4/4/89 (former employee) (Entered: 09/11/1989)
09/22/1989	353	Reporter's Transcript of proceedings had 4/4/89 (former employee) (Entered: 09/25/1989)
09/25/1989		Certificate of Record Transmitted to US Court of Appeals for the Ninth Circuit for #89-35447, 89-35587 (ntfd) (former employee) (Entered: 09/25/1989)
09/25/1989	354	Order from the US Court of Appeals Applt's mot to consol Appeal [350-1], [325-1] (C/A #s 89-35447 & 89-35587 GRANTED (former employee) (Entered: 09/25/1989)
10/05/1989	355	Letter of subst of counsel on behalf of State of Oregon, for appeal purposes Remove Pamela Abernathy & subst Virginia Linder (former employee) (Entered: 10/05/1989)
10/12/1989	356	Stipulation and ORDER: that the date for the US' & intervenors' filing of any objs to the plan with the advisory panel be extended by 22 days to 11/1/89. ntfld Signed 10/12/89 microfilmed 10/13/89 Honorable Malcolm F. Marsh (former employee) (Entered: 10/13/1989)
02/02/1990		Clerk's record on appeal transmitted to US Court of Appeals for the Ninth Circuit CONSISTING of Reporter's Transcripts of proceedings had 3/1/89, 3/10 & 13/89, 3/14/89, 4/4/89. The USDC file (record) will be retained at this time, and will be available to the Court of Appeals if necessary. (former employee) (Entered: 02/02/1990)
02/22/1990	357	Joint MOTION by plaintiff & pltf/intv for release of sealed material to Gerald Golden, MD #357 , EXPED RULING REQ, memo (former employee) (Entered: 02/22/1990)
02/23/1990	358	ORDER granting motion for release of sealed material to Gerald Golden, MD [357-1] Pltf's expert rpts filed 6/17/88, pltf/inv expert rpts filed

		11/4/88, 1/20/89, defts' expert rpts filed 8/11/88, 9/1/88 may be disclosed to Dr. Gerald Golden. ORD Golden be given copies of this court's orders sealing rpts and be instructed to keep rpts confidential. ntfld Signed 2/23/90 Honorable Malcolm F. Marsh (former employee) (Entered: 02/23/1990)
04/13/1990	359	MOTION by plaintiff for release of sealed material to parties' experts #359 , EXPED RULING RE (former employee) (Entered: 04/13/1990)
04/23/1990	360	RECORD OF ORD: granting motion for release of sealed material to parties' experts [359-1] ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 04/23/1990)
04/23/1990	361	Stipulation and ORDER: re release of sealed material to parties' experts (experts rpts filed 6/17/88, pltf-intvs' expert rpts 11/4/88 & 1/20/89, defts' expert rpts 8/11/88 & 9/1/88 may be disclosed to expert consult etc for purposes of monitoring compliance w/consent decree ent as an order 4/14/89, including defts' use of experts to assist w/implementation of decree. (see ord) ntfld Signed 4/23/90 microfilmed & ent 4/23/90 Honorable Malcolm F. Marsh (former employee) (Entered: 04/23/1990)
06/08/1990	362	Exhibits A-J & O of US' memo in support of emergency mot for referral to The Advisory panel, etc. (former employee) (Entered: 06/11/1990)
06/08/1990	363	ORDER to seal certain docs in support of US' emergency motion. Seal memo in supp of emergency mot for referral to advisory panel, for evid hrg & emergency remedy for defts' non compliance w/consent decree priority meas & objective. Exh G, I, K, L, M. O to us memo. Furth ord seal of these docs shall in no way restrict parties' use of these docs for oth purposes under court's confid ord of 8/26/87. ntfld Signed 6/8/90 Honorable James A. Redden (former employee) (Entered: 06/11/1990)
06/08/1990	364	MOTION by USA for referral to The Advisory Panel, for an eviditiary hrg, and for an emergency remedy for defts' non-compliance w/consent decree priority measures and objective #364 , EXPED HRG REQ (former employee) (Entered: 06/11/1990)
06/08/1990	365	MOTION by USA to seal certain docs in support of its emergency motion for referral to The Advisory Panel, for an evid hrg, & for emergency remedy for defts' non-compliance w/consent decree priority measures and objective #365 , EXPED RULING REQ (former employee) (Entered: 06/11/1990)
06/19/1990	367	MOTION by defendants' to extend time to file response to pltf's emergency mot [364-1] #367 (former employee) (Entered: 06/19/1990)
06/20/1990	368	RECORD OF ord granting deft's motion to extend time to file response to pltf's emergency mot [364-1] # [367-1] ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 06/22/1990)
06/21/1990	369	Memorandum in opposition by defendant's to USDOJ's motion for referral to The Advisory Panel, for an eviditiary hrg, and for an emergency remedy for defts' non-compliance w/consent decree priority

		measures and objective [364-1], o/a req. (former employee) (Entered: 06/22/1990)
06/21/1990	370	MOTION by State defendants to stay panel review of USDOJ's additional compliance issue pending resolution of USDOJ's emergency motion and request for interim minute order (expedited hearing requested) [370-1] (Neal) (Entered: 06/22/1990)
06/22/1990	371	RECORD OF TELEPHONE HEARING: Plaintiff USA 's mot for referral to the advisory panel, for an evidentiary hearing, and for an emergency remedy for defts' non-compliance with consent decree priority measures and objectives #364 in ABEYANCE. ORDER - Deft's motion to stay #370 (fld 6/21/90) MOOT. ORDER - based on agreement of all parties, the pending issues will be presented to the Panel in accordance with the provisions of the Consent Decree. ntd Honorable Malcolm F. Marsh (Neal) (Entered: 06/22/1990)
06/29/1990	372	Reporter's Transcript of Proceedings had 6/22/90 by teleph (former employee) (Entered: 07/02/1990)
07/31/1990	373	U.S. status report on emergency motion (former employee) (Entered: 08/01/1990)
07/31/1990	374	MOTION by USA to temporarily seal exhibits to status report on emergency motion #341 Exped Ruling Requested (former employee) Modified on 08/01/1990 (Entered: 08/01/1990)
08/03/1990	375	ORDER granting motion to temporarily seal exhibits to status report on emergency motion [374-1]. Exh A to US Stat Rpt on emergency mot. Exh B to US stat rpt on emergency mot (see this order) ntd Signed 8/3/90 Honorable Malcolm F. Marsh (former employee) (Entered: 08/03/1990)
08/06/1990	377	MOTION by plaintiff USA for a hearing, and for an emergency remedy for defts' non-compliance with consent decree priority measures and objective #377 , EXPED RULING REQ (former employee) (Entered: 08/07/1990)
08/06/1990	378	Memorandum by plaintiff in support of motion for a hearing, and for an emergency remedy for defts' non-compliance with consent decree priority measures and objective [377-1] (former employee) (Entered: 08/07/1990)
08/09/1990	379	Certificate of service by plaintiff (former employee) (Entered: 08/09/1990)
08/09/1990	380	MOTION by plaintiff to set expedited hearing on US' emergency motion during week of August 27, 1990 #380 (former employee) (Entered: 08/09/1990)
08/09/1990	381	Memorandum by plaintiff in support of motion to set expedited hearing on US' emergency motion during week of August 27, 1990 [380-1] (former employee) (Entered: 08/09/1990)
08/14/1990	382	RECORD OF TELCONF: granting motion to set exped hrg on US'

		emergency motion during week of August 27, 1990 [380-1] ORD set US motion for a hearing, and for an emergency for defts' non-compliance with consent decree priority measures and objective [377-1] FRI, 8/17/90, 10:00. ntf Honorable Malcolm F. Marsh (former employee) (Entered: 08/15/1990)
08/15/1990	383	Memorandum in oppos by defendant to US' renewal of emergency motion [364-1] (former employee) (Entered: 08/15/1990)
08/16/1990	384	MOTION by USA to substitute page in revised proposed order for emergency relief #384 (former employee) (Entered: 08/17/1990)
08/16/1990	385	Declaration of Gary W. Lavigna, PH. D. by USA re motion to substitute page in revised proposed order for emergency relief [384-1] (former employee) (Entered: 08/17/1990)
08/17/1990	386	RECORD OF HRG: ORD grant pltf-intv's oral mot to file brief re USA's mot for hrg & for emergency remedy for defts' non compliance w/consent decree #377 by 8/24/90. ORD tentatively set cont of hrg on #377 8/21/90 or 8/22/90. Court will advise of date on 3/20. ORD USA's mot to sub pg in revised prop ord for emergency relief #384 granted. ntf Honorable Malcolm F. Marsh (former employee) (Entered: 08/21/1990)
08/20/1990	387	RECORD OF ORD: TEL Sched CONF: THU 8/23/90, 9:00 , [Mots to be set are USA's 6/8/90 mot for referral #364, & USA's 8/6/90 mot for hrg, & for emergency remedy #377]. see min entry. ntf Honorable Malcolm F. Marsh (former employee) (Entered: 08/21/1990)
08/21/1990	388	Response to the US emergency motion by pltf-intvs (former employee) (Entered: 08/21/1990)
08/21/1990	389	Declaration of Geo. H.S. Singer, Ph.D. re motion response [388-1] (former employee) (Entered: 08/21/1990)
08/22/1990	390	MOTION by defendant to quash subpoena #390 , EXPD HRG REQ (former employee) (Entered: 08/23/1990)
08/23/1990	392	RECORD OF TEL CONF: ORD parties file expert affids 8/31/90. Ms. Hennessy included in this category. ORD OR's mot to quash subpoena #390 grant in part den in part. Court will allow rpts from 7/1/90 on individuals listed in subpoena. ORD USA's 6/8/90 motion for referral #364 moot. , ntf Honorable Malcolm F. Marsh (former employee) (Entered: 08/28/1990)
08/24/1990	391	US' recommendations to the court re: cottages to tour & documents to review during the court's 8/17/90 tour of Fairview Train Ctr per US' emergency motion (former employee) (Entered: 08/27/1990)
08/30/1990		Clerk's record on appeal transmitted to US Court of Appeals for the Ninth Circuit/per request of C/A (former employee) Modified on 08/30/1990 (Entered: 08/30/1990)
08/31/1990	393	Pltf-Intv suppl response to US' emergency motion [377-1] (former employee) (Entered: 08/31/1990)

08/31/1990	394	Defts' suppl brief and testimony defendant State of Oregon re US' emergency motion [377-1] (former employee) (Entered: 08/31/1990)
09/04/1990	395	Reporter's Transcript of telephone conference 8/23/90 (former employee) (Entered: 09/05/1990)
09/05/1990	396	MOTION by plaintiff to temporarily seal the declaration of Daniel P. Davidson, PH.D. #396 , EXPD RULING REQ (former employee) (Entered: 09/06/1990)
09/05/1990	397	Suppl Memo by USA in support of emergency motion [396-1] (former employee) (Entered: 09/06/1990)
09/10/1990	398	Declaration of Gary W. Lavigna, PH.D. by plaintiff (former employee) (Entered: 09/10/1990)
09/13/1990	399	ORDER granting motion to temporarily seal the declaration of Daniel P. Davidson, PH.D. [396-1] ntf Signed 9/12/90 microfilmed Honorable Malcolm F. Marsh (former employee) (Entered: 09/14/1990)
09/20/1990	401	ORDER State of Or. shall immediately protect all those resident who have sustained or are likely to sustain significant harm to themselves. W/in 60 days, the State of Oregon shall consistently implement training programs that conform to Fairview's Sept. 18, 1989 policy on behavior programs for all residents who have sustained significant harm. W/in 120 days, State of Or. shall implement training programs to conform to Fairview's 9/18/89 policy on behavior programs for all residents who are design. behaviorally at risk. Fairview shall immediately retain such outside consultants as necessary to produce the outcomes described in its items 1-3. (see file for complete detail). ntf Signed 9/20/90 microfilmed & eod 9/20/90 Honorable Malcolm F. Marsh (former employee) (Entered: 09/20/1990)
10/10/1990	402	Notice of change of address of Stephen L. Brischetto for intv-pltfs Lyle, Long, Lee, Jones, Jackson, Fryer, Davis Oliver (former employee) (Entered: 10/10/1990)
10/23/1990	403	MOTION by USA for emergency relief to protect Fairview Training Ctr residents #403 , EXPED RULING REQ, memo (former employee) (Entered: 10/24/1990)
11/06/1990	404	Memorandum in oppos by State defts to mot for emergency relief to protect Fairview Training Ctr residents [403-1] (former employee) (Entered: 11/07/1990)
11/08/1990	405	ORDER U.S. mot for relief seeking to protect Fairview Training Ctr Res. (see ord) I refer this to Advisory Panel for determination as to whether Fairview in in compliance w/mandates of consent decree. (see ord) Panel direct to determine whether delay in reach desired level of improvements or whether conditions developed which require adjustment of improvement plan itself. ntf Signed 11/6/90 microfilmed & ent 11/8/90 Honorable Malcolm F. Marsh (former employee) (Entered: 11/08/1990)
11/19/1990	406	Reply by USA to defts' memo in opposition motion for emergency relief

		[403-1] (former employee) (Entered: 11/19/1990)
12/19/1990	407	Mandate from US Court of Appeals for the Ninth Circuit affirming the decision of the District Court C/A #89-35447, 89-35587 (former employee) (Entered: 12/20/1990)
01/22/1991	408	Substitution of counsel: Robert C. Joondeph substituted in place of Elam Lantz for intvpltfs (former employee) (Entered: 01/22/1991)
01/24/1991	409	Supplemental Memorandum by USA in further support of motion for emergency relief to protect Fairview Training Ctr residents [403-1] (former employee) (Entered: 01/24/1991)
01/24/1991	410	MOTION by defendant to file documents under seal #410 (former employee) (Entered: 01/24/1991)
01/24/1991	411	Response by OR defts to the advisory panel findings and opposition to US' propoesd order (former employee) (Entered: 01/24/1991)
01/25/1991	412	Supplemental memo of the US in furth support of emergency motion and request for an expd ruling on revised order for emergency relief (former employee) (Entered: 01/25/1991)
01/25/1991	413	RECORD OF ORD: grant State dfts motion to file documents under seal [410-1] ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 01/28/1991)
02/05/1991	415	Reply by USA to dfts' response to the advisory panel findings of dangerous conditions at Fairview [411-1] (former employee) (Entered: 02/05/1991)
02/07/1991	416	Notice of clarification of cnsl for Or dfts V. Linder out, Pamela Abernethy in (former employee) (Entered: 02/07/1991)
02/14/1991	417	Intvp' response to advisory panel findings (former employee) (Entered: 02/14/1991)
02/15/1991	418	Reply by OR defts to US' rply to defts' objs to advisory panel findings [415-1] (former employee) (Entered: 02/19/1991)
02/22/1991	419	RECORD OF ORD: Status hrg MON, 2/25/91, 2:00 , ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 02/25/1991)
02/25/1991	420	RECORD OF Disc Conf: (no comments) , ntfd Honorable Malcolm F. Marah (former employee) (Entered: 02/27/1991)
03/05/1991	421	RECORD OF ORD: Govt shall reimburse the State for all costs and any overtime wage payments incurred through the State's production of the listings of incident & injury reports for all Fairview residents from 9/20/90 through the present. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 03/05/1991)
03/05/1991	422	ORDER State submit to court & Advisory Panel w/in 30 days all relevant documentation & a comprehensive rpt re successes & practices in order that a determination be made whether these policies & practices comply

		w/mandates of Consent Decree. State submit to court & Advisory Panel w/in 30 days its proposed plan re use of anticonvulsant & psychotropic meds, including documentation, as to how it intends to remedy noncompliance w/consent decree found by Panel. Panel advise court whether its satisfied that State's proposed plan will comply w/consent decree. (see ord) ntfcd Signed 3/5/91 microfilmed & ent 3/6/91dcd Honorable Malcolm F. Marsh (former employee) (Entered: 03/06/1991)
03/05/1991	423	Opinion (see ord #422) ntfcd Signed 3/5/91 Honorable Malcolm F. Marsh (former employee) (Entered: 03/06/1991)
04/04/1991	424	State's response to March 5, 1990 order, declaration of Rosemary Hennessy (former employee) (Entered: 04/04/1991)
04/11/1991	425	RECORD OF TELCONF: ORD after Advisory Panel files its determination, then parties may file their comments. ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 04/11/1991)
05/31/1991	426	MOTION by plaintiff to file memo exceeding 35 pages in support of contempt motion #426 EXPD RULING REQ (former employee) (Entered: 06/03/1991)
05/31/1991	427	MOTION by USA for contempt judgment and for further relief #427 EXPD RULING REQ (former employee) (Entered: 06/04/1991)
05/31/1991	431	Certificate of service by USA (former employee) (Entered: 06/11/1991)
06/03/1991	428	MOTION by OR defts to place documents filed by US under seal #428 EXPD HRG REQ (former employee) (Entered: 06/04/1991)
06/04/1991	429	RESPONSE by defts in oppos pltf's req for expedited ruling and pltf's submission of its motion for contempt to the advisory panel [427-1] EXPED HRG REQ (former employee) (Entered: 06/04/1991)
06/05/1991	430	RECORD OF ORD: denying motion to file memo exceeding 35 pages in support of contempt motion [426-1] Copies of overlength brf are returned to pltf. Footnotes in any furth submissions shall not exceed an average of 2 per pg. ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 06/06/1991)
06/05/1991	432	RECORD OF ORD: granting motion to place documents filed by US under seal [428-1] ntfcd Honorable Malcolm F. Marsh (former employee) (Entered: 06/11/1991)
06/12/1991	433	MEMORANDUM by USA in support of motion for contempt judgment and for further relief [427-1] (former employee) (Entered: 06/12/1991)
06/17/1991	435	Reply by USA to memorandum in opposition to req for expd ruling and submission of motion for contempt to advisory panel [427-1] (former employee) (Entered: 06/18/1991)
06/17/1991	436	MOTION by USA for reconsideration of court's order to seal #436 OA REQ (former employee) (Entered: 06/18/1991)
06/17/1991	437	MEMORANDUM by USA in support of motion for reconsideration

		[436-1] and in oppos to dfts' mot to place docs filed by US under seal OA REQ (former employee) (Entered: 06/18/1991)
06/17/1991	438	Certificate of svc by USA (former employee) (Entered: 06/18/1991)
06/19/1991	439	RECORD OF ORD: set US motion for reconsideration of court's order to seal [436-1] MON, M/C 7/22/91 (noa). US req OA on #436 Denied. SET US motion for contempt judgment and for further relief [427-1] FRI, 9/13/91 1:30. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 06/19/1991)
06/24/1991	440	MOTION by intvp/dfts for extension of time to resp to pltf's mot for contempt & furth relief from 6/25 to 7/3 #440 EXPD HRG REQ (former employee) (Entered: 06/24/1991)
06/27/1991	441	RECORD OF ord granting joint motion for extension of time to resp to pltf's mot for contempt & furth relief from 6/25 to 7/3 # [440-1] ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 06/28/1991)
07/02/1991	442	RESPONSE by intvps' to motion for reconsideration of court's order to seal [436-1] (former employee) (Entered: 07/02/1991)
07/02/1991	443	Memo in oppos by intvps' to US motion for reconsideration of court's order to seal [436-1] (former employee) (Entered: 07/02/1991)
07/02/1991	444	Reply by defendant in support of deft's opposition to submission of motion for contempt to advisory panel [427-1] (former employee) (Entered: 07/02/1991)
07/03/1991	445	MOTION by OR dfts to file documents under seal #445 (former employee) (Entered: 07/03/1991)
07/03/1991	446	MEMO in Oppos by OR defts to US motion for contempt judgment [427-1] SHOW CAUSE HRG REQ (former employee) (Entered: 07/03/1991)
07/03/1991	447	RESPONSE by intervenor-plaintiff to US's motion for contempt [427-1] (former employee) (Entered: 07/03/1991)
07/08/1991	448	ORDER granting State of OR's motion to file documents under seal [445-1] (see ord) ntfd Signed 7/8/91 Honorable Malcolm F. Marsh (former employee) (Entered: 07/08/1991)
07/12/1991	450	Unopposed MOTION by USA to extend time to reply to defts' oppos to US' contempt motion #450 , EXPD Ruling REQ, decl (former employee) (Entered: 07/15/1991)
07/15/1991	451	Reply by USA to dfts' opposition motion for reconsideration of court's order to seal [436-1] (former employee) (Entered: 07/16/1991)
07/16/1991	452	RECORD OF ORD: granting govt's unopposed motion to extend time to reply to defts' oppos to US' contempt motion [450-1] to 7/29/91 ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 07/16/1991)
07/17/1991	453	MOTION by plaintiff for referral to the advisory panel for a determination on the US' contempt motion #453 EXPD Ruling REQ,

		memo (former employee) (Entered: 07/17/1991)
07/19/1991	454	MOTION by plaintiff for reconsideration of court's order to seal #454 OA REQ, memo (former employee) (Entered: 07/19/1991)
07/19/1991	455	RECORD OF ORD: setting motion for referral to the advisory panel for a determination on the US' contempt motion #453 [453-1] on MON, 8/19/91, (noa). ORD expd hrg req #453 denied. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 07/19/1991)
07/22/1991	456	MEMO in OPPOS by State defts to US motion for reconsid of court's order to seal [454-1] (former employee) (Entered: 07/23/1991)
07/22/1991	457	RECORD OF ORD: striking US' motion for reconsideration of court's order to seal [436-1] from M/C 7/22/91. ORD US' mots for reconsid #436 & 454 shall be reset upon filing of the Oregonian's mot to intv & shall be consol for consid w/the Oregonian's motion. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 07/23/1991)
07/24/1991	458	MOTION by OR defts for extension of time to respond to pltf's motion for a determination on the US' contempt motion for 7/30 to 8/1/91 #458 (former employee) (Entered: 07/24/1991)
07/26/1991	459	RESPONSE by intervenor-plaintiff to US motion for reconsideration of court's order to seal (former employee) (Entered: 07/26/1991)
07/26/1991	460	MOTION by Oregonian Publishing Co to intervene and to unseal records #460 OA REQ (former employee) (Entered: 07/29/1991)
07/26/1991	461	MEMORANDUM by intervenor Oregonian Publishing in support of motion to intervene and to unseal records [460-1] (former employee) (Entered: 07/29/1991)
07/26/1991	462	RECORD OF ORD: grant dfts` motion for extension of time to respond to pltf's motion for a determination on the US' contempt motion for 7/30 to 8/2/91 [458-1] Rply extend 3 working days to 8/7/91 ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 07/29/1991)
07/29/1991	463	RECORD OF ORD: setting Oregonian's motion to intervene and to unseal records #460, USA motions for reconsideration of court's order to seal [436-1] and [454-1] on FRI, 9/13/91, 1:30. ntfd Honorable Malcolm F. Marsh (former employee) (Entered: 07/30/1991)
07/30/1991	464	MOTION by Oregon defendants to file amended declaration of Vickery and signed declaration of Farnham in supp of defts' memo in oppos to US' motion for contempt judgment #464 (former employee) (Entered: 07/30/1991)
07/30/1991	465	MOTION by Oregon defendant to file documents under seal #465 (former employee) (Entered: 07/30/1991)
07/30/1991	466	ORDER grant State`s motion to file documents under seal [465-1] ntfd Signed 7/30/91 microfilmed ent 8/1/91dcd Honorable Malcolm F. Marsh (former employee) (Entered: 08/01/1991)

08/01/1991	468	ORDER re motion #464 to file amd decl of Vickery and signed delcation of Farnjam in supp of defts' memo in oppos to US's for contempt jgm granted and signed decl of Farnham and the amd decl of Vickery permit to be filed. ntfld Signed 8/1/91 microfilmed & ent 8/1/91 Honorable Malcolm F. Marsh (former employee) (Entered: 08/01/1991)
08/01/1991	469	Signed Declaration by OR defts of Charles N. Farnham` (former employee) (Entered: 08/01/1991)
08/01/1991	470	RECORD OF ORD: min entry supersedes court's 7/26/91 min entry: "Grant defts' mot for extension of time to respond to pltf's mot for referral to advisory panel. #458, 59 8/2/91. Pltf's reply also extend 3 working days to 8/16/91". ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 08/02/1991)
08/01/1991	471	MOTION by plaintiff to temporarily seal portions of pages in the US' reply to defts' oppos to contempt motion and declarations in support #471 (former employee) (Entered: 08/05/1991)
08/01/1991	472	Reply by plaintiff to defts' opposition to motion for contempt [427-1] [w/quotations from previously sealed docs redacted] (former employee) (Entered: 08/05/1991)
08/01/1991	473	Certificate of svc by plaintiff (former employee) (Entered: 08/05/1991)
08/02/1991	474	RESPONSE by OR defts in opposition to US' motionn to refer to panel [453-1] OA REQ (former employee) (Entered: 08/05/1991)
08/06/1991	475	Reply by USA to dfts opposition to US' motion for reconsideration of court's order to seal [454-1] (former employee) (Entered: 08/06/1991)
08/06/1991	476	RESPONSE by intvp to Oregonian motion to intervene and to unseal records [460-1] (former employee) (Entered: 08/07/1991)
08/09/1991	477	RESPONSE by plaintiff to Oregonian's` motion to intervene and to unseal records [460-1] (former employee) (Entered: 08/09/1991)
08/13/1991	478	ORDER granting motion to temporarily seal portions of pages in the US' reply to defts' oppos to contempt motion and declarations in support [471-1] ntfld Signed 8/12/91 Honorable Malcolm F. Marsh (former employee) (Entered: 08/15/1991)
08/15/1991	480	Reply by USA to memorandum in opposition motion for referral to the advisory panel for a determination on the US' contempt motion [453-1] (former employee) (Entered: 08/15/1991)
08/21/1991	481	Reply memo by Oregonian in support of motion to intervene and to unseal records [460-1] (former employee) (Entered: 08/22/1991)
08/23/1991	483	RECORD OF ORD: denying motion for referral to the advisory panel for a determination on the US' contempt motion #453 ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 08/27/1991)
09/06/1991	484	Response by State of OR defts to 7/31/91, Advisory Panel Report (former employee) (Entered: 09/09/1991)

09/13/1991	486	RECORD OF HRG: ORD; granting motion to intervene and to unseal records [460-1] [for ltd purpose of unsealing docs] (part of #460) ORD USA motion for reconsideration of court's order to seal [436-1] and [454-1] granted , after redaction of sealed documents. ORD: begin with latest filings, orig sealed docs will be removed from file, redacted and returned to the file unsealed, which unsealed doc will carry the document # of prior sealed doc. [there shall not be 2 versions of a doc in the orig file] ORD USA's mot for contempt judgmt and for furth relief #427 Denied. ORD USA's exhs A-H recd. Deft's exhibits 100-110 recd. Deft's exhs #107 & 108 are sealed until redacted. ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 09/16/1991)
09/13/1991	487	Deft's exhibit list w/contempt hearing exhibits 100-106, 109, 110 attached (former employee) (Entered: 09/16/1991)
09/13/1991	488	Govt's Exhibits A-H re USA 's contempt motion hearing (former employee) (Entered: 09/16/1991)
09/19/1991	490	Opinion (see this document, order follows) Signed 9/19/91 Honorable Malcolm F. Marsh (former employee) (Entered: 09/19/1991)
09/19/1991	491	ORDER in accord w/opn this date, pltf's mots for reconsid (#436 & 454) and Oregonina Publish's mots for reconsid #460 of my ords sealing docs are granted conditioned upon redaction of client names and identifying info. ntfld Signed 9/19/91 microfilmed & ent 9/19/91 Honorable Malcolm F. Marsh (former employee) (Entered: 09/19/1991)
09/20/1991	492	REPLY by plaintiff to dfts' response to 7/31/91, Advisory Panel Rpt [484-1] (former employee) (Entered: 09/23/1991)
09/23/1991	493	RECORD OF ord defts shall file any response to pltf's proposed ord (filed 9/20) relating to the 7/31/91 advisory panel report by 10/4/91. The court shall take pltf's proposed ord u/advise (w/out arg) on 10/7/91. ntfld Honorable Malcolm F. Marsh (former employee) (Entered: 09/24/1991)
10/04/1991	494	Response by State defendant to UA' proposed ord re 7/3/191 advisory panel rpt (former employee) (Entered: 10/07/1991)
10/22/1991	495	Opinion (see following ord) Signed 10/22/91 Honorable Malcolm F. Marsh (former employee) (Entered: 10/23/1991)
10/22/1991	496	ORDER re emergency motion 10/9/91. Find issues of dental sedation and postural drainage moot; (see this order). I find present monitoring and reporting systems, as set forth in Section VII of decree are adequate and meet minimum constitutional requirements. Therefore, I leave decision of whether the present system should be modified in accord w/Panel's proposal to the sound discretion of the professionals at Fairview. ntfld Signed 10/22/91 microfilmed & ent 10/23/91dcd Honorable Malcolm F. Marsh (former employee) (Entered: 10/23/1991)
11/08/1991	497	NOTICE OF APPEAL to Court of Appeals by plaintiff decision, [486-2] from mo. 9/13/91 denying the U.S. mot for contempt judgment & further relief & the ct's 10/22/91 opn. (former employee) (Entered: 11/12/1991)

11/08/1991		Notification form sent to US Court of Appeals for the Ninth Circuit & cc all cnsl (former employee) (Entered: 11/12/1991)
12/02/1991	498	NOTICE by defendants' of filing of redacted documents (former employee) (Entered: 12/03/1991)
12/06/1991	499	Transcript Designation and Ordering Form for date(s) 4/6/89, 6/22/90, 8/14/90, 8/17/90, 8/23/90, 2/25/91, 4/11/91 & 9/13/91 (former employee) (Entered: 12/10/1991)
12/09/1991	500	Certified Copy of Order from the US Court of Appeals for the Ninth District [497-1] We deny the petition for a writ of mandamus. (former employee) (Entered: 12/10/1991)
12/13/1991	501	NOTICE by Pltf Intervenors of filing of redacted documnts` (former employee) (Entered: 12/18/1991)
12/26/1991	502	NOTICE by plaintiff USA of filing redacted documents (former employee) (Entered: 01/02/1992)
12/26/1991	503	Certified Copy of Order from the US Court of Appeals for the Ninth District [497-1] Appeal #91-36321, Appellant's opening brief to be filed 2/24/92 & Appellee's brief 3/25/92 (former employee) (Entered: 01/02/1992)
01/16/1992	504	Report of the Advisory Panel in response to the 3/5/91 ord of the ct (7/31/91 report) (former employee) (Entered: 01/16/1992)
02/04/1992	505	NOTICE of filing the Fairview Plan by defendants (former employee) (Entered: 02/05/1992)
02/07/1992	506	TRANSCRIPT of proceedings held 9/13/91 before Judge Marsh filed (former employee) (Entered: 02/10/1992)
02/19/1992	507	MOTION by plaintiff to clarify 9/13/91 ruling & 10/22/91 opn re standards in light of consent decree plan (former employee) (Entered: 02/20/1992)
03/02/1992	508	MOTION by State defendants to extend time to respond to pltf's mot to clarify expdtd ruling reqstd (former employee) (Entered: 03/03/1992)
03/03/1992	509	RECORD OF ORD: granting Defts' motion to extend time to respond to pltf's mot to clarify [508-1] to 3/6/92. Govt's reply shall be filed by 3/19/92. Setting U.S. motion to clarify 9/13/91 ruling & 10/22/91 opn re standards in light of consent decree plan [507-1] on M/C 3/27/92(noa) (ruling on submissions) ntd Honorable Malcolm F. Marsh Court Rptr none (former employee) (Entered: 03/04/1992)
03/05/1992	510	Memo by defendants to U.S. motion to clarify 9/13/91 ruling & 10/22/91 opn re standards in light of consent decree plan [507-1] (former employee) (Entered: 03/06/1992)
03/06/1992	511	Response by intervenor-plaintiffs to Defts' proposed Standards in response to 10/22/91 opn (former employee) (Entered: 03/09/1992)

03/16/1992	512	REPLY by plaintiff to Defts' response to motion to clarify 9/13/91 ruling & 10/22/91 opn re standards in light of consent decree plan [507-1] (former employee) (Entered: 03/18/1992)
03/18/1992	513	Certified Copy of Order from the US Court of Appeals for the Ninth District [497-1] CA 91-36321 clerks ord of 2/10 is vacated. Appellants opening brief is due 4/13, appellees brief 5/13 & appellants reply 5/27. (former employee) (Entered: 03/18/1992)
03/30/1992	514	MOTION by defendants to substitute 9 pgs in Vols 1-111 of Fairview Plan (former employee) (Entered: 03/31/1992)
04/02/1992	515	RECORD OF ORD: granting Defts' motion to substitute 9 pgs in Vols 1-111 of Fairview Plan [514-1] ntf'd Honorable Malcolm F. Marsh Court Rptr none (former employee) (Entered: 04/03/1992)
04/07/1992	516	ORDER finding that further "clarification" is unnecessary & thus pltf's motion to clarify 9/13/91 ruling & 10/22/91 opn re standards in light of consent decree plan [507-1] moot as indicated by this ord. ntf'd Signed 4/6/92 microfilmed 4/8/92 Honorable Malcolm F. Marsh (former employee) (Entered: 04/08/1992)
04/09/1992	517	Reporter's TRANSCRIPT of proceedings had 9/13/91, 1:30 (former employee) (Entered: 04/10/1992)
06/19/1992	518	TRANSCRIPT of Hearing held 4/6/89 before the Honorable Malcolm F. Marsh. (tomg) (Entered: 06/19/1992)
06/19/1992	519	TRANSCRIPT of Hearing held 8/17/90 before the Honorable Malcolm F. Marsh. (tomg) (Entered: 06/19/1992)
06/19/1992	520	TRANSCRIPT of Hearing held 2/25/91 before the Honorable Malcolm F. Marsh. (tomg) (Entered: 06/19/1992)
06/19/1992	521	TRANSCRIPT of Hearing held 4/11/91 before the Honorable Malcolm F. Marsh. (tomg) (Entered: 06/19/1992)
06/19/1992	522	TRANSCRIPT of Hearing held 9/13/91 before the Honorable Malcolm F. Marsh. (tomg) (Entered: 06/19/1992)
06/19/1992	523	TRANSCRIPT of Hearing held 9/13/91 before the Honorable Malcolm F. Marsh (bench opinion). (tomg) (Entered: 06/19/1992)
06/19/1992		Certificate of Record Transmitted to US Court of Appeals for the Ninth Circuit re appeal 91-70622. (tomg) (Entered: 06/19/1992)
01/19/1993	524	CERTIFIED COPY OF ORDER from the US Court of Appeals for the Ninth District [497-1] Appeal # 91-36321 - Within 10 days of this order parties shall contact the District Court for a settlement conference (former employee) (Entered: 01/20/1993)
07/09/1993		CLERK'S RECORD on appeal transmitted to US Court of Appeals for the Ninth Circuit regarding appeal CA 36321 [497-1] (tomg) (Entered: 07/09/1993)

07/19/1993	525	LETTER to Court from Court of Appeals the record on appeal was received by the C/A on 7/15/93 (former employee) (Entered: 07/20/1993)
10/13/1993	526	NOTICE OF FILING A MODIFICATION TO THE FAIRVIEW PLAN by Defendants (former employee) (Entered: 10/14/1993)
07/18/1994	527	MANDATE/JUDGMENT from USCA AFFIRMING the decision of the District Court re appeal of 11/8/91 [497-1] CA 91-36321 (former employee) (Entered: 07/19/1994)
04/12/1995		CLERK'S RECORD on appeal (entire original file) returned from US Court of Appeals for the Ninth Circuit regarding appeal CA 91-36321 [497-1] (tomg) (Entered: 04/12/1995)
04/17/1995	528	JOINT MOTION by Parties FOR APPROVAL OF STIPULATION (former employee) (Entered: 04/17/1995)
04/17/1995	529	STIPULATED ORDER GRANTING MOTION FOR APPROVAL OF STIPULATION [528-1] (see file) Signed 4/17/95 Honorable Malcolm F. Marsh cc: all counsel (former employee) (Entered: 04/19/1995)
05/30/1995	530	Notice of appearance & change of address Mark Masling (former employee) (Entered: 05/31/1995)
09/04/1996		CASE FILE SENT TO THE FRC Accession number 21-96-0078 Location number 59873 Box 1-6 of 9 (tomg) (Entered: 09/04/1996)
11/26/1997	531	STIPULATION and ORDER: Signed 11/26/97 Honorable Malcolm F. Marsh (See formal 4-page Amended Stipulated Order) (counsel notified) (Kirk) (Entered: 11/28/1997)
12/08/1997	532	MAIL RETURNED [stipulation [531-1]] addressed to David B Hatton for Intervenor-plaintiff Ronald Brelsford (peg) (Entered: 12/09/1997)
02/16/1999	533	STIPULATED ORDER APPROVING MODIFICATION OF FAIRVIEW PLAN (see file for full 4 page order) by Honorable Malcolm F. Marsh Signed 2/16/99 (counsel notified) (former employee) (Entered: 02/17/1999)
02/26/1999	534	MAIL RETURNED [order [533-1]] addressed to David B Hatton for Intervenor-plaintiff Ronald Brelsford; corrected address and sent out again (former employee) (Entered: 03/01/1999)
11/12/1999	535	STIPULATED ORDER APPROVIING MODIFICATION OF FAIRVIEW PLAN; signed by Honorable Malcolm F. Marsh on 11/12/99; see full 4-page document for details. (counsel notified) (peg) (Entered: 11/15/1999)
05/12/2000	536	MOTION by State Defendants TO DISMISS CASE and TERMINATE CONSENT DECREE (peg) (Entered: 05/12/2000)
05/12/2000	537	MEMORANDUM IN SUPPORT of State's MOTION TO DISMISS CASE and TERMINATE CONSENT DECREE [536-1] (peg) (Entered: 05/12/2000)

05/12/2000	538	AFFIDAVIT of James Toews (peg) (Entered: 05/12/2000)
05/15/2000	539	RECORD OF ORDER by Honorable Malcolm F. Marsh SETTING the following schedule on the State's MOTION TO DISMISS CASE and TERMINATE CONSENT DECREE [536-1]; The United State's Response due 7/12/00; Any Reply due 7/19/00; Motion to be taken under advisement on 7/20/00 (counsel notified) Court Rptr: none (peg) (Entered: 05/16/2000)
07/12/2000	540	REPLY by Plaintiff to State's MOTION TO DISMISS CASE and TERMINATE CONSENT DECREE [536-1] (Kirk) (Entered: 07/13/2000)
07/14/2000	541	RESPONSE by Intervenor-plaintiffs to State's MOTION TO DISMISS CASE and TERMINATE CONSENT DECREE [536-1] Reply due 7/28/00 (former employee) (Entered: 07/19/2000)
07/25/2000	542	RECORD OF ORDER by Honorable Malcolm F. Marsh GRANTING the State's (unopposed) MOTION TO DISMISS CASE and TERMINATE CONSENT DECREE [536-1] based on the closure of the Fairview Training Center (counsel notified) (kw) (Entered: 07/28/2000)
07/26/2000	543	JUDGMENT; The State of Oregon's unopposed MOTION TO DISMISS CASE & TERMINATE CONSENT DECREE [536-1], based on the closure of the Fairview Training Center, was granted on 7/25/00 [542-1]; Therefore, this action is DISMISSED CASE DISMISSED ; Signed 7/26/00 (microfilmed 7/28/00) Honorable Malcolm F. Marsh (counsel notified) (kw) (Entered: 07/28/2000)

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