

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:11-cv-00899-WKW-CSC**

Smith et al v. McKinney
Assigned to: Chief Judge William Keith Watkins
Referred to: Honorable Judge Charles S. Coody
Cause: 42:1983 Civil Rights Act

Date Filed: 10/19/2011
Date Terminated: 12/02/2011
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Linda Smith
*on behalf of herself and all others
similarly situated*

represented by **Daniel Werner**
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Plaintiff

John Doe
*on behalf of himself and all others
similarly situated*

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Mary C Bauer
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Samuel J Brooke
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Sigfredo Rubio
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V.

Defendant

Reese McKinney, Jr.

Probate Judge of Montgomery County, in his official capacity and as representative of the class of probate judges in the State of Alabama similarly situated

represented by **Henry Lewis Gillis**
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Date Filed	#	Docket Text
10/19/2011	<u>1</u>	CLASS ACTION COMPLAINT against Reese McKinney, Jr (Filing fee \$ 350.00 receipt number 4602020290), filed by Linda Smith, John Doe. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Receipt)(br,) (Entered: 10/20/2011)
10/19/2011	<u>2</u>	MOTION for Leave to Proceed Under a Pseudonym by John Doe. (Attachments: # <u>1</u> Text of Proposed Order)(br,) (Entered: 10/20/2011)
10/19/2011	<u>3</u>	BRIEF/MEMORANDUM in Support re <u>2</u> MOTION for Leave to Proceed Under a Pseudonym filed by John Doe. (Attachments: # <u>1</u> Declaration of Heidi Beirich, # <u>2</u> Declaration of John Doe)(br,) (Entered: 10/20/2011)

10/19/2011	<u>4</u>	Summons Issued; summons and complaint returned to counsel for personal service of Reese McKinney, Jr. (br,) Modified on 10/20/2011 to correct file date (br,). (Entered: 10/20/2011)
10/20/2011		NOTICE of Assignment to Magistrate Judge mailed to counsel for John Doe, Linda Smith (br,) (Entered: 10/20/2011)
10/20/2011	<u>5</u>	Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement sent to Linda Smith, John Doe. Corporate Disclosures due by 10/31/2011. (Attachments: # <u>1</u> Corporate Conflict Standing Order)(br,) (Entered: 10/20/2011)
10/20/2011	<u>6</u>	SUMMONS Returned Executed by Linda Smith, John Doe. Reese McKinney, Jr served by personal service 10/19/2011, answer due 11/9/2011. (br,) (Entered: 10/20/2011)
10/20/2011	<u>7</u>	ORDER granting <u>2</u> Motion for Leave to Proceed Under a Pseudonym, without prejudice to the defendants to object at the time their answers are filed. Signed by Honorable Judge Charles S. Coody on 10/20/2011. (br,) (Entered: 10/20/2011)
10/20/2011	<u>8</u>	Corporate/Conflict Disclosure Statement by John Doe, Linda Smith. (Brooke, Samuel) (Entered: 10/20/2011)
10/20/2011	<u>9</u>	Corporate/Conflict Disclosure Statement by John Doe, Linda Smith. (Brooke, Samuel) (Entered: 10/20/2011)
10/21/2011	<u>10</u>	Motion to Appear Pro Hac Vice by John Doe, Linda Smith. (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Text of Proposed Order)(Brooke, Samuel) (Entered: 10/21/2011)
10/21/2011	<u>11</u>	Motion to Appear Pro Hac Vice by John Doe, Linda Smith. (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Text of Proposed Order)(Brooke, Samuel) (Entered: 10/21/2011)
10/21/2011	<u>12</u>	AMENDED COMPLAINT <i>Class Action</i> against All Defendants, filed by Linda Smith, John Doe. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Original Pleading)(Brooke, Samuel) (Entered: 10/21/2011)
10/21/2011	<u>13</u>	PRO HAC VICE Filing fees for DANIEL WERNER and JAMES M. KNOEPP received re <u>10</u> and <u>11</u> Motions to Appear Pro Hac Vice: \$100.00, receipt number 4602020313. (dmn) (Entered: 10/21/2011)
10/25/2011	<u>14</u>	ORDER that the Motions for Admission Pro Hac Vice (Docs. <u>10</u> and <u>11</u>) be and are hereby GRANTED and Attorneys James M. Knoepp and Daniel Werner be and are hereby ADMITTED to appear before this Court pro hac vice to represent the plaintiffs in this action. Counsel shall file a notice of appearance with the court. Signed by Honorable Judge Charles S. Coody on 10/25/2011. (dmn) (Entered: 10/25/2011)
10/27/2011	<u>15</u>	NOTICE of Appearance by Daniel Werner on behalf of All Plaintiffs (Attachments: # <u>1</u> Certificate of Service)(Werner, Daniel) (Entered: 10/27/2011)
10/27/2011	<u>16</u>	NOTICE of Appearance by Henry Lewis Gillis on behalf of Reese McKinney, Jr (Gillis, Henry) (Entered: 10/27/2011)
10/27/2011		***Attorney Tyrone Carlton Means, and Frederic Allen Bolling added for Reese McKinney, Jr. (dmn) (see Doc. <u>16</u> for pdf) (Entered: 10/27/2011)
10/28/2011	<u>17</u>	NOTICE of Appearance by James M Knoepp on behalf of John Doe, Linda Smith (Knoepp, James) (Entered: 10/28/2011)
11/09/2011	<u>18</u>	MOTION for Leave to File <i>Out-of-Time</i> by Reese McKinney, Jr. (Gillis, Henry) (Entered: 11/09/2011)
11/10/2011	<u>19</u>	Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement sent to Reese McKinney. Corporate Disclosures due by 11/21/2011. (Attachments: # <u>1</u> Corporate Conflict Standing Order)(br,) (Entered: 11/10/2011)
11/10/2011		NOTICE of Assignment to Magistrate Judge mailed to counsel for Reese McKinney, Jr (br,) (Entered: 11/10/2011)

11/10/2011	<u>20</u>	ORDER granting <u>18</u> Motion for Extension of Time; the time for the defendant to file a responsive pleading is EXTENDED to December 12, 2011. Signed by Honorable Judge Charles S. Coody on 11/10/2011. (br,) (Entered: 11/10/2011)
11/10/2011		Reset Deadlines: Answer due from Reese McKinney, Jr 12/12/2011. (br,) (Entered: 11/10/2011)
11/15/2011	<u>21</u>	Corporate/Conflict Disclosure Statement by Reese McKinney, Jr re <u>19</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement. (Gillis, Henry) (Entered: 11/15/2011)
11/21/2011	<u>22</u>	Case reassigned to Chief Judge William Keith Watkins and Honorable Judge Charles S. Coody. Honorable Judge Charles S. Coody no longer assigned to the case as presiding judge. (br,) (Entered: 11/21/2011)
12/01/2011	<u>23</u>	NOTICE by John Doe, Linda Smith <i>Notice of Dismissal</i> (Bauer, Mary) (Entered: 12/01/2011)
12/02/2011	<u>24</u>	CLERK'S NOTICE of Voluntary Dismissal pursuant to the <u>23</u> Notice of Dismissal filed by the Plaintiffs on 12/1/2011, this case has been closed and removed from the docket of this court. (dmn,) (Entered: 12/02/2011)