

**U.S. District Court  
District of Kansas (Topeka)  
CIVIL DOCKET FOR CASE #: 5:04-cv-04085-RDR-JPO**

Day et al v. Sebelius et al  
Assigned to: District Judge Richard D. Rogers  
Referred to: Magistrate Judge James P. O'Hara  
Case in other court: 10CCA, 05-03309  
US Supreme Court, 07-01193  
Cause: 28:2201 Declaratory Judgement

Date Filed: 07/19/2004  
Date Terminated: 07/05/2005  
Jury Demand: None  
Nature of Suit: 950 Constitutional – State  
Statute  
Jurisdiction: Federal Question

**Plaintiff**

**Ms. Kristen Day**

represented by **Kris W. Kobach**  
UMKC School of Law  
5100 Rockhill Road  
Kansas City , MO 64110-2499  
816-235-2390  
Fax: 816-235-5276  
Email: [kobachk@umkc.edu](mailto:kobachk@umkc.edu)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
Federation for American Immigration  
Reform  
1666 Connecticut Ave. – Ste. 400  
Washington , DC 20009  
202-328-7004  
Fax: 202-387-3447  
Email: [mhethmon@irli.org](mailto:mhethmon@irli.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Sonna L. Day**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Cody Echols**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**David C. Eichman**

represented by

**Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Brandi P. Gillette**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Christopher J. Heath**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Amy E. Hughes**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jeraldyn L. Hughes**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kenneth H. Hughes**

represented by **Kris W. Kobach**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Nicole C. Keene**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Heidi L. Landherr**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Roberta K. MacGregor**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Robert R. Manzel**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Karla A. Manzel**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kayla L. Manzel**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jonathan D. Miller**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Mary L. Miller**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Lashonda M. Montgomery**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Michelle Prael**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**

(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kyle Rohde**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Marcy R. Rutan**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Joshua B. Sheade**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jamie Whittenberg**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Lindsey D. Whittington**

represented by **Kris W. Kobach**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael M. Hethmon**  
(See above for address)  
*LEAD ATTORNEY*

*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Kathleen Sebelius**  
*personally and in her official capacity as  
Governor of Kansas  
TERMINATED: 07/05/2005*

represented by **Clayton L. Barker**  
3051 W. 144th Terrace  
Leawood , KS 66224  
913-897-9884  
Email: [cbarker3@kc.rr.com](mailto:cbarker3@kc.rr.com)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**David W. Davies**  
Johnson County District Attorney's Office  
PO Box 728  
Olathe , KS 66051  
913-715-3138  
Email: [david.davies@jocogov.org](mailto:david.davies@jocogov.org)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael F. Delaney**  
Spencer Fane Britt & Browne—Overland  
Park  
40 Corporate Woods—Ste. 700  
9401 Indian Creek Parkway  
Overland Park , KS 66210-2005  
913-345-8100  
Fax: 913-345-0736  
Email: [mdelaney@spencerfane.com](mailto:mdelaney@spencerfane.com)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**William Scott Hesse**  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka , KS 66603-3068  
785-296-8066  
Email: [wm\\_scott\\_hesse@cox.net](mailto:wm_scott_hesse@cox.net)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
Kansas Attorney General— 10th Ave  
120 S.W. 10th Avenue, 2nd Floor  
Topeka , KS 66612-1597  
785-296-2215  
Fax: 785-296-6296  
Email: [michael.leitch@ksag.org](mailto:michael.leitch@ksag.org)  
*TERMINATED: 12/02/2004*

**Defendant**

**Reginald L. Robinson**  
*personally and in his official capacity as  
President and Chief Executive Officer,  
Kansas Board of Regents  
TERMINATED: 12/02/2004*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**David W. Davies**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael F. Delaney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William Scott Hesse**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*TERMINATED: 12/02/2004*

**Defendant**

**Robert Hemenway**  
*personally and in his official capacity as*  
*Chancellor of the University of Kansas*  
*TERMINATED: 12/02/2004*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David W. Davies**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael F. Delaney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William Scott Hesse**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*TERMINATED: 12/02/2004*

**Defendant**

**Jon Wefald**  
*personally and in his official capacity as*  
*President of Kansas State University at*  
*manhattan*  
*TERMINATED: 12/02/2004*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David W. Davies**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael F. Delaney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William Scott Hesse**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*TERMINATED: 12/02/2004*

**Defendant**

**Kay Schallenkamp**

*personally and in her official capacity as  
President of Emporia State University  
TERMINATED: 12/02/2004*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**David W. Davies**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael F. Delaney**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**William Scott Hesse**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*TERMINATED: 12/02/2004*

**Defendant**

**Richard Bond**

*Chairman of the Kansas Board of Regents*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Donna L. Shank**

*Member of the Kansas Board of Regents  
in her official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Janice DeBauge**

*Member of the Kansas Board of Regents  
in her official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**William R. Docking**

*Member of the Kansas Board of Regents*

represented by **Clayton L. Barker**  
(See above for address)



*in his official capacity*

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Lewis L. Ferguson**  
*Member of the Kansas Board of Regents  
in his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Frank Gaines**  
*Member of the Kansas Board of Regents  
in his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Nelson Galle**  
*Member of the Kansas Board of Regents  
in his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**James Grier, III**  
*Member of the Kansas Board of Regents  
in his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Deryl W. Wynn**  
*Member of the Kansas Board of Regents  
in his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Dr Cindy Derritt**

*Registrar of Kansas State University in  
her official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr Monty Nielson**

*Registrar of Kansas State University in  
his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr Lehmann F. Robinson**

*Registrar of Emporia State University in  
his official capacity*

represented by **Clayton L. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael C. Leitch**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Defendant**

**Kansas League of United Latin  
American Citizens**

represented by **E. Linton Joaquin**  
National Immigration Law Center—LA  
3435 Wilshire Boulevard, Suite 2850  
Los Angeles , CA 90010  
213-639-3900  
Fax: 213-639-3911  
Email: [joaquin@nilc.org](mailto:joaquin@nilc.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lee Gelernt**  
American Civil Liberties Union – NY –  
17th  
125 Broad Street – 17th Floor  
New York , NY 10004  
212-549-2616  
Fax: 212-549-2654  
Email: [lgelernt@aclu.org](mailto:lgelernt@aclu.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lucas Guttentag**  
American Civil Liberties Union – NY –

17th  
125 Broad Street – 17th Floor  
New York , NY 10004  
212-549-2617  
Fax: 212-549-2654  
Email: [lguttentag@aclu.org](mailto:lguttentag@aclu.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Peter D. Roos**  
META, Inc.  
483 Ninth Street – Suite 250  
Oakland , CA 94607  
510-267-3765  
Fax: 510-645-9660  
Email: [roosmeta@earthlink.net](mailto:roosmeta@earthlink.net)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

**Tanya Broder**  
National Immigration Law  
Center–Oakland  
405 14th St. – Ste. 1400  
Oakland , CA 94612  
510-663-8282  
Fax: 510-663-2028  
Email: [broder@nilc.org](mailto:broder@nilc.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**J. Eugene Balloun**  
Shook, Hardy & Bacon LLP – Kansas  
City/Grand  
2555 Grand Boulevard  
Kansas City , MO 64108-2613  
816-474-6550  
Fax: 816-5547  
Email: [eballoun@shb.com](mailto:eballoun@shb.com)  
*ATTORNEY TO BE NOTICED*

**Intervenor Defendant**

**The Hispanic American Leadership  
Organization**  
*Kansas State Chapter*

represented by **E. Linton Joaquin**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lee Gelernt**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lucas Guttentag**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Peter D. Roos**  
(See above for address)  
*LEAD ATTORNEY*

*PRO HAC VICE*

**Tanya Broder**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**J. Eugene Balloun**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Defendant**

**A. Doe**

represented by **E. Linton Joaquin**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lee Gelernt**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lucas Guttentag**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Peter D. Roos**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

**Tanya Broder**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**J. Eugene Balloun**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Defendant**

**J. Doe**

represented by **E. Linton Joaquin**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**J. Eugene Balloun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee Gelernt**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lucas Guttentag**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Peter D. Roos**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

**Tanya Broder**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Intervenor Defendant**

**L. Doe**

represented by **E. Linton Joaquin**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**J. Eugene Balloun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee Gelernt**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lucas Guttentag**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Peter D. Roos**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Tanya Broder**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
07/19/2004	<u>1</u>	COMPLAINT with trial location of Topeka, Kansas, filed by Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington. (Attachments: # <u>1</u> Exhibit A Relevant Kansas Statutes # <u>2</u> Exhibit B Relevant Kansas Administrative Regulations # <u>3</u> Exhibit C Relevant Federal Statutes)(sal) (Entered: )

		07/19/2004)
07/19/2004		FILING FEE PAID: in the amount of \$ 150.00, receipt number 048017 (sal) (Entered: 07/19/2004)
07/20/2004	<u>2</u>	MINUTE ORDER: Magistrate Judge K. Gary Sebelius recuses himself and orders that this case be reassigned to the Honorable James P. O'Hara, United States Magistrate Judge, for all further pretrial proceedings.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry)(sc) (Entered: 07/20/2004)
07/20/2004		Magistrate Judge James P. O'Hara added. Magistrate Judge K. Gary Sebelius no longer assigned to case. (This is a text entry only; there is no document associated with this transaction) (sc) (Entered: 07/20/2004)
07/22/2004	<u>3</u>	MINUTE ORDER OF RECUSAL AND REASSIGNMENT. Case reassigned to Judge Richard D. Rogers for all further proceedings. Judge Julie A. Robinson recuses herself and is no longer assigned to case. The case number is changed to 04-4085-RDR. (ms) (Entered: 07/22/2004)
09/09/2004		PRO HAC VICE FEE PAID: on 9/9/04 for attorney Hethmon, Michael M re: <u>4</u> MOTION for attorney Michael M. Hethmon to appear pro hac vice in the amount of \$50.00; Receipt Number 104905 (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (trs) (Entered: 09/15/2004)
09/10/2004	<u>4</u>	MOTION by Kris W. Kobach for attorney Michael M. Hethmon to appear pro hac vice for Plaintiffs (ms) (Entered: 09/10/2004)
09/10/2004	<u>5</u>	AFFIDAVIT of Michael Meriwether Hethmon in support of <u>4</u> MOTION for attorney Michael M. Hethmon to appear pro hac vice by Plaintiffs(ms) (Entered: 09/10/2004)
09/10/2004	<u>6</u>	CERTIFICATE OF SERVICE by Plaintiffs of <u>4</u> MOTION for attorney Michael M. Hethmon to appear pro hac vice and <u>5</u> Affidavit in Support of Pro Hac Vice Motion (ms) (Entered: 09/10/2004)
09/17/2004	<u>7</u>	ANSWER to Complaint by Robert Hemenway, Reginald L Robinson, Kay Schallenkamp, Kathleen Sebelius, Jon Wefald.(Leitch, Michael) (Entered: 09/17/2004)
09/20/2004	<u>8</u>	Order: Defendants' motion for attorney Michael M. Hethmon to appear pro hac vice <u>4</u> is denied. This court's local rules provide that motions for admission pro hac vice shall be accompanied by an affidavit on the form prescribed by court rule (See Appendix) D. Kan. Rule 83.5.4(a). The affidavit that Mr. Hethmon provided is not notarized, nor does it contain the statement "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct." See 28 U.S.C. 1746. The court advised counsel for defendants of this deficiency and directed that an amended affidavit be filed by September 17, 2004. To date, no amended affidavit has been filed. The motion is therefore denied without prejudice for reassertion consistent with this court's local rules. Signed by Magistrate Judge James P. O'Hara on 9/20/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mt) (Modified on 9/20/2004 to correct punctuation. (mg)) (Entered: 09/20/2004)
10/12/2004	<u>9</u>	ORDER SETTING SCHEDULING CONFERENCE: Scheduling Conference set for 11/9/2004 at 11:00 AM before Magistrate Judge James P. O'Hara. Report of Parties Planning Meeting deadline 10/29/2004. Signed by Magistrate Judge James P. O'Hara on 10/12/04. (mt) (Modified on 10/28/2004 to correct the name of the judge to hold scheduling conference.(mg)) (Entered: 10/12/2004)
10/20/2004	<u>10</u>	MOTION for attorney Peter D. Roos to appear pro hac vice by Movants A., J., and L. Does, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Affidavit Peter D. Roos)(Balloun, J.) (Entered: 10/20/2004)
10/20/2004	<u>11</u>	MOTION to Intervene <i>and to File Answer in Intervention</i> by Movants A., J., and L. Does, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization (Balloun, J.) (Entered: 10/20/2004)

10/20/2004	<u>12</u>	MEMORANDUM IN SUPPORT of <u>11</u> MOTION to Intervene <i>and to File Answer in Intervention</i> by Movants A., J., and L. Does, Kansas League of United Latin Amerian Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Exhibit Press Release)(Balloun, J.) (Entered: 10/20/2004)
10/20/2004	<u>13</u>	MOTION for Protective Order <i>Allowing Intervenors "A.," "J.," and "L." Does to Proceed Anonymously</i> by Movants A., J., and L. Does, Kansas League of United Latin Amerian Citizens, The Hispanic American Leadership Organization (Balloun, J.) (Entered: 10/20/2004)
10/20/2004	<u>14</u>	MEMORANDUM IN SUPPORT of <u>13</u> MOTION for Protective Order <i>Allowing Intervenors "A.," "J.," and "L." Does to Proceed Anonymously</i> by Movants A., J., and L. Does, Kansas League of United Latin Amerian Citizens, The Hispanic American Leadership Organization (Balloun, J.) (Entered: 10/20/2004)
10/20/2004	<u>15</u>	ANSWER to Complaint by A., J., and L. Does, Kansas League of United Latin Amerian Citizens, The Hispanic American Leadership Organization.(Balloun, J.) (Entered: 10/20/2004)
10/21/2004		PRO HAC VICE FEE PAID: on 10/21/04 re: <u>10</u> MOTION for attorney Peter D. Roos to appear pro hac vice in the amount of \$50.00; Receipt Number 105563 (THIS IS A TEXT ONLY ENTRY--NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (trs) (Entered: 10/21/2004)
10/25/2004	<u>16</u>	ORDER expediting the time for filing any responses to the motions of movants A., J., and L. Does, Kansas League of United Latin Amerian Citizens, and the Hispanic American Leadership Organization for leave to intervene [doc. 11] and for entry of a protective order [doc. 13] to October 29, 2004. Any reply in support of movants' motions shall be filed by November 5, 2004. Signed by Magistrate Judge James P. O'Hara on 10/25/04. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry)(hw) (Entered: 10/25/2004)
10/25/2004	<u>17</u>	ORDER granting <u>10</u> Motion to Appear Pro Hac Vice. Peter D. Roos is hereby granted leave to appear pro hac vice on behalf of The Hispanic American Leadership Organization, A., J., and L. Does and Kansas League of United Latin Amerian Citizens. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 10/25/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 10/25/2004)
10/28/2004	<u>18</u>	MOTION for attorney Lee Gelernt to appear pro hac vice by Movants A., J., and L. Does, Kansas League of United Latin Amerian Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Affidavit of Lee Gelernt)(Balloun, J.) (Entered: 10/28/2004)
10/28/2004		PRO HAC VICE FEE PAID: on 10/28/04 for attorney Lee Gelernt re: <u>18</u> MOTION for attorney Lee Gelernt to appear pro hac vice in the amount of 50.00 Receipt Number 048349 (THIS IS A TEXT ONLY ENTRY--NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (sal) (Entered: 10/29/2004)
10/29/2004	<u>19</u>	ORDER granting <u>18</u> Motion to Appear Pro Hac Vice. Lee Gelernt is granted leave to appear pro hac vice on behalf of The Hispanic American Leadership Organization; A., J., and L. Does, and Kansas League of United Latin Amerian Citizens. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 10/29/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 10/29/2004)
11/02/2004	<u>20</u>	ORDER granting the unopposed motions <u>11</u> of the Kansas League of United Latin Amerian Citizens, the Hispanic American Leadership Organization (Kansas State University chapter), and Does "A.", "J.", and "L." for leave to intervene in this case and <u>13</u> to permit "A. Doe", "J. Doe", and "L. Doe" to proceed anonymously. Ordered by Magistrate Judge James P. O'Hara on 11/02/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 11/02/2004)

11/03/2004	<u>21</u>	MOTION for attorney Linton Joaquin to appear pro hac vice by Intervenor Defendants A. Doe, J. Doe, L. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Affidavit of Linton Joaquin)(Balloun, J.) (Entered: 11/03/2004)
11/03/2004		PRO HAC VICE FEE PAID: on 11/3/04 re: <u>21</u> MOTION for attorney Linton Joaquin to appear pro hac vice in the amount of 50.00 Receipt Number 048368 (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (sal) (Entered: 11/03/2004)
11/04/2004	<u>22</u>	MOTION for attorney Tanya Broder to appear pro hac vice by Intervenor Defendants A. Doe, J. Doe, L. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Affidavit of Tanya Broder)(Balloun, J.) (Entered: 11/04/2004)
11/04/2004		PRO HAC VICE FEE PAID: on 11/4/04 for attorney Tanya Broder re: <u>22</u> MOTION for attorney Tanya Broder to appear pro hac vice in the amount of 50.00 Receipt Number 048377 (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (sal) (Entered: 11/04/2004)
11/04/2004	23	ORDER granting <u>22</u> Motion to Appear Pro Hac Vice. Tanya Broder is granted leave to appear pro hac vice on behalf of L. Doe; Kansas League of United Latin American Citizens; The Hispanic American Leadership Organization; A. Doe and J. Doe. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 11/04/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 11/04/2004)
11/04/2004	24	ORDER granting <u>21</u> Motion to Appear Pro Hac Vice. E. Linton Joaquin is granted leave to appear pro hac vice on behalf of L. Doe; Kansas League of United Latin American Citizens; The Hispanic American Leadership Organization; A. Doe and J. Doe. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 11/04/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 11/04/2004)
11/05/2004	<u>25</u>	MOTION to Dismiss <i>and Motion to Dismiss Individual Capacity Claims</i> by Defendants Robert Hemenway, Reginald L Robinson, Kay Schallenkamp, Kathleen Sebelius, Jon Wefald (Leitch, Michael) (Entered: 11/05/2004)
11/08/2004	26	MINUTE ORDER: By 12:00 noon, Monday, November 8, 2004, all parties and counsel who intend to appear at the November 9, 2004 telephone scheduling conference shall provide the court by e-mail to <a href="mailto:ksd_ohara_chambers@ksd.uscourts.gov">ksd_ohara_chambers@ksd.uscourts.gov</a> the telephone numbers they may be reached at the designated time. (Entered: 11/08/2004)
11/09/2004	<u>27</u>	SCHEDULING ORDER: See order for details. Signed by Magistrate Judge James P. O'Hara on 11/9/04. (mt) (Entered: 11/09/2004)
11/10/2004	<u>28</u>	Second MOTION for attorney Michael M. Hethmon to appear pro hac vice by Plaintiffs Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Pahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> )(Kobach, Kris) (Entered: 11/10/2004)
11/10/2004	29	ORDER granting <u>28</u> Motion to Appear Pro Hac Vice. Michael M. Hethmon is granted leave to appear pro hac vice on behalf of plaintiffs Cody Echols; David C. Eichman; Brandi P. Gillette; Christopher J. Heath; Amy E. Hughes; Jeraldyn L. Hughes; Kenneth H. Hughes; Nicole C. Keene; Heidi L. Landherr; Roberta K. MacGregor; Karla A. Manzel; Kayla L. Manzel; Robert R. Manzel; Jonathan D. Miller; Mary L. Miller; Lashonda M. Montgomery; Michelle Pahl; Kyle Rohde; Marcy R. Rutan;



		Joshua B. Sheade; Jamie Whittenberg; Lindsey D. Whittington; Kristen Day and Sonna L. Day. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 11/10/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 11/10/2004)
11/10/2004		PRO HAC VICE FEE PAID: on 11/10/04 re: <u>28</u> Second MOTION for attorney Michael M. Hethmon to appear pro hac vice in the amount of \$50.00 Receipt Number 048393 (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (sal) (Entered: 11/10/2004)
11/17/2004		Minute Entry for proceedings held before Magistrate Judge James P. O'Hara : Scheduling Conference held on 11/9/2004 (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mt) (Entered: 11/17/2004)
11/22/2004	<u>30</u>	MOTION for attorney Lucas Guttentag to appear pro hac vice by Intervenor Defendants A. Doe, J. Doe, L. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization (Attachments: # <u>1</u> Affidavit of Lucas Guttentag)(Balloun, J.) (Entered: 11/22/2004)
11/22/2004		PRO HAC VICE FEE PAID: on 11/22/04 re: <u>30</u> MOTION for attorney Lucas Guttentag to appear pro hac vice in the amount of \$50.00 Receipt Number 048434 (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (sal) (Entered: 11/22/2004)
11/24/2004	<u>31</u>	RESPONSE by Plaintiffs Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington re <u>13</u> MOTION for Protective Order <i>Allowing Intervenors "A.," "J.," and "L." Does to Proceed Anonymously</i> , <u>11</u> MOTION to Intervene <i>and to File Answer in Intervention</i> (Kobach, Kris) (Entered: 11/24/2004)
11/24/2004	<u>32</u>	RESPONSE by Plaintiffs Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington re <u>13</u> MOTION for Protective Order <i>Allowing Intervenors "A.," "J.," and "L." Does to Proceed Anonymously</i> , <u>11</u> MOTION to Intervene <i>and to File Answer in Intervention</i> MEMORANDUM IN SUPPORT OF PLAINTIFFS' RESPONSE. (Kobach, Kris) (Entered: 11/24/2004)
11/30/2004	<u>33</u>	STIPULATION <i>Plaintiffs' and Defendants' Stipulation and Agreed Order Substituting Certain Parties and Withdrawing Defendants' Pending Motion to Dismiss and Motion to Dismiss Individual Capacity Claims Without Prejudice</i> by Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Robert Hemenway, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Reginald L Robinson, Kyle Rohde, Marcy R Rutan, Kay Schallenkamp, Kathleen Sebelius, Joshua B Sheade, Jon Wefald, Jamie Whittenberg, Lindsey D Whittington. (Barker, Clayton) (Entered: 11/30/2004)
11/30/2004	34	ORDER granting <u>30</u> Motion to Appear Pro Hac Vice. Lucas Guttentag is granted leave to appear pro hac vice on behalf of L. Doe; Kansas League of United Latin American Citizens; The Hispanic American Leadership Organization; A. Doe and J. Doe. If pro hac vice counsel has not already done so, counsel is directed to immediately register for electronic notification pursuant to the court's Administrative Procedures by completing a registration form at <a href="http://www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf">www.ksd.uscourts.gov/features/forms/pdfforms/efilereg.pdf</a> . Ordered by Magistrate Judge James P. O'Hara on 11/30/04.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (mg) (Entered: 11/30/2004)

12/02/2004	<u>35</u>	ORDER re <u>33</u> Stipulation substituting certain parties and withdrawing defendants' MOTION to Dismiss and Motion to Dismiss Individual Capacity Claims <u>25</u> : Reginald L Robinson in his individual and personal capacities is dismissed. Richard Bond, Chairman of the Kansas Board of Regents, and Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier III, and Deryl W Wynn, Members of the Kansas Board of Regents, in their official capacities are substituted as defendants. Drs. Robert Hemenway, Kay Schallenkamp, and Jon Wefald, in their official and personal capacities are dismissed from this action. Dr. Cindy Derritt, Registrar of the University of Kansas, Dr. Monty Nielson, Registrar of Kansas State University, and Dr. Lehymann F Robinson, Registrar of Emporia State University, in their official capacities are substituted as defendants. Governor Kathleen Sebelius in her personal capacity is dismissed from this action. Plaintiffs are to file an amended complaint within 10 days of the Stipulation's filing on 11/30/04 and an amended answer on behalf of the substituted defendants is to be filed within 10 days after the filing of the amended complaint. Defendants' pending motion to dismiss is withdrawn. Signed by Judge Richard D. Rogers on 12/2/04. (ms) (Entered: 12/03/2004)
12/06/2004	<u>36</u>	REPLY to Response to Motion by Intervenor Defendants A. Doe, J. Doe, L. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization re: <u>11</u> MOTION to Intervene <i>and to File Answer in Intervention</i> (Balloun, J.) (Entered: 12/06/2004)
12/06/2004	<u>37</u>	REPLY to Response to Motion by Intervenor Defendants A. Doe, J. Doe, L. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization re: <u>13</u> MOTION for Protective Order <i>Allowing Intervenors "A.," "J.," and "L." Does to Proceed Anonymously</i> (Attachments: # <u>1</u> Affidavit Declaration of "A. Doe"# <u>2</u> Affidavit Declaration of "L. Doe"# <u>3</u> Affidavit Declaration of Peter D. Roos)(Balloun, J.) (Entered: 12/06/2004)
12/08/2004	<u>38</u>	AMENDED COMPLAINT against all defendants, filed by Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Karla A Manzel, Kayla L Manzel, Robert R Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Kobach, Kris) (Entered: 12/08/2004)
12/21/2004	<u>39</u>	ANSWER to Amended Complaint <i>for Injunctive Relief and Declaratory Relief</i> by A. Doe, J. Doe, Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius.(Barker, Clayton) (Entered: 12/21/2004)
01/07/2005	<u>40</u>	ANSWER to Amended Complaint <i>for Injunctive and Declaratory Relief</i> by Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, L. Doe.(Balloun, J.) (Entered: 01/07/2005)
01/21/2005	<u>41</u>	MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6)]</i> by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, L. Doe(Balloun, J.) (Entered: 01/21/2005)
01/21/2005	<u>42</u>	MEMORANDUM IN SUPPORT of <u>41</u> MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6)]</i> by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, L. Doe(Balloun, J.) (Entered: 01/21/2005)
01/21/2005	<u>43</u>	MOTION to Dismiss by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius(Barker, Clayton) (Entered: 01/21/2005)
01/21/2005	<u>44</u>	MEMORANDUM IN SUPPORT of <u>43</u> MOTION to Dismiss by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson,

		Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius (Attachments: # <u>1</u> (memo cont. pp. 16-44)# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2)(Barker, Clayton) (Entered: 01/21/2005)
02/09/2005	<u>45</u>	MOTION for Extension of Time as to <u>27</u> Scheduling Order <i>Agreed motion</i> by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman(Kobach, Kris) (Entered: 02/09/2005)
02/10/2005	<u>46</u>	ORDER granting <u>45</u> Motion for Extension of Time to File Response. Plaintiffs shall file their response to Defendants' dispositive motions by 2/21/05. Any reply brief by defendants shall be filed by March 14, 2005. Signed by Judge Richard D. Rogers on 2/10/05. (meh) Modified text on 2/11/2005 (ms). (Entered: 02/10/2005)
02/21/2005	<u>47</u>	MOTION for Preliminary Injunction by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman(Kobach, Kris) (Entered: 02/21/2005)
02/21/2005	<u>48</u>	MEMORANDUM IN SUPPORT of <u>47</u> MOTION for Preliminary Injunction by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>49</u>	RESPONSE by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re <u>41</u> MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6),</i> <u>43</u> MOTION to Dismiss ( <i>Part 1 of 2</i> ) (Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>50</u>	RESPONSE by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re <u>41</u> MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6),</i> <u>43</u> MOTION to Dismiss ( <i>Part 2 of 2</i> ) (Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>51</u>	AFFIDAVIT of Karla A. Manzel and Robert R. Manzel re <u>47</u> MOTION for Preliminary Injunction by Plaintiffs Robert R Manzel, Karla A Manzel(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>52</u>	AFFIDAVIT of Michelle K. Prah re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Michelle Prah(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>53</u>	AFFIDAVIT of Kristen M. Day re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Kristen Day(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>54</u>	AFFIDAVIT of Cody R. Echols re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Cody Echols(Kobach, Kris) (Entered: 02/22/2005)

02/22/2005	<u>55</u>	AFFIDAVIT of David C. Eichman re <u>47</u> MOTION for Preliminary Injunction by Plaintiff David C Eichman(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>56</u>	AFFIDAVIT of Brandi P. Gillette re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Brandi P Gillette(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>57</u>	AFFIDAVIT of Christopher J. Heath re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Christopher J Heath(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>58</u>	AFFIDAVIT of Amy E. Hughes re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Amy E Hughes(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>59</u>	AFFIDAVIT of Heidi L. Landherr re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Heidi L Landherr(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>60</u>	AFFIDAVIT of Kayla L. Manzel re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Kayla L Manzel(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>61</u>	AFFIDAVIT of Jonathan D. Miller re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Jonathan D Miller(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>62</u>	AFFIDAVIT of Kyle M. Rohde re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Kyle Rohde(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>63</u>	AFFIDAVIT of Jamie L. Whittenburg re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Jamie Whittenberg(Kobach, Kris) (Entered: 02/22/2005)
02/22/2005	<u>64</u>	AFFIDAVIT of Lindsey D. Whittington re <u>47</u> MOTION for Preliminary Injunction by Plaintiff Lindsey D Whittington(Kobach, Kris) (Entered: 02/22/2005)
02/24/2005	<u>65</u>	MEMORANDUM AND ORDER granting <u>11</u> Motion to Intervene by Kansas League of United Latin American Citizens, Hispanic American Leadership Organization, A. Doe, J. Doe, and L. Doe. Further, denying <u>13</u> Motion for Protective Order allowing A. Doe, J. Doe, and L. Doe to proceed anonymously. The five intervenors shall file an amended answer to plaintiff's amended complaint by 03/04/05. The caption and body of their amended answer shall include the true names of all the intervenors. Signed by Magistrate Judge James P. O'Hara on 02/24/05. (mg) (Entered: 02/24/2005)
03/02/2005	<u>66</u>	Minute Entry for proceedings held before Judge Richard D. Rogers : In Chambers Conference held on 3/2/2005. Briefing deadline extended to 3/21/05. Oral Arguments will be heard on 4/25/05 at 9:30 a.m. (Court Reporter Simons.) (meh) (Entered: 03/02/2005)
03/04/2005	<u>67</u>	NOTICE OF SERVICE by Brandi P Gillette, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman of Interrogatories to Intervenor Defendants (Attachments: # <u>1</u> Interrogatories to Hispanic American Leadership Organization, Kansas State Chapter# <u>2</u> Interrogatories to Kansas League of United Latin American Citizens)(Kobach, Kris) (Entered: 03/04/2005)
03/04/2005	<u>68</u>	OBJECTIONS to and MOTION for Reconsideration of Magistrate O'Hara's <u>65</u> Order Denying Right to Proceed Anonymously by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, and L. Doe(Balloun, J.) Modified text on 3/7/2005 (ms). (Entered: 03/04/2005)
03/04/2005	<u>69</u>	MEMORANDUM IN SUPPORT of <u>68</u> OBJECTIONS AND MOTION for Reconsideration of <u>65</u> Order Denying Right to Proceed Anonymously by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, and L. Doe(Balloun, J.) Modified text on 3/7/2005 (ms). (Entered: 03/04/2005)
03/04/2005	<u>70</u>	Amended ANSWER to Amended Complaint by Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization.(Balloun, J.) (Entered: 03/04/2005)

03/04/2005	<u>71</u>	NOTICE OF SERVICE by Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman of Interrogatories & Request for Production of Documents to Def Gov. Kathleen Sebelius (Attachments: # <u>1</u> Interrogatories to Def Gov. Kathleen Sebelius# <u>2</u> Request for Production of Docs to Def Gov. Kathleen Sebelius)(Kobach, Kris) (Entered: 03/04/2005)
03/10/2005	<u>72</u>	ORDER denying as moot <u>47</u> , plaintiffs' Motion for Preliminary Injunction. A final hearing on this matter is scheduled for 4/25/05 at 9:30 a.m. The parties shall have until 3/21/05 to file any briefs that need to be filed concerning the pending motions to dismiss. Signed by Judge Richard D. Rogers on 3/10/05. (ms) (Entered: 03/10/2005)
03/21/2005	<u>73</u>	REPLY to Response to Motion by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe re: <u>43</u> MOTION to Dismiss (Balloun, J.) (Entered: 03/21/2005)
03/21/2005	<u>74</u>	REPLY to Response to Motion by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehmann F Robinson, Kathleen Sebelius re: <u>43</u> MOTION to Dismiss (Attachments: # <u>1</u> # <u>2</u> )(Barker, Clayton) (Entered: 03/21/2005)
03/30/2005	<u>75</u>	NOTICE of Hearing: Oral Arguments set for 4/25/2005 at 09:30 AM before Senior Judge Richard D. Rogers. (meh) (Entered: 03/30/2005)
04/01/2005	<u>76</u>	CERTIFICATE OF SERVICE by Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization re <u>67</u> Notice of Service,, of Answers to Plaintiffs' Interrogatories to Intervenor-Defendants HALO (KSU) and Kansas LULAC. (Balloun, J.) (Entered: 04/01/2005)
04/04/2005	<u>77</u>	MOTION to Stay <i>Discovery and/or For Protective Order Pending A Decision On Their Motion To Dismiss</i> by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehmann F Robinson, Kathleen Sebelius(Leitch, Michael) (Entered: 04/04/2005)
04/04/2005	<u>78</u>	MEMORANDUM IN SUPPORT of <u>77</u> MOTION to Stay <i>Discovery and/or For Protective Order Pending A Decision On Their Motion To Dismiss</i> by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehmann F Robinson, Kathleen Sebelius (Attachments: # <u>1</u> Exhibit Letter to Plaintiffs' counsel objecting to discovery)(Leitch, Michael) (Entered: 04/04/2005)
04/19/2005	<u>79</u>	RESPONSE by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re <u>77</u> MOTION to Stay <i>Discovery and/or For Protective Order Pending A Decision On Their Motion To Dismiss (Memorandum)</i> (Kobach, Kris) (Entered: 04/19/2005)
04/19/2005	<u>80</u>	CERTIFICATE OF SERVICE by Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman. (Attachments: # <u>1</u> Wynne Subpoena# <u>2</u> Nielsen Subpoena# <u>3</u> Moeder Subpoena)(Kobach, Kris) (Entered: 04/19/2005)
04/19/2005	<u>81</u>	MOTION to Dismiss Party Intervenor Does 'A', 'J' and 'L', Kansas League of United Latin American Citizens, and Hispanic American Leadership Organization -Kansas State Chapter by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes,

		Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman(Kobach, Kris) (Entered: 04/19/2005)
04/20/2005	<u>82</u>	ORDER denying <u>68</u> Motion for Reconsideration. IT IS THEREFORE ORDERED that intervenor's objections to and motion for reconsideration of Magistrate O'Hara's order of 2/24/05 be hereby denied . Signed by Judge Richard D. Rogers on 4/20/05. (meh) (Entered: 04/20/2005)
04/21/2005	<u>83</u>	Minute Entry for proceedings held before Judge Richard D. Rogers : Telephone Status Conference held on 4/21/2005. Oral argument continued to 5/10/05 at 9:30 a.m. In Camera production of documents by intervenor parties to be completed by 4/29/05.(Court Reporter Simons.) (meh) (Entered: 04/21/2005)
04/21/2005	<u>84</u>	NOTICE of Hearing: In Court Hearing (Oral Argument) set for 5/10/2005 at 09:30 AM before Senior Judge Richard D. Rogers. (meh) (Entered: 04/21/2005)
04/22/2005	<u>85</u>	ORDER granting <u>77</u> Defendants Motion to Stay Discovery and/or for Protective Order pending a decision on their motion to dismiss. The discovery submitted to defendant Governor Sebelius by plaintiffs shall be stayed pending further order of the court. Signed by Judge Richard D. Rogers on 4/22/05. (meh) (Entered: 04/22/2005)
05/03/2005	<u>86</u>	SUPPLEMENTARY MEMORANDUM IN SUPPORT of <u>81</u> MOTION to Dismiss Party Intervenor Does 'A', 'J' and 'L', Kansas League of United Latin American Citizens, and Hispanic American Leadership Organization –Kansas State Chapter by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman (Attachments: # <u>1</u> Motion for Leave to Submit Supplementary Memorandum)(Kobach, Kris) Modified text on 5/5/2005 (ms). (Entered: 05/03/2005)
05/03/2005	<u>87</u>	MOTION for Leave to file a supplementary memorandum in support of motion to dismiss intervenor–defendants by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman. E–filed again as a motion at the direction of chambers.(daw) (Entered: 05/04/2005)
05/06/2005	<u>88</u>	SUPPLEMENTARY <i>Memorandum in Response to Depositions of Wm Wynne, Monty Nielsen, Lawrence Moeder</i> by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman. (Kobach, Kris) Modified text on 5/10/2005 (ms). (Entered: 05/06/2005)
05/10/2005	<u>89</u>	ORDER granting <u>87</u> Motion by plaintiffs for Leave to File a supplementary memorandum in support of the motion to dismiss intervenor–defendants . Signed by Judge Richard D. Rogers on 5/8/05. (meh) (Entered: 05/10/2005)
05/10/2005	<u>90</u>	Minute Entry for proceedings held before Judge Richard D. Rogers: Motion Hearing held on 5/10/2005 re <u>81</u> MOTION to Dismiss Party Intervenor Does 'A', 'J' and 'L', Kansas League of United Latin American Citizens, and Hispanic American Leadership Organization –Kansas State Chapter filed by Kristen Day, Sonna L Day, Cody Echols, David C Eichman, Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, <u>41</u>

		MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6)]</i> filed by A. Doe, Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, L. Doe, and <u>43</u> MOTION to Dismiss filed by Kathleen Sebelius, William R Docking, Richard Bond, Donna L Shank, Janice DeBauge, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, and Lehymann F Robinson. Defendants shall have 10 additional days from 5/10/05 to file an additional brief on supplemental memorandum re: depositions. Intervenor defendants shall have 17 days from 5/10/05 to submit an additional brief on plaintiffs motion to dismiss intervenor defendants. (Court Reporter Simons.) (meh) Modified text on 5/11/2005 (ms). (Entered: 05/10/2005)
05/17/2005	<u>91</u>	TRANSCRIPT of Oral Argument held May 10, 2005 before Judge Richard D. Rogers, 206 pgs., Court Reporter: Amy Simons. (Nora Lyon & Associates) Modified text and changed restriction on 6/23/2005 (ms). (Entered: 05/17/2005)
05/20/2005	<u>92</u>	RESPONSE to <u>88</u> <i>Plaintiffs' Supplemental Memorandum Regarding Depositions</i> by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, and L. Doe. (Balloun, J.) Modified to create link on 5/23/2005 (ms). (Entered: 05/20/2005)
05/20/2005	<u>93</u>	RESPONSE to <u>88</u> <i>Plaintiffs' Supplemental Memorandum Regarding Depositions</i> by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, and Kathleen Sebelius. (Barker, Clayton) Modified text on 5/23/2005 (ms). (Entered: 05/20/2005)
05/25/2005	<u>94</u>	MOTION for Leave to file Reply Memorandum by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman(Kobach, Kris) (Entered: 05/25/2005)
05/26/2005	<u>95</u>	MEMORANDUM in Opposition by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius re <u>94</u> MOTION for Leave to file Reply Memorandum <i>Regarding Defendants' Responses to Plaintiffs Supplemental Memorandum</i> (Leitch, Michael) (Entered: 05/26/2005)
05/27/2005	<u>96</u>	REPLY to Response to Motion by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re: <u>94</u> MOTION for Leave to file Reply Memorandum, <u>41</u> MOTION to Dismiss for Lack of Jurisdiction <i>over Subject Matter [F.R.C.P. 12(b)(1)] and for Failure to State a Claim [F.R.C.P. 12(b)(6)]</i> , <u>43</u> MOTION to Dismiss ( <i>Plaintiffs' Reply to Defendants' and Intervenors' Responses to Plaintiffs' Supplementary Memorandum and Oral Arguments</i> ) (Kobach, Kris) (Entered: 05/27/2005)
05/27/2005	<u>97</u>	RESPONSE by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe re <u>81</u> MOTION to Dismiss Party Intervenor Does 'A', 'J' and 'L', Kansas League of United Latin American Citizens, and Hispanic American Leadership Organization –Kansas State Chapter (Attachments: # <u>1</u> Exhibit A – Declaration of Michael Martinez; # <u>2</u> Exhibit B – Declaration of Maria Theresa Martinez–Ortiz)(Balloun, J.) (Entered: 05/27/2005)
06/06/2005	<u>98</u>	ORDER: The Court directs the parties to file briefs within ten (10) days of the date of this order on the issue of plaintiffs' standing for their equal protection claim. The parties shall then have five (5) days after the filing of the initial brief to file a responsive brief. The court hopes to have an order deciding the issues of this case shortly after the receipt of these briefs. Signed by Judge Richard D. Rogers on 6/6/05.

		(meh) (Entered: 06/06/2005)
06/06/2005	<u>99</u>	ORDER granting <u>94</u> Plaintiffs' Motion for Leave to submit a reply memorandum regarding defendants' responses to plaintiffs' supplemental memorandum. Signed by Judge Richard D. Rogers on 6/6/05. (meh) (Entered: 06/06/2005)
06/16/2005	<u>100</u>	RESPONSE by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prah, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re <u>98</u> Order, <i>for Supplementary Brief regarding Plaintiffs' Standing for their Equal Protection Claim.</i> (Kobach, Kris) (Entered: 06/16/2005)
06/16/2005	<u>101</u>	MOTION for extension of time ( <i>One-day</i> ) by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius(Leitch, Michael) (Entered: 06/16/2005)
06/17/2005	<u>102</u>	MOTION for Extension of Time to File Response as to <u>98</u> Order, <i>One-Day Late</i> by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe (Attachments: # <u>1</u> Exhibit A – Memorandum Regarding Equal Protection Standing)(Balloun, J.) (Entered: 06/17/2005)
06/17/2005	<u>103</u>	RESPONSE by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe re <u>98</u> Order, <i>Memorandum Regarding Equal Protection Standing</i> (Balloun, J.) (Entered: 06/17/2005)
06/17/2005	<u>104</u>	MOTION for Leave to file Clarification and Response to Plaintiffs' Reply Memorandum Regarding Oral Argument ( <i>Doc. 96</i> ) by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe (Attachments: # <u>1</u> Exhibit Clarification and Response to Plaintiffs' Reply Memorandum Regarding Oral Argument)(Balloun, J.) (Entered: 06/17/2005)
06/17/2005	<u>105</u>	MOTION to Clarify and Response to Plaintiffs' Reply Memorandum Regarding Oral Argument ( <i>Doc. 96</i> ) by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe(Balloun, J.) (Entered: 06/17/2005)
06/17/2005	<u>106</u>	SUPPLEMENT BRIEF OF DEFENDANTS REGARDING PLAINTIFFS' STANDING TO ALLEGE EQUAL PROTECTION CLAIMS by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius, Reginald L Robinson, Robert Hemenway, Jon Wefald, Kay Schallenkamp. (Barker, Clayton) (Entered: 06/17/2005)
06/22/2005	<u>107</u>	ORDER granting <u>101</u> Defendants' motion for extension of time and granting <u>102</u> Intervenor's motion for extension of time to file a response. The deadline for reply briefs on the issue of plaintiffs' standing to raise their equal protection claim is 6/24/05. Intervenor's <u>104</u> motion for leave to file clarification and response <u>105</u> is granted. Signed by Judge Richard D. Rogers on 6/22/05. (ms) (Entered: 06/22/2005)
06/24/2005	<u>108</u>	RESPONSE by Intervenor Defendants Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization, A. Doe, J. Doe, L. Doe re <u>98</u> Order, <i>Regarding Equal Protection Standing</i> (Balloun, J.) (Entered: 06/24/2005)
06/24/2005	<u>109</u>	Supplemental MOTION to Dismiss ( <i>Response per Court Order</i> ) by Defendants Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson, Kathleen Sebelius(Barker, Clayton) (Entered: 06/24/2005)
06/24/2005	<u>110</u>	RESPONSE by Plaintiffs Brandi P Gillette, Christopher J Heath, Amy E Hughes, Jeraldyn L Hughes, Kenneth H Hughes, Nicole C Keene, Heidi L Landherr, Roberta



		K MacGregor, Robert R Manzel, Karla A Manzel, Kristen Day, Kayla L Manzel, Jonathan D Miller, Mary L Miller, Lashonda M Montgomery, Michelle Prahl, Kyle Rohde, Marcy R Rutan, Joshua B Sheade, Jamie Whittenberg, Lindsey D Whittington, Sonna L Day, Cody Echols, David C Eichman re <u>98</u> Order, <i>(to Plaintiffs' and Intervenors' briefs regarding standing to bring equal protection claim)</i> . (Kobach, Kris) (Entered: 06/24/2005)
07/05/2005	<u>111</u>	ORDER granting <u>41</u> Motion to Dismiss for Lack of Jurisdiction, granting <u>43</u> Motion to Dismiss, denying <u>81</u> Motion to Dismiss Party. IT IS THEREFORE ORDERED that defendants' and intervenors' motions to dismiss, which the court has converted to motions for summary judgment, be hereby granted. The court hereby dismisses Counts 1 and 3 through 7 due to plaintiffs' lack of standing. The court further dismisses count 2 because plaintiffs have no private right of action under 8 USC 1623. Finally, the court also dismisses Governor Kathleen Sebelius as a party to this action. IT IS FURTHER ORDERED that plaintiffs' motion to dismiss intervenor-defendants is denied. Signed by Judge Richard D. Rogers on 7/5/05. (meh) (Entered: 07/05/2005)
07/06/2005	<u>112</u>	JUDGMENT: IT IS ORDERED AND ADJUDGED Pursuant to the Order filed on July 5, 2005 that the plaintiffs' in this case take nothing of defendants' and intervenors', and the action is dismissed on the merits. Signed by deputy clerk on 7/6/05. (meh) (Entered: 07/06/2005)
07/28/2005		FILING FEE PAID: in the amount of \$250.00, receipt number 049144 (sal) FILED IN ERROR. REFILED IN 05-4085 on 7/29/2005 (ms). (Entered: 07/28/2005)
08/01/2005	<u>113</u>	NOTICE OF APPEAL as to <u>111</u> Memorandum and Order and <u>112</u> Judgment by Plaintiffs (ms) (Entered: 08/02/2005)
08/01/2005		APPEAL FEE PAID in the amount of \$255, Receipt No. 049159, re Notice of Appeal <u>113</u> filed by plaintiffs (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (ms) (Entered: 08/02/2005)
08/02/2005	<u>114</u>	PRELIMINARY RECORD ON APPEAL transmitted to 10CCA re <u>113</u> Notice of Appeal (ms) Additional attachment(s) added on 8/2/2005 (ms, ). (Entered: 08/02/2005)
08/12/2005	<u>115</u>	APPEAL DOCKETED in 10CCA on 8/10/05 and assigned Appeal No. 05-3309 re <u>113</u> Notice of Appeal (ms) (Entered: 08/15/2005)
08/12/2005	<u>116</u>	RECEIPT FROM 10CCA of preliminary record on appeal, re <u>113</u> Notice of Appeal, Appeal No. 05-3309 (ms) (Entered: 08/15/2005)
08/12/2005	<u>117</u>	TRANSCRIPT ORDER FORM: Transcript Already on File filed by plaintiffs re <u>113</u> Notice of Appeal (ms) (Entered: 08/15/2005)
08/15/2005	<u>118</u>	LETTER TO 10CCA stating record is complete re <u>113</u> Notice of Appeal (Appeal No. 05-3309) (ms) (Entered: 08/15/2005)
01/08/2008	<u>119</u>	APPEAL MANDATE from 10CCA: Because the Plaintiffs lack standing to bring either of their claims, jurisdiction is lacking to hear them. Therefore, the dismissal of both claims is affirmed as to <u>113</u> Notice of Appeal. (Appeal No. 05-3309) (Attachments: # <u>1</u> Tenth Circuit Order) (ms) (Entered: 01/16/2008)
03/25/2008	<u>120</u>	Letter from 10CCA advising that a petition for writ of certiorari was filed 3/17/08, re <u>113</u> Notice of Appeal and assigned Supreme Court No. 07-1193 (Appeal No. 05-3309) (ms) (Entered: 03/31/2008)
06/30/2008	<u>121</u>	Letter from 10CCA advising that the petition for writ of certiorari was denied, re <u>113</u> Notice of Appeal (Appeal No. 05-3309) (ms) (Entered: 07/02/2008)
07/28/2008	<u>122</u>	BILL OF COSTS by Richard Bond, Donna L Shank, Janice DeBauge, William R Docking, Lewis L Ferguson, Frank Gaines, Nelson Galle, James Grier, III, Deryl W Wynn, Cindy Derritt, Monty Nielson, Lehymann F Robinson. (Delaney, Michael) (Entered: 07/28/2008)
07/30/2008	<u>123</u>	BILL OF COSTS by Kansas League of United Latin American Citizens, The Hispanic American Leadership Organization. (Balloun, J.) (Entered: 07/30/2008)

01/28/2009	<u>124</u>	Costs Taxed in the amount of \$2,520.90 against Plaintiff for State Defendants, re Bill of Costs <u>122</u> (ms) (Entered: 01/28/2009)
01/28/2009	<u>125</u>	Costs Taxed in the amount of \$212.76 against Plaintiff for Intervenor Defendants, re Bill of Costs <u>123</u> (ms) (Entered: 01/28/2009)