

CMECF, Cat03, Standard, Termed

**U.S. District Court**  
**Northern District of Ohio (Toledo)**  
**CIVIL DOCKET FOR CASE #: 3:96-cv-07580-JGC**

Farm Labor Organizing Committee et al v. Ohio State Highway  
Patrol et al  
Assigned to: Hon. James G. Carr  
Cause: 42:1983 Civil Rights Act

Date Filed: 09/18/1996  
Date Terminated: 04/07/2003  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Farm Labor Organizing Committee**

represented by **J. Mark Finnegan**  
Heberle & Finnegan  
2580 Craig Road  
Ann Arbor, MI 48103  
734-302-3233  
Fax: 734-302-3234  
Email: heberlefinnegan@msn.com  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
Equal Justice Foundation  
Ste. 1590  
88 East Broad Street  
Columbus, OH 43215  
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*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
Equal Justice Foundation  
Ste. 1026  
520 Madison Avenue  
Toledo, OH 43604-1306  
419-246-1000  
Fax: 419-246-1001  
Email: equaljustice@msn.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Merced Valdez**

represented by **J. Mark Finnegan**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Francisco Quintero**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Alicia Quintero**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Margarito Olivares**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Guadalupe Ariola**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Eusebio Ariola, Jr.**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Melissa Lopez**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Fernando Cuevas, Sr.**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Fernando Cuevas, Jr.**  
*individually, and on behalf of all peoples  
similarly situated*

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kimberly M. Skaggs**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jose Aguilar**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Irma Esparza**

represented by **J. Mark Finnegan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William B. Senhauser**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Ohio State Highway Patrol**

represented by **Tomi L. Dorris**  
Office of the Attorney General  
State of Ohio Highway Patrol  
1970 West Broad Street

P.O. Box 182074  
Columbus, OH 43218-2074  
614-466-7014  
Fax: 614-752-6063  
Email: tdorris@dps.state.oh.us  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
Office Of The Attorney General  
Corrections Litigation Section  
140 East Town Street  
14th Floor  
Columbus, OH 43215-6001  
614-728-9327  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
Office of the Attorney General  
State of Ohio  
Corrections Litigation Section  
140 East Town Street, 14th Floor  
Columbus, OH 43215  
614-644-7233  
Fax: 614-728-9327  
Email: cobrien@ag.state.oh.us  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Warren H. Davies**  
*Colonel, individually, and in his official  
capacity as Superintendent of the Ohio  
State Highway Patrol*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Bruce Elling**  
*Sergeant, individually, and in his official*

represented by **Tomi L. Dorris**  
(See above for address)

*capacity as Supervisor, Quad A Traffic  
Drug Interdiction Team*

*TERMINATED: 11/26/2002  
ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999  
ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Berry Elders**  
*Lieutenant, individually and in his official  
capacity as Swanton Post Commander of  
the Ohio State Highway Patrol*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002  
ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999  
ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kevin Kiefer**  
*Trooper*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002  
ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999  
ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Steven R. Blue**  
*Trooper*

represented by **Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999  
ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Tomi L. Dorris**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Rebecca Ambrose**  
*Trooper, and other unknown officers of the  
Ohio State Highway Patrol, in their  
individual capacities*

represented by **Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Tomi L. Dorris**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kenneth Marshall**  
*Colonel, individually and in his individual  
capacity as Superintendent of the Ohio  
State Highway Patrol*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William D. Healy**  
*Staff Lieutenant, individually and is his  
official capacity as Traffic & Drug  
Interdiction Team Coordinator for the  
State of Ohio*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*

*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**John Baranowski**

*Trooper, and other unknown officers of the Ohio State Highway Patrol, in their individual capacities*

represented by **Tomi L. Dorris**

(See above for address)

*TERMINATED: 11/26/2002*

*ATTORNEY TO BE NOTICED*

**Allen P. Adler**

(See above for address)

*TERMINATED: 10/07/1999*

*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Brian Courtney**

*Trooper, and other unknown officers of the Ohio State Highway Patrol in their individual capacities*

represented by **Tomi L. Dorris**

(See above for address)

*TERMINATED: 11/26/2002*

*ATTORNEY TO BE NOTICED*

**Allen P. Adler**

(See above for address)

*TERMINATED: 10/07/1999*

*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Dean Laubacher**

*Trooper, and other unknown officers of the Ohio State Highway Patrol in their individual capacities*

represented by **Tomi L. Dorris**

(See above for address)

*TERMINATED: 11/26/2002*

*ATTORNEY TO BE NOTICED*

**Allen P. Adler**

(See above for address)

*TERMINATED: 10/07/1999*

*ATTORNEY TO BE NOTICED*



**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Paul Piatarek**  
*Trooper, and other unknown officers of the  
Ohio State Highway Patrol in their  
individual capacities*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Paul Pape**  
*Trooper, and other unknown officers of the  
Ohio State Highway Patrol in their  
individual capacities*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Bob Stevens**  
*Trooper, and other unknown officers of the  
Ohio State Highway Patrol in their  
individual capacities*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**  
(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**  
(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Richard Unger**

*Trooper, and other unknown officers of the  
Ohio State Highway Patrol in their  
individual capacities*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**

(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****Charles Williams**

*Trooper, and other unknown officers of the  
Ohio State Highway Patrol in their  
individual capacities  
also known as  
Tracy McCray*

represented by **Tomi L. Dorris**  
(See above for address)  
*TERMINATED: 11/26/2002*  
*ATTORNEY TO BE NOTICED*

**Allen P. Adler**

(See above for address)  
*TERMINATED: 10/07/1999*  
*ATTORNEY TO BE NOTICED*

**Carol H. O'Brien**

(See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/18/1996	<a href="#">1</a>	Complaint (7 summons and Magistrate Consent Forms issued) against Rebecca Ambrose, Steven R. Blue, Warren H. Davies, Berry Elders, Bruce Elling, William D. Healy, Kevin Kiefer, Kenneth Marshall, Ohio State Highway Patrol. filed by John M. Finnegan of Equal Justice Foundation on behalf of Jose Aguilar, Eusebio Ariola Jr., Guadalupe Ariola, Fernando Cuevas Jr., Fernando Cuevas Sr., Irma Esparza, Farm Labor Organizing Committee, Melissa Lopez, Margarito Olivares, Alicia Quintero, Francisco Quintero, Merced Valdez. Filing fee collected, receipt #300037. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(R, Ci) (Entered: 03/21/2001)
09/18/1996		SEE ICMS docket for entries # 2 to 43.(R, Ci) (Entered: 03/21/2001)

08/19/1997	<a href="#">44</a>	First Amended complaint ( <i>adding parties</i> ) against Rebecca Ambrose, John Baranowski, Steven R. Blue, Brian Courtney, Warren H. Davies, Berry Elders, Bruce Elling, William D. Healy, Kevin Kiefer, Dean Laubacher, Kenneth Marshall, Ohio State Highway Patrol, Paul Pape, Paul Piaterek, Bob Stevens, Richard Unger, Charles Williams. (related document(s) <a href="#">1</a> ) filed by John M. Finnegan of Equal Justice Foundation on behalf of Jose Aguilar, Eusebio Ariola Jr., Guadalupe Ariola, Fernando Cuevas Jr., Fernando Cuevas Sr., Irma Esparza, Farm Labor Organizing Committee, Melissa Lopez, Margarito Olivares, Alicia Quintero, Francisco Quintero, Merced Valdez.(R, Ci)(10 summons issued to attorney on 9/3/97). (Entered: 03/21/2001)
08/19/1997		SEE ICMS docket for entries # 45 to 66.(R, Ci) (Entered: 03/21/2001)
12/08/1997	<a href="#">67</a>	Order: plaintiff's renewed motion for preliminary injunction is denied as to their claim of stops based on ethnicity; granted as follows with regard to questioning about immigration status and seizure of immigration documents; the officers, agents, and employees of the OH State Highway Patrol are enjoined from questioning motorists about their immigration status w/o reasonable suspicion based on articulable objective facts arising either from the circumstances of the initial seizure of motorists or other circumstances arising during such seizure that such motorists are in violation of federal law re to immigration or uncoerced and otherwise lawful consent to such questioning; The officers, agents and employees of the OH State Highway Patrol are enjoined from seizing immigration documents from motorists absent lawful cause for doing so and if such seizure occurs, providing forthwith fully effective substitute documents. (R, Ci) (Entered: 03/21/2001)
02/09/1998		SEE ICMS docket for entries # 68 to 77.(R, Ci) (Entered: 03/21/2001)
05/15/1998	<a href="#">78</a>	Motion for class certification <i>and memorandum in support</i> filed by John M. Finnegan of Equal Justice Foundation on behalf of all plaintiffs.(R, Ci) (Entered: 03/21/2001)
05/15/1998		SEE ICMS docket for entries # 79 to 93.(R, Ci) (Entered: 03/21/2001)
08/17/1998	<a href="#">94</a>	Order signed on 8/17/1998 Granting Motion for class certification (Related Doc # <a href="#">78</a> ) (R, Ci) . (Entered: 03/21/2001)
09/14/1998		SEE ICMS docket for entries # 95 to 108.(R, Ci) (Entered: 03/21/2001)
09/08/1999	<a href="#">109</a>	Order: Motion for summary judgment of defendant's Marshall, Davies, Healy, Elling, Elders, Blue, Ambrose, Baronowski, Courtney, Laubacher, Piatrerek, Pape, Stevens, Unger and Williams is granted; defendant Kevin Kiefer's motion for summary judgment denied; preliminary injunction granted as to issue of whether Trooper Kiefer violated 4th amendment by retaining green cards of Aguilar and Esparza for four days and denied as to all other issues and all other defendants.(R, Ci) (Entered: 03/21/2001)
09/08/1999		SEE ICMS docket for entries # 110 to 124.(R, Ci) (Entered: 03/21/2001)

04/20/2000	<a href="#">125</a>	Order: motion by plaintiff's for reconsideration of court's order of 9/8/99 granted in part and denied in part; plaintiff's motion for summary judgment on their 1983 claims against Trooper Kiefer granted, against defendant's Marshall, Healy, Elling and Elders, in their official capacities and as supervisors in their individual capacities is denied; plaintiff's motion for summary judgment on their Title VI claims is denied. (R, Ci) (Entered: 03/22/2001)
05/18/2000	<a href="#">126</a>	Second Motion for class certification <i>and memorandum in support</i> filed by John M. Finnegan of Equal Justice Foundation on behalf of all plaintiffs.(R, Ci) (Entered: 03/22/2001)
05/18/2000		SEE ICMS docket for entries # 127 to 137.(R, Ci) (Entered: 03/22/2001)
08/09/2000	<a href="#">138</a>	True copy of Order from US Court of Appeals denying petition for permission to appeal in USCA Case No. 00-0305 (USCA Case No. 00-3653 is still open) Clerk: L. Green; Suhreinrich & Daughtrey, Circuit Judges; Weber, District Judge. Order issued 8/7/00 .(R, Ci) (Entered: 03/22/2001)
08/14/2000		SEE ICMS docket for entry # 139.(R, Ci) (Entered: 03/22/2001)
10/19/2000	<a href="#">140</a>	Order: Telephone status conference held 10/17/00; due to pendency of appeal before the 6th circuit it is ordered that the pending motion for class certification is withdrawn w/o prejudice pending adjudication of appeal by the 6th circuit (related document(s) <a href="#">126</a> ) .(R, Ci) (Entered: 03/22/2001)
03/22/2001	<a href="#">141</a>	Notice of Placement of case in the CM/ECF Docketing System .(R, Ci) (Entered: 03/22/2001)
11/15/2001		Certified record sent to the USCA, 6th Circuit (documents filed in ICMS) (M, C) (Entered: 11/15/2001)
03/06/2002	<a href="#">142</a>	Acknowledgment from the USCA for the Sixth Circuit of receipt of certified record on appeal. (M, C) (Entered: 03/08/2002)
10/21/2002	<a href="#">143</a>	Information copy of mandate from the USCA for the Sixth Circuit affirming the district court's denial of qualified immunity as to the plaintiffs' Fourth and Fourteenth Amendment claims. Furthermore, affirming the district court's grant of partial summary judgment to plaintiffs on the issue of Fourth Amendment liability, and remanding for further proceedings consistent with this opinion. (M, C) (Entered: 10/22/2002)
11/13/2002	<a href="#">144</a>	Order signed by Judge Carr. Telephone scheduling conference held; Leave granted to defendants to file motion requesting trial on liability by 12/30/02, opposition due 1/15/03, reply due 1/27/03; Settlement conference to be held on 12/16/2002 at noon; Ex parte narrative statements to be submitted 1 week prior to said conference; Representative of defendants with full authority to settle to attend; Further scheduling held in abeyance pending settlement conference(A, P) (Entered: 11/13/2002)
11/26/2002	<a href="#">145</a>	Returned mail addressed to William B. Senhauser marked "return to sender/no forwarding order on file"; Re: Order filed 11/13/02 (Related documents(s) <a href="#">144</a> )

		(N, D) (Entered: 11/26/2002)
01/08/2003	<a href="#">146</a>	Mandate from the USCA for the Sixth Circuit affirming in part and remanding in part the decision of the district court (received in district court on 12/23/02). Related to doc 128 in ICMS; appeal no. 00-3653)(M, C). Modified on 1/13/2003 to reflect "mandate" (M, C). (Entered: 01/08/2003)
01/08/2003		Certified record returned from the USCA for the Sixth Circuit containing 8 volumes of pleadings (which includes a video), 2 transcripts and 9 exhibits). (M, C) (Entered: 01/08/2003)
01/23/2003	<a href="#">147</a>	Order signed by Judge Carr. The parties having indicated that this case is settled, ordered that a dismissal entry shall be filed by 2/28/03. (S, A L) (Entered: 01/23/2003)
04/07/2003	<a href="#">148</a>	Order signed by Judge Carr. The Court having ordered that a dismissal entry shall be filed by February 28, 2003, and the parties having failed to file such dismissal, it is hereby ordered that this case is dismissed.(S, A L) (Entered: 04/07/2003)
05/05/2003	<a href="#">149</a>	Settlement Agreement filed by the parties. (S, A L) (Entered: 05/05/2003)

<b>PACER Service Center</b>
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:96-cv-07580-JGC
<b>Billable Pages:</b>	9	<b>Cost:</b>	0.72