

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CIVIL DOCKET FOR CASE #: 4:07-cv-00613-JHP-FHM

National Coalition of Latino Clergy and Christian Leaders, Inc.
et al v. Henry et al
Assigned to: Judge James H Payne
Referred to: Magistrate Judge Frank H McCarthy
Cause: 28:2201 Declaratory Judgement

Date Filed: 10/25/2007
Date Terminated: 12/12/2007
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**National Coalition of Latino Clergy
and Christian Leaders, Inc.**

represented by **Cynthia Gail Mirkes**
Cynthia Mirkes
11916 N 108TH E AVE
COLLINSVILLE, OK 74021
352-213-1318
Email: cynthiamirkes@hotmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
Sharma Law Firm PLLC
403 S CHEYENNE AVE STE 1200
TULSA, OK 74103
918-398-0327
Fax: 918-516-0232
Email: ROHITSHARMA@GMAIL.COM
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez-Calderon
Sanchez Law LLC
12915 SW 132ND ST STE 5
MIAMI, FL 33186
305-232-8889
Fax: 305-232-8819
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

CONLAMIC – Oklahoma

represented by **Cynthia Gail Mirkes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez-Calderon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Church Eficaz

represented by **Cynthia Gail Mirkes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez–Calderon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Church Piedra Angular

represented by **Cynthia Gail Mirkes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez–Calderon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Mexico Lindo Restaurants
TERMINATED: 10/31/2007

represented by **Cynthia Gail Mirkes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez–Calderon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

John Doe
 *suing as: John Doe One, Two, Three,
Four, Five, Six, Seven and Jane Doe One,
Two, Three, Four, Five et al*

represented by **Cynthia Gail Mirkes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rohit C Sharma
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Williams J Sanchez–Calderon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

T–Mac Construction
T–Mac Construction, Inc.

represented by **Rohit C Sharma**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Chilino's Restaurant
Chilino's Restaurant

represented by **Rohit C Sharma**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Brad Henry
Governor of the State of Oklahoma

represented by **Kevin Lynn McClure**
 Office of the Attorney General (OKC-313)
 LITIGATION SECTION
 313 NE 21ST ST
 OKLAHOMA CITY, OK 73105
 405-521-4274
 Fax: 405-521-4518
 Email: kevin.mcclure@oag.ok.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

M Daniel Weitman
 Office of the Attorney General (OKC-313)
 LITIGATION SECTION
 313 NE 21ST ST
 OKLAHOMA CITY, OK 73105
 405-521-3921
 Fax: 405-521-4518
 Email: Dan.Weitman@oag.ok.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sandra D Rinehart
 Office of the Attorney General (OKC-313)
 LITIGATION SECTION
 313 NE 21ST ST
 OKLAHOMA CITY, OK 73105
 405-521-3921
 Fax: 405-522-0669
 Email: fc.docket@oag.state.ok.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Drew Edmondson
Attorney General of the State of Oklahoma

Date Filed	#	Docket Text
10/25/2007	<u>1</u>	CIVIL COVER SHEET by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC - Oklahoma (s-tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>2</u>	COMPLAINT against all defendants by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC - Oklahoma (s-tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>3</u>	SUMMONS Issued by Court Clerk as to Brad Henry, Drew Edmondson (s-tjc, Dpty Clk) (Entered: 10/25/2007)

10/25/2007	<u>4</u>	ATTORNEY APPEARANCE by Rohit C Sharma on behalf of Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (s–tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>5</u>	MOTION for Preliminary Injunction, MOTION for Hearing (<i>emergency and expediated</i>) by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (s–tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>6</u>	MOTION for Attorney(s) Cynthia G. Mirkes to be Admitted Pro Hac Vice by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (s–tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	7	MINUTE ORDER by Court Clerk, directing National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma, Church Eficaz, Church Piedra Angular and Mexico Lindo Restaurants to file a Corporate Disclosure Statement pursuant to FRCvP 7.1 within five (5) days of this order, if they have not already done so. The parties shall use the form entitled Corporate Disclosure Statement available on the Courts website (please do not refile if already filed on non–court form unless directed to do so). If you have already filed your Corporate Disclosure Statement in this case, you are reminded to file a Supplemental Corporate Disclosure Statement within a reasonable time of any change in the information that the statement requires. (s–tjc, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>8</u>	MINUTE ORDER, reassigning case to Judge James H Payne, Judge Gregory K Frizzell no longer assigned to case, changing case number to 07–cv–613–JHP–FHM (hbo, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	9	MINUTE ORDER by Judge James H Payne : <i>Granting Plaintiff's Motion for Hearing on the pending Motion for Preliminary Injunction</i> ; setting/resetting deadline(s)/hearing(s): ; granting <u>5</u> Motion for Hearing, Motion Hearing set for 10/31/2007 at 02:00 PM before Judge James H Payne (Re: <u>5</u> MOTION for Preliminary Injunction MOTION for Hearing (<i>emergency and expediated</i>) MOTION for Hearing (<i>emergency and expediated</i>)) (pll, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	10	MINUTE ORDER by Judge James H Payne : <i>Plaintiff is directed to file the appropriate 7.1 Corporate Disclosure Statements by 4:30 on 10/29/07</i> (pll, Dpty Clk) (Entered: 10/25/2007)
10/25/2007	<u>11</u>	PRO HAC VICE FEES Paid for attorney(s) Cynthia Mirkes in the amount of \$75.00 (Re: <u>6</u> MOTION for Attorney(s) Cynthia G. Mirkes to be Admitted Pro Hac Vice MOTION for Attorney(s) Cynthia G. Mirkes to be Admitted Pro Hac Vice) (s–tjc, Dpty Clk) (Entered: 10/26/2007)
10/25/2007	<u>49</u>	FILING FEES Paid in Full by Church Eficaz, T–Mac Construction, Chilino's Restaurant, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (s–tjc, Dpty Clk) (Entered: 01/28/2008)
10/26/2007	<u>12</u>	ATTORNEY APPEARANCE by Sandra D Rinehart on behalf of Brad Henry, Drew Edmondson (Rinehart, Sandra) (Entered: 10/26/2007)
10/28/2007	<u>13</u>	MOTION for Attorney(s) William J. Sanchez to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 363437) by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (With attachments) (Sharma, Rohit) (Entered: 10/28/2007)
10/29/2007	<u>14</u>	ATTORNEY APPEARANCE by M Daniel Weitman on behalf of Brad Henry, Drew Edmondson (Weitman, M) (Entered: 10/29/2007)
10/29/2007	<u>15</u>	ATTORNEY APPEARANCE by M Daniel Weitman on behalf of Brad Henry, Drew Edmondson (Weitman, M) (Entered: 10/29/2007)

10/29/2007	<u>16</u>	ATTORNEY APPEARANCE by Kevin Lynn McClure on behalf of Brad Henry, Drew Edmondson (McClure, Kevin) (Entered: 10/29/2007)
10/29/2007	<u>17</u>	MOTION for Leave to Exceed Page Limitation <i>Motion to Extended Briefing</i> by Brad Henry, Drew Edmondson (Weitman, M) (Entered: 10/29/2007)
10/29/2007	<u>18</u>	CORPORATE DISCLOSURE STATEMENT as to National Coalition of Latino Clergy and Christian Leaders, CONLAMIC–Oklahoma, Church Eficaz (Iglesia Eficaz), Iglesia Piedra Angular by Church Eficaz, Church Piedra Angular, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (Sharma, Rohit) Modified on 10/30/2007 to remove Mexico Lindo Restaurants and John Doe as filers(lml, Dpty Clk). (Entered: 10/29/2007)
10/29/2007	<u>19</u>	MOTION to Dismiss by Brad Henry, Drew Edmondson (With attachments) (McClure, Kevin) (Entered: 10/29/2007)
10/30/2007	<u>20</u>	CORPORATE DISCLOSURE STATEMENT as to CONLAMIC–Oklahoma and Mexico Lindo by Mexico Lindo Restaurants, CONLAMIC – Oklahoma (Sharma, Rohit) (Entered: 10/30/2007)
10/30/2007	21	MINUTE ORDER by Judge James H Payne : <i>Granting Defendant leave to file a Brief in Support of their Motion to Dismiss not to exceed 35 pages</i> ; granting in part and denying in part <u>17</u> Motion for Leave to Exceed Page Limitation (Re: <u>19</u> MOTION to Dismiss) (pll, Dpty Clk) Modified on 10/31/2007 THIS ORDER VACATED/SET ASIDE PURSUANT TO 23 (crp, Dpty Clk). (Entered: 10/30/2007)
10/30/2007	22	MINUTE ORDER by Judge James H Payne : <i>Granting Plaintiff's Motion for Admission Pro Hac Vice as to Cynthia Mirkes and William Sanchez</i> ; granting <u>6</u> Motion for Admission Pro Hac Vice; granting <u>13</u> Motion for Admission Pro Hac Vice (pll, Dpty Clk) (Entered: 10/30/2007)
10/30/2007	23	MINUTE ORDER by Judge James H Payne : <i>Correcting Minute Order 21 to reflect that Defendants are granted leave to file a RESPONSE to the Motion for Preliminary Injunction not to exceed 35 pages</i> , vacating/setting aside order(s) (Re: 21 Minute Order,,,, Ruling on Motion to Exceed Page Limitation, <u>5</u> MOTION for Preliminary Injunction MOTION for Hearing (<i>emergency and expediated</i>) MOTION for Hearing (<i>emergency and expediated</i>)) (Documents Terminated: 21 Minute Order,,,, Ruling on Motion to Exceed Page Limitation,) (pll, Dpty Clk) (Entered: 10/30/2007)
10/30/2007	<u>24</u>	SUMMONS Returned Executed re: Brad Henry – Served on 10/30/2007. by Church Eficaz; Church Piedra Angular; Mexico Lindo Restaurants; John Doe; National Coalition of Latino Clergy and Christian Leaders, Inc.; CONLAMIC – Oklahoma (s–kjp, Dpty Clk) (Entered: 10/30/2007)
10/30/2007	<u>25</u>	SUMMONS Returned Executed re: Attorney General – Served on 10/26/2007 by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (s–kjp, Dpty Clk) (Entered: 10/30/2007)
10/30/2007	<u>26</u>	RESPONSE in Opposition to Motion (Re: <u>5</u> MOTION for Preliminary Injunction MOTION for Hearing (<i>emergency and expediated</i>) MOTION for Hearing (<i>emergency and expediated</i>)) by Brad Henry, Drew Edmondson ; (With attachments) (Weitman, M) (Entered: 10/30/2007)
10/31/2007	<u>27</u>	REPLY to Response to Motion (Re: <u>5</u> MOTION for Preliminary Injunction MOTION for Hearing (<i>emergency and expediated</i>) MOTION for Hearing (<i>emergency and expediated</i>)) by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma ; (With attachments) (Sharma, Rohit) (Entered: 10/31/2007)
10/31/2007	<u>28</u>	AMENDED COMPLAINT against Brad Henry, Drew Edmondson (Re: <u>2</u> Complaint) by Church Eficaz, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma, T–Mac Construction, Chilino's Restaurant (With attachments) (Sharma, Rohit) Modified on 11/1/2007 to add all filers (sac, Dpty

		Clk). (Entered: 10/31/2007)
10/31/2007	<u>29</u>	CORPORATE DISCLOSURE STATEMENT as to T-Mac Construction by T-Mac Construction, Chilino's Restaurant (Sharma, Rohit) (Entered: 10/31/2007)
10/31/2007	<u>30</u>	CORPORATE DISCLOSURE STATEMENT as to Chilino's Restaurant by Chilino's Restaurant (Sharma, Rohit) (Entered: 10/31/2007)
10/31/2007	<u>31</u>	MINUTES of Proceedings – held before Judge James H Payne : Motion Hearing held on 10/31/2007 ; finding as moot <u>19</u> Motion to Dismiss (Re: <u>5</u> MOTION for Preliminary Injunction MOTION for Hearing (<i>emergency and expediated</i>) MOTION for Hearing (<i>emergency and expediated</i>), <u>19</u> MOTION to Dismiss) (Court Reporter: Ken Sidwell) (pll, Dpty Clk) (Entered: 10/31/2007)
10/31/2007	<u>32</u>	MINUTE ORDER by Judge James H Payne : <i>Following the hearing held this date, Defendant's Motion to Dismiss is due 11/6/07, Responses are due by 4:00 on 11/8/07, Replies are due by 4:00 on 11/9/07</i> (pll, Dpty Clk) (Entered: 10/31/2007)
10/31/2007	<u>33</u>	OPINION AND ORDER by Judge James H Payne ; denying <u>5</u> Motion for Preliminary Injunction (pll, Dpty Clk) (Entered: 10/31/2007)
11/01/2007	<u>34</u>	MINUTE ORDER by Court Clerk, directing T-Mac Corporation, Chilino's Restaurant to file a Corporate Disclosure Statement pursuant to FRCvP 7.1 within five (5) days of this order, if they have not already done so. The parties shall use the form entitled Corporate Disclosure Statement available on the Courts website (please do not refile if already filed on non-court form unless directed to do so). If you have already filed your Corporate Disclosure Statement in this case, you are reminded to file a Supplemental Corporate Disclosure Statement within a reasonable time of any change in the information that the statement requires. (s-kjp, Dpty Clk) (Entered: 11/01/2007)
11/06/2007	<u>35</u>	MOTION to Dismiss <i>First Amended Complaint</i> by Brad Henry, Drew Edmondson (With attachments) (Weitman, M) (Entered: 11/06/2007)
11/08/2007	<u>36</u>	RESPONSE in Opposition to Motion (Re: <u>35</u> MOTION to Dismiss <i>First Amended Complaint</i>) by Church Eficaz, T-Mac Construction, Chilino's Restaurant, Church Piedra Angular, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma ; (Sharma, Rohit) (Entered: 11/08/2007)
11/09/2007	<u>37</u>	REPLY to Response to Motion (Re: <u>35</u> MOTION to Dismiss <i>First Amended Complaint</i>) by Brad Henry, Drew Edmondson ; (Weitman, M) (Entered: 11/09/2007)
12/06/2007	<u>38</u>	TRANSCRIPT of Proceedings of Motion Hearing held on 10/31/2007 before Judge James H Payne (Court Reporter: Ken Sidwell) (Pages: 28) (Re: <u>31</u> Minutes of Motion Hearing,,,, Ruling on Motion to Dismiss,) (kns, CrtRptr) (Entered: 12/06/2007)
12/12/2007	<u>39</u>	OPINION AND ORDER by Judge James H Payne ; dismissing/terminating case (terminates case) ; granting <u>35</u> Motion to Dismiss (Documents Terminated: <u>35</u> MOTION to Dismiss <i>First Amended Complaint</i>) (pll, Dpty Clk) (Entered: 12/12/2007)
12/12/2007		***Civil Case Terminated (see document number <u>39</u>) (lml, Dpty Clk) (Entered: 12/13/2007)
12/14/2007	<u>40</u>	OPINION AND ORDER by Judge James H Payne (<i>correcting clerical error in <u>39</u></i>) (Re: <u>39</u> Opinion and Order, Dismissing/Terminating Case, Ruling on Motion to Dismiss, <u>35</u> MOTION to Dismiss <i>First Amended Complaint</i>) (pll, Dpty Clk) (Entered: 12/14/2007)
12/20/2007	<u>41</u>	JUDGMENT by Judge James H Payne, entering judgment in favor of Defendants against Plaintiffs (terminates case) (pll, Dpty Clk) (Entered: 12/20/2007)
12/21/2007	<u>42</u>	MOTION to Vacate Order/Judgment by Church Eficaz, T-Mac Construction, Chilino's Restaurant, Church Piedra Angular, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (Sharma, Rohit) (Entered: 12/21/2007)

12/21/2007	<u>43</u>	BRIEF in Support of Motion (Re: <u>42</u> MOTION to Vacate Order/Judgment) by Church Eficaz, T-Mac Construction, Chilino's Restaurant, Church Piedra Angular, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma ; (Sharma, Rohit) (Entered: 12/21/2007)
12/27/2007	<u>44</u>	Second AMENDED COMPLAINT against all defendants (Re: <u>28</u> Amended Complaint,) by National Coalition of Latino Clergy and Christian Leaders, Inc. (Mirkes, Cynthia) Modified on 1/2/2008 to add watermark pursuant to 45 (crp, Dpty Clk). (Entered: 12/27/2007)
12/27/2007	46	Second AMENDED COMPLAINT against Tim Harris, David Prater, Kevin Ward, Stanley Glanz, John Whetsel, Kenneth Kendricks, Howard H Hendrick (<i>Submitted as Doc #44, redocketed to add defendants and create proper answer records</i>) (Re: <u>2</u> Complaint, <u>28</u> Amended Complaint,) by Church Eficaz, T-Mac Construction, Chilino's Restaurant, Church Piedra Angular, Mexico Lindo Restaurants, John Doe, National Coalition of Latino Clergy and Christian Leaders, Inc., CONLAMIC – Oklahoma (lml, Dpty Clk) Modified on 1/2/2008 THIS DOCUMENT IS STRICKEN/WITHDRAWN PURSUANT TO 47 (crp, Dpty Clk). (Entered: 12/28/2007)
12/28/2007	45	MINUTE ORDER by Judge James H Payne : <i>Striking Plaintiff's Second Amended Complaint for failure to obtain leave of court pursuant to FRCP 15(a), striking/withdrawing document(s)</i> (Re: <u>44</u> Amended Complaint) (Documents Terminated: <u>44</u> Amended Complaint) (pll, Dpty Clk) (Entered: 12/28/2007)
12/28/2007		***Remark: <i>Defendants Tim Harris, David Prater, Kevin Ward, Stanley Glanz, John Whetsel, Kenneth Kendricks, and Howard H Hendrick were deleted, as they were added in error by the Clerk's office</i> (Re: 46 Amended Complaint,,) (lml, Dpty Clk) (Entered: 12/28/2007)
12/28/2007	47	MINUTE ORDER by Court Clerk : <i>Striking docket entry #46 Second Amended Complaint as entered in error, striking/withdrawing document(s)</i> (Re: 46 Amended Complaint,,) (Documents Terminated: 46 Amended Complaint,,) (pll, Dpty Clk) (Entered: 12/28/2007)
12/28/2007	<u>48</u>	OPINION AND ORDER by Judge James H Payne ; denying <u>42</u> Motion to Vacate Order/Judgment (pll, Dpty Clk) (Entered: 12/28/2007)
01/31/2008	<u>50</u>	JUDGMENT by Judge James H Payne, entering judgment in favor of Defendants against Plaintiffs (terminates case) (pll, Dpty Clk) Modified on 2/4/2008 to add STRICKEN watermark – see 51 (sac, Dpty Clk). (Entered: 01/31/2008)
02/01/2008	51	MINUTE ORDER by Judge James H Payne : <i>Due to clerical error the judgment (50) is hereby stricken as was previously entered on 12/20/07, striking/withdrawing document(s)</i> (Re: <u>50</u> Judgment, Entering Judgment) (Documents Terminated: <u>50</u> Judgment, Entering Judgment) (s-tjc, Dpty Clk) (Entered: 02/01/2008)