

**U.S. District Court
Western District of Virginia (Harrisonburg)
CIVIL DOCKET FOR CASE #: 5:17-cv-00097-EKD-JCH**

Doe 4 v. Shenandoah Valley Juvenile Center Commission
Assigned to: District Judge Elizabeth K. Dillon
Referred to: Magistrate Judge Joel C. Hoppe
Cause: 42:1983 Civil Rights Act

Date Filed: 10/04/2017
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

John Doe
*by and through his next friend, Nelson
Lopez, on behalf of himself and all
persons similarly situated*
TERMINATED: 07/11/2018

represented by **Bradley Clark Tobias**
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TERMINATED: 07/11/2018
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Plaintiff

John Doe 2
TERMINATED: 07/11/2018

represented by **Bradley Clark Tobias**
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TERMINATED: 07/11/2018
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Tiffany S. Yang
(See above for address)
TERMINATED: 07/11/2018
LEAD ATTORNEY
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Plaintiff

John Doe 3
TERMINATED: 07/11/2018

represented by **Bradley Clark Tobias**
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TERMINATED: 07/11/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Tschiderer Dinan
(See above for address)
TERMINATED: 05/18/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tiffany S. Yang
(See above for address)
TERMINATED: 07/11/2018
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

John Doe 4
*by and through his next friend, NELSON
LOPEZ, on behalf of himself and all
persons similarly situated*

represented by **Hannah E.M. Lieberman**
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LEAD ATTORNEY
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Theodore Augustus Howard
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Bradley Clark Tobias
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V.

Defendant

**Shenandoah Valley Juvenile Center
Commission**

represented by **Jason Botkins**
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Date Filed	#	Docket Text
10/04/2017	<u>1</u>	COMPLAINT against Shenandoah Valley Juvenile Center Commission (Filing & Administrative fee \$ 400.00, Receipt No 0423-2761226), filed by John Doe. (Attachments: # <u>1</u> Civil Cover Sheet)(jat)
10/04/2017	<u>2</u>	MOTION to Proceed by Fictitious Name re <u>1</u> Complaint by John Doe. (jat)
10/04/2017	<u>3</u>	Brief in Support re <u>2</u> MOTION to Proceed by Fictitious Name re <u>1</u> Complaint filed by John Doe. (jat)
10/05/2017	<u>4</u>	Summons Issued as to Shenandoah Valley Juvenile Center Commission.(jat)
10/18/2017	<u>5</u>	SUMMONS Returned Executed by John Doe. Shenandoah Valley Juvenile Center Commission served on 10/16/2017, answer due 11/6/2017.(kld) (Entered: 10/19/2017)
11/03/2017	<u>6</u>	NOTICE of Appearance by Jason Botkins on behalf of Shenandoah Valley Juvenile Center Commission (Botkins, Jason)
11/03/2017	<u>7</u>	Negative Corporate Disclosure Statement by Shenandoah Valley Juvenile Center Commission (Botkins, Jason)
11/03/2017	<u>8</u>	ANSWER to <u>1</u> Complaint by Shenandoah Valley Juvenile Center Commission.(Botkins, Jason)
11/03/2017	<u>9</u>	Magistrate Consent Notice to Parties. (jat)
11/03/2017	<u>10</u>	Scheduling Letter to parties. (jat)
11/07/2017	11	NOTICE of Hearing: (N) (No Interpreter requested) Rule 16 Status Conference set for December 4, 2017 at 10:00 AM by telephone conference call before District Judge Elizabeth K. Dillon. (Chambers will send the dial-in instructions to the parties.)(mf)

11/09/2017	<u>12</u>	ORDER granting <u>2</u> Motion to Proceed by Fictitious Name. Signed by District Judge Elizabeth K. Dillon on 11/9/2017. (jat)
12/04/2017	13	Minute Entry for proceedings held before District Judge Elizabeth K. Dillon and Magistrate Judge Joel C. Hoppe: Scheduling Conference Call held in chambers on 12/4/2017. (kld)
12/14/2017	14	NOTICE of Hearing: (N) (No Interpreter requested) Status Conference set for January 9, 2018 at 10:00 AM by telephone conference call before District Judge Elizabeth K. Dillon. (Chambers will send the dial-in instructions to the parties by email.) (mf)
01/08/2018	<u>15</u>	Consent MOTION for <i>Hannah E. Lieberman</i> to Appear Pro Hac Vice. by John Doe. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Dinan, Christine)
01/09/2018	16	In Chambers Minute Order for Proceedings held before District Judge Elizabeth K. Dillon: Status Conference held by conference call on 1/9/2018. ORAL ORDER granting plaintiff leave to amend the complaint, to be filed by COB 1/31/18. Proposed scheduling order to be filed with the Court once parties have conferred. (bw)
01/09/2018	<u>17</u>	ORDER granting <u>15</u> MOTION for <i>Hannah E. Lieberman</i> to Appear Pro Hac Vice. Attorney Hannah E.M. Lieberman for John Doe added. Signed by District Judge Elizabeth K. Dillon on 1/9/2018. (jv) (Entered: 01/10/2018)
01/18/2018	18	NOTICE of Hearing: (CR) (No Interpreter requested) Jury Trial set for December 3-7, 2018 at 9:30 AM in Harrisonburg before District Judge Elizabeth K. Dillon. Counsel must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs. (mf)
01/22/2018	<u>19</u>	SCHEDULING ORDER:(Jury Trial set for 12/3/2018-12/7/2018 09:30 AM in Harrisonburg before District Judge Elizabeth K. Dillon. Counsel must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs.), Order Referring Case to Magistrate Judge Joel C. Hoppe. Signed by District Judge Elizabeth K. Dillon on 1/19/2018. (jv)
01/23/2018	<u>20</u>	Consent MOTION for <i>Theodore A. Howard</i> to Appear Pro Hac Vice. by John Doe.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Dinan, Christine)
01/24/2018	21	Oral ORDER granting <u>20</u> MOTION for <i>Theodore A. Howard</i> to Appear Pro Hac Vice in this case. Entered by Magistrate Judge Joel C. Hoppe on 1/24/18. (JCH)
01/31/2018	<u>22</u>	AMENDED COMPLAINT against Shenandoah Valley Juvenile Center Commission, filed by John Doe, John Doe 2, John Doe 3.(Dinan, Christine)
01/31/2018	<u>23</u>	Consent MOTION to Proceed by Fictitious Name by John Doe 2, John Doe 3.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Brief in Support of Plaintiffs' Unopposed Motion to Proceed by Fictitious Name, # <u>2</u> Text of Proposed Order)(Dinan, Christine)
02/02/2018	<u>24</u>	ORDER granting <u>23</u> Motion to Proceed by Fictitious Names. Signed by Magistrate Judge Joel C. Hoppe on 2/2/18. (kld)
02/02/2018	<u>25</u>	NOTICE of Appearance by Bradley Clark Tobias on behalf of All Plaintiffs (Tobias, Bradley)
02/14/2018	<u>26</u>	ANSWER to <u>22</u> Amended Complaint by Shenandoah Valley Juvenile Center Commission.(Botkins, Jason)
02/20/2018	<u>27</u>	MOTION for Protective Order by John Doe, John Doe 2, John Doe 3.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Memorandum of Law in Support of Plaintiffs' Motion for Protective Order, # <u>2</u> Exhibit 1)(Dinan, Christine)
02/23/2018	<u>28</u>	Consent MOTION to Seal <i>Declarations</i> by John Doe, John Doe 2, John Doe 3.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Dinan, Christine)
02/23/2018	<u>29</u>	Brief / Memorandum in Support re <u>28</u> Consent MOTION to Seal <i>Declarations</i> . filed by John Doe, John Doe 2, John Doe 3. (Dinan, Christine)

02/26/2018	<u>30</u>	ORDER granting <u>28</u> Motion to File Declarations Under Seal. Signed by Magistrate Judge Joel C. Hoppe on 2/26/18. (kld)
02/27/2018	<u>31</u>	Consent MOTION for Leave to File Excess Pages by John Doe, John Doe 2, John Doe 3.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Dinan, Christine)
02/28/2018	<u>32</u>	ORDER granting <u>31</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge Joel C. Hoppe on 2/28/18. (kld)
02/28/2018	<u>33</u>	MOTION for Preliminary Injunction by John Doe, John Doe 2, John Doe 3.(Attachments: # <u>1</u> Text of Proposed Order)(Tobias, Bradley) Modified to remove mag. judge referral on 3/1/2018 (jv).
02/28/2018	<u>34</u>	Brief / Memorandum in Support re <u>33</u> MOTION for Preliminary Injunction . filed by John Doe, John Doe 2, John Doe 3. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Tobias, Bradley) (Additional attachment(s) added on 3/6/2018: # <u>9</u> Exhibit 1–unredacted declaration, # <u>10</u> Exhibit unredacted declaration, # <u>11</u> Exhibit unredacted declaration, # <u>12</u> Exhibit unredacted declaration, # <u>13</u> Exhibit unredacted declaration, # <u>14</u> Exhibit unredacted declaration) (kld).
03/06/2018	<u>35</u>	RESPONSE in Opposition re <u>27</u> MOTION for Protective Order . filed by Shenandoah Valley Juvenile Center Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Botkins, Jason)
03/09/2018	<u>36</u>	Consent MOTION for Protective Order by John Doe.Motions referred to Judge Joel C. Hoppe. (Tobias, Bradley)
03/09/2018	<u>37</u>	MOTION for Leave to File Excess Pages by Shenandoah Valley Juvenile Center Commission.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Botkins, Jason)
03/09/2018	<u>38</u>	MOTION to Seal Document by Shenandoah Valley Juvenile Center Commission.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Botkins, Jason)
03/09/2018	<u>39</u>	Brief / Memorandum in Support re <u>38</u> MOTION to Seal Document . filed by Shenandoah Valley Juvenile Center Commission. (Botkins, Jason)
03/09/2018	<u>40</u>	ORDER granting <u>37</u> Motion for Leave to File Excess Pages. Brief may not exceed 40 pages. Signed by Magistrate Judge Joel C. Hoppe on 3/9/18. (kld)
03/09/2018	<u>41</u>	ORDER granting <u>36</u> Consent Motion for Agreed–Upon Protective Order. Signed by Magistrate Judge Joel C. Hoppe on 3/9/18. (kld)
03/09/2018	<u>42</u>	Oral ORDER finding as moot <u>27</u> Motion for Protective Order. Entered by Magistrate Judge Joel C. Hoppe on 3/9/18. (JCH)
03/12/2018	<u>43</u>	ORDER granting <u>38</u> Motion to File Exhibits Under Seal. Signed by Magistrate Judge Joel C. Hoppe on 3/12/18. (kld)
03/19/2018	<u>44</u>	Rule 26(f) Agreed Written Plan by Plaintiffs John Doe, John Doe 2, John Doe 3 (Dinan, Christine)
03/21/2018	<u>45</u>	Brief / Memorandum in Opposition re <u>33</u> MOTION for Preliminary Injunction . filed by Shenandoah Valley Juvenile Center Commission. (Attachments: # <u>1</u> Affidavit Kelsey Wong, # <u>2</u> Affidavit Elsa Gallardo, # <u>3</u> Affidavit Emily Twigg, # <u>4</u> Affidavit Elizabeth Ropp, # <u>5</u> Affidavit Carina Contreras)(Botkins, Jason) (Additional attachment(s) added on 3/22/2018: # <u>6</u> Exhibit Unredacted Wong Affidavit, # <u>7</u> Exhibit B Unredacted Gallardo Affidavit, # <u>8</u> Exhibit C Unredacted Twigg Affidavit, # <u>9</u> Exhibit D Unredacted Ropp Affidavit, # <u>10</u> Exhibit E Unredacted Contreras Affidavit) (kld). Sealed attachments added as per order at doc #43.
03/26/2018	<u>46</u>	Consent MOTION for Extension of Time to File Response/Reply <i>in Support of Plaintiffs' Motion for Preliminary Injunction</i> by John Doe, John Doe 2, John Doe 3.Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Dinan, Christine)

03/27/2018	<u>47</u>	ORDER granting <u>46</u> Motion for Extension of Time to File Response/Reply. Replies due by 4/2/2018. Signed by Magistrate Judge Joel C. Hoppe on 3/27/18. (kld)
04/02/2018	<u>48</u>	Second MOTION for Extension of Time to File Response/Reply <i>and Leave to File a Brief Exceeding 25 Pages</i> by John Doe, John Doe 2, John Doe 3. Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order)(Dinan, Christine)
04/02/2018	<u>49</u>	ORDER granting <u>48</u> Motion for Extension of Time to File Response/Reply and to exceed page limit. Plaintiff's reply due by 4/4/2018. Signed by Magistrate Judge Joel C. Hoppe on 4/2/18. (kld)
04/04/2018	<u>50</u>	REPLY to Response to Motion re <u>33</u> MOTION for Preliminary Injunction . filed by John Doe, John Doe 2, John Doe 3. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Dinan, Christine)
04/20/2018	<u>51</u>	Consent MOTION for Extension of Time to File <i>Motion for Class Certification</i> by John Doe. Motions referred to Judge Joel C. Hoppe. (Howard, Theodore)
04/20/2018	<u>52</u>	ORDER granting <u>51</u> Motion for Extension of Time to File Document. Signed by Magistrate Judge Joel C. Hoppe on 4/20/18. (kld)
05/04/2018	<u>53</u>	Consent MOTION to Certify Class by John Doe. (Howard, Theodore)
05/18/2018	<u>54</u>	NOTICE by John Doe, John Doe 2, John Doe 3 of <i>Withdrawal of Appearance of Co-Counsel of Record</i> (Dinan, Christine)
05/21/2018	<u>55</u>	MOTION for Protective Order by Shenandoah Valley Juvenile Center Commission. Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Text of Proposed Order 1)(Botkins, Jason)
05/21/2018	<u>56</u>	Brief / Memorandum in Support re <u>55</u> MOTION for Protective Order . filed by Shenandoah Valley Juvenile Center Commission. (Botkins, Jason)
05/21/2018	<u>57</u>	ORDER granting <u>55</u> Motion for Protective Order. Signed by Magistrate Judge Joel C. Hoppe on 5/21/2018. (jv)
05/25/2018	58	NOTICE of Hearing on Motion <u>33</u> MOTION for Preliminary Injunction : (CR) (No Interpreter requested) Motion Hearing set for September 10–12, 2018 at 9:00 AM in Harrisonburg before District Judge Elizabeth K. Dillon. (mf)
06/14/2018	59	NOTICE of Hearing: (N) (No Interpreter requested) Status Conference set for July 3, 2018 at 9:00 AM by telephone conference call before District Judge Elizabeth K. Dillon. (Chambers will send the dial-in instructions to the parties.)(mf)
06/22/2018	60	Notice Regarding Status Conference (by telephone conference call) (CR) (No Interpreter requested) set for July 3, 2018 at 9:00 a.m. before Judge Dillon ---- edited to add Court Reporter. (Parties have received the dial-in instructions). (mf)
06/26/2018	<u>61</u>	Consent MOTION for <i>Tiffany S. Yang</i> to Appear Pro Hac Vice. by John Doe, John Doe 2, John Doe 3. Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Exhibit 1, Cert. of Good Standing, # <u>2</u> Text of Proposed Order)(Tobias, Bradley)
06/26/2018	<u>62</u>	ORDER granting <u>61</u> MOTION for <i>Tiffany S. Yang</i> to Appear Pro Hac Vice. Attorney Tiffany S. Yang for John Doe, John Doe 2, John Doe 3 added.. Signed by District Judge Elizabeth K. Dillon on 6/26/2018. (jv)
06/27/2018	<u>63</u>	ORDER granting <u>53</u> Motion to Certify Class. Signed by District Judge Elizabeth K. Dillon on 6/27/2018. (jv)
07/03/2018	<u>64</u>	In Chambers Minute Entry for proceedings held before District Judge Elizabeth K. Dillon: Status Conference held by conference call on 7/3/2018. (Court Reporter: J. Webb) (bw)
07/09/2018	<u>66</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by John Doe. Motions referred to Judge Joel C. Hoppe. (Attachments: # <u>1</u> Exhibit Second Amended Complaint, # <u>2</u> Exhibit Proposed Order)(Tobias, Bradley)
07/11/2018	67	ORAL ORDER granting <u>66</u> Motion for Leave to File Second Amended Complaint. Plaintiff is to file the Second Amended Complaint as a separate docket entry in this case within 5 days of this oral order. Entered by District Judge Elizabeth K. Dillon on

		7/11/2018. (mf)
07/11/2018	<u>68</u>	AMENDED COMPLAINT , <i>Second Amended Class Action Complaint</i> against John Doe 4, filed by John Doe 4.(Tobias, Bradley)