

CLOSED

U.S. District Court
Southern District of Alabama - District Version 2.5 (Mobile)
CIVIL DOCKET FOR CASE #: 1:92-cv-00316-M

Rooks, et al v. Thigpen, et al
Assigned to: Magistrate Judge Bert W. Milling, Jr
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/23/1992
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

Kevin P. Rooks

represented by **Henry Brewster**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Southern Center For Human Rights
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404/688-1202
TERMINATED: 11/29/1995
ATTORNEY TO BE NOTICED

Plaintiff

John Paul Owens

represented by **Henry Brewster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy E. Ortega
(See above for address)
TERMINATED: 11/29/1995
ATTORNEY TO BE NOTICED

Plaintiff

Kenneth Earl Williams

represented by **Henry Brewster**
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LEAD ATTORNEY
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Nancy E. Ortega
(See above for address)
TERMINATED: 11/29/1995
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Plaintiff

Curtis Sexton
TERMINATED: 12/13/1993

represented by **Henry Brewster**
(See above for address)
TERMINATED: 12/13/1993
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy E. Ortega
(See above for address)
TERMINATED: 12/13/1993
ATTORNEY TO BE NOTICED

Plaintiff

Tammy M. Mixon

represented by **Henry Brewster**
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LEAD ATTORNEY
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Nancy E. Ortega
(See above for address)
TERMINATED: 11/29/1995
ATTORNEY TO BE NOTICED

Plaintiff

Cynthia A. Fair

represented by **Henry Brewster**
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LEAD ATTORNEY
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Nancy E. Ortega
(See above for address)
TERMINATED: 11/29/1995
ATTORNEY TO BE NOTICED

V.

Defendant

Morris Thigpen
Commissioner, Ala. Dept. of
Corrections in his official capacity

represented by **Harry A. Lyles**
Alabama Department of Corrections
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Andrew W. Redd

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Legal Division
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ATTORNEY TO BE NOTICED

Ellen Ruth Leonard

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Defendant

Conecuh County, Al.

represented by **Frederick H. Stevens**
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Helen Johnson Alford

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Freddie Stallworth

*In official capacity as County
Commissioner*

represented by **Helen Johnson Alford**
(See above for address)
TERMINATED: 02/24/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Commissioner Jerold Dean

*In official capacity as County
Commissioner*

represented by **Helen Johnson Alford**
(See above for address)
TERMINATED: 02/24/1995
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Leonard Millender
*In official capacity as County
Commissioner*

represented by **Helen Johnson Alford**
(See above for address)
*TERMINATED: 02/24/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Commissioner Hugh Barrow
*In official capacity of County
Commissioner*

represented by **Helen Johnson Alford**
(See above for address)
*TERMINATED: 02/24/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Frank Pate
*In official capacity as County
Commissioner*

represented by **Helen Johnson Alford**
(See above for address)
*TERMINATED: 02/24/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Sheriff Edwin L. Booker
*Individually and in official capacity as
Sheriff*

represented by **Helen Johnson Alford**
(See above for address)
*TERMINATED: 02/24/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Larry Farrell
*Individually and in official capacity as
Chief Deputy*

represented by **Helen Johnson Alford**
(See above for address)
*TERMINATED: 02/24/1995
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Paul M. Harden, Jr.
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*TERMINATED: 08/21/1992
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V.

Movant

U.S.A.

represented by **Arthur E. Peabody, Jr.**
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Benjamin P. Schoen
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/23/1992		CASE ASSIGNED to Mag. Judge Bert W. Milling Jr. (dktclerk) (Entered: 04/28/1992)
04/23/1992	1	COMPLAINT filed; FILING FEE \$ ifp RECEIPT # ifp (dktclerk) (Entered: 04/28/1992)
04/23/1992	2	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton for Nancy E. Ortega to Appear Pro Hac Vice ; referred to Judge Hand (dktclerk) (Entered: 04/28/1992)
04/23/1992		Motion(s) referred: [2-1] motion for Nancy E. Ortega to Appear Pro Hac Vice referred to Senior Judge W. B. Hand (dktclerk) (Entered: 04/28/1992)
04/23/1992	3	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Proceed in Forma Pauperis ; referred to Mag. Judge Milling (dktclerk) (Entered: 04/28/1992)
04/29/1992	4	ORDER entered that the plaintiffs are ORDERED by 5-19-92 to complete and file this Court's form for a motion to proceed without prepayment of fees and costs (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 05/01/1992)
05/07/1992		Filing Fee Paid; FILING FEE \$ 120.00 RECEIPT # 6459 (dktclerk) (Entered: 05/08/1992)
05/08/1992	5	SUMMONS(ES) issued for Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell; furnished local counsel for plaintiffs for service (dktclerk) (Entered: 05/08/1992)
05/21/1992	6	RETURN OF SERVICE executed as to Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell 5/16/92 ; Special report due on 6/25/92 for Larry Farrell, for Edwin L. Booker, for Frank Pate, for Hugh Barrow, for Leonard Millender, for Jerold Dean, for Freddie Stallworth, for Conecuh County, Al. (mbp) (Entered: 05/22/1992)
06/01/1992	7	SPECIAL REPORT filed by Morris Thigpen; referred to Magistrate Judge Milling (mbp) (Entered: 06/04/1992)
06/04/1992	8	RETURN OF SERVICE executed as to Morris Thigpen 5/21/92 ; Special report due on 6/30/92 for Morris Thigpen (mbp) (Entered: 06/04/1992)
06/04/1992	9	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean,

		Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to Extend Time to respond to the complaint (mbp) (Entered: 06/08/1992)
06/05/1992	10	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Certify Class (mbp) (Entered: 06/08/1992)
06/05/1992	11	MEMORANDUM by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton in support of [10-1] motion to Certify Class (mbp) (Entered: 06/08/1992)
06/09/1992	12	ORDER granting [9-1] motion to Extend Time to respond to the complaint; Defendants are to respond to the complaint by 7-17-92 (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 06/09/1992)
06/09/1992	13	NOTICE of Rule 16b consultation by mail; Response to Rule 16b deadline 6/29/92 for Larry Farrell, for Edwin L. Booker, for Frank Pate, for Hugh Barrow, for Leonard Millender, for Jerold Dean, for Freddie Stallworth, for Conecuh County, Al., for Morris Thigpen, for Curtis Sexton, for Kenneth Earl Williams, for John Paul Owens, for Kevin P. Rooks (mbp) (Entered: 06/09/1992)
06/10/1992	14	ANSWER to Complaint by Leroy Farrell (Attorney Paul M. Harden), (mbp) (Entered: 06/10/1992)
06/29/1992	15	RESPONSE to Rule 16b by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate (mbp) (Entered: 06/30/1992)
06/29/1992	16	RESPONSE to Rule 16b by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton (mbp) (Entered: 06/30/1992)
06/30/1992	17	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Amend [1-1] complaint (mbp) (Entered: 06/30/1992)
06/30/1992		Motion(s) referred: [17-1] motion to Amend [1-1] complaint referred to Senior Judge W. B. Hand (mbp) (Entered: 06/30/1992)
07/01/1992	18	RESPONSE to Rule 16b by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell (mbp) (Entered: 07/02/1992)
07/17/1992	19	MOTION by Larry Farrell to Amend [14-1] answer (mbp) (Entered: 07/20/1992)
07/17/1992	20	OBJECTION by Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [10-1] motion to Certify Class (mbp) (Entered: 07/20/1992)
07/20/1992		Motion(s) referred: [19-1] motion to Amend [14-1] answer referred to Senior Judge W. B. Hand (mbp) (Entered: 07/20/1992)
07/21/1992	21	ORDER granting [17-1] motion to Amend [1-1] complaint allowing

		plaintiffs to add Tammy M. Mixon and Cynthia A. Fair as plaintiffs; Plaintiffs' Renewed Motion for Class Certification was filed 6-5-92; Defendants are to file a response to that motion and inform the Court as to their position with respect to this case proceeding as a class action (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 07/22/1992)
07/21/1992	22	AMENDED COMPLAINT by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton , (Answer due 7/31/92 for Larry Farrell, for Edwin L. Booker, for Frank Pate, for Hugh Barrow, for Leonard Millender, for Jerold Dean, for Freddie Stallworth, for Conecuh County, Al., for Morris Thigpen) amending [1-1] complaint adding Tammy M. Mixon, Cynthia A. Fair (mbp) (Entered: 07/22/1992)
07/21/1992	23	SCHEDULING ORDER setting Discovery cutoff 1/21/93 ; Joining of parties,amending of pleadings on 10/21/92 ; (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 07/22/1992)
07/22/1992	24	ORDER granting [2-1] motion for Nancy E. Ortega to Appear Pro Hac Vice (signed by Senior Judge W. B. Hand) (mbp) (Entered: 07/22/1992)
07/23/1992	25	MOTION by Larry Farrell for Paul M. Harden to Withdraw as Attorney (mbp) (Entered: 07/28/1992)
07/28/1992		Motion(s) referred: [25-1] motion for Paul M. Harden to Withdraw as Attorney referred to Senior Judge W. B. Hand (mbp) (Entered: 07/28/1992)
08/21/1992	26	NOTICE entered, endorsed motion granting [25-1] motion for Paul M. Harden to Withdraw as Attorney (Terminated attorney Paul M. Harden for Larry Farrell (signed by Senior Judge W. B. Hand 8-20-92) (mbp) (Entered: 08/21/1992)
09/14/1992	27	MOTION by Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for non-party to Produce medical records (mbp) (Entered: 09/16/1992)
10/02/1992	28	ORDER granting [27-1] motion for non-party to Produce medical records; non-party Southwest Alabama Mental Health and/or Jim Coldwell are to produce as requested in the medical records of Cynthia Ann Fair by 10-16-92 (signed by Mag. Judge Bert W. Milling Jr. 10-2-92) (mbp) (Entered: 10/02/1992)
10/20/1992	29	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton for Protective Order (mbp) (Entered: 10/21/1992)
10/20/1992	30	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Extend Time to amend complaint (mbp) (Entered: 10/21/1992)
10/20/1992	31	RENEWED MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Certify Class (mbp) (Entered: 10/21/1992)

10/23/1992	32	RESPONSE by Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [31-1] motion to Certify Class (jlr) (Entered: 10/29/1992)
10/29/1992		Motion(s) referred: [31-1] motion to Certify Class referred to Senior Judge W. B. Hand, [30-1] motion to Extend Time to amend complaint referred to Senior Judge W. B. Hand, [19-1] motion to Amend [14-1] answer referred to Senior Judge W. B. Hand (jlr) (Entered: 10/29/1992)
11/05/1992	34	AMENDED MOTION by Tammy M. Mixon, Cynthia A. Fair, Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton for Protective Order referring to (adk) (Entered: 11/06/1992)
11/05/1992	35	PROTECTIVE ORDER entered. Copies mailed 11/6/92 (signed by Mag. Judge Bert W. Milling Jr.) (adk) (Entered: 11/06/1992)
11/06/1992	33	ORDER granting [29-1] motion for Protective Order granting [30-1] motion to Extend Time to amend complaint, setting Response to Order Deadline for Plaintiffs to file affidavits in support of their motion for class certification re: [33-1] order to 11/25/92 for Cynthia A. Fair, for Tammy M. Mixon, for Curtis Sexton, for Kenneth Earl Williams, for John Paul Owens, for Kevin P. Rooks , a reset Amended Pleadings deadline to 11/12/92 (signed by Mag. Judge Bert W. Milling Jr.) Copies mailed 11/6/92 (adk) (Entered: 11/06/1992)
11/06/1992	36	AFFIDAVIT by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton Re: [31-1] motion to Certify Class (mbp) (Entered: 11/12/1992)
11/13/1992	37	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Amend [35-1] order , or to Sever (mbp) (Entered: 11/16/1992)
11/16/1992	38	ORDER entered that Plaintiffs' oral motion to withdraw Plaintiffs' Submission in Support of Plaintiffs' Motion for Class Certification and Plaintiffs' Renewed Motion for Class Certification filed on 11-6-92 (doc.36) is GRANTED; the Clerk is directed to withdraw that pleading and return it to counsel for Plaintiffs, Henry Brewster (signed by Mag. Judge Bert W. Milling Jr. 11-13-92) (mbp) (Entered: 11/16/1992)
11/18/1992	39	MOTION by Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for Non-Party to Produce Medical Records ; referred to MJ/Milling 11-23-92 (dktclerk) (Entered: 11/23/1992)
12/01/1992	40	ORDER denying [39-1] motion to Produce Medical Records (signed by Mag. Judge Bert W. Milling Jr. 11-30-92) (mbp) (Entered: 12/02/1992)
12/01/1992	41	JOINT STIPULATION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair to enter a protective order to guarantee the confidentiality of

		psychiatric records of Plaintiff (mbp) (Entered: 12/02/1992)
12/07/1992	42	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Amend [1-1] complaint ; proposed amendment attached (mbp) (Entered: 12/09/1992)
12/15/1992	43	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton for class notice of class certification to be posted should the Court grant certification (mbp) (Entered: 12/16/1992)
12/15/1992	44	RESPONSE by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to Plaintiffs' requests for entry upon land for inspection and other purposes (mbp) (Entered: 02/01/1993)
12/16/1992	45	RESPONSE by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Defendants' objections to Plaintiffs' request for entry upon land for inspection and other purposes (mbp) (Entered: 02/01/1993)
12/16/1992	45	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Compel (mbp) (Entered: 02/01/1993)
12/17/1992	46	PROTECTIVE ORDER entered as to the documents concerning Kevin Rooks (signed by Mag. Judge Bert W. Milling Jr. 12-17-92) (mbp) (Entered: 02/01/1993)
12/17/1992	47	ORDER entered that the Court held a telephone conference with counsel concerning some discovery disputes; defendants will be given the normal time to respond to the Plaintiffs' motion to compel which was just filed on 12-16-92 (signed by Mag. Judge Bert W. Milling Jr. 12-17-92) (mbp) (Entered: 02/01/1993)
12/17/1992	48	ORDER entered that regarding the motion of defendants for an order compelling Morgan Counseling Center and/or Leah Oakley to produce records pertaining to plaintiff was ruled on as more fully set out in order (signed by Mag. Judge Bert W. Milling Jr. 12-17-92) (mbp) (Entered: 02/01/1993)
12/21/1992	49	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for Protective Order (mbp) (Entered: 02/01/1993)
12/21/1992	50	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to Strike plaintiffs' Third Amended Complaint (mbp) (Entered: 02/01/1993)
12/21/1992	51	RESPONSE by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to proposed class notice (mbp) (Entered: 02/01/1993)
12/22/1992	52	JOINT MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie

		Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair to Stay of discovery until 1-31-93 to recommence 2-1-93 (mbp) (Entered: 02/01/1993)
12/29/1992	53	ORDER granting [52-1] motion to Stay of discovery until 1-31-93 to recommence 2-1-93 (signed by Senior Judge W. B. Hand 12-29-92) (mbp) (Entered: 02/01/1993)
01/29/1993	54	JOINT MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair for Protective Order (mbp) (Entered: 02/01/1993)
02/03/1993	55	ORDER granting [54-1] motion for Protective Order (signed by Mag. Judge Bert W. Milling Jr. 2-2-93) (mbp) (Entered: 02/03/1993)
02/04/1993	56	MOTION by Conecuh County, Al. to Extend Time within which to respond to plaintiff's interrogatories and request for production. (dfj) (Entered: 02/05/1993)
02/04/1993	57	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for Protective Order (mbp) (Entered: 02/16/1993)
02/09/1993	58	OBJECTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to [56-1] motion to Extend Time (mbp) (Entered: 02/16/1993)
02/11/1993	59	RESPONSE by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to [50-1] motion to Strike plaintiffs' Third Amended Complaint (mbp) (Entered: 02/16/1993)
02/11/1993	60	RESPONSE by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to [57-1] motion for Protective Order (mbp) (Entered: 02/16/1993)
02/16/1993	61	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to substitute the second amended complaint for the previously filed third amended complaint (mbp) (Entered: 02/16/1993)
02/16/1993	62	ORDER entered that this case has been referred to MJ/Milling for the purpose of holding a settlement conference, which is scheduled for 3-15-93 at 9:00 a.m. (signed by Mag. Judge Bert W. Milling Jr. 2-16-93) (mbp) (Entered: 02/16/1993)
02/16/1993	63	ORDER denying [57-1] motion for Protective Order, granting [56-1] motion to Extend Time, mooting [50-1] motion to Strike plaintiffs' Third Amended Complaint, granting [42-1] motion to Amend [1-1] complaint, reset Discovery deadline to 6/12/93 (signed by Mag. Judge Bert W. Milling Jr. 2-16-93) (mbp) (Entered: 02/16/1993)
02/17/1993	64	Plaintiff's Submission of Proposed Order granting Plaintiffs' Experts and

		Plaintiffs' counsel entry upon land for inspection and other purposes filed; referred to M/J Milling (mbp) (Entered: 02/17/1993)
02/17/1993	65	NOTICE entered, endorsed motion granting [61-1] motion to substitute the second amended complaint for the previously filed third amended complaint; see paragraph 1 of Court's Order dated 2-16-93 (doc.63) (signed by Mag. Judge Bert W. Milling Jr. 2-17-93) (mbp) (Entered: 02/17/1993)
02/17/1993	66	SECOND AMENDED COMPLAINT by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton , (Answer due 2/27/93 for Larry Farrell, for Edwin L. Booker, for Frank Pate, for Hugh Barrow, for Leonard Millender, for Jerold Dean, for Freddie Stallworth, for Conecuh County, Al., for Morris Thigpen) amending [1-1] complaint (mbp) (Entered: 02/18/1993)
02/24/1993	67	ORDER entered that plaintiffs are hereby granted permission for their attorneys and their expert witnesses, Mr. Ward Dewel and Mr. Joe Rowan to enter upon the Conecuh County Jail on one date to be agreed upon by the parties to perform the activities described more fully in order (signed by Mag. Judge Bert W. Milling Jr. 2-19-93) (mbp) (Entered: 02/25/1993)
02/24/1993	68	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to Amend [1-1] complaint (mbp) (Entered: 02/25/1993)
03/02/1993	69	ORDER granting [68-1] motion to Amend [1-1] complaint (signed by Mag. Judge Bert W. Milling Jr.) (dfj) (Entered: 03/03/1993)
03/05/1993	70	MOTION by Kevin P. Rooks to Amend the courts oral order to February 19, 1993, and written order of February 24, 1993. (dfj) (Entered: 03/08/1993)
03/16/1993	71	ORDER the settlement conference is continued to be reset at later date see tab 71 order. copies mailed. (signed by Mag. Judge Bert W. Milling Jr.) (dfj) (Entered: 03/16/1993)
03/17/1993	72	ANSWER by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to third amended complaint (mbp) (Entered: 03/18/1993)
04/05/1993	73	ORDER entered that counsel for plaintiffs informed the Court that they are withdrawing plaintiffs' objections to and motion to amend the Court's oral order of 2-19-93 and written order of 2-24-93; this request was withdrawn at the hearing; the inspection will take place on 4-21-93; it will start at 6:00 a.m. and be concluded no later than 8:00 p.m. (signed by Mag. Judge Bert W. Milling Jr. 4-2-93) (mbp) (Entered: 04/06/1993)
05/03/1993		CASE reassigned to Chief Judge Alex T. Howard Jr. (mbp) (Entered: 05/03/1993)
05/03/1993	74	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for amendment of order under rule 16(b) referred to Mag Judge

		Milling 5/4/93 (dktclerk) (Entered: 05/04/1993)
05/20/1993	75	ORDER granting [74-1] motion for amendment of order under rule 16 (b); The number of depositions which each party may take is increased from 8 to 16 (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 05/20/1993)
05/20/1993	76	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair to Extend Time for discovery referred to Mag. Judge Milling 5/21/93 (dktclerk) (Entered: 05/21/1993)
05/24/1993	77	ORDER granting [76-1] motion to Extend Time for discovery the discovery completion date is EXTENDED from June 12, 1993 to September 30, 1993. The Court has already entered an Order extending the number of depositions that may be taken by each party from 8 to 16 (doc. 75) reset Discovery deadline to 9/30/93 (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 05/25/1993)
06/09/1993	78	MOTION by Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for non-party to appear for deposition referred to Mag. Judge Milling 6/10/93 (dktclerk) (Entered: 06/10/1993)
06/11/1993	79	ORDER granting [78-1] motion for non-party to appear for deposition; Leah Oakley shall comply by appearing for deposition on June 23, 1993 at Morgan Counseling Center in Decatur, Al (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 6/15/93 (dktclerk) (Entered: 06/15/1993)
06/17/1993	80	REPORT AND RECOMMENDATIONS re: it is the recommendation of the Mag. Judge that pltf's "Motion for Class Notice of Class Certification to be Posted" be granted ; Motion no longer referred Objections to R and R due by 7/6/93 (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 6/17/93 (dktclerk) (Entered: 06/18/1993)
07/06/1993		File forwarded to Judge Howard for R&R (dktclerk) (Entered: 07/06/1993)
07/09/1993	81	ORDER ADOPTING [80-1] REPORT AND RECOMMENDATIONS re: it is the recommendation of the Mag. Judge that pltf's "Motion for Class Notice of Class Certification to be Posted" be granted ; copies mailed 7/9/93 (signed by Chief Judge Alex T. Howard Jr.) (dktclerk) (Entered: 07/09/1993)
07/09/1993	82	JUDGMENT; it is ORDERED, ADJUDGED, and DECREED that the pltf's motion for class certification be GRANTED. Specifically, it is ordered that a class be certified to include the named class representatives and that group of people housed at the Conecuh County Jail, Evergreen, Al. on the date that this complaint was filed in this action. However, the class will not include people subsequently imprisoned in the Jail. However, since the members of the class are clearly defined and readily

		discoverable, the pltfs. motion for class notice of class certification to be posted should the Court grant certification is unnecessary and therefore DENIED. (signed by Chief Judge Alex T. Howard Jr.); J/E # 2346 Judgment EOD: 7/9/93 copies mailed 7/9/93 (dktclerk) (Entered: 07/09/1993)
07/19/1993	83	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton for modification of class certification order referred to Judge Howard 7/22/93 (dktclerk) (Entered: 07/22/1993)
07/19/1993	84	MEMORANDUM by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton in support of [83-1] motion for modification of class certification order referred to Judge Howard 7/22/93 (dktclerk) (Entered: 07/22/1993)
07/22/1993		Motion(s) referred: [83-1] motion for modification of class certification order referred to Chief Judge Alex T. Howard Jr. (dktclerk) (Entered: 07/22/1993)
07/26/1993	85	OBJECTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [83-1] motion for modification of class certification order (dktclerk) (Entered: 07/28/1993)
08/03/1993	86	NOTICE entered, endorsed motion denying [83-1] motion for modification of class certification order (signed by Chief Judge Alex T. Howard Jr. on July 30, 1993) copies mailed 8/3/93 (dktclerk) (Entered: 08/03/1993)
08/03/1993	87	MOTION by Kevin P. Rooks to Strike [85-1] defts. objection to pltf's motion for modification of class certification order referred to Judge Howard 8/4/93 (dktclerk) (Entered: 08/04/1993)
08/04/1993		Motion(s) referred: [87-1] motion to Strike [85-1] defts. objection to pltf's motion for modification of class certification order referred to Chief Judge Alex T. Howard Jr. (dktclerk) (Entered: 08/04/1993)
08/09/1993	88	NOTICE entered, endorsed motion mooting [87-1] motion to Strike [85-1] defts. objection to pltf's motion for modification of class certification order (signed by Chief Judge Alex T. Howard Jr.) copies mailed 8/9/93 (dktclerk) (Entered: 08/09/1993)
08/12/1993	89	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for Sanctions referred to Mag. Judge Milling 8/13/93 (dktclerk) (Entered: 08/13/1993)
08/19/1993	90	RESPONSE by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to [89-1] motion for Sanctions referred to Mag. Judge Milling 8/24/93 (dktclerk) (Entered: 08/24/1993)
09/01/1993	91	MOTION by Kevin P. Rooks to Extend Time on discovery referred to Mag. Judge Milling 9/2/93 (dktclerk) (Entered: 09/02/1993)

09/03/1993	92	MEMORANDUM by Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell in opposition to [91-1] motion to Extend Time on discovery; referred to Mag. Judge Milling 9/3/93 (dktclerk) (Entered: 09/03/1993)
09/09/1993	93	ORDER granting [91-1] motion to Extend Time on discovery; the number of depositions allowed is increased to one hundred and the discovery completion date is EXTENDED from Sept. 30, 1993 to Dec. 31, 1993. All discovery is to be completed within that period of time; signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 09/10/1993)
09/09/1993		Deadline updated; reset Discovery deadline to 9/30/93 , reset Discovery deadline to 12/31/93 (dktclerk) (Entered: 09/10/1993)
09/30/1993	94	ORDER; pltf's motion to alter o amend the Court's order of Nov. 5, 1992 (tab 37) is GRANTED. Pltfs. have in fact already amended the complaint as requested (see tab 68 and 69) (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 10/1/93 (dktclerk) (Entered: 10/01/1993)
11/10/1993	95	REPORT AND RECOMMENDATIONS re: it is the recommendation of the Mag. Judge that defts. Conecuh County, Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker and Leroy Ferrell's motion for sanctions (tab 89) be granted. It is further the recommendation that pltf. Curtis Sexton's claims, as an individual and as a member of the class be dismissed with prejudice; ; Motion no longer referred Objections to R and R due by 11/29/93 (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 11/10/93 (dktclerk) (Entered: 11/10/1993)
11/30/1993	96	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton to allow for the filing of requests for admissions outside of the discovery deadline referred to Mag. Judge Milling 12/1/93 (dktclerk) (Entered: 12/01/1993)
12/03/1993	97	ORDER granting [96-1] motion to allow for the filing of requests for admissions outside of the discovery deadline; the discovery period is EXTENDED from Dec. 31, 1993, to Feb. 15, 1994, solely for the purpose of allowing the parties to file requests for admissions on each other, if they so desire (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 12/3/93 (dktclerk) (Entered: 12/03/1993)
12/07/1993		REPORT and RECOMMENDATION REFERRED TO JUDGE HOWARD this date (dktclerk) (Entered: 12/07/1993)
12/10/1993	98	ORDER ADOPTING [95-1] REPORT AND RECOMMENDATIONS re: it is the recommendation of the Mag. Judge that defts. Conecuh County, Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker and Leroy Ferrell's motion for sanctions (tab 89) be granted. It is further the recommendation that pltf. Curtis Sexton's claims, as an individual and as a member of the class be dismissed with prejudice; ; (signed by Judge Richard W. Vollmer Jr.)

		(dktclerk) (Entered: 12/10/1993)
12/10/1993	99	ORDER; the report and recommendation of the Mag. Judge is ADOPTED as the opinion of this Court. (signed by Judge Richard W. Vollmer Jr.) (dktclerk) (Entered: 12/13/1993)
12/10/1993	100	JUDGMENT; it is ORDERED, ADJUDGED, and DECREED that defts. Concech County, Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, and Leroy Ferrell's motin for sanctions (doc. 89) be and is hereby GRANTED. It is further ORDERED, ADJUDGED, and DECREED that pltf. Curtis Sexton's claims, as an individual and as a member of the Class, be and are hereby DISMISSED WITH PREJUDICE. No costs are to be taxed (signed by Judge Richard W. Vollmer Jr.); J/E 2802 Judgment EOD: 12/13/93 copies mailed 12/13/93 (dktclerk) (Entered: 12/13/1993)
12/17/1993	101	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to Extend Time to 2nd set of continuing interrogatories & request for production (dktclerk) (Entered: 12/20/1993)
12/27/1993	102	ORDER mooting [101-1] motion to Extend Time to 2nd set of continuing interrogatories & request for production (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 12/28/93 (dktclerk) (Entered: 12/28/1993)
01/03/1994	103	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Tammy M. Mixon, Cynthia A. Fair to Compel defts. answers to pltf's second set of interrogatories and request for production of documents referred to Mag. Judge Milling 1/4/94 (dktclerk) (Entered: 01/04/1994)
01/03/1994	104	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Tammy M. Mixon, Cynthia A. Fair to allow pltf's motin to compel out of time referred to Mag. Judge Milling 1/4/94 (dktclerk) (Entered: 01/04/1994)
01/05/1994	105	ORDER granting [104-1] motion to allow pltf's motin to compel out of time, Response to Motion reset to 1/14/94 for [103-1] motion to Compel defts. answers to pltf's second set of interrogatories and request for production of documents for plaintiffs , Response to Motion reset to 1/24/94 for [103-1] motion to Compel defts. answers to pltf's second set of interrogatories and request for production of documents for defendants to show cause why motion should not be granted ; copies mailed 1/6/94 (signed by Mag. Judge Bert W. Milling Jr. on 1/5/94) (dktclerk) (Entered: 01/06/1994)
01/18/1994	106	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to Extend Time pleading deadline referred to Mag. Judge Milling 1/19/94 (dktclerk) (Entered: 01/19/1994)
01/18/1994	107	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to Extend Time to allow pltf's motion to extend pleading deadline out or time referred to Mag. Judge Milling 1/19/94 (dktclerk) (Entered: 01/19/1994)

01/20/1994	108	ORDER granting [107-1] motion to Extend Time to allow pltf's motion to extend pleading deadline out or time, granting [106-1] motion to Extend Time pleading deadline; The time by which pltfs. are to file a brief in support of their motion to Compel is EXTENDED from Jan. 14, 1994, to Feb. 28, 1994, and the time by which the defts are to file a response to the Motion to Compel showing cause why it should not be granted is EXTENDED to March 10, 1994. (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 1/20/94 (dktclerk) (Entered: 01/20/1994)
02/16/1994	109	MOTION to Intervene by U.S.A. referred to Mag. Judge Milling 2/16/94 (dktclerk) (Entered: 02/16/1994)
02/16/1994	110	MEMORANDUM by U.S.A. in support of [109-1] motion to Intervene by U.S.A. ; referred to Mag. Judge Milling 2/16/94 (dktclerk) (Entered: 02/16/1994)
02/17/1994	111	ORDER, by March 17, 1994, pltfs. and defts. are to file a response to the U.S. motion to intervene and memorandun in support.. (docs. 109 and 110). setting Response to Order Deadline re: [111-1] order to 3/17/94 for Cynthia A. Fair, for Tammy M. Mixon, for Larry Farrell, for Edwin L. Booker, for Frank Pate, for Hugh Barrow, for Leonard Millender, for Jerold Dean, for Freddie Stallworth, for Conecuh County, Al., for Morris Thigpen, for Curtis Sexton, for Kenneth Earl Williams, for John Paul Owens, for Kevin P. Rooks (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 02/17/1994)
02/24/1994	112	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair, U.S.A. to Stay all discovery matters for forty-five days (45) referred to Mag. Judge Milling 2/25/94 (dktclerk) (Entered: 02/25/1994)
03/04/1994	113	ORDER granting [112-1] motion to Stay all discovery matters for forty-five days (45); The discovery period in this action expired on Dec. 31, 1993 (doc. 93), except for requests for admissions which could be filed not later than Feb. 15, 1994 (doc. 97). The only matters pending are pltf's motion to compel defts. answers to pltf's second set of interrogatories and requests for production (docs. 102, 103, 104, 105, 106, 107 and 108) and the U.S. motion to intervene (docs. 109, 110, and 111) In order to allow the parties to devote their full efforts toward settlement of this action, the time by which pltfs. are to file a brief in support of their motion to compel is EXTENDED from Feb. 28, 1994 to April 11, 1994. The time by which pltfs and defts are to file a responde to the U.S. motion to interven and mem. in support ... is EXTENDED from March 17, 1994 to April 11, 1994; and the tme by which defts are to file a response to pltfs motion to compel is EXTENDED from March 10, 1994 to April 21, 1994. The parties are to notify the Court immediately if this case settles; otherwise, they are to comply with the scheduling orders set out in this order (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 03/07/1994)

03/08/1994	115	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to Extend Stay on discovery to include requests for admission and allow filing of the requests to follow final production of discovery documents referred to Mag. Judge Milling 3/10/94 (dktclerk) (Entered: 03/10/1994)
03/09/1994	114	NOTICE of attorney appearance for U.S.A. by Eugene A. Seidel (dktclerk) (Entered: 03/10/1994)
03/11/1994	117	ORDER granting [115-1] motion to Extend Stay on discovery to include requests for admission and allow filing of the requests to follow final production of discovery documents. The time for filing request for admissions is extended to May 2, 1994, with those requests to be admitted or denied not later than May 27, 1994. signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 03/14/1994)
03/14/1994	116	SUPPLEMENTAL MEMORANDUM by U.S.A. in support of [109-1] motion to Intervene by U.S.A. (dktclerk) (Entered: 03/14/1994)
03/17/1994	118	OBJECTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [109-1] motion to Intervene by U.S.A. referred to Mag. Judge Milling 3/18/94 (dktclerk) (Entered: 03/18/1994)
04/05/1994	119	MOTION by all parties to Continue stay on all discovery matters , and for stay of all other pending matters for forty-five days; referred to Mag. Judge Milling 4/6/94 (dktclerk) (Entered: 04/06/1994)
04/08/1994	120	RESPONSE by U.S.A. to defts. [118-1] objection to its motion to intervene; referred to Mag. Judge Milling 4/13/94 (dktclerk) (Entered: 04/13/1994)
04/12/1994	121	ORDER granting [119-1] motion to Continue stay on all discovery matters; the dates set out in the Court's orders dated March 4, 1994, and March 11, 1994 (docs. 113 and 117) are EXTENDED for forty-five days in order to allow the parties to complete settlement negotiations (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 04/13/1994)
05/23/1994	122	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to continue stay on all discovery matters and all other pending matters for an additional fourteen days referred to Mag. Judge Milling 5/24/94 (dktclerk) (Entered: 05/24/1994)
05/26/1994	123	ORDER granting [122-1] motion to continue stay on all discovery matters and all other pending matters for an additional fourteen days (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 05/26/1994)
06/07/1994	124	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to Continue the stay of discovery and other pending matters. (bjt) (Entered: 06/07/1994)
06/07/1994		Motion(s) referred: [124-1] motion to Continue referred to Mag. Judge Bert W. Milling Jr. (bjt) (Entered: 06/07/1994)

06/15/1994	125	ORDER granting [124-1] motion to Continue and ORDERS that: (1) the time by which pltfs are to file a brief in support of their motion to compel is EXTENDED from June 9, 1994, to August 8, 1994, and the time by which defts. are to file a response to pltfs motion to compel is EXTENDED from June 20, 1994, to August 19, 1994: (2) the time by which pltfs. and defts. are to file a response to the U.S. motion to intervene and memorandum in support...is EXTENDED from June 9, 1994, to August 8, 1994; and (3) the time by which the parties may file requests for admissions on each other, if they so desire, is EXTENDED from June 30, 1994 to August 29, 1994, and all requests for admissions, including those yet to be served, are to be admitted or denied not later than Sept. 16, 1994. (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 06/16/1994)
06/21/1994	126	ORDER; this action is hereby set for a final pretrial conference in Mobile, Al during the month of Feb. 1995 (the specific date will be set by subsequent notice or order) and for jury trial in Selma, Al during the month of May 1995 (the specific date be subsequent notice or order). Counsel estimate that the trial of this action will last approximately two weeks (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 06/22/1994)
06/22/1994		Motion(s) referred: [109-1] motion to Intervene by U.S.A. referred to Chief Judge Alex T. Howard Jr. (dktclerk) (Entered: 06/22/1994)
07/21/1994	127	MOTION by Kevin P. Rooks for Hearing on attorneys' fees and continue stay referred to Judge Howard 7/22/94 (dktclerk) (Entered: 07/22/1994)
07/22/1994		Motion(s) referred: [127-1] motion for Hearing on attorneys' fees and continue stay referred to Judge Alex T. Howard Jr. (dktclerk) (Entered: 07/22/1994)
08/04/1994	128	ORDER, reset Settlement Conference for 9:00 8/12/94, Room 301 (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 08/05/1994)
08/10/1994	129	ORDER, with the agreement of counsel for all parties the settlement conference scheduled for Friday, Aug. 12, 1994, at 9:00 a.m. is CONTINUED to Friday, Aug. 19, 1994, at 2:00 p.m. in the chambers of Mag. Judge Milling. Any party who has not already done so is to file their confidential settlement statement by 5:00 p.m. on Wed. Aug, 17, 1994. reset Settlement Hearing Hearing Deadline for 2:00 8/19/94 before Mag. Judge Bert W. Milling Jr. (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 08/11/1994)
08/22/1994	130	ORDER; the settlement conference held on Friday, Aug. 19, 1994, is RECESSED until Friday, Aug. 26, 1994, at 1:00 p.m. at which time it will be reconvened in the chambers of the Mag. Judge. Counsel for deft. Tommy Herring and Deft. Herring or his representative who has full settlement authority are to be personally present for the continuation of the settlement conference. The settlment conference was continued because counsel for deft. Herring, who was allowed to participate by

		telephone, did not have full and final settlemnt authority. (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 08/22/1994)
08/25/1994	131	ORDER; the court was notified this date by counsel for pltf's that this case has been settled. Therefore, the continuation of the settlement conference set at 1:00 p.m. on Friday, Aug. 26, 1994 is CANCELLED. By Friday , Sept 2, 1994, the parties will file with the Court a proposed consent order (signed by Mag. Judge Bert W. Milling Jr.) (dktclerk) (Entered: 08/26/1994)
08/30/1994	132	MOTION by U.S.A. to Intervene by U.S.A. referred to Mag. Judge Milling 9/1/94 (dktclerk) (Entered: 09/01/1994)
08/30/1994	133	CONSENT to trial by Magistrate by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair, U.S.A. ; Case assigned to Mag. Judge Bert W. Milling Jr. (dktclerk) (Entered: 09/01/1994)
09/02/1994	134	ORDER granting [132-1] motion to Intervene by U.S.A., granting [109-1] motion to Intervene by U.S.A.; Plaintiff's motion to compel defendants' answers to plaintiffs' second set of interrogatories and requests for Production of Documents (doc. 103) is MOOT (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 09/07/1994)
09/02/1994	135	NOTICE of Intent to Substitute the faxed signature of Ms. Leonard filed by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams; referred to M/J Milling 9-7-94 (mbp) (Entered: 09/07/1994)
09/02/1994	136	JOINT MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair, U.S.A. for approval of Consent Order ; referred to M/J Milling 9-7-94 (mbp) Modified on 09/19/1994 (Entered: 09/07/1994)
09/02/1994	137	JOINT MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Curtis Sexton, Morris Thigpen, Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell, Tammy M. Mixon, Cynthia A. Fair, U.S.A. for approval of notices ; referred to M/J Milling 9-7-94 (mbp) Modified on 09/19/1994 (Entered: 09/07/1994)
09/12/1994		CASE reassigned to Judge Alex T. Howard Jr.; case inadvertently transferred to Mag. Case; all consents were not filed (dktclerk) (Entered: 09/12/1994)
09/12/1994		New constant to Mag. form sent to Helen Alford this date (dktclerk) (Entered: 09/12/1994)
09/13/1994	138	NOTICE of CONSTANT TO JURISDICTION BY A U.S. MAGISTRATE JUDGE by Leonard Millender, Hugh Barrow, Frank

		Pate, Edwin L. Booker, Larry Farrell (dktclerk) Modified on 09/19/1994 (Entered: 09/15/1994)
09/15/1994		File forwarded to Judge Howard for consent to Mag. Trial order (dktclerk) (Entered: 09/15/1994)
09/15/1994	139	ORDER of reference; it is HEREBY ORDERED that this action be referred to the U.S. Mag. Judge Bert W. Milling, Jr. for all further proceedings and entry of judgment in accordance with Title 28, U.S.C. sec 636(c) and the consent of the parties; copies mailed 9/15/94 (signed by Judge Alex T. Howard Jr.)(dktclerk) Modified on 09/19/1994 (Entered: 09/15/1994)
09/15/1994		CASE ASSIGNED to Mag. Judge Bert W. Milling Jr. (dktclerk) (Entered: 09/15/1994)
09/15/1994		CASE NO LONGER REFERRED TO Mag. Judge Bert W. Milling Jr.. Consent filed, Judge Milling now presider (admin) (Entered: 10/15/1997)
09/27/1994	140	CONSENT JUDGMENT (Decree) for Plaintiffs and against Defendants, as more fully and particularly set out in order. (signed by Mag. Judge Bert W. Milling Jr.); J/E #: 3593 Judgment EOD: 10/4/94 (eec) Modified on 10/04/1994 (Entered: 10/04/1994)
10/03/1994	141	MOTION by Plaintiffs to Dismiss Leroy Ferrell and Edwin Booker as Defendants in their individual capacity only and motion to substitute the name of Leroy Ferrell with his official title until the position of Chief Deputy is filled . Ref. to Mag. Judge Milling 10-4-94. (eec) Modified on 10/04/1994 (Entered: 10/04/1994)
10/05/1994	142	ORDER granting [141-1] motion to Dismiss Leroy Ferrell and Edwin Booker as Defendants in their individual capacity only and motion to substitute the name of Leroy Ferrell with his official title until the position of Chief Deputy is filled (signed by Mag. Judge Bert W. Milling Jr.). Copies mailed. (eec) (Entered: 10/06/1994)
10/06/1994	143	ORDER entered after telephone conference that the court has entered the proposed order pertaining to the Notice of Proposed Class Settlement and Class Notice; counsel are reminded of the proper civil action number; the Consent Order signed and entered on 9/27/94 is effective on that date; copies mailed 10/7/94 (signed by Mag. Judge Bert W. Milling Jr. on 10/6/94) (dktclerk) (Entered: 10/07/1994)
10/06/1994	144	ORDER granting [137-1] motion for approval of notices, granting [136-1] motion for approval of Consent Order, set deadline for 11/18/94 for filing of objections to Consent Order ; parties shall file with the Court appropriate documentation that they have given notice in the manner prescribed; copies mailed 10/7/94 (signed by Mag. Judge Bert W. Milling Jr. on 10/6/94) (dktclerk) (Entered: 10/07/1994)
10/06/1994	145	CLASS NOTICE directed to all persons confined in the Conecuh County Jail entered by Clerk; this Notice to be posted by defendants, w/copy of Consent Order in the Conecuh County Jail as set out in the order of

		10/6/94 approving Joint Motion for Approval of Notices, such notice to be posted on or before 10/11/94; copies mailed 10/7/94 (dktclerk) Modified on 10/07/1994 (Entered: 10/07/1994)
10/06/1994	146	NOTICE OF PROPOSED CLASS SETTLEMENT entered by Clerk; this notice to be published once each week for three consecutive weeks in a newspaper of general circulation in Conecuh County, Ala. prior to 11/11/94 by the plaintiffs (dktclerk) (Entered: 10/07/1994)
10/07/1994		TEN certified copies of Class Notice w/ten certified copies of Consent Order and one certified copy of Notice of Proposed Class Settlement furnished Eugene A. Seidel, Esq., AUSA who is to cause the Notice w/Consent Order to be posted and to cause the Notice of Proposed Class Settlement to be published (dktclerk) (Entered: 10/07/1994)
10/31/1994	147	Plaintiffs' Newspaper Class Notice Submission, filed. (eec) (Entered: 11/01/1994)
11/18/1994		ALL OBJECTIONS TO CONSENT ORDER ARE BEING PLACED IN RED FILE FOLDER (eec) (Entered: 11/22/1994)
11/18/1994		OBJECTION to [0-0] Consent Order filed by RANCE ENGLISH (eec) (Entered: 11/22/1994)
11/21/1994		OBJECTION to Consent Order filed by TOMMY CHAPMAN. (eec) (Entered: 11/22/1994)
11/21/1994		OBJECTION to Consent Order filed by JOHN PERDUE, JR. (eec) (Entered: 11/22/1994)
11/21/1994		OBJECTION to Consent Order filed by LEVON MCCREARY, JR. (eec) (Entered: 11/22/1994)
11/23/1994	148	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Tammy M. Mixon for Permission to Respond to Objections to Consent Order Filed by Tommy Chapman . Ref. to J/Milling 11-29-94. (eec) (Entered: 11/29/1994)
11/30/1994	149	ORDER granting [148-1] motion for Permission to Respond to Objections to Consent Order Filed by Tommy Chapman (signed by Mag. Judge Bert W. Milling Jr.). Copies mailed to parties 11-30-94 (eec) (Entered: 11/30/1994)
12/06/1994	150	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell for permission to respond to objections to Consent Order filed by Tommy Chapman . Ref. to J/Milling 12-8-94. (eec) (Entered: 12/08/1994)
12/06/1994	151	RESPONSE by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [0-1] objection filed by Tommy Chapman. Ref. to J/Milling 12-8-94. (eec) (Entered: 12/08/1994)

12/06/1994	152	JOINT RESPONSE by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to [0-1] objection filed by Tommy Chapman. Ref. to J/Milling 12-8-94. (eec) (Entered: 12/08/1994)
12/13/1994	153	RESPONSE by U.S.A. to Objections to Consent Order. Ref. to J/Milling 12-14-94. (eec) (Entered: 12/14/1994)
12/19/1994	154	LEGAL ARGUMENT and Factual Basis for [0-1] objection filed by Tommy Chapman. Ref. to J/Milling 12-20-94. (eec) (Entered: 12/20/1994)
12/29/1994	155	RESPONSE by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate to [0-1] objection Ref. to J/Milling (mpp) (Entered: 12/30/1994)
01/05/1995	156	ORDER, set Hearing Deadline to hear from the parties on the written objections to the proposed class settlement and consent order for 9:00 1/17/95 before Mag. Judge Bert W. Milling Jr. (signed by Mag. Judge Bert W. Milling Jr.). Copies mailed 1-6-95. (eec) (Entered: 01/06/1995)
01/11/1995	157	ORDER, reset objections to consent order Hearing Deadline for 3:30 1/18/95 before Mag. Judge Bert W. Milling Jr. (signed by Mag. Judge Bert W. Milling Jr.). Copies mailed 1-11-95. (eec) (Entered: 01/11/1995)
01/12/1995	158	SUPPLEMENTAL RESPONSE by U.S.A. to [0-1] objection filed by Tommy Chapman. Ref. to J/Milling 1-12-95. (eec) (Entered: 01/12/1995)
01/18/1995	159	NOTICE entered, endorsed motion granting [150-1] motion for permission to respond to objections to Consent Order filed by Tommy Chapman (signed by Mag. Judge Bert W. Milling Jr.). Copies mailed 1-20-95 (eec) (Entered: 01/20/1995)
01/24/1995	160	ORDER entered that, as required by paragraph 151 of the Consent Order, Defendants must submit to the Court and to all parties four monthly status reports and quarterly reports thereafter; the four monthly reports shall be due on 2-15-95 and on the 15th day of the next three months, and the first quarterly report shall be due on August 15, 1995; the report shall contain sufficient information to allow the Court and the parties to understand and evaluate Defendants' progress in implementing all aspects of the Consent Order; Judgment Entry No. 3916-A (mbp) Modified on 01/26/1995 (Entered: 01/25/1995)
02/15/1995	161	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate for Helen Johnson Alford to Withdraw as Attorney ; referred to M/J Milling 2-16-95 (mbp) (Entered: 02/16/1995)
02/23/1995	162	NOTICE of attorney appearance for Conecuh County, Al. by Frederick H. Stevens (mbp) (Entered: 02/24/1995)
02/23/1995	163	NOTICE of filing of First Compliance Report filed by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell; referred to M/J Milling 2-24-95 (mbp) (Entered: 02/24/1995)

02/24/1995	164	ORDER granting [161-1] motion for Helen Johnson Alford to Withdraw as Attorney (Terminated attorney Helen Johnson Alford for Larry Farrell, attorney Helen Johnson Alford for Edwin L. Booker, attorney Helen Johnson Alford for Frank Pate, attorney Helen Johnson Alford for Hugh Barrow, attorney Helen Johnson Alford for Leonard Millender, attorney Helen Johnson Alford for Jerold Dean, attorney Helen Johnson Alford for Freddie Stallworth; the Clerk is directed to attach a copy of Frederick H. Stevens' Notice of Appearance to each party's copy of this Order; the Clerk is to attach a copy of Doc. 121 to Mr. Maslin's copy of this Order since it does not appear that one was served on him (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 02/24/1995)
04/10/1995	165	NOTICE of Filing of First 30-Day Report, filed by Defendants. Ref. to Judge Milling 4-11-95. (eec) (Entered: 04/11/1995)
04/17/1995	166	ORDER entered regarding status reports; the next monthly status report is due 5-15-95; the next report is to address the status of each element of the consent decree. (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 04/17/1995)
05/12/1995	167	NOTICE of Filing of Second Thirty Day Compliance Report filed by Conecuh County Defendants; referred to M/J Milling 5-15-95 (mbp) (Entered: 05/15/1995)
05/18/1995	168	MOTION for Sanctions against Defendants for non-compliance filed by James McConico, Jr.; referred to M/J Milling 5-22-95 (mbp) (Entered: 05/24/1995)
05/18/1995	169	MOTION for relief from judgment filed by James McConico, Jr.; referred to M/J Milling (mbp) (Entered: 05/24/1995)
06/06/1995	170	ORDER denying [169-1] motion for relief from judgment, denying [168-1] motion for Sanctions against Defendants for non-compliance (signed by Mag. Judge Bert W. Milling Jr. 6-5-95); a copy of documents 168 and 169 attached to Mr. Masling's copy of this Order (mbp) (Entered: 06/08/1995)
06/08/1995	171	Report on Defendants' Compliance with Consent Order filed by the United States; referred to M/J Milling 6-12-95 (mbp) (Entered: 06/12/1995)
06/14/1995	172	ORDER entered that in order to give Defendants an opportunity to respond to the Report filed by the United States, the date for filing the monthly report is EXTENDED from 6-15-95 to 6-23-95 (signed by Mag. Judge Bert W. Milling Jr. 6-13-95) (mbp) (Entered: 06/14/1995)
06/26/1995	173	NOTICE of filing of Third Thirty Day Compliance Report filed by Conecuh County, Al. defendants; referred to M/J Milling (mbp) (Entered: 06/27/1995)
06/26/1995	174	RESPONSE by Conecuh County to United States' Report on Compliance; referred to M/J Milling (mbp) (Entered: 06/27/1995)
07/26/1995	175	ORDER entered concerning the status of and Defendants' efforts to

		implement the consent order; Mr. Stevens reports that the County is proceeding with all due diligence and that he anticipates that the consent order will be fully implemented within six months from today (signed by Mag. Judge Bert W. Milling Jr. 7-26-95) (mbp) (Entered: 07/27/1995)
10/05/1995	176	NOTICE of filing of First Quarterly Compliance Report filed by Conecuh County, Al.; referred to M/J Milling 10-6-95 (mbp) (Entered: 10/10/1995)
11/20/1995		Case closed (mbp) (Entered: 11/20/1995)
11/28/1995	177	ORDER entered that the parties are to submit to the Court a joint report setting out those remaining items of the consent decree, if any, which have not been implemented (signed by Mag. Judge Bert W. Milling Jr. 11-28-95) (mbp) (Entered: 11/29/1995)
11/28/1995	178	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams, Tammy M. Mixon, Cynthia A. Fair for Nancy E. Ortega to Withdraw as Attorney ; referred to M/J Milling 11-29-95 (mbp) (Entered: 11/29/1995)
11/29/1995	179	ORDER granting [178-1] motion for Nancy E. Ortega to Withdraw as Attorney (Terminated attorney Nancy E. Ortega for Cynthia A. Fair, attorney Nancy E. Ortega for Tammy M. Mixon, attorney Nancy E. Ortega for Curtis Sexton, attorney Nancy E. Ortega for Kenneth Earl Williams, attorney Nancy E. Ortega for John Paul Owens, attorney Nancy E. Ortega for Kevin P. Rooks (signed by Mag. Judge Bert W. Milling Jr. 11-29-95) (mbp) (Entered: 11/30/1995)
01/04/1996	180	MOTION by U.S.A. to Extend Time which required the parties to this litigation to file a joint report by 1-12-96 ; referred to M/J Milling 1-8-96 (mbp) (Entered: 01/08/1996)
01/08/1996	181	NOTICE entered, endorsed motion granting [180-1] motion to Extend Time which required the parties to this litigation to file a joint report by 1-12-96; time extended to 2-23-96 (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 01/11/1996)
01/21/1996	192	RESPONSE by Morris Thigpen to [191-1] Court Order; refererd to Mag. Milling. (clr) (Entered: 01/23/1997)
02/21/1996	182	Joint Report on Defendants' Compliance with Consent Order filed by the parties; referred to M/J Milling 2-23-96 (mbp) (Entered: 02/23/1996)
02/28/1996	183	ORDER entered that as soon as Defendants have complied with the remaining items of the consent decree and/or not later than 6-14-96, the parties are to submit to the Court a second Joint Report setting out those remaining items of the consent decree, if any, which have not been implemented and show cause why the Court's provision of the implementation of the consent decree should not be concluded and this action closed; counsel for Commissioner of the Alabama Dept. of Corrections is to participate in the compilation of the next Joint Report (signed by Mag. Judge Bert W. Milling Jr.) (mbp) (Entered: 02/29/1996)

06/17/1996	184	NOTICE of filing of Final Compliance Report by Conecuh County, Al; referred to Mag. Milling. (clr) (Entered: 06/19/1996)
06/25/1996	185	ORDER entered that.. all terms of the consent decree have been complied with by Defts, The parties will file a joint motion to dismiss nlt Friday, 6/28/96 (signed by Mag. Judge Bert W. Milling Jr. 6/25/96) Copies mailed 6/27/96 (clr) (Entered: 06/27/1996)
06/27/1996	186	ORDER, Parties are to confer and file a joint motion to dismiss nlt Friday, 7/12/96 (signed by Mag. Judge Bert W. Milling Jr. 6/27/96) Copies mailed 6/27/96 (clr) (Entered: 06/27/1996)
07/11/1996	187	JOINT MOTION to Dismiss filed by United States Department of Justice, Special Litigation Section, Civil Rights division, the Hnorable Andrew Barrick, pltfs, Intervenors, Frderick H. Stevens, Conecuh County Attorneys, representing Conecuh County, Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, and Frank Pate, etc;ref. to M/Milling 7/16/96 (mca) (Entered: 07/16/1996)
07/24/1996	188	ORDER GRANTING [187-1] joint motion to Dismiss. The Court retains jurisdiction solely for the purpose of ensuring, if necessary, Defts' compliance with paragraph 154 of the Consent Decree pertaining to the payment of attys' fees, the last payment is to be paid nlt 9/27/96.(signed by Mag. Judge Bert W. Milling Jr. 7/24/96) Copies mailed 7/25/96 (clr) (Entered: 07/25/1996)
01/03/1997	189	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams for relief from Order pursuant to Rule 60(b) ; referred to Mag. Milling. (clr) (Entered: 01/06/1997)
01/03/1997	190	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to Show Cause ; referred to Mag. Milling. (clr) (Entered: 01/06/1997)
01/08/1997	191	ORDER entred on Pltfs' motions, Response to Motion set to 1/21/97 for [190-1] motion to Show Cause, set to 1/21/97 for [189-1] motion for relief from Order pursuant to Rule 60(b) (signed by Mag. Judge Bert W. Milling Jr. 1/8/97) Copies mailed 1/10/97 (clr) (Entered: 01/09/1997)
01/22/1997	193	ANSWER by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate, Edwin L. Booker, Larry Farrell to [191-1] show cause order (clr) (Entered: 01/23/1997)
01/22/1997	193	MOTION by Conecuh County, Al., Conecuh County Commission and Sheriff Thomas W. Hall for relief from Order ; referred to Mag. Milling. (clr) (Entered: 01/23/1997)
01/29/1997	194	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams to promulgate Discovery and for expedited discovery period ; referred to Mag. Milling. (clr) (Entered: 02/03/1997)
02/27/1997	195	MOTION by Conecuh County, Al., Freddie Stallworth, Jerold Dean, Leonard Millender, Hugh Barrow, Frank Pate to deny Pltfs' motion for relief from Order ; referred to Mag. Milling (clr) (Entered: 02/27/1997)

03/07/1997	196	ORDER entered STAYING this case until June 27, 1997. During the stay, Defts Coneuh Co., et al will submit monthly reports to counsel for Pltfs, covering agreed upon topics including but not limited to the jail's population, as more fully set out in order. (signed by Mag. Judge Bert W. Milling Jr.) copies mailed 3/12/97 (clr) (Entered: 03/12/1997)
03/07/1997		Case stayed until June 27, 1997 (clr) (Entered: 03/12/1997)
07/01/1997	197	MOTION with attached memorandum in support to terminate consent order pursuant to the Prison Litigation Reform Act filed by The Attorney General for the State of Alabama and the Commission of the Alabama Dept. of Corretions; referred to Mag. Milling. (clr) (Entered: 07/03/1997)
07/28/1997	198	RESPONSE to [197-1] motion to terminate consent order pursuant to the Prison Litigation Reform Act filed by Plaintiff-Intervenor United States; referred to Mag. Milling. (clr) (Entered: 07/29/1997)
08/08/1997	199	MOTION by Kevin P. Rooks, John Paul Owens, Kenneth Earl Williams for inspection ; referred to Mag. Milling. (clr) (Entered: 08/11/1997)
08/18/1997	200	RESPONSE by Plaintiffs to [197-1] State Defts' motion to terminate consent order pursuant to the Prison Reform Act; referred to Mag. Milling. (clr) (Entered: 08/19/1997)
08/18/1997	201	RESPONSE by Conecuh County, Al. in opposition to [199-1] motion for inspection ; referred to Mag. Milling. (clr) (Entered: 08/19/1997)
10/14/1997	202	MOTION filed by The Attorney General for the State of Alabama to supplement the record ; referred to Mag. Milling (clr) (Entered: 10/20/1997)
11/12/1997	203	MOTION by Plaintiffs for Order prohibiting Defts' interference with Attorney-Inmate communications ; referred to Mag. Milling. (clr) (Entered: 11/14/1997)
11/24/1997	204	RESPONSE by Conecuh County, Al. to [203-1] motion for Order prohibiting Defts' interference with Attorney-Inmate communications; referred loose to Mag. Milling. (clr) (Entered: 11/24/1997)
12/04/1997	205	REPLY to Conecuh County's response to Plaintiffs' motion for order prohibiting Defendants' interference with Attorney-Inmate Communications filed; referred to Mag. Milling. (clr) (Entered: 12/09/1997)
10/02/1998	206	MOTION by Morris Thigpen for to supplement the record ; referred to M/J Milling. (clr) (Entered: 10/07/1998)
10/05/1998	207	ORDER entered mooting [206-1] motion for to supplement the record, mooting [203-1] motion for Order prohibiting Defts' interference with Attorney-Inmate communications, mooting [202-1] motion to supplement the record, mooting [199-1] motion for inspection, mooting [197-1] motion to terminate consent order pursuant to the Prison Litigation Reform Act, mooting [195-1] motion to deny Pltfs' motion for relief Order, mooting [194-1] motion to promulgate Discovery and for

	<p>expedited discovery period, mooted [193-1] motion for relief from Order, mooted [190-1] motion to Show Cause, denying [189-1] motion for relief from Order pursuant to Rule 60(b) (signed by Mag. Judge Bert W. Milling Jr. 10/3/98) Copies mailed 10/7/98 (clr) (Entered: 10/07/1998)</p>
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