

15, CLOSED, CONMAG

U.S. District Court
United States District Court for the Central District of Illinois (Peoria)
CIVIL DOCKET FOR CASE #: 1:89-cv-01280-RJK

Kraushaar v. Flanigan, et al
Assigned to: Mag. Judge Robert J. Kauffman
Demand: \$2,400,000
Case in other court: 94-01483
Cause: 42:1983 Civil Rights Act

Date Filed: 12/12/1989
Date Terminated: 09/28/1995
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Terril A Kraushaar

represented by **Christopher P Ryan**
KINGERY DURREE WAKEMAN &
RYAN
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Earl K Flanigan

represented by **Anneliese Barris Fierstos**
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Defendant

Unknown Tazewell County Jailer
TERMINATED: 11/09/1990

Defendant

Tazewell County
TERMINATED: 06/19/1992

represented by **Stewart J Umholtz**
TAZEWELL COUNTY STATE'S
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342 Court Street
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Eric I Blanc
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TERMINATED: 06/19/1992
ATTORNEY TO BE NOTICED

Defendant

Fred Winterroth

represented by **Anneliese Barris Fierstos**
(See above for address)
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ATTORNEY TO BE NOTICED

Carol J Barlow

(See above for address)
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Charles S Watson
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Jerald S Post
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Defendant

Robin Davis
TERMINATED: 06/19/1992

represented by **Eric I Blanc**
 (See above for address)
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ATTORNEY TO BE NOTICED

Stewart J Umholtz
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TERMINATED: 06/19/1992
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/1989	1	COMPLAINT (summons(es) issued) case referred to Magistrate Robert J. Kauffman. Mag form given. (VB, ilcd) (Entered: 12/13/1989)
12/20/1989	2	RETURN OF SERVICE executed upon defendant Tazewell County on 12/19/89 (Notice and Acknowledgment of Receipt of Summons and Complaint-Duane A Gray) (VB, ilcd) (Entered: 12/27/1989)
01/26/1990	3	RETURN OF SERVICE unexecuted - attempted as to defendant Earl K Flanigan (VB, ilcd) (Entered: 01/31/1990)
01/26/1990	4	SUMMONS ALIAS issued as to defendant Earl K Flanigan and returned to plaintiff's attorney (VB, ilcd) (Entered: 01/31/1990)
02/14/1990	5	ANSWER by defendant Earl K Flanigan (VB, ilcd) (Entered: 02/20/1990)
02/14/1990	5	AFFIRMATIVE DEFENSES filed by defendant Earl K Flanigan (VB, ilcd) (Entered: 02/20/1990)
02/14/1990	6	NOTICE by defendant Earl K Flanigan of taking deposition of Terril A Kraushaar on 3/26/90 @ 1:30 p.m. (VB, ilcd) (Entered: 02/20/1990)

02/20/1990	7	ANSWER by defendant Tazewell County (VB, ilcd) (Entered: 02/21/1990)
02/20/1990	7	AFFIRMATIVE DEFENSES filed by defendant Tazewell County (VB, ilcd) (Entered: 03/15/1990)
03/14/1990	8	RESPONSE by plaintiff Terril A Kraushaar to Affirmative Defenses [7-1] (VB, ilcd) (Entered: 03/15/1990)
03/14/1990	9	RESPONSE by plaintiff Terril A Kraushaar Affirmative Defenses [5-1] (VB, ilcd) (Entered: 03/15/1990)
03/14/1990	10	CERTIFICATE by plaintiff Terril A Kraushaar of Service re: Response to Affirmative Defenses of Flanigan and Tazewell County (VB, ilcd) (Entered: 03/15/1990)
04/03/1990		MINUTE-ENTRY: by Magistrate Robert J. Kauffman ;Status /R.16 hearing set 10:15 5/10/90 via phone, crt. to call (cc: all counsel) (HK, ilcd) (Entered: 04/03/1990)
04/09/1990	11	CERTIFICATE of Service by plaintiff Terril A Kraushaar re: Interrogatories and Requests To Produce, fld. (ML, ilcd) (Entered: 04/10/1990)
04/12/1990	12	CERTIFICATE by plaintiff Terril A Kraushaar re Answers to Interrogatories (HK, ilcd) (Entered: 04/13/1990)
05/10/1990		MINUTE-ENTRY: by Magistrate Robert J. Kauffman Parties pres. by E.Durree/W.Conroy/S.Umholtz for status conference. Same held. Status of "unknown jailer" discussed as well as progress of discovery. Further Status hearing set 9:00 7/27/90 (via phone - Crt to call) (SH, ilcd) (Entered: 05/10/1990)
07/27/1990		MINUTE-ENTRY: by Magistrate Robert J. Kauffman. Parties pres by Attys Ryan/Emery/Umholtz via phone for tele conf call. Same held with discussion re: discovery completion and dispositive motions. ;Case set for further status hearing re: discovery completion, dispositive motions and Final Pre-trial via phone Crt to call 10:00 10/26/90 (VB, ilcd) (Entered: 07/30/1990)
10/26/1990		MINUTE-ENTRY: by Magistrate Robert J. Kauffman ; Status hearing held w/Attys Ryan/Conroy/Umholtz 10:00 10/26/90 , ; Discovery to be completed by 2/28/91 , ; misc ddl for plaintiff to file amended complaint is 11/9/90 ; Mtn filing ddl for dispositive motions 3/29/91 (VB, ilcd) (Entered: 10/26/1990)
10/26/1990	13	SCHEDULING ORDER filed & entered. (cc: all counsel) (VB, ilcd) (Entered: 10/26/1990)
11/09/1990	14	AMENDED COMPLAINT by plaintiff Terril A Kraushaar; jury demand [1-1] party Unk Tazewell County; adding Fred Winterroth, Robin Davis w/certificate of service (VB, ilcd) (Entered: 11/09/1990)
11/09/1990	15	SUMMONS issued as to defendants Davis/Winterroth and returned to plaintiff's attorney (VB, ilcd) (Entered: 11/09/1990)
11/13/1990	16	MOTION by defendant Earl K Flanigan to amend answer and affirmative defenses (FILED AS MOTION FOR LEAVE TO AMEND ANSWER AND AFFIRMATIVE DEFENSES) MOTION RECEIVED FROM SPRINGFIELD DIVISION 11/19/90. w/certificate of service (VB, ilcd) (Entered: 11/21/1990)

11/21/1990	17	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE by defendant Fred Winterroth on 11/20/90 (VB, ilcd) (Entered: 11/21/1990)
11/30/1990		ENDORSED ORDER on its face by Magistrate Robert J. Kauffman granting motion to amend answer and affirmative defenses (FILED AS MOTION FOR LEAVE TO AMEND ANSWER AND AFFIRMATIVE DEFENSES) MOTION RECEIVED FROM SPRINGFIELD DIVISION 11/19/90. [16-1] (cc: all counsel). (VB, ilcd) (Entered: 12/04/1990)
11/30/1990	18	AMENDMENT by defendant Earl K Flanigan to answer [5-1] (VB, ilcd) (Entered: 12/04/1990)
11/30/1990	18	AFFIRMATIVE DEFENSES filed by defendant Earl K Flanigan (VB, ilcd) (Entered: 12/04/1990)
12/18/1990	19	ANSWER TO PLAINTIFF'S AMENDED COMPLAINT by defendant Tazewell County, defendant Robin Davis w/certificate of service (VB, ilcd) (Entered: 12/18/1990)
12/18/1990	19	AFFIRMATIVE DEFENSES filed by defendant Tazewell County, defendant Robin Davis w/certificate of service (VB, ilcd) (Entered: 12/18/1990)
12/20/1990	20	RESPONSE by plaintiff Terril A Kraushaar to affirmative defenses to Counts VI and IX [19-1] (VB, ilcd) (Entered: 12/20/1990)
02/21/1991	21	ANSWER TO AMENDED COMPLAINT by defendant Earl K Flanigan, defendant Fred Winterroth w/notice of filing and certificate of service (VB, ilcd) (Entered: 02/22/1991)
02/26/1991	22	RESPONSE TO AFFIRMATIVE DEFENSES OF DEFENDANTS FLANIGAN AND WINTERROTH by plaintiff Terril A Kraushaar [18-1], [5-1] (FILED AS ANSWER TO AFFIRMATIVE DEFENSES OF DEFENDANTS FLANIGAN AND WINTERROTH) w/certificate of service (VB, ilcd) (Entered: 02/27/1991)
03/05/1991		MINUTE-ENTRY: by Magistrate Judge Robert J. Kauffman. ; Status hearing set at 10:00 3/14/91 via phone. Court to call. (cc: all counsel) (VB, ilcd) (Entered: 03/05/1991)
03/08/1991		MINUTE-ENTRY: by Magistrate Judge Robert J. Kauffman ; Status hearing previously set at 10:00 3/14/91 is cancelled & reset at 9:00 3/25/91 via phone. Court to set up call. (cc: all counsel) (VB, ilcd) (Entered: 03/08/1991)
03/25/1991		MINUTE-ENTRY: by Magistrate Judge Robert J. Kauffman ; Status hearing held w/Attys Ryan/Barlow/Umholtz at 9:00 3/25/91 for tele conf call. Atty Barlow is to enter her appearance for defendants Flanigan and Wininterroth. Attys Conroy and Watson are no longer at A G office. Parties discuss discovery. Discovery is to close by 7/31/91 , ; Mtn filing ddl for motions for summary judgment is 8/30/91. Final Pre-trial to be set after decision on summary judgment, if appropriate. (cc: all counsel) (VB, ilcd) (Entered: 03/25/1991)
03/29/1991	23	ATTORNEY APPEARANCE by Atty Carol Barlow for defendant Earl K Flanigan, defendant Fred Winterroth w/certificate of service (VB, ilcd) (Entered: 04/01/1991)

06/03/1991	24	NOTICE by plaintiff Terril A Kraushaar of taking deposition of Officers Terry Winson at 9:00 am and David Rebman at 9:30 am and John Meuser at 10:00 am and Ronnie Ales at 11:00 am and Bob Kindred at 11:30 am on Tuesday, June 25, 1991 (VB, ilcd) (Entered: 06/04/1991)
06/06/1991	25	Revised NOTICE by plaintiff Terril A Kraushaar of taking deposition of Officers Terry Winson, David Rebman, John Meuser, Dan Law and Ronnie Ales on 6/25/91 (SH, ilcd) (Entered: 06/07/1991)
08/30/1991	26	MOTION by defendant Tazewell County, defendant Robin Davis for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment (SH, ilcd) (Entered: 08/30/1991)
08/30/1991	27	MEMORANDUM IN SUPPORT of motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] by defendant Tazewell County, defendant Robin Davis w/attachments & Certificate of Service (SH, ilcd) (Entered: 08/30/1991)
08/30/1991	28	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time to file motion for summary judgment to and including September 15, 1991 w/certificate of service (VB, ilcd) Modified on 09/05/1991 (Entered: 09/05/1991)
09/03/1991	29	RESPONSE by plaintiff Terril A Kraushaar to motion to extend time to file motion for summary judgment [28-1] to and including September 15, 1991 (VB, ilcd) (Entered: 09/05/1991)
09/03/1991	29	MOTION by plaintiff Terril A Kraushaar to extend time to respond to summary judgment (contained in Response to motion to extend time [29-1]) (SH, ilcd) (Entered: 09/19/1991)
09/06/1991	31	ORDER by Judge Michael M. Mihm granting motion to extend time to file motion for summary judgment to and including September 15, 1991 [28-1] ; Dft Flanigan/Winterroth Mtn filing ddl extended to 9/15/91 ; Pla's response to all motions for summary judgment judgment [26-1] due by 9/30/91 (cc: all counsel) (SH, ilcd) Modified on 09/19/1991 (Entered: 09/06/1991)
09/06/1991	30	RESPONSE by defendant Tazewell County, defendant Robin Davis to motion to extend time to respond to summary judgment [29-1] (filed as Response to Response to Motion for Enlargement of Time) (SH, ilcd) (Entered: 09/19/1991)
09/16/1991	32	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth for leave to amend affirmative defenses (filed as Agreed Motion for Leave to Amend Affirmative Defenses) (SH, ilcd) (Entered: 09/17/1991)
09/16/1991	33	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time to file motion for summary judgment (SH, ilcd) Modified on 09/19/1991 (Entered: 09/19/1991)
09/17/1991	34	RESPONSE by plaintiff Terril A Kraushaar to motion to extend time to file motion for summary judgment [33-1] (SH, ilcd) (Entered: 09/19/1991)
09/25/1991		MINUTE-ENTRY: by Judge Michael M. Mihm granting motion to extend time to file motion for summary judgment [33-1]. Motion filing deadline is extended to 9/26/91 . Response will be due within 14 days subsequent to filing of Defendants' dispositive motion, or 10/10/91. (cc: all counsel) (ML, ilcd)

		(Entered: 09/25/1991)
09/25/1991		MINUTE-ENTRY: by Judge Michael M. Mihm granting motion for leave to amend affirmative defenses [32-1]. Defendants' First Affirmative Defense is dropped. (cc: all counsel) (ML, ilcd) (Entered: 09/25/1991)
09/26/1991	35	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time (to file motion for summary judgment) (Filed as Agreed Motion for Enlargement of Time) (SH, ilcd) (Entered: 09/30/1991)
09/30/1991	36	RESPONSE by plaintiff Terril A Kraushaar to motion for summary judgment [26-1] (filed as Response and Memorandum to motion for summary judgment filed by Robin Davis and Tazewell County) (SH, ilcd) (Entered: 10/01/1991)
10/01/1991		MINUTE-ENTRY: by Judge Michael M. Mihm granting motion to extend time (to file motion for summary judgment) [35-1] ; Mtn filing ddl extended to 10/25/91 (cc: all counsel) (SH, ilcd) (Entered: 10/02/1991)
10/28/1991	37	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time (to file motion for summary judgment) (SH, ilcd) (Entered: 10/30/1991)
11/12/1991		MINUTE-ENTRY: by Judge Michael M. Mihm granting motion to extend time (to file motion for summary judgment) [37-1] ; Mtn filing ddl extended to 11/25/91 (cc: all counsel) (SH, ilcd) (Entered: 11/12/1991)
11/25/1991	38	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth for summary judgment (SH, ilcd) (Entered: 11/27/1991)
11/25/1991	39	MEMORANDUM IN SUPPORT of motion for summary judgment [38-1] by defendant Earl K Flanigan, defendant Fred Winterroth (SH, ilcd) (Entered: 11/27/1991)
12/09/1991	40	RESPONSE by plaintiff Terril A Kraushaar to motion for summary judgment [38-1] (filed as response and memorandum to motion for summary judgment filed by Earl Flanigan and Fred Winterroth) (SH, ilcd) (Entered: 12/17/1991)
12/13/1991		MINUTE-ENTRY: by Chief Judge Michael M. Mihm Case reassigned to Judge Joe B. McDade (MB, ilcd) (Entered: 12/13/1991)
01/04/1992		MINUTE-ENTRY: by Judge Joe B. McDade. Court is setting motion for summary judgment [38-1] and setting motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] for oral arguments at 9:15 2/20/92 in person in Peoria. (cc: all counsel) (VB, ilcd) (Entered: 01/04/1992)
02/13/1992	41	ORDER by Judge Joe B. McDade Plaintiff is hereby granted seven (7) days from the date of this order to file its "statement of Genuine Issues" If the plaintiff fails to file the statements within the prescribed period, the Court iwll assume that there are no disputed issues of material fact and will enter judgment accordingly. misc ddl for stmt 2/19/92 (cc: all counsel) (SH, ilcd) (Entered: 02/14/1992)
02/13/1992		MINUTE-ENTRY: by Judge Joe B. McDade Motion hearing previously set 2/20/92 is vacate. Motions reset as follows: motion for summary judgment [38-1] hearing set for 11:30 3/24/92, re motion summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] hearing set for 11:30

		3/24/92 (cc: all counsel) (SH, ilcd) (Entered: 02/14/1992)
02/20/1992	42	CERTIFICATE of Service by plaintiff (CL, ilcd) Modified on 02/21/1992 (Entered: 02/21/1992)
02/20/1992	43	MOTION by plaintiff Terril A Kraushaar to supplement case authority for responses to motions for summary judgments filed by both defendants (CL, ilcd) Modified on 03/03/1992 (Entered: 02/21/1992)
02/20/1992	44	SUPPLEMENTAL MEMORANDUM by plaintiff Terril A Kraushaar to motion response [36-1] (filed as Statement of Genuine Issues Regarding Motion for Summary Judgment filed by Tazewell County and Robin Davis) (CL, ilcd) (Entered: 02/21/1992)
02/20/1992	45	SUPPLEMENTAL MEMORANDUM by plaintiff Terril A Kraushaar to motion response [40-1] (filed as Statement of Genuine Issues Regarding Motion for Summary Judgment filed by Earl Flanigan and Fred Winterroth) (CL, ilcd) (Entered: 02/21/1992)
02/20/1992	46	Copy of DEPOSITIONS of Terril Kraushaar taken on 5/15/91; Trooper Winterroth taken 9/25/90; Trooper Flanigan taken 9/25/90; Robin Davis taken 5/15/90; Derrick Newman taken 5/15/91; and Robert Lickiss taken 8/14/90 filed by Plaintiff with notice of filing (CL, ilcd) (Entered: 02/21/1992)
02/21/1992	47	ORDER by Judge Joe B. McDade granting motion to supplement case authority for responses to motions for summary judgments filed by both defendants [43-1] (cc: all counsel) (SH, ilcd) (Entered: 02/21/1992)
02/21/1992	48	ORDER by Judge Joe B. McDade Pla is hereby ordered to submit legible copies of Exhibit A to its Statement of Genuine Issues, filed 2/20/92. Pla iis granted ten (10) days to comply with this Order ; misc ddl for legible copies 3/2/92 (cc: all counsel) (SH, ilcd) (Entered: 02/21/1992)
02/25/1992	49	NOTICE of filing by plaintiff Terril A Kraushaar (SLJ, ilcd) (Entered: 02/27/1992)
03/02/1992	50	MOTION by defendant Tazewell County, defendant Earl K Flanigan, plaintiff Terril A Kraushaar, defendant Fred Winterroth, defendant Robin Davis for hearing (filed as Joint Motion Requesting a Hearing) (SH, ilcd) (Entered: 03/04/1992)
03/04/1992		MINUTE-ENTRY: by Judge Joe B. McDade. Parties present via phone by Attys Ryan/Umholtz/Barlow for hearing on joint motion for hearing (#50). Court is granting joint motion for hearing [50-1]. Parties to submit briefs by 3/20/92. Responses to briefs are due within 14 days (4/3/92). Court is setting motion for summary judgment [38-1] and setting motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment and the issue on collateral estoppel for motion hearing at 2:00 4/17/92 in person in Peoria. (cc: all counsel) (VB, ilcd) Modified on 03/13/1992 (Entered: 03/06/1992)
03/18/1992		MINUTE-ENTRY: by Judge Joe B. McDade. Court is setting motion for summary judgment [38-1] and setting motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1]/Collateral Estoppel for motion hearing at 3:00 4/17/92 in person in Peoria. (cc: all counsel) (VB, ilcd) (Entered: 03/18/1992)

03/20/1992	51	BRIEF FILED by plaintiff Terril A Kraushaar regarding motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] (filed as Memorandum on Issue of Collateral Estoppel/Res Judicata Regarding Probable Cause) (SH, ilcd) (Entered: 03/23/1992)
03/23/1992	52	BRIEF FILED by defendant regarding motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] (filed as Defendants' Initial Brief on Collateral Estoppel Issue) (SH, ilcd) (Entered: 03/23/1992)
04/03/1992	53	RESPONSE by plaintiff Terril A Kraushaar to brief [52-1] (FILED AS PLAINTIFF'S REPLY TO DEFENDANTS INITIAL BRIEF ON COLLATERAL ESTOPPEL ISSUE) w/certificate of service (VB, ilcd) (Entered: 04/06/1992)
04/06/1992	54	RESPONSE by defendant Tazewell County, defendant Earl K Flanigan, defendant Fred Winterroth, defendant Robin Davis to brief [51-1] (FILED AS DEFENDANTS' REPLY BRIEF ON COLLATERAL ESTOPPEL ISSUE) w/certificate of service (VB, ilcd) (Entered: 04/06/1992)
04/17/1992		MINUTE-ENTRY:by Judge Joe B. McDade. Attys. Ryan, Barlow & Umholtz pres. in o/c for Hrg. on Pending Mots. Arguments started & same not concluded & reset to 3:00 p.m. on Wednesday, May 6, 1992-in person. Crt. sets motion for summary judgment [38-1] & sets motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment [26-1] (cc: all counsel) (HK, ilcd) (Entered: 04/20/1992)
05/06/1992		MINUTE-ENTRY: by Judge Joe B. McDade Parties pres. in o/c w/Attys Ryan/Barlow/Umholtz for hrg on motions for summary judgment. Argument by/c. Crt finds collateral estopel does not apply. Court takes under advisement on 5/6/92 motion for summary judgment [38-1], takes under advisement on 5/6/92 motion for summary judgment w/Affidavit of Robin Davis in support of motion summary judgment [26-1] (cc: all counsel) (SH, ilcd) (Entered: 05/07/1992)
06/19/1992	55	ORDER by Judge Joe B. McDade granting motion for summary judgment by defendants Flanigan and Winterroth [38-1] with respect to Counts I, III, and XI; the determination with respect to Counts II, IV, and V will await further briefing by the parties as ordered herein. Court is granting motion for summary judgment w/Affidavit of Robin Davis in support of motion for summary judgment by Tazewell County and Davis [26-1]; to dismiss party Robin Davis, party Tazewell County. Parties are to file briefs by 7/10/92. (cc: all counsel) (VB, ilcd) (Entered: 06/19/1992)
07/10/1992	56	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time to file supplemental briefs (FAX COPY) (VB, ilcd) (Entered: 07/13/1992)
07/10/1992		MINUTE-ENTRY: by Judge Joe B. McDade granting motion to extend time to file supplemental briefs [56-1]. Both parties are directed to file their briefs on or before 7/31/92. (cc: all counsel) (VB, ilcd) (Entered: 07/13/1992)
07/13/1992	57	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth to extend time to file supplemental brief to and including 7/20/92 , fld. w/proposed order attached. (ML, ilcd) (Entered: 07/14/1992)

07/31/1992	58	Supplemental BRIEF FILED by plaintiff Terril A Kraushaar (SH, ilcd) (Entered: 08/03/1992)
08/03/1992	59	BRIEF FILED by defendant Unk Tazewell County, defendant Fred Winterroth (filed as Defendants' Supplemental Brief) (SH, ilcd) (Entered: 08/05/1992)
08/17/1992		MINUTE-ENTRY: by Judge Joe B. McDade setting motion for summary judgment [38-1] (Cts. 2, 4 & 5) at 3:00 Wed., 8/19/92 (Attys to appear in person in Peoria)(Parties notified by phone by Court on 8/12/92) (cc: all counsel) (SH, ilcd) (Entered: 08/17/1992)
08/19/1992		MINUTE-ENTRY: by Judge Joe B. McDade Parties pres. in o/c by Attys Wright/Barlow for hrg on motion for summary judgment [38-1]. Argument by/c. Morion denied as to Cts. 2,4,5. Pla to provide the Court with a written order. Case referred to Mag. Judge Robert J. Kauffman ; Final Pretrial conference set 11:00 Monday, 9/28/92 before Judge Kauffman (in Peoria in person) (cc: all counsel) (SH, ilcd) (Entered: 08/19/1992)
08/20/1992	60	ORDER by Judge Joe B. McDade denying motion for summary judgment [38-1] as to Counts 2, 4 & 5 ; Pretrial conference set 11:00 Monday, 9/28/92 (in person in Peoria) before Magistrate Kauffman (cc: all counsel) (SH, ilcd) (Entered: 08/21/1992)
09/03/1992	61	MOTION by plaintiff Terril A Kraushaar for leave to file interlocutory appeal (SH, ilcd) (Entered: 09/08/1992)
09/15/1992		MINUTE-ENTRY: by Judge Joe B. McDade setting motion for leave to file interlocutory appeal [61-1] at 4:00 9/16/92 (via phone - crt to call) (cc: all counsel) (SH, ilcd) (Entered: 09/15/1992)
09/16/1992		MINUTE-ENTRY: by Judge Joe B. McDade. Parties present via phone by Attys Ryan/Barlow re: motion for leve to file interlocutory appeal (#61). Argument by counsel. Same not held. Atty Umholtz is needed for this motion hearing. Court is resetting motion for leave to file interlocutory appeal [61-1] for motion hearing at 4:30 Thursday, 9/17/92 via phone. Court to call. (cc: all counsel) (VB, ilcd) (Entered: 09/16/1992)
09/17/1992		MINUTE-ENTRY: by Judge Joe B. McDade Parties pres. via phone by Attys Ryan/Barlow/Umholz for hrg on moiton for leave to file interlocutory appeal. Argument by/c. Court denies motion for leave to file interlocutory appeal [61-1] (cc: all counsel) (SH, ilcd) (Entered: 09/18/1992)
09/22/1992	62	MOTION by plaintiff Terril A Kraushaar to continue final pre-trial (SH, ilcd) (Entered: 09/22/1992)
09/25/1992		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman granting motion to continue final pre-trial [62-1] ; Final Pretrial conference previously set at 11:00 Monday 9/28/92 is cancelled and reset at 1:30 Monday, 11/30/92 in person in Peoria before Mag Judge Kauffman. (cc: all counsel) (VB, ilcd) (Entered: 09/25/1992)
10/06/1992	63	MOTION by plaintiff Terril A Kraushaar, defendant Fred Winterroth to continue final pretrial conference (SH, ilcd) (Entered: 10/08/1992)

10/08/1992		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman endorsed order granting motion to continue final pretrial conference [63-1] ; Pretrial conference reset to 2:30 PM Monday, 12/14/92 (in person in Peoria)(cc: all counsel) (SH, ilcd) (Entered: 10/08/1992)
11/20/1992		MINUTE-ENTRY:by Mag. Judge Robert J. Kauffman. Final Pretrial conference set 12/14/92 is CANCELLED due to Crt's calendar & is reset to 2:30pm on Thurs., 12/17/92 -in person. (cc: all counsel along with Standing Order) (HK, ilcd) (Entered: 11/20/1992)
12/04/1992	64	CONSENT/ORDER of reference; this case may proceed before Mag. Judge Robert J. Kauffman with consent of parties (cc: all counsel) (SH, ilcd) (Entered: 12/07/1992)
12/11/1992	65	Agreed MOTION by defendant to continue final pretrial conference (SH, ilcd) (Entered: 12/12/1992)
12/14/1992		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman granting motion to continue final pretrial conference [65-1]. Pretrial conference previoiusly set 12/17/92 is CANCELLED ; Pretrial conference reset to 2:30 Monday, 2/8/93 (in person in Peoria) (cc: all counsel) (SH, ilcd) (Entered: 12/15/1992)
01/07/1993		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman ; Final Pretrial conference set at 1:30 Friday, 2/12/93 in person in Peoria. (cc: all counsel) (DS, ilcd) (Entered: 01/07/1993)
02/12/1993		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman. Parties present by Attorneys Ryan/Barlow for Final Pretrial conference at 1:30 2/12/93 . Same held. Court sets the following deadlines: Final Pretrial Order due by 4/1/93. Proposed findings of fact also due by 4/1/93. Court sets case for Bench Trial on 5/6/93 and 5/7/93 in Peoria. (cc: all counsel) (ML, ilcd) (Entered: 02/18/1993)
04/16/1993	66	PRE-TRIAL ORDER entered by Mag. Judge Robert J. Kauffman : (HK, ilcd) (Entered: 04/16/1993)
05/05/1993	67	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW by plaintiff (CL, ilcd) (Entered: 05/05/1993)
05/06/1993		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman. Parties present in o/c w/c by Plaintiff/Atty Ryan/Defts Flanigan and Winterroth/Atty Barlow for Bench Trial at 9:00 am on Thursday, 5/6/93 . Each side announces readiness. Both parties agree to waive opening statements and stipulate to deposition of Plaintiff's witness, Jailer Davis, in lieu of Jailer Davis' appearance as his whereabouts are unknown. Court has Statement of Uncontested Facts read into the record. Evidence presented on behalf of Plaintiff. Plaintiff rests. Oral motion by Deft. for Judgment On Partial Findings on Counts II and VII and asks that they be dismissed as to Defendant Flanigan - Granted. Counts II and VII are dismissed as to Defendant Flanigan. Time for adjournment. Bench Trial is continued to 9:00 am on 5/7/93 . (ML, ilcd) Modified on 05/07/1993 (Entered: 05/06/1993)
05/07/1993		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman. Parties present in open court with counsel by Attorney Ryan/Plaintiff Kraushaar/Attorney Barlow/Defendants Flanigan/Winterroth for continued Bench Trial at 9:00 5/7/93 . Same held with evidence presented on behalf of Defendants. Defendants rest.

		Plaintiff presents evidence on rebuttal. Plaintiff rests. Oral motion by Plaintiff that the part of Jailer Davis' deposition involving direct examination by Attorney Umholtz be omitted as the party he represents is no longer a party to this case. Oral argument by counsel. Plaintiff's oral motion is denied. Oral motion by Defendant for Judgment On Partial Findings under 52.C re: probable cause on Counts IV, V & VIII, or in the alternative, for qualified immunity for Trooper Flanigan. Court denies Defendants' oral motion. Closing arguments by counsel. Court is taking case under advisement on 5/7/93. Written findings of fact and conclusions of law to enter, and order for judgment. (ML, ilcd) Modified on 05/11/1993 (Entered: 05/11/1993)
05/07/1993	66	EXHIBIT LIST for Bench Trial held 5/6/93 and 5/7/93, fld. (ML, ilcd) (Entered: 05/11/1993)
07/19/1993	67	TRANSCRIPT of bench Trial (Volume I of II) held 5/6/93 filed (SH, ilcd) (Entered: 07/19/1993)
07/19/1993	68	TRANSCRIPT of Bench Trial (Volume II of II) held 5/7/93 filed (SH, ilcd) (Entered: 07/19/1993)
08/02/1993	69	ORDER authorizing preperation of transcript of Bench Trial held 5/6/93 & 5/7/93 by Honorable Robert J. Kauffman (cc: Financial Administrator/Crt Rptr) (SH, ilcd) (Entered: 08/02/1993)
01/31/1994	70	FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER FOR JUDGMENT by Mag. Judge Robert J. Kauffman. Court finds for the defendants and against the plaintiff. The clerk is directed to enter judgment in favor of the defendants and against the plaintiff, plus costs. (cc: all counsel) (VB, ilcd) (Entered: 01/31/1994)
01/31/1994	71	JUDGMENT in a civil case entered; terminating the case (cc: all counsel) (VB, ilcd) (Entered: 01/31/1994)
01/31/1994	72	DEFENDANTS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW (Found in file unfiled and undocketed. Could have been received in the Clerk's office as early as April 1, 1993) (VB, ilcd) (Entered: 02/01/1994)
02/28/1994	73	NOTICE of APPEAL by plaintiff Terril A Kraushaar from Dist. Court decision, [70-1] (VB, ilcd) (Entered: 03/02/1994)
02/28/1994	74	JURISDICTIONAL STATEMENT filed by plaintiff Terril A Kraushaar (VB, ilcd) (Entered: 03/02/1994)
02/28/1994	75	Received fee in amount of \$ 105.00 (Receipt # 021274) (VB, ilcd) (Entered: 03/02/1994)
03/02/1994	76	CERTIFICATE of original portion of record on appeal (VB, ilcd) (Entered: 03/02/1994)
03/02/1994	77	CERTIFICATE of additional portion of record on appeal of a deposition (2 volumes) (VB, ilcd) (Entered: 03/02/1994)
03/02/1994	78	CERTIFICATE of additional portion of record on appeal of exhibits (VB, ilcd) (Entered: 03/02/1994)

03/02/1994	79	CERTIFICATE of additional portion of transcripts of Bench Trial (2 volumes) (VB, ilcd) (Entered: 03/02/1994)
03/02/1994	80	SHORT RECORD ON APPEAL sent to USCA (VB, ilcd) (Entered: 03/02/1994)
03/10/1994	81	Notification by USCA of Appellate Docket Number 94-1483 (VB, ilcd) (Entered: 03/11/1994)
03/10/1994	82	TRANSCRIPT of Proceedings held 5/6/92 filed (SH, ilcd) (Entered: 03/15/1994)
04/11/1994	83	PETITION/MOTION by plaintiff Terril A Kraushaar for order for Removal of the Record for the Purposes of Preparing and Filing a Brief (HK, ilcd) (Entered: 04/11/1994)
04/11/1994		MINUTE-ENTRY: by Chief Judge Michael M. Mihm granting motion for order for Removal of the Record for the Purposes of Preparing and Filing a Brief [83-1] (cc: all counsel) (HK, ilcd) (Entered: 04/11/1994)
05/06/1994	84	MOTION by defendant Tazewell County, defendant Robin Davis for order for removal of the record for the purposes of preparing and filing a brief (VB, ilcd) (Entered: 05/09/1994)
05/09/1994		ENDORSED ORDER on its face by Mag. Judge Robert J. Kauffman granting motion for order for removal of the record for purposes of preparing and filing a brief [84-1] (cc: all counsel). (VB, ilcd) (Entered: 05/09/1994)
05/09/1994	85	ADDITIONAL CERTIFICATE of transcript of proceedings held May 6, 1992 (VB, ilcd) (Entered: 05/09/1994)
05/09/1994		RECEIPT of record on appeal consisting of 2 volumes of pleadings, 3 volumes of transcripts, 2 volumes of depositions, and 1 volume of exhibits to Atty Stewart J Umholtz (VB, ilcd) (Entered: 05/09/1994)
05/09/1994	86	LETTER to Atty Umholtz with a receipt for record on appeal (VB, ilcd) (Entered: 05/09/1994)
05/11/1994		RECEIPT from Attorney Stewart Umholtz of receipt of record on appeal filed (VB, ilcd) (Entered: 05/11/1994)
07/05/1994	87	MOTION by defendant Earl K Flanigan, defendant Fred Winterroth for order to withdraw the record on appeal (CL, ilcd) (Entered: 07/05/1994)
07/08/1994	88	ORDER by Mag. Judge Robert J. Kauffman granting motion for order to withdraw the record on appeal [87-1] (cc: all counsel) (CL, ilcd) (Entered: 07/08/1994)
07/08/1994		Copy RECEIPT - Complete record on appeal sent to Attorney General Post on 7/8/94 (CL, ilcd) (Entered: 07/11/1994)
07/14/1994		RECEIPT for record on appeal by Attorney Post counsel for defendants (CL, ilcd) (Entered: 07/14/1994)
07/18/1994	89	NOTICE OF ORAL ARGUMENT by CA7 (CL, ilcd) (Entered: 07/18/1994)
08/03/1994		RECORD ON APPEAL returned from A.G. (HK, ilcd) (Entered: 08/03/1994)

08/18/1994	90	Letter of transmittal to USCA consisting of 2 volumes of pleadings, 3 volumes of transcripts, 1 expandable folder of exhibits and 2 loose pleadings (VB, ilcd) (Entered: 08/18/1994)
08/25/1994		RECEIPT of record on Appeal by CA7 (CL, ilcd) (Entered: 08/26/1994)
01/17/1995	91	PRESS COPY of USCA Order: Ordered that Court's decision is affirmed in part and remanded in part (remanded for further determination on the illegal search and seizure claim against Flanigan in Count VIII and affirmed as to all other findings) (CL, ilcd) (Entered: 01/23/1995)
02/10/1995	92	ATTORNEY APPEARANCE for defendants by Attorney Anneliese B. Fierstos, Assistant Attorney General (in letter form) (CL, ilcd) (Entered: 02/10/1995)
02/10/1995		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman ;Status hearing set 10:00 Friday, 2/17/95 by phone. Court to set up call. (re: new trial) (cc: all counsel) (CL, ilcd) (Entered: 02/10/1995)
02/10/1995	93	MANDATE from USCA vacating and remanding in part/affirmed in part the Decision of the District Court [Appeal [73-1] (CL, ilcd) (Entered: 02/14/1995)
02/10/1995		MINUTE-ENTRY by Clerk: Case reopened pursuant to mandate from CA7 (CL, ilcd) (Entered: 04/14/1995)
02/17/1995		MINUTE-ENTRY: by Mag. Judge Robert J. Kauffman. Parties present via phone by attys Ryan and Fierastos for Telephone Status hearing 10:00 Friday 2/17/95 , same held. Order to be entered. (cc: all counsel) (KB, ilcd) (Entered: 02/17/1995)
09/28/1995	94	ORDER for judgment by Mag. Judge Robert J. Kauffman terminating the case . See Order. (cc: all counsel) (LR, ilcd) (Entered: 09/29/1995)
09/28/1995	95	AMENDED JUDGMENT in a civil case entered (cc: all counsel) (LR, ilcd) (Entered: 10/05/1995)
10/24/2000		ARCHIVES FILE sent to FRC, Chicago on 9/5/00, Accession No. 021-00-0171 Box No. 1 & 2 of 4 Location 218668 & 218669 (SH, ilcd) (Entered: 10/24/2000)

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