

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:08-cv-00174-RLY-MJD**

RICHARDSON v. MONROE COUNTY SHERIFF et al

Assigned to: Judge Richard L. Young  
Referred to: Magistrate Judge Mark J. Dinsmore  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/13/2008

Date Terminated: 12/03/2009

Jury Demand: None

Nature of Suit: 555 Prisoner Petitions –  
Prison Condition

Jurisdiction: Federal Question

**Plaintiff****TREVOR RICHARDSON**

*on his own behalf and on behalf of class  
of those similarly situated*

represented by **Kenneth J. Falk**  
ACLU OF INDIANA  
1031 East Washington Street  
Indianapolis, IN 46202-3952  
(317) 635-4059 x104  
Fax: (317) 635-4105  
Email: [kfalk@aclu-in.org](mailto:kfalk@aclu-in.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****MONROE COUNTY SHERIFF**

*in his official capacity*

represented by **James S. Stephenson**  
STEPHENSON MOROW & SEMLER  
3077 E. 98th Street  
Suite 240  
Indianapolis, IN 46280  
(317) 844-3830  
Fax: (317) 573-4194  
Email: [jstephenson@stephlaw.com](mailto:jstephenson@stephlaw.com)  
**ATTORNEY TO BE NOTICED**

**Ronald J. Semler**  
STEPHENSON MOROW & SEMLER  
3077 E. 98th Street  
Suite 240  
Indianapolis, IN 46280  
(317)844-3830  
Fax: (317)573-4194  
Email: [rsemler@stephlaw.com](mailto:rsemler@stephlaw.com)  
**ATTORNEY TO BE NOTICED**

**Defendant****MONROE COUNTY  
COMMISSIONERS**

*in their official capacity*

represented by **James S. Stephenson**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Ronald J. Semler**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/13/2008	<u>1</u>	COMPLAINT (for Injunctive and Declaratory Relief) against all defendants, filed by TREVOR RICHARDSON. (Attachments: # <u>1</u> inmate grievance complaint and appeal)(DWH) (Entered: 02/13/2008)

02/13/2008	<u>2</u>	CIVIL COVER SHEET, filed by Plaintiff TREVOR RICHARDSON. (DWH) (Entered: 02/13/2008)
02/13/2008	<u>3</u>	RECEIPT #IP005607 in the amount of \$ 350.00 (DWH) (Entered: 02/13/2008)
02/13/2008	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DWH) (Entered: 02/13/2008)
02/13/2008	<u>5</u>	Summons Issued as to MONROE COUNTY SHERIFF and MONROE COUNTY COMMISSIONERS. (DWH) (Entered: 02/13/2008)
02/13/2008	<u>6</u>	MOTION to Certify Class, filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 02/13/2008)
02/13/2008	<u>7</u>	BRIEF/MEMORANDUM in Support re <u>6</u> MOTION to Certify Class, filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 02/13/2008)
02/18/2008	<u>8</u>	RETURN of Service by CMRRR, filed by all plaintiffs. MONROE COUNTY COMMISSIONERS served on 2/14/2008. (Falk, Kenneth) (Entered: 02/18/2008)
02/18/2008	<u>9</u>	RETURN of Service by CMRRR, filed by all plaintiffs. MONROE COUNTY SHERIFF served on 2/14/2008. (Falk, Kenneth) (Entered: 02/18/2008)
02/25/2008	<u>10</u>	NOTICE of Appearance by James S. Stephenson on behalf of Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Stephenson, James) (Entered: 02/25/2008)
02/25/2008	<u>11</u>	NOTICE of Appearance by Ronald J. Semler on behalf of Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 02/25/2008)
02/28/2008	<u>12</u>	NOTICE of Parties' First Extension of Time, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Stephenson, James) (Entered: 02/28/2008)
02/28/2008	<u>13</u>	MOTION for Extension of Time to 4/11/08 to file response to <u>6</u> MOTION to Certify Class ( <i>Agreed</i> ), filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Attachments: # <u>1</u> Text of Proposed Order)(Stephenson, James) (Entered: 02/28/2008)
03/04/2008	<u>14</u>	ORDER granting Defts' <u>13</u> Motion for Extension of Time to File Response re <u>6</u> MOTION to Certify Class. Response due by 4/11/2008. Signed by Judge Jane Magnus-Stinson on 3/4/08. (SWM) (Entered: 03/05/2008)
04/11/2008	<u>15</u>	MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 04/11/2008)
04/11/2008	<u>16</u>	BRIEF/MEMORANDUM in Support re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 04/11/2008)
04/11/2008	<u>17</u>	Designation of Evidence re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), <u>16</u> Brief/Memorandum in Support of Motion, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Attachments: # <u>1</u> Affidavit William Wilson, # <u>2</u> aff.wilson.ex.a (judgment of conviction), # <u>3</u> aff.wilson.ex.b (court docket entry), # <u>4</u> aff.wilson.ex.c (copy grievance procedure))(Semler, Ronald) (Entered: 04/11/2008)
04/11/2008	<u>18</u>	RESPONSE in Opposition re <u>6</u> MOTION to Certify Class, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 04/11/2008)
04/23/2008	<u>19</u>	MOTION for Extension of Time to May 12, 2008 to file reply to <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), <u>6</u> MOTION to Certify Class, filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Supplement)(Falk, Kenneth) (Entered: 04/23/2008)
04/25/2008	<u>20</u>	ORDER granting pltf's <u>19</u> Motion for Extension of Time to File response and reply re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ) and <u>6</u>

		MOTION to Certify Class. Reply and Response due by 5/12/2008. Signed by Judge Jane Magnus-Stinson on 4/25/08. (SWM) (Entered: 04/28/2008)
05/12/2008	<u>21</u>	RESPONSE in Opposition re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 05/12/2008)
05/12/2008	<u>22</u>	MOTION for Extension of Time to May 16, 2008 to file response to <u>6</u> MOTION to Certify Class ( <i>Further Motion</i> ), filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/12/2008)
05/13/2008	<u>23</u>	ORDER granting pltf's <u>22</u> Motion for Extension of Time to File Reply re <u>6</u> MOTION to Certify Class. Reply due by 5/16/2008. Signed by Judge Jane Magnus-Stinson on 5/13/08. (SWM) (Entered: 05/13/2008)
05/15/2008	<u>24</u>	REPLY in Support of Motion re <u>6</u> MOTION to Certify Class, filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Affidavit)(Falk, Kenneth) (Entered: 05/15/2008)
05/27/2008	<u>25</u>	MOTION for Extension of Time to May 29, 2008 to file reply to <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Attachments: # <u>1</u> Text of Proposed Order)(Semler, Ronald) (Entered: 05/27/2008)
05/29/2008	<u>26</u>	REPLY in Support of Motion re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ), filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 05/29/2008)
05/29/2008	<u>27</u>	ORDER granting defts' <u>25</u> Motion for Extension of Time to File Reply re <u>15</u> MOTION to Dismiss ( <i>or in the Alternative for Summary Judgment</i> ). Reply due by 5/29/2008. Signed by Judge Jane Magnus-Stinson on 5/29/08. (SWM) (Entered: 05/29/2008)
08/04/2008	<u>28</u>	ENTRY ON DEFENDANTS MOTION TO DISMISS OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT and PLAINTIFFS MOTION TO CERTIFY CASE AS CLASS ACTION. Although Plaintiffs individual claims for relief are moot, the court finds Plaintiff has standing to represent the class in this action (see Entry). The court further finds Plaintiff satisfies the requirements for class certification imposed by Rule 23. Accordingly, Defendants Motion to Dismiss <u>15</u> is DENIED, and Plaintiffs Motion to Certify Case as a Class Action <u>6</u> is GRANTED. Signed by Judge Richard L. Young on 08/04/08. (PG) (Entered: 08/04/2008)
08/07/2008	<u>29</u>	SCHEDULING ORDER: Status Conference set for 8/19/2008 11:30 AM in Telephonic before Judge Jane Magnus-Stinson. Signed by Judge Jane Magnus-Stinson on 8/7/08.(SWM) (Entered: 08/07/2008)
08/18/2008	<u>30</u>	MOTION for Reconsideration re <u>28</u> Order on Motion to Certify Class Order on Motion to Dismiss, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Stephenson, James) (Entered: 08/18/2008)
08/18/2008	<u>31</u>	BRIEF/MEMORANDUM in Support re <u>30</u> MOTION for Reconsideration re <u>28</u> Order on Motion to Certify Class Order on Motion to Dismiss, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Stephenson, James) (Entered: 08/18/2008)
08/19/2008	<u>32</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Telephone Status Conference held on 8/19/2008 and case is set for an initial pretrial conference on 10/7/08 at 1:30 p.m. Separate entry to issue setting conference. (SWM) (Entered: 08/19/2008)
08/19/2008	<u>33</u>	ENTRY regarding CMP and Initial Pretrial Conference. SCHEDULING ORDER: Initial Pretrial Conference set for 10/7/2008 01:30 PM in room #256 before Judge Jane Magnus-Stinson. The CMP is due no later than 14 days prior to the iptc (See Entry). Signed by Judge Jane Magnus-Stinson on 8/19/08.(SWM) (Entered: 08/19/2008)
08/19/2008	<u>34</u>	ANSWER to <u>1</u> Complaint and Affirmative Defenses to Class Action Complaint for Injunctive and Declaratory Relief, filed by MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS.(Semler, Ronald) (Entered: 08/19/2008)

09/02/2008	<u>35</u>	RESPONSE in Opposition re <u>30</u> MOTION for Reconsideration re <u>28</u> Order on Motion to Certify ClassOrder on Motion to Dismiss, filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 09/02/2008)
09/23/2008	<u>36</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiff TREVOR RICHARDSON, Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Attachments: # <u>1</u> Summary)(Stephenson, James) (Entered: 09/23/2008)
09/30/2008	<u>37</u>	Entry Vacates the Initial Pretrial Conference set for 10/7/08. SCHEDULING ORDER: Initial Pretrial Conference reset for 10/6/2008 10:00 AM in room #256 before Judge Jane Magnus-Stinson. Signed by Judge Jane Magnus-Stinson on 9/30/08.(MAC) (Entered: 09/30/2008)
10/06/2008	<u>38</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Initial Pretrial Conference held on 10/6/2008 and CMP approved as amended. SCHEDULING ORDER: Status Conference set for 1/6/2009 02:00 PM in Telephonic before Judge Jane Magnus-Stinson to discuss setting a settlement conference. (SWM) (Entered: 10/07/2008)
10/06/2008	<u>39</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED. Dispositive Motions due by 7/15/2009. If the required conference under LR 37.1 does not resolve discovery issues that may arise, the parties are advised to request a phone status conference prior to filing any motion to compel or for protective order. Additionally, the parties are advised to not only number but to add a descriptive identifier for any exhibits which are electronically filed (See Order for example). Signed by Judge Jane Magnus-Stinson on 10/6/08.(SWM) (Entered: 10/07/2008)
10/08/2008	<u>40</u>	SCHEDULING ORDER: Telephonic Status Conference set for 10/10/2008 11:00 AM (Evansville Time) before Judge Richard L. Young. The purpose of this conference is to discuss Defendants Motion <u>30</u> for Reconsideration.(PG) (Entered: 10/08/2008)
10/14/2008	<u>41</u>	ENTRY denying Defendants' <u>30</u> Motion for Reconsideration. Signed by Judge Richard L. Young on 10/14/08. (PG) (Entered: 10/14/2008)
10/20/2008	<u>42</u>	NOTICE of Service of Initial Disclosures, filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 10/20/2008)
10/24/2008	<u>43</u>	NOTICE of Service of Initial Disclosures, filed by Defendants MONROE COUNTY SHERIFF, MONROE COUNTY COMMISSIONERS. (Semler, Ronald) (Entered: 10/24/2008)
11/03/2008	<u>44</u>	Witness List <i>and Exhibit List -Preliminary</i> , filed by Plaintiff TREVOR RICHARDSON. (Falk, Kenneth) (Entered: 11/03/2008)
01/06/2009	<u>45</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Telephone Status Conference held on 1/6/2009 and settlement conference set for 4/8/2009 at 8:30 a.m. by separate order. (SWM) (Entered: 01/07/2009)
01/07/2009	<u>46</u>	ORDER Setting Settlement Conference and Related Deadlines. SCHEDULING ORDER: Settlement Conference set for 4/8/2009 08:30 AM in room #361 before Judge Jane Magnus-Stinson. Confidential settlement statements due three business days prior to the conference (See Order). Signed by Judge Jane Magnus-Stinson on 1/7/09.(SWM) (Entered: 01/07/2009)
04/08/2009	<u>47</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Settlement Conference held on 4/8/2009 and progress made. Status Conference set for 5/1/2009 03:30 PM in Telephonic before Judge Jane Magnus-Stinson. Counsel to call the Court at the number provided. (SWM) (Entered: 04/08/2009)
05/01/2009	<u>48</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Telephone Status Conference held on 5/1/2009 and parties continue negotiations. Telephonic status conference set for May 26, 2009 at 11:30 a.m.Counsel to call the Court at the number provided. All deadlines in the CMP are stayed until after the upcoming conference. (SWM) (Entered: 05/04/2009)
05/13/2009	<u>49</u>	SCHEDULING ENTRY: The telephone status conference set for May 26, 2009 is VACATED AND RESET for June 12, 2009, at 2:30 P.M. Counsel to call the Court at the number provided. Issued by Judge Jane Magnus-Stinson on 5/13/2009.(SWM)

		(Entered: 05/13/2009)
06/12/2009	<u>50</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Telephone Status Conference held on 6/12/2009 and parties anticipate filing private settlement agreement within 30 days for court approval. All other CMP deadlines are therefore suspended. (SWM) (Entered: 06/15/2009)
07/16/2009	<u>51</u>	ENTRY for 7/16/2009: The magistrate judge has been advised that the parties need additional time to submit their private settlement agreement. They are granted an additional 30 days within which to file said agreement. The CMP deadlines remain suspended. Signed by Judge Jane Magnus-Stinson on 7/16/2009.(SWM) (Entered: 07/16/2009)
08/14/2009	<u>52</u>	STIPULATION of Parties to Enter Into Private Settlement Agreement After Plaintiff's Counsel Gives Notice to the Class, filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Proposed class notice)(Falk, Kenneth) (Entered: 08/14/2009)
08/14/2009	<u>53</u>	MOTION to Approve Notice to the Class and to Set Fairness Hearing, filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 08/14/2009)
08/31/2009	<u>54</u>	ORDER granting <u>53</u> Motion to Approve Notice to the Class and to Set Fairness Hearing. Hearing set for 11/5/2009 10:00 AM in room #349 before Judge Richard L. Young. Signed by Judge Richard L. Young on 8/31/2009. (PG) (Entered: 09/01/2009)
09/03/2009	<u>55</u>	MOTION for Continuance <i>Fairness Hearing</i> , filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/03/2009)
09/10/2009	<u>56</u>	ORDER granting <u>55</u> Motion for Continuance. Fairness Hearing reset for 11/13/2009 02:00 PM in room #349 before Judge Richard L. Young. Signed by Judge Richard L. Young on 9/10/2009. (PG) (Entered: 09/10/2009)
09/11/2009	<u>57</u>	Second MOTION for Continuance of <i>Fairness Hearing</i> , filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/11/2009)
09/15/2009	<u>58</u>	ORDER granting <u>57</u> Motion for Continuance. Fairness Hearing reset for 12/3/2009 09:00 AM in room #349 before Judge Richard L. Young. Signed by Judge Richard L. Young on 9/15/2009. (PG) (Entered: 09/16/2009)
11/24/2009	<u>59</u>	NOTICE of Filing <i>Report of Class Counsel Following Notice to the Class</i> by TREVOR RICHARDSON (Attachments: # <u>1</u> Letter from Class Member) (Falk, Kenneth) (Entered: 11/24/2009)
12/02/2009	<u>60</u>	NOTICE of Filing <i>Proposed Order</i> by TREVOR RICHARDSON (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 12/02/2009)
12/03/2009	<u>61</u>	Minute Entry for proceedings held before Judge Richard L. Young: Fairness Hearing held on 12/3/2009. (Court Reporter Fred Pratt.) (PG) (Entered: 12/04/2009)
12/03/2009	<u>62</u>	ORDER FINDING PRIVATE SETTLEMENT AGREEMENT TO BE FAIR and Dismissing cause of action without prejudice. Signed by Judge Richard L. Young on 12/3/2009.(PG) (Entered: 12/04/2009)
05/25/2011	<u>63</u>	NOTICE of Change of Address by Ronald J. Semler (Semler, Ronald) (Entered: 05/25/2011)
09/28/2011	<u>64</u>	MOTION to Modify the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement, filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/28/2011)
09/30/2011	<u>65</u>	ORDER granting Parties' <u>64</u> Motion to Modify Requirement to Move to Dismiss Case, with prejudice, to 10/1/2012. In all other respects this Court's Order of 12/3/2009 remains unmodified. Signed by Judge Richard L. Young on 9/30/2011. (MAC) (Entered: 10/03/2011)

09/28/2012	<u>66</u>	MOTION to Modify <i>the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement</i> , filed by Defendants MONROE COUNTY COMMISSIONERS, MONROE COUNTY SHERIFF, Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Semler, Ronald) (Entered: 09/28/2012)
10/01/2012	<u>67</u>	ORDER granting <u>66</u> Motion to Modify the Parties' Requirement to Move to Dismiss Case and agreement to Extend Private Settlement Agreement. Signed by Judge Richard L. Young on 10/1/2012. (PG) (Entered: 10/03/2012)
10/04/2012	<u>68</u>	NOTICE of Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Judge Jane Magnus-Stinson no longer assigned to the case. Please include the new case number, <b>1:08-cv-174-RLY-MJD</b> , on all future filings in this matter. (MSD) (Entered: 10/04/2012)
09/16/2014	<u>69</u>	MOTION to Modify <i>the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement (Further )</i> , filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/16/2014)
09/18/2014	<u>70</u>	ORDER granting <u>69</u> Motion to Modify the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement (Further ) to 10/01/2016. Signed by Judge Richard L. Young on 9/18/2014. (TMD) (Entered: 09/18/2014)
09/01/2016	<u>71</u>	Third MOTION to Modify <i>the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement</i> , filed by Plaintiff TREVOR RICHARDSON. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/01/2016)
09/14/2016	<u>72</u>	ORDER granting <u>71</u> Motion to Modify the Parties' Requirement to Move to Dismiss Case and Agreement to Extend Private Settlement Agreement. Parties shall move for dismissal of this case, with prejudice, on October 1, 2018. In all other respects this Court's Order of December 3, 2009 remains unmodified. Signed by Judge Richard L. Young on 9/14/2016. (TMD) (Entered: 09/14/2016)

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