

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (Hammond)
CIVIL DOCKET FOR CASE #: 2:10-cv-00476-TLS-PRC**

United States of America v. Lake County Indiana et al
Assigned to: Chief Judge Theresa L Springmann
Referred to: Magistrate Judge Paul R Cherry
Cause: 42:1997 Civil Rights of Institutionalized Persons Act

Date Filed: 12/03/2010
Date Terminated: 12/20/2010
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America

represented by **William G Maddox**
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Civil Rights Division Special Litigation
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V.

Defendant

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TERMINATED: 03/01/2016

Defendant

Rogelio Roy Dominguez

*Lake County Sherriff in his official
capacity only*

represented by **John P Bushemi**

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TERMINATED: 08/15/2011

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Patricia Roman Hass

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TERMINATED: 08/15/2011

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Defendant

Frances DuPey

*President, Lake County Board of
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Defendant

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represented by

Date Filed	#	Docket Text
12/03/2010	<u>1</u>	COMPLAINT filed by United States of America AGAINST All Defendants. (Attachments: # <u>1</u> Civil Cover Sheet)(jjj) (Entered: 12/06/2010)
12/03/2010	<u>2</u>	NOTICE of Appearance by Gerald M Bishop on behalf of Thomas C O'Donnell. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>3</u>	NOTICE of Appearance by John S Dull on behalf of Frances DuPey. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>4</u>	NOTICE of Appearance by John M Kopack on behalf of Rogelio Roy Dominguez, Lake County Indiana. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>5</u>	NOTICE of Appearance by William G Maddox on behalf of United States of America. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>6</u>	WAIVER OF SERVICE Returned Executed by United States of America. Thomas C O'Donnell waiver sent on 12/3/2010. Answer due 2/1/2011. Lake County Council waiver sent on 12/3/2010. Answer due 2/1/2011. (jjj) Modified to reflect executed by on 12/6/2010 (jjj). (Entered: 12/06/2010)
12/03/2010	<u>7</u>	WAIVER OF SERVICE Returned Executed by United States of America. Frances DuPey waiver sent on 12/3/2010. Answer due 2/1/2011. Lake County Board of Commissioners waiver sent on 12/3/2010. Answer due 2/1/2011. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>8</u>	WAIVER OF SERVICE Returned Executed by United States of America. Rogelio Roy Dominguez waiver sent on 12/3/2010. Answer due 2/1/2011. Lake County Indiana waiver sent on 12/3/2010. Answer due 2/1/2011. (jjj) (Entered: 12/06/2010)
12/03/2010	<u>9</u>	JOINT MOTION TO ENTER SETTLEMENT AGREEMENT by Plaintiff United States of America AND Defendants Rogelio Roy Dominguez, Frances DuPey, Lake County Board of Commissioners, Lake County Council, Lake County Indiana, and Thomas C O'Donnell. (jjj) (Entered: 12/06/2010)
12/15/2010	<u>10</u>	ORDER FOR JUDGE THERESA L SPRINGMANN. The Court SETS a Telephonic Status Conference set for 12/20/2010 at 11:00 AM (Fort Wayne time) before Judge Theresa L Springmann re <u>9</u> MOTION for Settlement. The Court will initiate the call.(jw) (Entered: 12/15/2010)
12/20/2010	<u>11</u>	TELEPHONE STATUS CONFERENCE held before Judge Theresa L Springmann. USA appeared by atty William Maddox. Dfts Rogelio Roy Dominguez, Lake County Indiana appeared by atty John Kopack. Dfts Frances DuPey, Lake County Board of Commissioners appeared by atty John Dull. Dfts Lake County Council and Thomas C O'Donnell atty Gerald Bishop unable to participate. Parties confirm settlment agreement is properly approved by Dft Lake County Board of Commissioners. (Tape #20 FTR Gold.) (jw) (Entered: 12/20/2010)
12/20/2010	<u>12</u>	ORDER granting <u>9</u> Motion for Settlement and APPROVING the Settlement Agreement in its entirety. The court shall retain jurisdiction over this matter to ensure timely and proper implementation of the Settlement Agreement. Signed by Judge Theresa L Springmann on 12/20/10. (mc) (Entered: 12/21/2010)
08/04/2011	<u>13</u>	NOTICE of Appearance by John P Bushemi on behalf of Rogelio Roy Dominguez (Bushemi, John) (Entered: 08/04/2011)
08/04/2011	<u>14</u>	NOTICE of Appearance by Patricia Hass on behalf of Rogelio Roy Dominguez (Hass, Patricia) (Entered: 08/04/2011)
08/04/2011	<u>15</u>	REPORT by Rogelio Roy Dominguez. (Bushemi, John) (Entered: 08/04/2011)
08/10/2011	<u>16</u>	ORDER FOR JUDGE THERESA L SPRINGMANN: Telephonic Status Conference SET for 8/29/2011 02:30 PM in US District Court – Fort Wayne before Judge Theresa

		L Springmann re <u>15</u> Report filed by Rogelio Roy Dominguez. Court will initiate call. (jjj) cc William Maddox (Entered: 08/10/2011)
08/10/2011	<u>17</u>	MOTION to Withdraw <i>Appearance</i> by Defendant Rogelio Roy Dominguez. (Bushemi, John) (Entered: 08/10/2011)
08/10/2011	<u>18</u>	MOTION to Withdraw <i>Appearance</i> by Defendant Rogelio Roy Dominguez. (Hass, Patricia) (Entered: 08/10/2011)
08/10/2011	<u>19</u>	NOTICE of Appearance by John P Bushemi on behalf of Lake County Indiana (Bushemi, John) (Entered: 08/10/2011)
08/10/2011	<u>20</u>	NOTICE of Appearance by Patricia Hass on behalf of Lake County Indiana (Hass, Patricia) (Entered: 08/10/2011)
08/15/2011	<u>21</u>	ORDER granting <u>17</u> and <u>18</u> Motion to Withdraw Appearance. The appearance of Attorneys John P. Bushemi and Patricia Hass are WITHDRAWN as counsel for Defendant Dominguez. Signed by Magistrate Judge Paul R Cherry on 8/15/11. (mc) (Entered: 08/16/2011)
08/29/2011	<u>22</u>	TELEPHONE CONFERENCE held before Judge Theresa L Springmann. Pla appeared by atty William Maddox. Dft appeared by attys John Bushemi, John Kopack, and Patricia Hass. Court unable to reach Dfts' attys John Dull and Gerald Bishop. Parties as to case status. Court to receive compliance report within approximately 6 months. Telephonic Status Conference set for 3/15/2012 02:30 PM in US District Court – Fort Wayne before Judge Theresa L Springmann. Court will initiate call. (Court Reporter FTR.) (jjj) cc William Maddox (Entered: 08/30/2011)
09/22/2011	<u>23</u>	Mail Returned as Undeliverable (NEF of Order dated 8/10/11, DE 16). Mail sent to William G Maddox; envelope marked "Return to Sender, Not in Criminal Section". (cer) (Entered: 09/22/2011)
01/18/2012	<u>24</u>	STATUS REPORT <i>Second Compliance Report</i> by United States of America. (Maddox, William) (Entered: 01/18/2012)
03/15/2012	<u>25</u>	TELEPHONE CONFERENCE held on 3/15/2012 before Judge Theresa L Springmann. Pla appeared by atty William Maddox. Dft appeared by atty John Bushemi, John Kopack, Patricia Hass, John Dull, and Gerald Bishop. Parties advise next compliance report to be filed with Court by the end of July 2012. (Court Reporter FTR.) (jjj) (Entered: 03/15/2012)
07/25/2012	<u>26</u>	REPORT by United States of America <i>Third Compliance Report</i> . (Maddox, William) (Entered: 07/25/2012)
07/31/2012	<u>27</u>	ORDER FOR JUDGE THERESA L SPRINGMANN: Telephonic Status Conference SET for 8/23/2012 03:30 PM EASTERN TIME in US District Court – Fort Wayne before Judge Theresa L Springmann re <u>26</u> Report filed by United States of America. Court will initiate call. (jjj) (Entered: 07/31/2012)
08/23/2012	<u>28</u>	TELEPHONIC STATUS CONFERENCE held before Judge Theresa L Springmann. Pla appeared by atty William Maddox. Dft appeared by attys John Kopack, John Dull, Gerald Bishop and John Bushemi with Ken Ray, Compliance Consultant. Parties advise next compliance report to be filed with Court by the end of 1/2013. Court to schedule telephone status conference if report not filed. (Court Reporter FTR.) (cer) (Entered: 08/23/2012)
01/22/2013	<u>29</u>	REPORT by United States of America <i>Fourth Compliance Report</i> . (Maddox, William) (Entered: 01/22/2013)
02/05/2013	<u>30</u>	REPORT by United States of America <i>Fourth Compliance Report</i> . (Attachments: # <u>1</u> Exhibit Fourth Compliance Report)(Maddox, William) (Entered: 02/05/2013)
02/05/2013	<u>31</u>	ORDER: the Court acknowledges receipt of the Compliance Report and has reviewed its contents. The Court anticipates receiving the next status report prior to July 31, 2013. Signed by Judge Theresa L Springmann on 2/5/13. (mc) (Entered: 02/05/2013)
08/26/2013	<u>32</u>	ORDER FOR JUDGE THERESA L SPRINGMANN: Telephonic Status Conference SET for 9/18/2013 03:00 PM (Eastern time) in US District Court – Fort Wayne before Judge Theresa L Springmann re <u>31</u> ORDER re status report. Court will initiate call.

		(jjj) (Entered: 08/26/2013)
08/28/2013	<u>33</u>	MOTION to Reschedule Telephonic Status Conference by Defendant Lake County Indiana. (Bushemi, John) (Entered: 08/28/2013)
09/11/2013	34	ORDER FOR JUDGE THERESA L SPRINGMANN: On the Court's own motion, the telephone conference set on 9/18/2013 is VACATED. The <u>33</u> MOTION to Reschedule Telephonic Status Conference is RENDERED MOOT. Parties are ORDERED by 10/11/2013 to file a JOINT status/compliance report. (jjj) (Entered: 09/11/2013)
09/13/2013	<u>35</u>	NOTICE of Appearance by Michael J Bolde on behalf of Lake County Indiana (Bolde, Michael) (Entered: 09/13/2013)
09/30/2013	<u>36</u>	NOTICE by United States of America <i>Fifth Compliance Report</i> (Attachments: # <u>1</u> Exhibit Fifth Compliance Report)(Maddox, William) (Entered: 09/30/2013)
09/30/2013	37	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>36</u> COMPLIANCE REPORT (Fifth) filed by United States of America. Parties are ORDERED by 4/4/2014 to file a JOINT status/compliance report. (jjj) (Entered: 09/30/2013)
04/29/2014	38	ORDER FOR JUDGE THERESA L SPRINGMANN: The joint status/compliance report ddl of 4/4/2014 has passed and parties have failed to notice the Court re 37 ORDER. Parties have up to 5/9/2014 to file a JOINT status compliance report as previously directed. (jjj) (Entered: 04/29/2014)
04/30/2014	<u>39</u>	NOTICE by United States of America (Attachments: # <u>1</u> Exhibit Sixth Compliance Report)(Maddox, William) (Entered: 04/30/2014)
05/02/2014	40	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>39</u> COMPLIANCE REPORT (Sixth) filed by United States of America. Parties are ORDERED by 11/17/2014 to file a JOINT status/compliance report. (jjj) (Entered: 05/02/2014)
10/10/2014	<u>41</u>	STATUS REPORT <i>Seventh Status Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Seventh Status Report)(Maddox, William) (Entered: 10/10/2014)
10/15/2014	42	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>41</u> COMPLIANCE REPORT (Seventh) filed by United States of America. Parties are ORDERED by 4/17/2015 to file a JOINT status/compliance report. (jjj) (Entered: 10/15/2014)
02/17/2015	<u>43</u>	(WITHDRAWN SEE <u>45</u>) MOTION to Terminate Forty-Two (42) Provisions of Settlement Agreement in Sustained Compliance by Defendant Lake County Indiana. (Bushemi, John) Modified on 3/6/2015 (rmn). (Entered: 02/17/2015)
02/25/2015	<u>44</u>	MOTION to Withdraw <u>43</u> MOTION to Terminate Forty-Two (42) Provisions of Settlement Agreement in Sustained Compliance by Defendant Lake County Indiana. (Bushemi, John) (Entered: 02/25/2015)
03/06/2015	<u>45</u>	ORDER: GRANTS the Defendants Motion <u>44</u> and ORDERS the Defendants Motion to Terminate Forty-Two (42) Provisions of Settlement Agreement in Sustained Compliance <u>43</u> WITHDRAWN. Signed by Judge Theresa L Springmann on 3/6/2015. (rmn) (Entered: 03/06/2015)
04/10/2015	<u>46</u>	STATUS REPORT <i>Eighth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Eighth Status Report)(Maddox, William) (Entered: 04/10/2015)
04/14/2015	47	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>46</u> Status Report <i>Eighth Compliance Report</i> filed by United States of America. Parties are ORDERED by 10/16/2015 to file a JOINT Status/Compliance report. Signed by Judge Theresa L Springmann on 4/14/2015. (jlb) (Entered: 04/14/2015)
09/17/2015	<u>48</u>	MOTION <i>Joint Motion to Terminate Subsection D. Fire Safety of the Settlement Agreement in Sustained Compliance</i> by Defendant Lake County Indiana. (Bushemi, John) (Entered: 09/17/2015)

09/30/2015	<u>49</u>	STATUS REPORT <i>Ninth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit)(Maddox, William) (Entered: 09/30/2015)
10/01/2015	50	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>49</u> Status Report <i>Ninth Compliance Report</i> filed by United States of America. Parties are ORDERED by 4/1/2016 to file a JOINT Status/Compliance report. (jlb) (Entered: 10/01/2015)
10/06/2015	<u>51</u>	ORDER granting <u>48</u> Motion Joint Motion to Terminate Subsection D. Fire Safety of the Settlement Agreement in Sustained Compliance. Signed by Judge Theresa L Springmann on 10/6/15. (mc) (Entered: 10/06/2015)
02/23/2016	<u>52</u>	MOTION to Withdraw as Attorney by Defendant Lake County Indiana. (Bolde, Michael) (Entered: 02/23/2016)
03/01/2016	53	ORDER granting <u>52</u> Motion to Withdraw as Attorney. Attorney Michael J Bolde WITHDRAWN. Text entry order. By Magistrate Judge Paul R Cherry on 3/1/2016. (smb) (Entered: 03/01/2016)
03/18/2016	<u>54</u>	STATUS REPORT <i>Tenth</i> by United States of America. (Attachments: # <u>1</u> Tenth Status Report)(Maddox, William) (Entered: 03/18/2016)
03/25/2016	55	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>54</u> Status Report <i>Tenth</i> filed by United States of America. Parties are ORDERED by 9/30/2016 to file a JOINT Status/Compliance report. (jlb) (Entered: 03/25/2016)
09/22/2016	<u>56</u>	STATUS REPORT <i>Eleventh Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Eleventh Compliance Report)(Maddox, William) (Entered: 09/22/2016)
09/26/2016	57	ORDER FOR JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>56</u> Status Report Eleventh Compliance Report filed by United States of America. Parties are ORDERED by 4/1/2017 to file a JOINT Status/Compliance Report.(cer) (Entered: 09/26/2016)
03/31/2017	<u>58</u>	STATUS REPORT <i>Twelfth Status Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit)(Maddox, William) (Entered: 03/31/2017)
08/10/2017	<u>59</u>	MOTION Joint Motion to Terminate Subsection A, Medical Care, and Subsection C, Suicide Prevention, of Settlement Agreement by Defendant Lake County Indiana. (Bushemi, John) (Entered: 08/10/2017)
08/31/2017	<u>60</u>	ORDER GRANTING <u>59</u> MOTION Joint Motion to Terminate Subsection A, Medical Care, and Subsection C, Suicide Prevention, of Settlement Agreement by Defendant Lake County Indiana. Signed by Chief Judge Theresa L Springmann on 8/31/2017. (lhc) (Entered: 08/31/2017)
01/19/2018	<u>61</u>	STATUS REPORT <i>Thirteenth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Thirteenth Compliance Report)(Maddox, William) (Entered: 01/19/2018)
01/19/2018	<u>62</u>	STATUS REPORT <i>Fourteenth Compliance Report and LCJ Compliance Action Plan</i> by United States of America. (Attachments: # <u>1</u> Exhibit Fourteenth Compliance Report, # <u>2</u> Exhibit LCJ DOJSA Compliance Action Plan)(Maddox, William) (Entered: 01/19/2018)
01/19/2018	63	ORDER FOR CHIEF JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>61</u> Status Report Thirteenth Compliance Report and <u>62</u> Status Report Fourteenth Compliance Report and Compliance Action Plan filed by United States of America. Parties are ORDERED by 7/31/2018 to file a JOINT Status/Compliance Report. (cer) (Entered: 01/19/2018)
03/14/2018	<u>64</u>	MOTION to Withdraw as Attorney by Defendant Lake County Indiana. (Bushemi, John) (Entered: 03/14/2018)
03/15/2018	65	MINUTE ORDER granting <u>64</u> Motion to Withdraw as Attorney. The appearance of Attorney John P Bushemi on behalf of Defendant Lake County, Indiana, is WITHDRAWN. Text entry order. By Magistrate Judge Paul R Cherry on 3/15/2018. (mr) (Entered: 03/15/2018)

08/23/2018	<u>66</u>	ORDER FOR CHIEF JUDGE THERESA L SPRINGMANN: On 1/19/2018, the parties were ordered to file a Joint Status/Compliance Report by 7/31/2018. To date, the parties have not responded. Accordingly, the parties are DIRECTED to file a Joint Status/Compliance Report on or before 9/6/2018.(cer) (Entered: 08/23/2018)
09/05/2018	<u>67</u>	STATUS REPORT <i>Fifteenth Joint Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Fifteenth Joint Compliance Report, # <u>2</u> Addendum Lake County Corrective Action Plan Update)(Maddox, William) (Entered: 09/05/2018)
09/06/2018	68	ORDER FOR CHIEF JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>67</u> Status Report Fifteenth Compliance Report filed by United States of America. Parties are ORDERED by 3/8/2019 to file a JOINT Status/Compliance Report.(cer) (Entered: 09/06/2018)
03/07/2019	<u>69</u>	STATUS REPORT <i>Sixteenth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Sixteenth Compliance Report)(Maddox, William) (Entered: 03/07/2019)
03/07/2019	70	ORDER FOR CHIEF JUDGE THERESA L SPRINGMANN: The Court is in receipt of the <u>69</u> Status Report Sixteenth Compliance Report filed by United States of America. Parties are ORDERED by 9/9/2019 to file a JOINT Status/Compliance Report.(cer) (Entered: 03/07/2019)
09/05/2019	<u>71</u>	STATUS REPORT <i>Seventeenth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit Seventeenth Compliance Report)(Maddox, William) (Entered: 09/05/2019)
09/10/2019	<u>72</u>	ORDER: The Court is in receipt of the Seventeenth Compliance Report <u>71</u> for the Lake County Jail filed by United States of America. The Court SCHEDULES a telephonic status conference for 11:00 AM (C.S.T.) on 12/18/2019. Signed by Chief Judge Theresa L Springmann on 09/10/2019. (jat) (Entered: 09/10/2019)
12/08/2019	<u>73</u>	STATUS REPORT <i>Eighteenth Compliance Report</i> by United States of America. (Attachments: # <u>1</u> Exhibit 18th Compliance Report)(Maddox, William) (Entered: 12/08/2019)
12/17/2019	<u>74</u>	MOTION to Dismiss <i>Joint Motion To Terminate Settlement Agreement And For Final Dismissal</i> by Defendants Rogelio Roy Dominguez, Lake County Indiana. (Kopack, John) (Entered: 12/17/2019)
12/17/2019	<u>75</u>	NOTICE of Appearance by Matthew N Fech on behalf of Lake County Board of Commissioners (Fech, Matthew) ***FILING ERROR – ATTORNEY INSTRUCTED TO REFILE; ATTORNEY RE-FILED AT <u>78</u> *** Modified on 12/18/2019 (ace). Modified on 12/23/2019 (ace). (Entered: 12/17/2019)
12/17/2019	76	ORDER FOR CHIEF JUDGE THERESA L SPRINGMANN: The Court VACATES the telephonic status conference set for 12/18/2019 per the filing of <u>74</u> MOTION to Dismiss Joint Motion To Terminate Settlement Agreement And For Final Dismissal. (rs) (Entered: 12/17/2019)
12/18/2019	<u>77</u>	ORDER granting <u>74</u> Motion to Terminate Settlement Agreement and For Final Dismissal. The Court ORDERS that the Settlement Agreement [ECF No. 9] is TERMINATED. The Court RELINQUISHES its continuing jurisdiction and DISMISSES this case. Signed by Chief Judge Theresa L Springmann on 12/18/19. (mlc) (Entered: 12/19/2019)
12/20/2019	<u>78</u>	NOTICE of Appearance by Matthew N Fech on behalf of Lake County Board of Commissioners (Fech, Matthew) (Entered: 12/20/2019)