

**U.S. District Court
Southern District of Indiana (New Albany)
CIVIL DOCKET FOR CASE #: 4:14-cv-00054-TAB-RLY**

GENTRY et al v. FLOYD COUNTY, INDIANA et al
Assigned to: Magistrate Judge Tim A. Baker
Referred to: Judge Richard L. Young
Related Case: 4:16-cv-00025-RLY-TAB
Cause: 42:1983 Civil Rights Act

Date Filed: 06/12/2014
Date Terminated: 09/29/2017
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

ADAM WALKER

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

DARRELL MILLS

*Individually, and in his capacity as Floyd
County Sheriff*

represented by **R. Jeffrey Lowe**
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Richard T. Mullineaux
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Defendant

TIFFANY FRANS

Individually

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Richard T. Mullineaux
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ATTORNEY TO BE NOTICED

Defendant

OFFICER ATHERTON

Individually

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Richard T. Mullineaux
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ATTORNEY TO BE NOTICED

Defendant

RYAN RAINEY

Individually

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Richard T. Mullineaux
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ATTORNEY TO BE NOTICED

Defendant

JOHN/JANE DOE

Individually

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Richard T. Mullineaux
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/12/2014	<u>1</u>	COMPLAINT against All Defendants, filed by All Plaintiffs. (Filing fee \$400, receipt number 0756-3089310) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons, # <u>3</u> Proposed Summons, # <u>4</u> Proposed Summons, # <u>5</u> Proposed Summons, # <u>6</u> Proposed Summons)(Landenwich, Laura) (Entered: 06/12/2014)
06/12/2014	<u>2</u>	NOTICE of Appearance by Laura Elizabeth Landenwich on behalf of Plaintiffs TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, ADAM WALKER. (Landenwich, Laura) (Entered: 06/12/2014)
06/13/2014	<u>3</u>	Summons Issued as to OFFICER ATHERTON, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (JLM) (Entered: 06/13/2014)
06/13/2014	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JLM) (Entered: 06/13/2014)
06/18/2014	<u>5</u>	NOTICE of Appearance by R. Jeffrey Lowe on behalf of Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 06/18/2014)
06/20/2014	<u>6</u>	NOTICE of Appearance by Daniel J. Canon on behalf of Plaintiffs TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, ADAM WALKER. (Canon, Daniel) (Entered: 06/20/2014)
06/24/2014	<u>7</u>	NOTICE of Parties' First Extension of Time, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 06/24/2014)
06/25/2014	<u>8</u>	RETURN of Service by CMRRR, filed by All Plaintiffs. FLOYD COUNTY, INDIANA served on 6/24/2014. (Landenwich, Laura) (Entered: 06/25/2014)
07/14/2014	<u>9</u>	NOTICE of Appearance by Richard R. Fox on behalf of Defendant FLOYD COUNTY, INDIANA. (Fox, Richard) (Entered: 07/14/2014)
08/01/2014	<u>10</u>	<i>Defendants'</i> ANSWER to <u>1</u> Complaint , filed by OFFICER ATHERTON, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY.(Lowe, R.) (Entered: 08/01/2014)
09/10/2014	<u>11</u>	MOTION for Leave to File <i>First Amended Complaint</i> , filed by Plaintiffs TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, ADAM WALKER. (Attachments: # <u>1</u> Exhibit First Amended Complaint, # <u>2</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 09/10/2014)
09/16/2014	<u>12</u>	CASE MANAGEMENT PLAN TENDERED, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY . (Lowe, R.) (Entered: 09/16/2014)
09/19/2014	<u>13</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Jury Trial set for 12/7/2015, at 9:00 AM, New Albany time (EST), in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Judge Richard L. Young. The Court has allotted 10 days. Dispositive Motions due by 6/12/2015. Telephonic Status Conference set for 12/23/2014, at 11:00 AM, New Albany time (EST), before Magistrate Judge William G. Hussmann Jr. See attachment for particulars, including description of which client(s) must attend. Signed by Magistrate Judge William G. Hussmann, Jr on 9/19/2014.(JLM) (Entered: 09/19/2014)
10/13/2014	<u>14</u>	NOTICE of Service of Initial Disclosures , filed by Plaintiffs TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, ADAM WALKER. (Landenwich, Laura) (Entered: 10/13/2014)
10/14/2014	<u>15</u>	NOTICE of Service of Initial Disclosures , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 10/14/2014)
11/05/2014	<u>16</u>	ORDER granting <u>11</u> Motion for Leave to File First Amended Complaint. The First Amended Complaint shall be filed of record in this case within 5 business days. Signed by Judge Richard L. Young on 11/5/2014. (LBT) (Entered: 11/05/2014)

11/12/2014	<u>17</u>	AMENDED COMPLAINT against All Defendants, filed by All Plaintiffs.(Landenwich, Laura) (Entered: 11/12/2014)
11/18/2014	<u>18</u>	<i>DEFENDANTS' ANSWER</i> to <u>17</u> Amended Complaint , filed by OFFICER ATHERTON, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY.(Lowe, R.) (Entered: 11/18/2014)
11/26/2014	<u>19</u>	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Attorney Conference Call held on 11/12/2014. The Magistrate Judge concludes that a determination of whether this claim should be brought as a class action and an appropriate definition of the classes and issues requires that the deadlines in the Case Management Plan be and hereby are VACATED at this time. The case is not stayed, but certain other deadlines need not be complied with until further order of the Court. Plaintiffs are to file any motions for class action certification on or before February 2, 2015. Defendants' response is to be filed on or before March 4, 2015. The parties disagree concerning the extent of a protective order proposed by the Defendants' counsel. The parties will promptly file briefs with respect to that issue. A further TELEPHONIC STATUS CONFERENCE is set for 6/24/2015, at 9:30 AM, New Albany time (EDT) before the Magistrate Judge. The information needed to participate in this telephonic concerence will be provided by a separate notification. Signed by Magistrate Judge William G. Hussmann, Jr. (JLM) (Entered: 11/26/2014)
01/08/2015	<u>21</u>	NOTICE of Issuance of Subpoena Duces Tecum, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER (Attachments: # <u>1</u> Exhibit Subpoena Duces Tecum to Indiana State Police) (Landenwich, Laura) (Entered: 01/08/2015)
01/26/2015	<u>22</u>	NOTICE of Appearance by Theodore Wendover Walton on behalf of Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Walton, Theodore) (Entered: 01/26/2015)
01/29/2015	<u>23</u>	MOTION to Extend Deadline for Moving to Certify Class re <u>19</u> and Request for Status Conference, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit October 22, 2014 email chain, # <u>2</u> Exhibit November 5, 2014 email chain, # <u>3</u> Exhibit January 26, 2015 email chain, # <u>4</u> Text of Proposed Order)(Landenwich, Laura) Modified on 1/30/2015 to reflect accurate description of filing (JLM). (Entered: 01/29/2015)
02/04/2015	<u>24</u>	ORDER granting <u>23</u> Plaintiffs' Motion to Extend Deadline for Moving to Certify Class – A Telephonic Status Conference is hereby set for 2/12/2015, at 11:00 AM, before Magistrate Judge William G. Hussmann Jr. The deadline for Plaintiffs' motion for class certification will be set at the status conference. Signed by Magistrate Judge William G. Hussmann, Jr on 2/4/2015.(JLM) (Entered: 02/05/2015)
02/06/2015	<u>25</u>	NOTICE AND ORDER: On the Court's own motion, due to a conflict on the Magistrate Judge's calendar, the start time of the Telephonic Status Conference set for 2/12/2015 at 11:00 AM is hereby CHANGED to 10:00 AM, New Albany time (EST), before Magistrate Judge William G. Hussmann Jr. The information needed to participate in this telephonic conference will be provided by a separate notification. Signed by Magistrate Judge William G. Hussmann, Jr on 2/6/2015.(LBT) (Entered: 02/06/2015)
02/18/2015	<u>27</u>	MOTION for Protective Order , filed by Defendants OFFICER ATHERTON, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Exhibit 1 – Defendants' Answers to Plaintiffs' Interrogatories, # <u>2</u> Exhibit 2 – Defendants' Responses to Plaintiffs' Request for Production of Documents, # <u>3</u> Exhibit 3 – Defendants' Letter to Plaintiffs' Counsel dated 11/25/14, # <u>4</u> Exhibit 4 – Parties' Agreed Protective Order, # <u>5</u> Text of Proposed Order Granting Motion for Entry of Protective Order)(Lowe, R.) (Entered: 02/18/2015)
03/04/2015	<u>28</u>	RESPONSE in Opposition re <u>27</u> MOTION for Protective Order , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Text of Proposed Order)(Canon, Daniel) (Entered: 03/04/2015)

03/12/2015	<u>29</u>	ORDER Setting Hearing on <u>27</u> MOTION for Protective Order:Telephonic Motion Hearing set for 3/16/2015 at 2:30 PM, New Albany time (EDT), before Magistrate Judge William G. Hussmann Jr. The information needed for counsel to participate in this telephonic conference will be provided by a separate notification. Signed by Magistrate Judge William G. Hussmann, Jr on 3/12/2015.(LBT) (Entered: 03/12/2015)
03/16/2015	<u>31</u>	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr. Telephonic Status Conference held on 2/18/2015, in lieu of the status conference originally set for 2/12/2015. Defendants have agreed to produce certain items previously requested in discovery on or before 3/6/2015. Plaintiffs discussed an ongoing disagreement concerning the production of grievance files. In the event the parties are unable to agree to resolve this matter, Plaintiff should file a prompt motion to compel shortly after 3/6/2015. Telephonic Status Conference set for 4/30/2015 at 2:30 PM, New Albany time (EDT), before Magistrate Judge William G. Hussmann Jr. The information needed to participate in this telephonic conference will be provided by a separate notification. The presumptive date for filing motions to certify this matter as a class action is set for 5/30/2015. Signed by Magistrate Judge William G. Hussmann, Jr. (LBT) (Entered: 03/16/2015)
03/25/2015	<u>33</u>	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr. Motion Hearing held on 3/16/2015 re <u>27</u> MOTION for Protective Order. <u>27</u> Motion for Protective Order is TAKEN UNDER ADVISEMENT. Defendants were directed to specify which particular Standard Operating Procedures they believe must remain confidential by no later than 3/19/2015. The parties will commence the deposition of a particular person on 3/19/2015. The Magistrate will conduct an in camera review of the need to maintain as confidential any policies which the Plaintiffs cannot agree to allow to remain confidential. In the event the Magistrate concludes that those policies may not remain confidential, the Magistrate will establish additional deposition time for the witness well in advance of the 5/30/2015 deadline for filing motions to certify the class. Signed by Magistrate Judge William G. Hussmann, Jr. (LBT) (Entered: 03/25/2015)
05/06/2015	<u>34</u>	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 4/30/2015. The parties reported they have resolved the outstanding discovery disputes. Therefore, the remainder of the Motion for Protective Order <u>27</u> is DENIED, as moot. Plaintiffs will file any petition for class certification on or before June 15, 2015. Any response shall be filed on or before July 15, 2015, and any reply shall be filed on or before August 1, 2015. Telephonic Status Conference set for 8/20/2015 at 08:30 AM, New Albany time (EDT) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr. (TMB) (Entered: 05/06/2015)
06/15/2015	<u>36</u>	NOTICE of Filing of <i>Filing of Deposition of Tabitha Gentry</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Deposition of Tabitha Gentry) (Landenwich, Laura) Modified on 6/16/2015 (LBT). (Entered: 06/15/2015)
06/15/2015	<u>37</u>	NOTICE of Filing of <i>Deposition of Michael Herron</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Deposition of Michael Herron) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>38</u>	NOTICE of Filing of <i>Deposition of Adam Walker</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Deposition of Adam Walker) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>39</u>	NOTICE of Filing of <i>Deposition of Vincent Minton</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Deposition of Vincent Minton) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>40</u>	NOTICE of Filing of <i>Depsition of Anna Chasten</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Deposition of Anna Chasten) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>41</u>	NOTICE of Filing of <i>Plaintiffs' Cumulative Deposition Exhibits</i> re <u>36</u> , <u>37</u> , <u>38</u> , <u>39</u> and <u>40</u> Depositions by All Plaintiffs (Attachments: # <u>1</u> Exhibit Plaintiffs' Deposition Exhibits 1–3, # <u>2</u> Exhibit Plaintiffs' Deposition Exhibit 4, # <u>3</u> Exhibit Plaintiffs' Deposition Exhibits 5–7, # <u>4</u> Exhibit Plaintiffs' Deposition Exhibits 8–9, # <u>5</u> Exhibit Plaintiffs' Deposition Exhibits 10–13) (Landenwich, Laura) Modified on 6/16/2015 to create link to related documents (LBT). (Entered: 06/15/2015)
06/15/2015	<u>42</u>	NOTICE of Filing of <i>Deposition of Tiffany Frans</i> by All Plaintiffs (Attachments: # <u>1</u> Deposition of Tiffany Frans, # <u>2</u> Exhibit Exhibit 1–Incident Report, # <u>3</u> Exhibit Exhibit 2–Incident Report, # <u>4</u> Exhibit Exhibit 3–Incident Report, # <u>5</u> Exhibit Exhibit

		4–Incident Report) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>43</u>	NOTICE of Filing of <i>Deposition of Meghan Atherton</i> by All Plaintiffs (Attachments: # <u>1</u> Deposition of Meghan Atherton, # <u>2</u> Exhibit Exhibit 1–Combative Practices, # <u>3</u> Exhibit Exhibit 2–Inmate Rights, # <u>4</u> Exhibit Exhibit 3–Incident Report, # <u>5</u> Exhibit Exhibit 4–Incident Report) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>44</u>	NOTICE of Filing of <i>Deposition of Andrew Sands</i> by All Plaintiffs (Attachments: # <u>1</u> Deposition of Andrew Sands V. I, # <u>2</u> Deposition of Andrew Sands V. II, # <u>3</u> Exhibit Exhibit 1 – Combative Practices, # <u>4</u> Exhibit Exhibit 2 – Minton, # <u>5</u> Exhibit Exhibit 3 – PD Cell Rpt, # <u>6</u> Exhibit Exhibit 4 – Watch Log, # <u>7</u> Exhibit Exhibit 5 – Property Rect, # <u>8</u> Exhibit Exhibit 6 – Inmate File, # <u>9</u> Exhibit Exhibit 7 – Shower LIst, # <u>10</u> Exhibit Exhibit 8 – Walker, # <u>11</u> Exhibit Exhibit 9 – Strip Sch, # <u>12</u> Exhibit Exhibit 10 – Command, # <u>13</u> Exhibit Exhibit 11 – Searches, # <u>14</u> Exhibit Exhibit 12 – Reports, # <u>15</u> Exhibit Exhibit 13 – Force, # <u>16</u> Exhibit Exhibit 14 – Discipline, # <u>17</u> Exhibit Exhibit 15 – Rights, # <u>18</u> Exhibit Exhibit 16 – Inc Rpt, # <u>19</u> Exhibit Exhibit 17 – Inc Rpt, # <u>20</u> Exhibit Exhibit 18 – Inc Rpt, # <u>21</u> Exhibit Exhibit 19 – Inc Rpt, # <u>22</u> Exhibit Exhibit 20 – Inc Rpt, # <u>23</u> Exhibit Exhibit 21 – Photo, # <u>24</u> Exhibit Exhibit 22 – Photo, # <u>25</u> Exhibit Exhibit 23 – Photo, # <u>26</u> Exhibit Exhibit 24 – Photo, # <u>27</u> Exhibit Exhibit 25 – Watch Log, # <u>28</u> Exhibit Exhibit 26 – Watch spdst, # <u>29</u> Exhibit Exhibit 27 – Property Rect, # <u>30</u> Exhibit Exhibit 28 – Watch Log, # <u>31</u> Exhibit Exhibit 29 – Rpt, # <u>32</u> Exhibit Exhibit 30 Part 1 – Restraint, # <u>33</u> Exhibit Exhibit 30 Part 2 – Restraint, # <u>34</u> Exhibit Exhibit 30 Part 3 – Restraint, # <u>35</u> Exhibit Exhibit 30 Part 4 – Restraint) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>45</u>	MOTION to Sever <i>Claims</i> , filed by Plaintiff BRIAN BURGESS. (Attachments: # <u>1</u> Memo Supporting Plaintiff Burgess's Motion to Sever, # <u>2</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>46</u>	NOTICE of Filing of <i>Deposition of Ryan Rainey</i> by All Plaintiffs (Attachments: # <u>1</u> Deposition of Ryan Rainey) (Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>47</u>	NOTICE of Filing of <i>Exhibits for 46 Deposition of Ryan Rainey</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Rainey Depo Exhibit 1, # <u>2</u> Exhibit Rainey Depo Exhibit 2, # <u>3</u> Exhibit Rainey Depo Exhibit 3, # <u>4</u> Exhibit Rainey Depo Exhibit 4, # <u>5</u> Exhibit Rainey Depo Exhibit 5, # <u>6</u> Exhibit Rainey Depo Exhibit 6, # <u>7</u> Exhibit Rainey Depo Exhibit 7, # <u>8</u> Exhibit Rainey Depo Exhibit 8, # <u>9</u> Exhibit Rainey Depo Exhibit 9, # <u>10</u> Exhibit Rainey Depo Exhibit 10, # <u>11</u> Exhibit Rainey Depo Exhibit 11, # <u>12</u> Exhibit Rainey Depo Exhibit 12, # <u>13</u> Exhibit Rainey Depo Exhibit 13, # <u>14</u> Exhibit Rainey Depo Exhibit 14, # <u>15</u> Exhibit Rainey Depo Exhibit 15, # <u>16</u> Exhibit Rainey Depo Exhibit 16, # <u>17</u> Exhibit Rainey Depo Exhibit 17, # <u>18</u> Exhibit Rainey Depo Exhibit 18, # <u>19</u> Exhibit Rainey Depo Exhibit 19, # <u>20</u> Exhibit Rainey Depo Exhibit 20, # <u>21</u> Exhibit Rainey Depo Exhibit 21) (Landenwich, Laura) Modified on 6/16/2015 to link to related document (MAG). (Entered: 06/15/2015)
06/15/2015	<u>48</u>	MOTION for Leave to File Excess Pages <i>re Memorandum in Support of Motion for Class Certification</i> , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 06/15/2015)
06/15/2015	<u>49</u>	MOTION to Certify Class , filed by Plaintiffs ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Dept. Corrections Report, # <u>3</u> Exhibit Combative Subjects Policy, # <u>4</u> Exhibit Chastain Incident Report, # <u>5</u> Exhibit Chastain Behavior Log, # <u>6</u> Cover Sheet for Sealed Document Video Conventionally filed, # <u>7</u> Exhibit Herron Incident Report, # <u>8</u> Exhibit Herron Watch Log, # <u>9</u> Exhibit Minton Incident Rpt, # <u>10</u> Exhibit Minton Behavior Watch, # <u>11</u> Exhibit Walker Behavior Watch, # <u>12</u> Exhibit Incident Report Hayens, # <u>13</u> Exhibit Incident Report Mellen, # <u>14</u> Exhibit Incident Rpt Wolfe, # <u>15</u> Exhibit Incident Rpt Scrogam, # <u>16</u> Exhibit Incident Rpt Hawkins, # <u>17</u> Exhibit Incident Rpt Kokinda, # <u>18</u> Exhibit Incident Rpt Kaufman, # <u>19</u> Exhibit Incident rpt Brooks, # <u>20</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 06/16/2015)
06/16/2015	<u>50</u>	MOTION to Seal Document <u>49</u> MOTION to Certify Class <i>Exhibit 5, DN 49–6</i> , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER.

		(Attachments: # <u>1</u> Text of Proposed Order)(Landenwiche, Laura) (Entered: 06/16/2015)
06/16/2015	<u>51</u>	MOTION for Leave to File <i>Corrected Memorandum in Support of Motion to Certify Class</i> , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit Corrected Memorandum in Support of Motion to Certify Class, # <u>2</u> Text of Proposed Order)(Landenwiche, Laura) (Entered: 06/16/2015)
06/17/2015	<u>52</u>	ORDER granting <u>48</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge William G. Hussmann, Jr on 6/17/2015. (LBT) (Entered: 06/17/2015)
06/17/2015	<u>53</u>	ORDER granting <u>50</u> Motion to Seal Exhibit 5 re <u>49</u> MOTION to Certify Class. Signed by Magistrate Judge William G. Hussmann, Jr on 6/17/2015. (LBT) (Entered: 06/17/2015)
06/17/2015	54	SEALED manual filing of CD containing exhibit 5 re <u>49</u> Motion to Certify Class, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (LBT) (Entered: 06/17/2015)
06/19/2015	<u>55</u>	ORDER granting <u>51</u> Plaintiffs' Motion for Leave to File Corrected Memorandum in Support of Motion for Class Certification. The Corrected Memorandum in Support shall be filed within (5) days of the date of this order. Signed by Magistrate Judge William G. Hussmann, Jr on 6/19/2015. (MAG) (Entered: 06/19/2015)
06/19/2015	<u>56</u>	BRIEF/MEMORANDUM in Support re <u>49</u> MOTION to Certify Class , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Landenwiche, Laura) (Entered: 06/19/2015)
07/01/2015	<u>57</u>	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 6/24/2015. Telephonic Status Conference set for 11/16/2015 at 09:30 AM before Magistrate Judge William G. Hussmann Jr. The response to the currently pending Motion for Class Certification (Dkt. 49) must be filed and served on or before July 31, 2015. Any reply brief is to be filed and served no later than August 14, 2015. Discovery remains open by agreement of the parties. Final deadlines for completion of discovery and the scheduling of a trial date will be discussed at the November 16th status conference. Signed by Magistrate Judge William G. Hussmann, Jr. (TMB) (Entered: 07/02/2015)
07/31/2015	<u>59</u>	Joint MOTION for Extension of Time to File Response re <u>49</u> MOTION to Certify Class <i>submitted by Plaintiffs</i> , filed by Defendants OFFICER ATHERTON, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order Granting Joint Motion to Extend Deadline by which Defendants must Respond to Plaintiffs' Motion for Class Certification and Deadline by which Plaintiffs must Reply to Defendants' Response to Plaintiffs' Motion for Class Certification)(Lowe, R.) (Entered: 07/31/2015)
08/03/2015	<u>60</u>	MOTION for Leave to File Excess Pages , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order on Defendants' Motion to Exceed Page Limit)(Lowe, R.) (Entered: 08/03/2015)
08/03/2015	<u>61</u>	RESPONSE in Opposition re <u>49</u> MOTION to Certify Class , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 08/03/2015)
08/05/2015	<u>62</u>	NOTICE of Manual Filing re <u>61</u> Response in Opposition to <u>49</u> Motion for Class Certification, filed by Defendants FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (LBT) (Entered: 08/05/2015)
08/05/2015	<u>63</u>	ORDER granting <u>59</u> Motion for Extension of Time to File Response – It is therefore Ordered, Adjudged and Decreed the Defendants shall have until August 3, 2015, to file a responsive pleading to the Plaintiffs' <u>49</u> Motion for Class Certification and the Plaintiffs shall have until August 17, 2015 to file a Reply to Defendants' Response to Plaintiffs' Motion for Class Certification. Signed by Magistrate Judge William G.

		Hussmann, Jr on 8/5/2015. (MAG) (Entered: 08/05/2015)
08/05/2015	<u>64</u>	Receipt of 6 CDs re <u>62</u> NOTICE of Manual Filing re <u>61</u> Response in Opposition to <u>49</u> Motion for Class Certification, filed by Defendants FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (LBT), (LBT) (Entered: 08/05/2015)
08/05/2015	<u>65</u>	ORDER granting <u>60</u> Motion for Leave to File Excess Pages – It is therefore ordered the Defendants shall have approximately 50 pages in which to respond to the Plaintiff's Motion for Class Certification. Signed by Magistrate Judge William G. Hussmann, Jr on 8/5/2015. (MAG) (Entered: 08/05/2015)
08/17/2015	<u>66</u>	REPLY in Support of Motion re <u>49</u> MOTION to Certify Class , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit 1 Incident Reports, # <u>2</u> Exhibit 2 Walton Declaration, # <u>3</u> Exhibit 3 Landenwich Declaration, # <u>4</u> Exhibit 4 Canon Declaration)(Landenwich, Laura) (Entered: 08/17/2015)
08/31/2015	<u>67</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephone Conference held on 8/20/2015. There are no additional matters at issue at this time. The conference set for November 16, 2015, at 9:30 a.m. (EST) remains on the Magistrate Judge's calendar. (TMB) (Entered: 08/31/2015)
11/18/2015	<u>68</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 11/16/2015. The current trial setting of December 7, 2015, is VACATED. Status Conference set for 2/4/2016 at 09:30 AM in Telephonic before Magistrate Judge William G. Hussmann, Jr. (NRN) (Entered: 11/18/2015)
01/28/2016	<u>70</u>	ORDER REASSIGNING CASE. Clerk is directed to randomly reassign case and notify parties of newly assigned Magistrate Judge. Signed by Judge Richard L. Young on 1/28/2016. (JD) (Entered: 01/28/2016)
01/28/2016	<u>71</u>	NOTICE of Reassignment of Case to Magistrate Judge Tim A. Baker. Magistrate Judge William G. Hussmann, Jr., is no longer assigned to the case. Please include the new case number, 4:14-cv-00054-RLY-TAB , on all future filings in this matter. (JD) Corrected case number on 1/28/2016 (JD). (Entered: 01/28/2016)
01/29/2016	<u>72</u>	ORDER – This matter has been reassigned from the docket of Magistrate Judge William G. Hussmann to that of Magistrate Judge Tim A. Baker. Please note the revised cause number, which is to be used on all future filings. The telephonic status conference set for February 4, 2016, is vacated and reset before Magistrate Judge Tim A. Baker at 10:30 a.m. on February 12, 2016. Parties shall appear by counsel, who shall contact the Court at 317-229-3660. Signed by Magistrate Judge Tim A. Baker on 1/29/2016.(MGG) (Entered: 01/29/2016)
02/16/2016	<u>74</u>	ORDER ON FEBRUARY 12, 2016 TELEPHONIC STATUS CONFERENCE – Parties appeared by counsel February 12, 2016, for a telephonic status conference. Discussion held regarding discovery, settlement and related matters. Given the parties' settlement positions, it does not appear that a court-supervised settlement conference would be productive at this time. The parties shall notify the Magistrate Judge after the District Judge rules on the pending motion to certify class to set a telephonic status conference to address case management and settlement. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 02/16/2016)
02/16/2016	<u>75</u>	ORDER granting <u>49</u> Motion to Certify Class. See Order for details. Signed by Judge Richard L. Young on 2/16/2016. (LBT) (Entered: 02/16/2016)
02/17/2016	<u>76</u>	ORDER ON BRIAN BURGESS'S MOTION TO SEVER – <u>45</u> Motion to Sever is GRANTED. The Clerk is directed to open a new case with Mr. Burgess as the sole plaintiff. See Case No. 4:16-cv-25-RLY-TAB. Signed by Judge Richard L. Young on 2/17/2016. (LBT) Modified on 2/17/2016 (LBT). (Entered: 02/17/2016)
02/17/2016	<u>77</u>	MOTION to Amend/Correct <u>75</u> Order on Motion to Certify Class , filed by Plaintiffs ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 02/17/2016)

03/01/2016	<u>78</u>	MOTION for Reconsideration re <u>75</u> Order on Motion to Certify Class , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order Granting Reconsideration)(Lowe, R.) (Entered: 03/01/2016)
03/01/2016	<u>79</u>	BRIEF/MEMORANDUM in Support re <u>78</u> MOTION for Reconsideration re <u>75</u> Order on Motion to Certify Class , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Exhibit One – Hoffman et al v. Jacobi et al Order)(Lowe, R.) (Entered: 03/01/2016)
03/18/2016	<u>80</u>	RESPONSE in Opposition re <u>78</u> MOTION for Reconsideration re <u>75</u> Order on Motion to Certify Class , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Canon, Daniel) (Entered: 03/18/2016)
03/29/2016	<u>81</u>	REPLY in Support of Motion re <u>78</u> MOTION for Reconsideration re <u>75</u> Order on Motion to Certify Class <i>and Reply to Plaintiffs' Response</i> , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 03/29/2016)
04/11/2016	<u>82</u>	ORDER ON PLAINTIFFS' MOTION TO AMEND CLASS DEFINITION – <u>77</u> Motion to Amend Class Definition is GRANTED. The class definition is hereby modified to reflect the class consists of all people held in the Floyd County Jail's strip cell from June 12, 2012 to present. Signed by Judge Richard L. Young on 4/11/2016. (LBT) (Entered: 04/11/2016)
06/15/2016	<u>83</u>	ORDER SETTING TELEPHONIC STATUS CONFERENCE – This cause is set for a telephonic status conference at 10:30 a.m. on July 5, 2016. Parties shall participate in this conference by counsel, who shall call the Court at 317–229–3660. The purpose of this conference is to discuss case management and settlement. Signed by Magistrate Judge Tim A. Baker on 6/15/2016.(MGG) (Entered: 06/15/2016)
07/05/2016	<u>85</u>	ORDER ON JULY 5, 2016, TELEPHONIC STATUS CONFERENCE – Parties appeared by counsel, July 5, 2016, for a telephonic status conference. Discussion held regarding settlement, and related matters. Defendants' counsel shall contact the Magistrate Judge by July 15, 2016, to advise the Court whether Defendant wants to set this matter for a settlement conference. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 07/05/2016)
07/06/2016	<u>86</u>	SCHEDULING ORDER: Final Pretrial Conference set for 2/2/2017 at 2:30 PM, in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Judge Richard L. Young. Jury Trial set for 2/13/2017 at 9:00 AM, in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Judge Richard L. Young. The court has allotted ten days for this trial. Signed by Judge Richard L. Young on 7/6/2016. (MAG) (Entered: 07/06/2016)
07/25/2016	<u>87</u>	ENTRY ON DEFENDANTS' MOTION FOR RECONSIDERATION OF COURT'S ENTRY ON PLAINTIFF'S MOTION TO CERTIFY CLASS – The court finds it did not err with respect to the certification of the main class, but did err with respect to certification of the subclass. Therefore, the court GRANTS in part and DENIES in part <u>78</u> Defendants' Motion for Reconsideration of Court's Entry on Plaintiffs' Motion to Certify Class. See Entry for details. Signed by Judge Richard L. Young on 7/25/2016. (LBT) (Entered: 07/25/2016)
07/25/2016	<u>88</u>	SCHEDULING ORDER: Telephonic Status Conference set for 7/29/2016 at 2:30 PM before Magistrate Judge Tim A. Baker. Parties shall appear by counsel who shall contact the Court at 317–229–3660. Signed by Magistrate Judge Tim A. Baker on 7/25/2016. (ADH) (Entered: 07/25/2016)
07/29/2016	<u>89</u>	MOTION for Reconsideration of <i>De–Certification of Sub–Class</i> , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Class members identified in this case, # <u>2</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 07/29/2016)

07/29/2016	<u>90</u>	MOTION to Approve Class Certification Notice, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Notice of Class Certification and Opt Out Form, # <u>2</u> Exhibit Exhibit 2 – Identified Class Members, # <u>3</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 07/29/2016)
08/02/2016	<u>91</u>	ORDER ON JULY 29, 2016, TELEPHONIC STATUS CONFERENCE – Parties appeared by counsel, July 29, 2016, for a telephonic status conference. Discussion held regarding discovery, settlement, and related matters. The dispositive motions deadline is August 29, 2016, and counsel shall expect the briefing schedule to be strictly enforced due to the February 13, 2017, trial date. The parties shall submit a proposed Case Management Plan by August 5, 2016, incorporating this deadline. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 08/02/2016)
08/05/2016	<u>92</u>	Proposed Revised CASE MANAGEMENT PLAN TENDERED, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY . (Lowe, R.) (Entered: 08/05/2016)
08/08/2016	<u>93</u>	MOTION to Stay Proceedings pending resolution of Federal Rule of Civil Procedure 23(f) appeal to the Seventh Circuit Court of Appeals, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order Granting Defendants' Motion for Stay)(Lowe, R.) (Entered: 08/08/2016)
08/08/2016	<u>94</u>	BRIEF/MEMORANDUM in Support re <u>93</u> MOTION to Stay Proceedings pending resolution of Federal Rule of Civil Procedure 23(f) appeal to the Seventh Circuit Court of Appeals , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 08/08/2016)
08/08/2016	<u>95</u>	MOTION for Continuance of Trial Date and Dispositive Motion Deadline, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion to Continue Dispositive Motion Deadline and Trial Date)(Lowe, R.) (Entered: 08/08/2016)
08/09/2016	<u>96</u>	ORDER: REVISED CASE MANAGEMENT PLAN APPROVED AS SUBMITTED – Dispositive Motions due by 8/29/2016. Discovery due by 9/29/2016. See Order for details. Signed by Magistrate Judge Tim A. Baker on 8/9/2016. (MAG) (Entered: 08/09/2016)
08/15/2016	<u>97</u>	RESPONSE in Opposition re <u>89</u> MOTION for Reconsideration of De–Certification of Sub–Class , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Lowe, R.) (Entered: 08/15/2016)
08/22/2016	<u>98</u>	RESPONSE in Opposition re <u>95</u> MOTION for Continuance of Trial Date and Dispositive Motion Deadline , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Landenwich, Laura) (Entered: 08/22/2016)
08/22/2016	<u>99</u>	RESPONSE in Opposition re <u>93</u> MOTION to Stay Proceedings pending resolution of Federal Rule of Civil Procedure 23(f) appeal to the Seventh Circuit Court of Appeals , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Canon, Daniel) (Entered: 08/22/2016)
08/24/2016	<u>100</u>	USCA Order (Certified Copy) (USCA # 16–8014) – IT IS ORDERED that the Petition for Leave to Appeal, filed by FLOYD COUNTY, INDIANA, et al, is DENIED. (LBT) (Entered: 08/24/2016)
08/24/2016	<u>101</u>	REPLY in Support of Motion re <u>95</u> MOTION for Continuance of Trial Date and Dispositive Motion Deadline , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order – Alternate Proposed Order with More Specific Dates)(Lowe, R.) (Entered: 08/24/2016)

08/25/2016	<u>102</u>	REPLY in Support of Motion re <u>89</u> MOTION for Reconsideration of <i>De-Certification of Sub-Class</i> , filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Landenwich, Laura) (Entered: 08/25/2016)
08/26/2016	<u>103</u>	MARGINAL ENTRY – <u>93</u> Motion to Stay is DENIED, though the Court will by separate order extend certain deadlines as well as vacate the trial date. Signed by Magistrate Judge Tim A. Baker on 8/26/2016. (LBT) (Entered: 08/26/2016)
08/26/2016	<u>104</u>	ORDER granting <u>95</u> Motion to Continue Trial Date. The dispositive motion deadline currently set for August 29, 2016 and trial set for February 13, 2017 be, and are hereby vacated. A telephonic status conference will be set by separate order. Signed by Magistrate Judge Tim A. Baker on 8/26/2016.(LBT) (Entered: 08/26/2016)
08/29/2016	<u>105</u>	SCHEDULING ORDER: Telephonic Status Conference set for 9/15/2016 at 9:30 AM before Magistrate Judge Tim A. Baker. The purpose of this conference is to address case status and scheduling. Signed by Magistrate Judge Tim A. Baker on 8/29/2016.(LBT) (Entered: 08/29/2016)
09/19/2016	<u>106</u>	<i>Second Revised Agreed</i> CASE MANAGEMENT PLAN TENDERED, filed by Plaintiffs ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER ,and Defendants. (Landenwich, Laura) (Entered: 09/19/2016)
09/21/2016	<u>107</u>	ORDER ON SEPTEMBER 15, 2016, TELEPHONIC STATUS CONFERENCE AND ORDER SETTING SETTLEMENT CONFERENCE AND RELATED DEADLINES – Parties appeared in person and by counsel September 15, 2016, for a telephonic status conference. Discussion held regarding discovery, settlement and related matters. The parties shall file a proposed, revised Case Management Plan within seven days consistent with the deadlines discussed with the Court. This matter is set for a settlement conference at noon on December 20, 2016, in Room 224, United States Courthouse, 121 W. Spring Street, New Albany, Indiana, before Magistrate Judge Tim A. Baker. **SEE ORDER** Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 09/21/2016)
09/23/2016	<u>108</u>	NOTICE of Filing <i>Expert Disclosure</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Expert Report and Exhibits) (Landenwich, Laura) (Entered: 09/23/2016)
09/27/2016	<u>109</u>	ORDER: 2ND REVISED CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Dispositive Motions due by 12/9/2016. Discovery due by 11/24/2016. Signed by Magistrate Judge Tim A. Baker on 9/27/2016.(LBT) (Entered: 09/27/2016)
10/24/2016	<u>110</u>	NOTICE of <i>Service of Expert Witness Disclosure</i> , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY, re <u>109</u> Order: Case ManagementScheduling Order. (Lowe, R.) (Entered: 10/24/2016)
10/26/2016	<u>112</u>	ORDER granting Plaintiffs' <u>90</u> Motion TO APPROVE CLASS CERTIFICATION NOTICE. Signed by Judge Richard L. Young on 10/27/2016. (TMD) (Entered: 10/27/2016)
10/27/2016	<u>111</u>	ORDER denying Plaintiff's <u>89</u> Motion for Reconsideration of <i>De-Certification of Sub-Class</i> . Signed by Judge Richard L. Young on 10/26/2016. (TMD) (Entered: 10/27/2016)
10/31/2016	<u>113</u>	SCHEDULING ORDER: Final Pretrial Conference set for 7/13/2017 at 2:30 PM, in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Judge Richard L. Young. Jury Trial set for 7/24/2017 at 9:00 AM, in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Judge Richard L. Young. The court has allotted ten days for this trial. Signed by Judge Richard L. Young on 10/31/2016. (MAT) (Entered: 10/31/2016)
12/09/2016	<u>114</u>	Joint MOTION for Extension of Time to 12/23/16 in which to <u>106</u> Case Management Plan Tendered by, <u>109</u> Order: Case ManagementScheduling Order re: <i>Dispositive Motion Deadline and Deadline to File Motions re: Experts</i> , filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Attachments: # <u>1</u> Text of Proposed Order)(Lowe, R.) (Entered: 12/09/2016)

12/12/2016	<u>115</u>	ORDER granting <u>114</u> Motion to Extend Dispositive Motion Deadline and Expert Witness Motion Deadline – Dispositive Motion due by 12/23/2016. Motions to Limit or Exclude Expert Witness Testimony due 12/23/2016. Signed by Magistrate Judge Tim A. Baker on 12/12/2016. (MAT) (Entered: 12/12/2016)
12/30/2016	<u>116</u>	ORDER ON DECEMBER 20, 2016, SETTLEMENT CONFERENCE – Parties appeared in person and by counsel December 20, 2016, for a settlement conference. The parties shall continue their settlement discussions and contact the Magistrate Judge by December 28, 2016, with an update. The summary judgment deadline is enlarged to December 30, 2016. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 12/30/2016)
12/30/2016		Dispositive Motions due by 12/30/2016 per No. 116. (LBT) (Entered: 01/03/2017)
02/06/2017	<u>117</u>	Joint MOTION to Approve Settlement, Direct Dissemination of Notice, and Schedule Final Hearing, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit 1 Settlement Agreement, # <u>2</u> Exhibit A Claim Form, # <u>3</u> Exhibit B Class List, # <u>4</u> Exhibit C Class Notice, # <u>5</u> Exhibit D Policy, # <u>6</u> Exhibit E Preliminary Approval, # <u>7</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 02/06/2017)
05/23/2017	<u>118</u>	ORDER granting <u>117</u> Motion for Preliminary Approval of Class Action Settlement, Directing the Dissemination of Notice and Scheduling a Final Settlement Hearing. Fairness Hearing set for 7/24/2017 at 1:00 PM in room #200, United States Courthouse, 121 W. Spring Street, New Albany, Indiana before Magistrate Judge Tim A. Baker. See Order for details. Signed by Magistrate Judge Tim A. Baker on 5/24/2017.(LBT) (Entered: 05/24/2017)
06/05/2017	<u>119</u>	SCHEDULING ORDER: Telephonic Status Conference set for 6/7/2017 at 3:00 PM before Magistrate Judge Tim A. Baker. The purpose of this conference is to address rescheduling the fairness hearing. Signed by Magistrate Judge Tim A. Baker on 6/5/2017.(LBT) (Entered: 06/05/2017)
06/09/2017	<u>120</u>	ORDER ON JUNE 7, 2017, TELEPHONIC STATUS CONFERENCE – Parties appeared by counsel June 7, 2017, for a telephonic status conference. Discussion held regarding the July 24, 2017, fairness hearing. The hearing remains set as scheduled. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 06/09/2017)
06/09/2017	<u>121</u>	NOTICE Consent, and Reference of a Civil Action to a Magistrate Judge, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER (Landenwich, Laura) (Entered: 06/09/2017)
06/12/2017	<u>122</u>	ORDER REFERRING CASE to Magistrate Judge Tim A. Baker. COUNSEL PLEASE NOTE THAT ALL FUTURE PLEADINGS SHALL BEAR THE ALTERED CASE NUMBER 4:14-cv-54-TAB-RLY. Signed by Judge Richard L. Young on 6/12/2017. (MAT) (Entered: 06/12/2017)
07/19/2017	<u>123</u>	NOTICE Respecting Class Action Fairness Act Notification, filed by Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY (Attachments: # <u>1</u> Exhibit Ex A – Notices) (Lowe, R.) (Entered: 07/19/2017)
07/20/2017	<u>124</u>	NOTICE of Appearance by Richard T. Mullineaux on behalf of Defendants OFFICER ATHERTON, JOHN/JANE DOE, FLOYD COUNTY, INDIANA, TIFFANY FRANS, DARRELL MILLS, RYAN RAINEY. (Mullineaux, Richard) (Entered: 07/20/2017)
07/23/2017	<u>125</u>	MOTION for Final Approval, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Settlement Agreement, # <u>3</u> Exhibit Affidavit, # <u>4</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 07/23/2017)
07/24/2017	<u>126</u>	BRIEF/MEMORANDUM in Support re <u>125</u> MOTION for Final Approval of Class Action Settlement, filed by Plaintiffs BRIAN BURGESS, ANNA CHASTAIN, TABITHA GENTRY, MICHAEL HERRON, VINCENT MINTON, JANELLE

		SOUTH, ADAM WALKER. (Attachments: # <u>1</u> Exhibit Settlement Agreement, # <u>2</u> Affidavit Dahl Affidavit, # <u>3</u> Text of Proposed Order Proposed Order)(Walton, Theodore) (Entered: 07/24/2017)
07/25/2017	<u>127</u>	Submission of Signature Requirement re <u>126</u> Brief/Memorandum in Support by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 Settlement Agreement, # <u>2</u> Exhibit 2. Dahl Affidavit, # <u>3</u> Text of Proposed Order)(Landenwich, Laura) (Entered: 07/25/2017)
07/27/2017	<u>128</u>	MINUTE ORDER for proceedings held before Magistrate Judge Tim A. Baker: Motion Hearing held on 7/24/2017 re <u>125</u> MOTION for Final Approval filed by MICHAEL HERRON, TABITHA GENTRY, VINCENT MINTON, JANELLE SOUTH, ADAM WALKER, ANNA CHASTAIN, BRIAN BURGESS. Signed by Magistrate Judge Tim A. Baker. (ADH) (Entered: 07/27/2017)
08/02/2017	<u>129</u>	ORDER granting <u>125</u> Motion for Final Approval. **SEE ORDER FOR DETAILS**. Signed by Magistrate Judge Tim A. Baker on 8/2/2017. (MGG) (Entered: 08/02/2017)
09/29/2017	<u>130</u>	CLOSED ORDER OF ADMINISTRATIVE CLOSING – On August 2, 2017, the Court granted final approval of the class action settlement. (Filing No. <u>129</u> .) Therefore, the Court, upon its own motion, now closes this action administratively without prejudice to the right of any party to move to restore the action to the Court's active docket. Counsel shall promptly notify the Court when all terms of settlement have been finalized so this case may be dismissed with prejudice. Signed by Magistrate Judge Tim A. Baker on 9/29/2017.(LBT) (Entered: 09/29/2017)

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