

**U.S. District Court
Eastern District of Kentucky (Frankfort)
CIVIL DOCKET FOR CASE #: 3:05-cv-00018-KKC-JGW**

Black et al v. Franklin County, Kentucky et al
Assigned to: Judge Karen K. Caldwell
Referred to: Magistrate Judge J. Gregory Wehrman
Cause: 42:1983 Civil Rights Act

Date Filed: 03/28/2005
Date Terminated: 08/20/2007
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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Defendant

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Official Defendant

James Kemper, Jr.
In his Capacity as former Director of
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TERMINATED: 10/31/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard M. Sullivan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tammy Meade Ensslin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Official Defendant

Ted Hammermeister
In his capacity as Director of Franklin
County Correctional Complex

represented by **Andrew D. DeSimone**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas L. McSwain
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Date Filed	#	Docket Text
03/28/2005	<u>1</u>	COMPLAINT 5 summons(es) issued with copy (Filing fee \$250; receipt number 118215), filed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell. (Attachments: # <u>1</u> Civil Cover Sheet, Case Assignment, Receipt & Summons)(CBD) (Entered: 03/29/2005)
04/04/2005	<u>2</u>	SUMMONS Returned Executed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell via PERSONAL SERVICE to Franklin County, Kentucky, Robert Roach, Franklin County Judge Executive, served on 3/29/2005, answer due 4/18/2005. (LKM) (Entered: 04/04/2005)
04/04/2005	<u>3</u>	SUMMONS Returned Executed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell via PERSONAL SERVICE to James Kemper, Jr, OFFICIAL CAPACITY, served on 3/29/2005, answer due 4/18/2005. (LKM) (Entered: 04/04/2005)
04/04/2005	<u>4</u>	SUMMONS Returned Executed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell via PERSONAL SERVICE to James Kemper, Jr., INDIVIDUALLY, on 3/29/2005 (LKM) (Entered: 04/04/2005)
04/04/2005	<u>5</u>	SUMMONS Returned Executed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell via PERSONAL SERVICE to Ted Hammermeister. OFFICIAL CAPACITY, served on 3/29/2005, answer due 4/18/2005. (LKM) Modified text on 4/4/2005 (cleanup)(Moore, Lisa). (Entered: 04/04/2005)
04/04/2005	<u>6</u>	SUMMONS Returned Executed by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell via PERSONAL SERVICE to Ted Hamermeister, INDIVIDUALLY, served on 3/29/2005. (LKM) (Entered: 04/04/2005)
04/06/2005	<u>7</u>	MOTION to Certify Class by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell. Responses due by 4/24/2005. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Tendered Notice of Class Suit)(CBD) (Entered: 04/06/2005)
04/18/2005	<u>8</u>	AGREED ORDER: dfts shall have an extension of time through 5/2/2005 to file their responsive pleading to pltf's Complaint <u>1</u> . Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 04/18/2005)
04/29/2005	<u>9</u>	Proposed Agreed Order – Extending Answer to Complaint until 5/9/05 by Brittney Creech, Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Maureen O. Mitchell. (CBD) (Entered: 04/29/2005)
04/29/2005		***FILE SUBMITTED TO CHAMBERS of Judge Hood for review: <u>9</u> Proposed Agreed Order re Extension of Time to Answer (CBD) (Entered: 04/29/2005)
05/02/2005	<u>10</u>	AGREED ORDER: Dfts shall have an ext of time up through 5/9/05 to file their responsive pleading to Pla's <u>1</u> Complaint . Signed by Judge Joseph M. Hood. (AKR)cc: COR (Entered: 05/03/2005)
05/09/2005	<u>11</u>	AMENDED COMPLAINT against Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, filed by Jillian Baker, Davanika Barber, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins, Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McClearse, Sandra McClearse, Tony Ray

		McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Brittney Creech, Tina Michelle Black, Maureen O. Mitchell.(AKR) (Entered: 05/10/2005)
05/09/2005	<u>12</u>	MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order)(AKR) (Entered: 05/10/2005)
05/09/2005	<u>13</u>	MEMORANDUM in Support of Motion <u>12</u> to Dismiss filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> SEALED Exhibit 1 – Affidavit of Ted Hammermeister# <u>2</u> SEALED Exhibit A – FCCC Strip Search Policies# <u>3</u> SEALED Exhibit B – Order of Commitment as to Tina Black; C – Intake Record as to Tina Black; D – Body Cavity Search Reports as to Tina Black# <u>4</u> SEALED Exhibit E – Uniform Citation as to Maureen Mitchell; F – Intake Record as to Maureen Mitchell; G – Body Cavity Search Report as to Maureen Mitchell# <u>5</u> SEALED Exhibit H – Uniform Citation as to Brittany Creech; I – Intake Record as to Brittany Creech; J – Body Cavity Search Report as to Brittany Creech# <u>6</u> SEALED Exhibit K – FCCC Greivance Procedure# <u>7</u> SEALED Exhibit L – Inmate Orientation# <u>8</u> SEALED Exhibit 2 – USDC EDKY 3:97-cv-35 Order &Final Judgment)(CBD) Modified text on 5/23/2005 (Ratliff, Kay). Additional attachment(s) Redacted Exhibits 1, a-1, 2 added on 5/23/2005 (Ratliff, Kay). Modified text per order dated 5/23/05 on 5/23/2005 (Ratliff, Kay). (Entered: 05/11/2005)
05/12/2005	<u>14</u>	SEALED MOTION filed by dfts (AKR) (Entered: 05/13/2005)
05/13/2005		***FILE SUBMITTED TO CHAMBERS of Judge Hood for review: 14 SEALED MOTION (AKR) (Entered: 05/13/2005)
05/19/2005	<u>15</u>	AGREED ORDER: dfts shall have and extension of time through 6/8/2005, to file their responsive pleading to pltf's Amended Complaint <u>11</u> . Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 05/20/2005)
05/23/2005	<u>16</u>	ORDER: (1) dft's mtn 14 is GRANTED; (2) Clerk of Court is directed that exhibits submitted in Record No. <u>13</u> are SEALED; &that redacted exhibits submitted with the current motion are SUBSTITUTED for sealed exhibits for purposes of dfts' motion to dismiss. Signed by Judge Joseph M. Hood. (AKR)cc: COR (Entered: 05/23/2005)
05/24/2005	<u>17</u>	Proposed Agreed Order Extending Response Time to dfts' Motion to Dismiss by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Franklin County, Kentucky, Deidra Wash, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (CBD) (Entered: 05/24/2005)
05/24/2005		***FILE SUBMITTED TO CHAMBERS of Judge Hood for review: <u>17</u> Proposed Agreed Order Extending Response Time to Dfts' Motion to Dismiss (CBD) (Entered: 05/24/2005)
06/01/2005		***MOTION SUBMITTED TO CHAMBERS of Judge Hood for review: <u>7</u> MOTION to Certify Class by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell (CBD) (Entered: 06/01/2005)
06/01/2005	<u>18</u>	EMERGENCY MOTION for Leave by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister to Respond to Plaintiffs' Motion to Certify Class Out of Time (Attachments: # <u>1</u> Proposed Order)(McSwain, Douglas) (Entered: 06/01/2005)
06/02/2005		***MOTION SUBMITTED TO CHAMBERS of Judge Hood for review: <u>18</u> EMERGENCY MOTION for Leave to Respond to Motion to Certify Class out of

		time by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 06/02/2005)
06/02/2005	<u>19</u>	ORDER: Motion <u>18</u> is GRANTED, and dfts have until 6/20/2005 to respond to pltf's Motion to determine Propriety of Class Action <u>7</u> . Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 06/02/2005)
06/02/2005	<u>20</u>	RESPONSE to Motion <u>12</u> to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Jillian Baker, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Proposed Order)(CBD) (Entered: 06/03/2005)
06/08/2005	<u>21</u>	MOTION to Dismiss Amended Complaint by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit 1 – Affidavit of Ted Hammermeister# <u>3</u> Exhibit A,GG,HH – Jail Policies–Procedures# <u>4</u> Exhibit B,C,D,E,F – Jail Records–Davanika Barber# <u>5</u> Exhibit GH– Jail Records–Karen Gamble# <u>6</u> Exhibit IJ– Jail Records–Jillian Baker# <u>7</u> Exhibit KL– Jail Records–Linda Epling# <u>8</u> Exhibit MN– Jail Records–Deidra Wash# <u>9</u> Exhibit O,PQ– Jail Records–Julie Cornn# <u>10</u> Exhibit R,ST– Jail Records–Thomas Cummins# <u>11</u> Exhibit U,VW– Jail Records–Jeffrey Lee Curtis# <u>12</u> Exhibit X,YZ– Jail Records–Lyttle Farler# <u>13</u> Exhibit AAthroughtDD – Jail Records–NatalieMcCleave# <u>14</u> Exhibit EE– Jail Records–Angela Hesslerode# <u>15</u> Proposed Order)(AKR) (Entered: 06/09/2005)
06/16/2005	<u>22</u>	REPLY to Response to Motion re <u>12</u> MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Memorandum Opinion & Order dated 4/6/99)(CBD) (Entered: 06/16/2005)
06/16/2005		***MOTION SUBMITTED TO CHAMBERS of Judge Hood for review: <u>12</u> MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 06/16/2005)
06/20/2005	<u>23</u>	RESPONSE in Opposition re <u>7</u> MOTION to Certify Class by Brittney Creech, Tina Michelle Black, Maureen O. Mitchell filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Memorandum Opinion and Order# <u>2</u> Proposed Order)(CBD) (Entered: 06/20/2005)
06/21/2005	<u>24</u>	NOTICE OF FILING (Affidavit of Ted Hammermeister) by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister re <u>21</u> MOTION to Dismiss Amended Complaint (Attachments: # <u>1</u> Affidavit of Ted Hammermeister)(AKR) (Entered: 06/22/2005)
06/23/2005	<u>25</u>	Proposed Agreed Order Extending time to 7/8/2005 for pltf's to Reply re Motion to Determine Class Certification by plaintiffs and defendants (CBD) (Entered: 06/23/2005)
06/23/2005		***FILE SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>25</u> Proposed Agreed Order Extending Time to Reply to Motion to Determine Class Certification (CBD) (Entered: 06/23/2005)
06/28/2005		***MOTION SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>21</u> MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 06/28/2005)

06/30/2005	<u>26</u>	AGREED ORDER: IT IS ORDERED pltfs shall have through 7/8/2005 to file their reply to pltf's motion <u>7</u> to Determine Propriety of Class Action IT IS FURTHER ORDERED pltfs shall have an extension through 7/15/2005, to file their response to dfts' Motion <u>21</u> to Dismiss Amended Complaint. Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 06/30/2005)
07/01/2005	<u>27</u>	MOTION for Leave to File Supplemental Motion and Memo in Support thereof to Dismiss the Complaint and Amended Complaint by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (Attachments: # <u>1</u> Tendered Supplemental Motion to Dismiss Complaint & Amended Complaint# <u>2</u> Tendered Memo in Support of Supplemental Motion to Dismiss# <u>3</u> Tendered Proposed Order re Motion to Dismiss)(CBD) (Entered: 07/05/2005)
07/08/2005	<u>28</u>	Proposed Agreed Order removing pltfs' motion for class certification (CBD) (Entered: 07/08/2005)
07/08/2005		***FILE SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>28</u> Proposed Agreed Order removing motion for class certification (CBD) (Entered: 07/08/2005)
07/13/2005		***MOTION SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>7</u> MOTION to Certify Class (Please see Proposed Agreed Order <u>28</u> submitted 7/8/2005) (CBD) (Entered: 07/13/2005)
07/18/2005	<u>29</u>	AGREED ORDER: dfts Motion <u>27</u> for Leave to file a Supplemental Memo in support of their Motion to dismiss pltfs' complaint and Amended Complaint is SUSTAINED, The suppl. Memo of Law attached to dft's motion shall be filed herein. Pltfs' given to 7/22/2005 to file response to dfts' Motion to Dismiss Amended Complaint <u>27</u> an dfts' suppl. Memo of Law. The parties agree that pltfs may file one response covering both the Motion to Dismiss Amended Complaint and the suppl. Memo of Law. The dfts will thereafter have the time under FRCP to file their Reply. Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 07/19/2005)
07/18/2005	<u>30</u>	SUPPLEMENAL MOTION to Dismiss the Original Complaint and Amended Complaint by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Proposed Order)(CBD) (Entered: 07/19/2005)
07/18/2005	<u>31</u>	AGREED ORDER: pltfs' motion <u>7</u> to certify class is removed from the Court's docket, without prejudice. Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 07/19/2005)
07/22/2005	<u>32</u>	RESPONSE to Motion <u>21</u> to Dismiss First Amended Complaint & Supplemental Motion <u>30</u> to Dismiss Amended Complaint filed by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillet, Patricia Tipton, Deidra Wash, Tina Michelle Black, Jillian Baker, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit 1 – John M. Cox – dft information sheet & Uniform Citation# <u>3</u> Exhibit 2 – Tammy Laurine Cooper Court Sheet# <u>4</u> Exhibit 3 – Tammy L. Cooper Order of Probation# <u>5</u> Exhibit 4 – Deidra Wash dft information sheet, Uniform Citation Order# <u>6</u> Exhibit 5 – Jeffrey L. Curtis–dft info sheet, warrant for arrest, uniform citation & Memo from Ky Alternative Programs# <u>7</u> Exhibit 6 – Angela Nesslerode – Dft Info sheet, Warrant of Arrest & Uniform Citation)(AKR) (Entered: 07/22/2005)
08/04/2005		***MOTION SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>21</u> MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 08/04/2005)
08/05/2005		***MOTION SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>30</u> MOTION to Dismiss by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (CBD) (Entered: 08/05/2005)

08/08/2005	<u>33</u>	AGREED ORDER: dfts shall have an extension of time through 8/12/2005 to file their reply to pltf's response to dfts' <u>21</u> MOTION to Dismiss the Amended Complaint, and <u>30</u> SUPPLEMENTAL Memo of Law in support of the Motions to Dismiss. Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 08/08/2005)
08/12/2005	<u>34</u>	REPLY to Response to Motions re <u>12</u> MOTION to Dismiss Complaint, <u>21</u> MOTION to Dismiss Amended Complaint, <u>30</u> SUPPLEMENTAL MOTION to Dismiss the Comapltin and Amended Complaint filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Summary of Grounds for Dismissal)(CBD) (Entered: 08/15/2005)
08/15/2005		***MOTION SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>12</u> MOTION to Dismiss Complaint, <u>21</u> MOTION to Dismiss Amended Compalint, <u>30</u> SUPPLEMENTAL MOTION to Dismiss Complaint and Amended Complaint by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (CBD) (Entered: 08/15/2005)
08/16/2005	<u>35</u>	MEMORANDUM OPINION & ORDER: dfts' motion to dismiss pltf's original complaint <u>12</u> is GRANTED IN PART AND DENIED IN PART 2) dfts' motion to dismiss pltf's amended complaint <u>21</u> is GRANTED IN PART AND DENIED IN PART 3) dfts' supplemental motion to dismiss <u>30</u> IS GRANTED IN PART AND DENIED IN PART 4) all of pltf, Black's constitutional claims against dfts – except her equal protection claims, which remain viable – to the extent they are based on the strip searches conducted upon Black following her return from work release, are DISMISSED WITH PREJUDICE 5) pltf's Maureen O. Mitchell; Deidra Wash; Rebecca Hagan; Karen Gamble; Penny Tillett; Sandra McCleave; Angela Lear; Jimmy Hammonds; Davanika Barber; Natasha Marie Hunter; and Patricia Tipton's claims against the dfts are DISMISSED WITH PREJUDICE 6) pltf Cooper's claims against the dfts, to the extent they are based on the strip searches conducted upon Cooper following her return from court appearances are DISMISSED WITH PREJUDICE 7) Franklin County Correctional Complex is DISMISSED WITH PREJUDICE 8) the equal protection claims of all pltf's other than pltf Black are DISMISSED WITH PREJUDICE 9) all of the pltf's Ninth Amendment claims are DISMISSED WITH PREJUDICE. Signed by Judge Joseph M. Hood. (CBD)cc: COR (Entered: 08/17/2005)
08/17/2005		***FILE SUBMITTED TO CHAMBERS of Chief Judge Hood for Order for Meeting and Report (CBD) (Entered: 08/17/2005)
08/30/2005	<u>36</u>	ANSWER to Complaint with JURY DEMAND, ANSWER to Amended Complaint by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister.(CBD) (Entered: 08/30/2005)
08/30/2005		***FILE SUBMITTED TO CHAMBERS of Chief Judge Hood for review and Order for Meeting and Report. (CBD) (Entered: 08/30/2005)
10/12/2005	<u>37</u>	ORDER FOR MEETING AND REPORT: Rule 26 Meeting Report due by 11/7/2005. Signed by Judge Joseph M. Hood. (AKR)cc: COR (Entered: 10/12/2005)
11/11/2005	<u>38</u>	JOINT REPORT of Rule 26(f) Planning Meeting. (Meade, Tammy) (Entered: 11/11/2005)
11/14/2005		***FILE SUBMITTED TO CHAMBERS of Chief Judge Hood for review: <u>38</u> Joint Report of Rule 26(f) Planning Meeting (AKR) (Entered: 11/14/2005)
11/14/2005	<u>39</u>	ORDER: 1) motion to amend be filed on or before 3/15/2006 2) Discovery due by 12/31/2006. 3) reports from experts due from pltf 7/1/2006 and from dft 9/1/2006 4) Dispositive Motions due by 1/31/2007. 5) motions in limine ddl 2/19/2007 6) Final Pretrial Conference set for 3/19/2007 10:00 AM in Frankfort before Joseph M. Hood. one 7) week before conference pretrial filings due 8) Jury Trial set for 4/24/2007 09:00 AM in Frankfort before Joseph M. Hood. Signed by Judge Joseph M. Hood (CBD)cc: COR, Diary (Entered: 11/14/2005)
11/22/2005	<u>40</u>	NOTICE of Appearance as co-counsel for plaintiffs by Charles C. Adams, Jr, Thomas K. Herren on behalf of Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth

		McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins (CBD) (Entered: 11/22/2005)
01/06/2006	<u>41</u>	ORDER REASSIGNING CASE: Case reassigned to Judge Karen K. Caldwell for all further proceedings. Judge Joseph M. Hood no longer assigned to case. Signed by Judge Joseph M. Hood. (AKR)cc: COR (Entered: 01/08/2006)
02/22/2006	<u>42</u>	MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>and/or Dismiss Plaintiffs' Class Action Allegation</i> Responses due by 3/13/2006 (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit Plaintiffs' Discovery Requests)(Meade, Tammy) (Entered: 02/22/2006)
02/28/2006	<u>43</u>	STIPULATION OF EXTENSION OF TIME TO ANSWER DISCOVERY through & including March 30, 2006 by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (AKR) (Entered: 02/28/2006)
03/09/2006	<u>44</u>	STIPULATION OF EXTENSION OF TIME TO RESPOND to 3/16/2006 re <u>42</u> MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (CBD) (Entered: 03/09/2006)
03/09/2006		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>44</u> Agreed Stipulation (CBD) (Entered: 03/09/2006)
03/15/2006	<u>45</u>	MOTION (1) for Order to continue or table dfts' Motion to Strike <u>42</u> and/or Dismiss Class Action Allegation AND (2) to Extend Ddl to Amend Pleadings by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit A – Plaintiff's Initial Disclosures# <u>3</u> Exhibit B – Plaintiff's Interrogatories and Request for Production of Documents# <u>4</u> Exhibit C – Defendant's Answers to Plaintiff's Interrogatories and Request for Production of Documents# <u>5</u> Exhibit D – UOR Codes# <u>6</u> Proposed Order)(CBD) (Entered: 03/15/2006)
03/22/2006	<u>46</u>	STIPULATION re <u>45</u> MOTION for Order by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Meade, Tammy) (Entered: 03/22/2006)
03/22/2006	<u>47</u>	RESPONSE in Opposition re <u>45</u> MOTION for Order by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La filed by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn,

		Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Exhibit 1–Plaintiffs' Supplemental Discovery Requests# <u>2</u> Exhibit 2–Letter Received 3–17–06)(Meade, Tammy) (Entered: 03/22/2006)
03/23/2006	<u>48</u>	REPLY to Response to Motion re <u>45</u> MOTION for Order by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La, <u>42</u> MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Jillian Baker. (Meade, Tammy) (Entered: 03/23/2006)
03/24/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>45</u> MOTION for Order by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La, <u>42</u> MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 03/24/2006)
03/24/2006	<u>49</u>	RESPONSE to Motion re <u>45</u> MOTION for Order by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La, <u>42</u> MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 03/24/2006)
04/03/2006	<u>50</u>	REPLY in Support of Plas' Motion to Extend Deadline to Amend Pleadings <u>45</u> filed by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Exhibit A – Letter dated 3/16/06 to Tammy S. Meade)(AKR) (Entered: 04/03/2006)
04/03/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>45</u> MOTION for Order &to Extend Deadline to Amend Pleadings by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy La (AKR) (Entered: 04/03/2006)
04/19/2006	<u>51</u>	STIPULATION <i>Granting Defendants an Extension of Time to Respond to Discovery</i> by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Meade, Tammy) (Entered: 04/19/2006)
05/04/2006	<u>52</u>	MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>on Claims Made by Jonathan Cox</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1–Jonathan Cox Interrogatory Answers# <u>4</u> Exhibit 2–Jonathan Cox Request for Admissions)(Meade, Tammy) (Entered: 05/04/2006)
05/09/2006	<u>53</u>	MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>on Claims Made by Tommy Cummins</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1–Request for Admissions to Thomas Cummins)(Meade, Tammy) (Entered: 05/09/2006)
05/18/2006	<u>54</u>	RESPONSE to Motion re <u>53</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted

		Hammermeister filed by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Proposed Order)(CBD) (Entered: 05/18/2006)
05/18/2006	<u>55</u>	RESPONSE to Motion re <u>52</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox. (Attachments: # <u>1</u> Proposed Order)(CBD) (Entered: 05/18/2006)
05/26/2006	<u>56</u>	REPLY to Response to Motion re <u>52</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>on Claims made by Jonathan Cox</i> filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 05/26/2006)
05/30/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>52</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 05/30/2006)
05/30/2006	<u>57</u>	REPLY to Response to Motion re <u>53</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 05/30/2006)
05/31/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>53</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 05/31/2006)
06/21/2006	<u>58</u>	MOTION to Compel by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>written discovery</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1–Discovery to Plaintiffs# <u>4</u> Exhibit 2–Stipulation of Extension of Time to Answer Discovery# <u>5</u> Exhibit 3–April 19, 2006 letter# <u>6</u> Exhibit 4–June 5, 2006 letter# <u>7</u> Exhibit 5–June 12, 2006 letter)(Meade, Tammy) Modified text to include "written discovery" on 6/22/2006 (Ratliff, Kay). (Entered: 06/21/2006)
07/07/2006	<u>59</u>	MOTION for Leave to File by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Supplemental Memo Supporting Motion to Strike Plaintiffs' Class Allegations</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1—Woodford v. Ngo)(Meade, Tammy) (Entered: 07/07/2006)
07/07/2006	<u>60</u>	MOTION for Reconsideration re <u>13</u> Memorandum in Support of Motion,,, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Under the Prison Litigation Reform Act, 42 USC Section 1975e</i> (Attachments: # <u>1</u> Exhibit 1—Woodford v. Ngo# <u>2</u> Proposed Order)(Meade, Tammy) (Entered: 07/07/2006)
07/12/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>58</u> MOTION to Compel Written Discovery by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 07/12/2006)
07/21/2006	<u>61</u>	RESPONSE to Defendants' Pending Motions re <u>42</u> MOTION to Strike, <u>53</u> MOTION for Summary Judgment, <u>59</u> MOTION for Leave to File, <u>52</u> MOTION for Summary Judgment, <u>58</u> MOTION to Compel, <u>60</u> MOTION for Reconsideration re <u>13</u> Memorandum in Support of Motion filed by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy

		Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Excerpt from Deposition of Jail Personnel# <u>3</u> Exhibit A – Faxed letter from W. Hockensmith# <u>4</u> Exhibit B – Amended Ntc of Depo &Ntc of Depo of Defendants# <u>5</u> Exhibit C – Plaintiffs' Supplemental Interrogatories &Disclosures# <u>6</u> Exhibit D – Plaintiffs' Second Supplemental Request for Production &Disclosures# <u>7</u> Exhibit E – Letter dated 6/29/06 to T. Herren# <u>8</u> Exhibit F – Article dated 7/8/06 from United Press International)(AKR) (Entered: 07/21/2006)
07/21/2006	<u>62</u>	MOTION to Compel Discovery AND MOTION for Extension of Time, Deadlines by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins (Attachments: # <u>1</u> Proposed Order # <u>2</u> Excerpt of Depositiono of jail personnel# <u>3</u> Exhibit A – Faxed letter from W. Hockensmith# <u>4</u> Exhibit B – Amended Ntc of Depo &Ntc of Depo of Defendants# <u>5</u> Exhibit C – Plaintiffs' Supplemental Interrogatories &Disclosures# <u>6</u> Exhibit D – Plaintiffs' Second Supplemental Request for Production &Disclosures# <u>7</u> Exhibit E – Letter dated 6/29/06 to T. Herren# <u>8</u> Exhibit F – Article dated 7/8/06 from United Press International)(AKR) (Entered: 07/21/2006)
07/31/2006	<u>63</u>	REPLY to Response to Motion re <u>58</u> MOTION to Compel by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 07/31/2006)
07/31/2006	<u>64</u>	REPLY to Response to Motion re <u>59</u> MOTION for Leave to File by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, <u>42</u> MOTION to Strike by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 07/31/2006)
07/31/2006	<u>65</u>	REPLY to Response to Motion re <u>60</u> MOTION for Reconsideration re <u>13</u> Memorandum in Support of Motion,,, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 07/31/2006)
08/01/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>58</u> MOTION to Compel by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 08/01/2006)
08/01/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>59</u> MOTION for Leave to File by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 08/01/2006)
08/01/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>60</u> MOTION for Reconsideration re <u>13</u> Memorandum in Support of Motion,,, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 08/01/2006)
08/07/2006	<u>66</u>	RESPONSE to Motion re <u>62</u> MOTION to Compel filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Ted Hammermeister# <u>2</u> Exhibit 2 – June 12, 2006 Letter to Plaintiffs' Counsel# <u>3</u> Exhibit 3 – May 31, 2006 Deposition# <u>4</u> Exhibit 4 – Amended Notice of Deposition# <u>5</u> Exhibit 5 – Plaintiffs' Counsel Letter dated May 31, 2006# <u>6</u> Exhibit 6 – April 19, 2006 Letter to Plaintiffs' Counsel# <u>7</u> Exhibit 7 – June 5, 2006 Letter to Plaintiffs' Counsel)(Meade, Tammy) Modified – text cleanup on 8/8/2006 (Dearborn, Christy). (Entered: 08/07/2006)

08/07/2006	<u>67</u>	RESPONSE to Motion re <u>62</u> MOTION for Extension of Time to Complete Discovery filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) Modified – text cleanup on 8/8/2006 (Dearborn, Christy). (Entered: 08/07/2006)
08/22/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>62</u> MOTION to Compel Discovery & MOTION for Extension of Time to Complete Discovery by pltfs (CBD) (Entered: 08/22/2006)
08/31/2006	<u>68</u>	MOTION for Extension of Time by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>to Produce Expert Information</i> (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Proposed Order)(Meade, Tammy) (Entered: 08/31/2006)
09/05/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>68</u> MOTION for Extension of Time by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 09/05/2006)
09/06/2006	<u>69</u>	ORDER: matter REFERRED to Magistrate Judge J. Gregory Wehrman pursuant to 28 U.S. 636(b)(1)(A) for resolution of all discovery disputes, settlement conf., and amend scheduling ddls, if appropriate. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 09/06/2006)
09/06/2006		Clerk's Note: <u>69</u> Order not sent to attorney Rodnaey McDaniel as previously shown on NEF – attorney suspended 7/24/2006 from practice in EDKY by Chief Judge Hood for a period of two years to run consecutively with suspension pending against him, and until he is reinstated by Ky Supreme Ct. (CBD) (Entered: 09/06/2006)
09/06/2006	<u>70</u>	NOTICE OF MANDATORY ECF DIRECTED TO James E. Boyd, Marie K. Brannon, S. Marie Hellard and Richard M. Sullivan, non-registered attorneys re <u>69</u> Order, Case Referred to Magistrate Judge – had to be MAILED TO non-registered attorneys, which is in direct violation of this court's General Orders re: Mandatory ECF. <i>Failure to comply will result in this matter being submitted to the Chief Judge to institute contempt proceedings.</i> cc: COR (CBD) (Entered: 09/06/2006)
09/08/2006	<u>71</u>	ORDER: 1) dfts' motion to compel discovery <u>58</u> is granted in part, but pltfs' request for additional time likewise will be granted. Pltfs respond to outstanding discovery not later than 10/1/2006. Should pltfs fail to timely comply, court will entertain a motion for discovery sanctions under Rule 37 2) pltfs' motion to compel discovery <u>62</u> is denied without prejudice to renew upon ruling on motion for class certification and/or full compliance w/ LR 37.1 3) pltfs' motions for ext of ddl to amend pldgs included in <u>45</u> and of all other pretrial ddls <u>62</u> are granted in part and denied in part as follows: a) ddl to Amended Pleadings due by 10/2/2006. b) Discovery due by 2/28/2007. c) Dispositive Motions due by 3/20/2007. d) motions in limine ddl 4/5/2007 e) pltfs complete expert disclosures by 10/2/2006, w/ dfts expert disclosures not later than 11/29/2006 f) final pretrial dates of 3/19/2007 and (Jury Trial) 4/24/2007 shall be vacated , with this record to be submitted to presiding judge upon entry of this order to schedule new dates if appropriate and for ruling on pending matters not referred to undersigned <u>42 45 52 53 60</u> g) NO FURTHER EXTENSIONS OF THESE DDLS WILL BE GRANTED ABSENT STRONG SHOWING OF GOOD CAUSE SUPPORTED BY APPROPRIATE AFFIDAVIT, unless class certification is granted 4) dfts' motion for extension of time to produce experts reports <u>68</u> is granted as specified in paragraph 3(e) of this Order 5) If parties jointly request court-convened status conference, joint status report to be filed before 10/10/2006 with mutually agreeable dates. Signed by Judge J. Gregory Wehrman (CBD)cc: COR (Entered: 09/08/2006)
09/08/2006		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for scheduling of new dates (pretrial and trial) if appropriate per <u>71</u> Order. (CBD) (Entered: 09/08/2006)
09/08/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>52</u> MOTION for Summary Judgment <u>45</u> MOTION for Order <u>42</u> MOTION to Strike <u>53</u> MOTION for Summary Judgment <u>60</u> MOTION for Reconsideration re <u>13</u> Memorandum in Support of Motion per Order <u>71</u> (CBD) (Entered: 09/08/2006)

09/28/2006	<u>72</u>	OPINION AND ORDER: 1) Dfts' Motion to Strike Class Action Allegations <u>42</u> from Complaint is DENIED 2) pltf's Motion to Continue or Table the Motion to Strike <u>45</u> DENIED, the Court having ruled on the Motion to Strike 3) pltf's Motion to Extend the Ddl to Amend Pleadings <u>45</u> DENIED as moot, the Magistrate Judge having ruled on same 4) Dfts' Motions for Summary Judgment <u>52</u> and <u>53</u> are GRANTED 5) Claims of Jonathan Cox and Tommy Cummins are DISMISSED with prejudice 6) dfts' Motion for Leave to File Supplemental Memo <u>59</u> GRANTED 7) dfts' Motion to Reconsider <u>60</u> DENIED 8) Any Motion to Certify this action as a Class Action must be filed w/in 60 days of entry date of this Order w/ response and reply briefs permitted according to Local Rules. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 09/29/2006)
09/28/2006	<u>74</u>	SUPPLEMENTAL MEMORANDUM IN SUPPORT of <u>42</u> Motion to Strike Class Action Allegations filed by Franklin County, Kentucky, James Kemper, Jr, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Woodford v. Ngo)(CBD) (Entered: 09/29/2006)
09/29/2006	<u>73</u>	NOTICE OF MANDATORY ECF DIRECTED TO James E. Boyd and S, Marie Hellard, non-registered attorneys re <u>72</u> Order – had to be MAILED TO non-registered attorneys, which is in direct violation of this court's General Orders re: Mandatory ECF. Failure to comply will result in this matter being submitted to the Chief Judge to institute contempt proceedings. (cc: COR, Boyd and Hellard w/ ECR Registration Forms) (CBD) (Entered: 09/29/2006)
10/02/2006	<u>75</u>	DISCLOSURES OF EXPERTS by Jeffrey Curtis, Linda Epling, Joe Farler, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Tina Michelle Black, Jillian Baker, James Dion Bixler, Tammy Laurine Cooper, Julie Ann Cornn. (Attachments: # <u>1</u> Exhibit EXPERT REPORT# <u>2</u> Exhibit EXPERT CV)(Herren, Thomas) (Entered: 10/02/2006)
10/02/2006	<u>76</u>	SECOND MOTION to Amend/Correct <u>1</u> Complaint and <u>11</u> Amended Complaint by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Jillian Baker, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins (Attachments: # <u>1</u> Exhibit SECOND AMENDED COMPLAINT# <u>2</u> Proposed Order)(Herren, Thomas) Modified text to add links to Cmp and Amd Cmp on 10/3/2006 (Dearborn, Christy). (Entered: 10/02/2006)
10/03/2006		NOTICE OF DOCKET MODIFICATION TO T. Herron re <u>76</u> SECOND MOTION to Amend/Correct by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra M ; ERROR: attorney failed to create links to the events to which the Motion to Amend/Correct relates; Entry made by attorney; CORRECTION: Clerk has modified text to create the links; In the future, attorney is advised to create a link with the existing event to which the pleading relates. No further action required. (cc: COR) (CBD) (Entered: 10/03/2006)
10/03/2006	<u>77</u>	ORDER: In accordance w/ Order of 9/8/2006 ent by Judge Wehrman <u>71</u> , parties advised of following dates: 1) Pretrial Conf. scheduled for 7/17/2007 @ 10:00 AM 2) Jury Trial scheduled for 8/13/2007 @ 9:00 AM. (CBD)cc: COR, diary (Entered: 10/03/2006)
10/20/2006	<u>78</u>	RESPONSE to Motion re <u>76</u> SECOND MOTION to Amend/Correct by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra M filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 10/20/2006)
10/23/2006	<u>79</u>	MOTION to Strike <u>75</u> Disclosures, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1---Plaintiffs' CR 26

		Compliance# <u>4</u> Exhibit 2--Meade 10-9-06 letter# <u>5</u> Exhibit 3--Herren 10-9-06 letter)(Meade, Tammy) (Entered: 10/23/2006)
10/25/2006	<u>80</u>	MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Pursuant to FRCP 37(b)</i> (Attachments: # <u>1</u> Memorandum in Support of Defendants' Motion for Sanctions Pursuant to FRCP 37(b)# <u>2</u> Exhibit 1-10/9/06 letter to Tom Herren from Tammy Meade# <u>3</u> Exhibit 2-10/3/06 letter to Tammy Meade from Tom Herren# <u>4</u> Proposed Order for Sanctions)(Meade, Tammy) (Entered: 10/25/2006)
10/27/2006	<u>81</u>	MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>on Claims Made by Tammy Cooper a/k/a Tammy Cubert</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1--Request for Admissions to Tammy Cooper)(Meade, Tammy) (Entered: 10/27/2006)
10/30/2006	<u>82</u>	MOTION to Withdraw as Counsel by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order)(CBD) (Entered: 10/30/2006)
10/30/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>82</u> MOTION to Withdraw as Attorney (James E. Boyd) by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 10/30/2006)
10/31/2006	<u>83</u>	ORDER: said Motion (<u>82</u> Motion to Withdraw as Attorney) is sustained and counsel (James E. Boyd) is relieved from any further duties herein. Clerk shall notify all parties hereto of this Order . Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 10/31/2006)
11/08/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>76</u> SECOND MOTION to Amend/Correct by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra M (AKR) (Entered: 11/08/2006)
11/09/2006	<u>84</u>	RESPONSE to Motion re <u>81</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Tina Michelle Black. (Herren, Thomas) (Entered: 11/09/2006)
11/09/2006	<u>85</u>	RESPONSE to Motion re <u>79</u> MOTION to Strike <u>75</u> Disclosures, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Tina Michelle Black. (Attachments: # <u>1</u> Supplement Expert Report)(Herren, Thomas) (Entered: 11/09/2006)
11/14/2006	<u>86</u>	REPLY to Response to Motion re <u>79</u> MOTION to Strike <u>75</u> Disclosures, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 11/14/2006)
11/15/2006	<u>87</u>	RESPONSE to Motion re <u>80</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Tina Michelle Black. (Attachments: # <u>1</u> Exhibit Pltf's 2nd Sup Req# <u>2</u> Exhibit Initial Discl# <u>3</u> Exhibit Pltf's Sup Int And Req# <u>4</u> Exhibit - Franklin Co Regional Jail Strip Search Report # <u>5</u> Exhibit Letter to Pltf's Counsel)(Herren, Thomas) Modified text by adding "Franklin Co Regional Jail Strip Search Report" on 11/16/2006 (Ratliff, Kay). (Entered: 11/15/2006)
11/15/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell/Mag. Judge Wehrman for review: <u>79</u> MOTION to Strike <u>75</u> Disclosures, by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 11/15/2006)

11/16/2006		NOTICE OF DOCKET MODIFICATION TO T. Herren re <u>87</u> Response to Motion; Error: attachment number 4 was insufficiently described as Exhibit; Entry made by attorney; Correction: the Clerk has renamed the attachment. It is necessary that ALL attachments are adequately described. ex: Exhibit A (incorrect); Exhibit A – Affidavit of John Doe (correct) ; No further action required by counsel. cc: COR (AKR) (Entered: 11/16/2006)
11/20/2006	<u>88</u>	REPLY to Response to Motion re <u>81</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 11/20/2006)
11/21/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>81</u> MOTION for Summary Judgment by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 11/21/2006)
11/21/2006	<u>89</u>	REPLY to Response to Motion re <u>80</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 11/21/2006)
11/22/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Wehrman for review: <u>80</u> MOTION for Sanctions (for failure to provide discovery) by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 11/22/2006)
11/27/2006	<u>90</u>	MOTION for Extension of Time by Tina Michelle Black <i>to certify class action</i> (Attachments: # <u>1</u> Proposed Order)(Herren, Thomas) Modified text by adding "to certify class action" on 11/28/2006 (Ratliff, Kay). (Entered: 11/27/2006)
11/27/2006	<u>91</u>	MOTION for Extension of Time by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>to Produce Expert Information on 14 Individuals in 2nd Amended Complaint</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support)(Meade, Tammy) (Entered: 11/27/2006)
11/29/2006	<u>92</u>	DISCLOSURES by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit A–Report# <u>2</u> Exhibit B–Curriculum Vitae# <u>3</u> Exhibit C–Fee Schedule# <u>4</u> Exhibit D–List of Cases)(Meade, Tammy) (Entered: 11/29/2006)
12/01/2006	<u>93</u>	RESPONSE in Opposition re <u>90</u> MOTION for Extension of Time by Tina Michelle Black filed by Karen Gamble, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit 1—Meade Correspondence 10–30–06# <u>3</u> Exhibit 2—Meade Correspondence 11–10–06# <u>4</u> Exhibit 3–Herren Correspondence 11–29–06)(Meade, Tammy) (Entered: 12/01/2006)
12/04/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>90</u> MOTION for Extension of Time to certify class action by Tina Michelle Black and <u>93</u> Response to Motion for Extension to certify class action (CBD) (Entered: 12/04/2006)
12/04/2006		***MOTION SUBMITTED TO CHAMBERS of Judge Wehrman for review: <u>91</u> MOTION for Extension of Time to Produce Expert Information on 14 Individuals in 2nd Amended Complaint by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 12/04/2006)
12/13/2006	<u>94</u>	NOTICE of Change of Address by Andrew D. DeSimone (DeSimone, Andrew) (Entered: 12/13/2006)
12/20/2006	<u>95</u>	NOTICE of Change of Address by Tammy S. Meade (Meade, Tammy) (Entered: 12/20/2006)

12/29/2006	<u>96</u>	MEMORANDUM ORDER: pltfs' MOTION <u>76</u> Amend Cmp is granted, Court having rec'd pltfs' second amended cmp, the amended cmp shall be filed 2) dfts' motion <u>79</u> to Strike pltfs' expert is denied 3) pltfs shall have 15 days from DOE this Order to provide revised expert disclosure rpt 4) upon mtn, dfts may extend ddl for disclosure of their own expert witness(es) until 60 fays after final submission of pltfs' expert rpt 5) dfts' motion for sanctions <u>80</u> is granted in part and denied in part (a) pltfs pay dfts \$500.00 as monetary sanction (b) w/in 10 day sof DOE this order, pltf shall fully comply w/ Court's 9/8/2006 Order. Any pltf who fails to comply w/ this order my be subject to dismissal 6) pltfs' motion to extend time to certify class <u>90</u> is granted in part and denied in part. Pltfs shall file any such motion not later than 1/26/2007. NO FURTHER EXTENSIONS WILL BE GRANTED. Failure to timely file a motion to certify will result in class allegations being stricken from cmp 7) dfts' motion for extensions of time to identify experts on newly added pltfs <u>91</u> is granted. Signed by Judge J. Gregory Wehrman. (CBD)cc: COR (Entered: 12/29/2006)
12/29/2006	<u>97</u>	SECOND AMENDED COMPLAINT against Franklin County, Franklin County Correctional Complex, Kentucky, James Kemper, Jr, Ted Hammermeister, Individually and Officially, filed by Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Jillian Baker, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins.(CBD) (Entered: 01/03/2007)
01/08/2007	<u>98</u>	ANSWER to Second Amended Complaint by Franklin County, Kentucky, James Kemper, Jr, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister.(Meade, Tammy) Modified text to better describe document by adding "Second" on 1/9/2007 (Dearborn, Christy). (Entered: 01/08/2007)
01/10/2007	<u>99</u>	NOTICE to Take Deposition of Designated Witnesses on January 15, 2007; 1:00 p.m. by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins.(Herren, Thomas) (Entered: 01/10/2007)
01/16/2007	<u>100</u>	SUPPLEMENTAL DISCLOSURES <i>Supplemental CR 26 Expert Compliance</i> by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Supplement CR 26 Disclosures)(Herren, Thomas) Modified text w/ language in italics on 1/17/2007 (Dearborn, Christy). (Entered: 01/16/2007)
01/18/2007	<u>101</u>	MOTION to Compel by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>answer to 2nd request for production of documents</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1 – Second Requests for Production to Tina Black# <u>4</u> Exhibit 2 – December 20, 2006 letter)(Meade, Tammy) Modified text to include language in italics on 1/19/2007 (Ratliff, Kay). (Entered: 01/18/2007)

01/18/2007	<u>102</u>	MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support)(Meade, Tammy) (Entered: 01/18/2007)
01/24/2007	<u>103</u>	MOTION for Extension of Time by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>for Expert Deadline</i> (Attachments: # <u>1</u> Proposed Order)(Meade, Tammy) (Entered: 01/24/2007)
01/24/2007	<u>104</u>	RESPONSE to Discovery Request by Tina Michelle Black.(Herren, Thomas) (Entered: 01/24/2007)
01/25/2007	<u>105</u>	RESPONSE in Opposition re <u>101</u> MOTION to Compel by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Tina Michelle Black. (Attachments: # <u>1</u> Exhibit "A" – Tina Black's Answers to Second Request for Production)(Herren, Thomas) Modified text by adding description of exhibit on 1/25/2007 (Ratliff, Kay). (Entered: 01/25/2007)
01/25/2007		NOTICE OF DOCKET MODIFICATION TO T. Herren re <u>105</u> Response in Opposition to Motion; Error: attachment was insufficiently described as Exhibit "A"; Entry made by attorney; Correction: the Clerk has renamed the attachment. It is necessary that all attachments are adequately described. ex: Exhibit A (incorrect); Exhibit A – Affidavit of John Doe (correct); No further action required by counsel. cc: COR (AKR) (Entered: 01/25/2007)
01/26/2007	<u>106</u>	MOTION to Certify Class by Wendy Hockensmith Responses due by 2/26/2007 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit Strip Search Report# <u>3</u> Exhibit Notice of Deposition# <u>4</u> Exhibit FCC Search Policy 501 KAR 3:12# <u>5</u> Exhibit Deposition pages# <u>6</u> Proposed Order)(Herren, Thomas) (Entered: 01/26/2007)
01/27/2007	<u>107</u>	DISCLOSURES <i>of Expert Regarding Newly Added Plaintiffs</i> by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1–Expert Report Addendum)(Meade, Tammy) (Entered: 01/27/2007)
02/05/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Wehrman/Judge Caldwell for review: <u>103</u> MOTION for Extension of Expert Deadline, <u>102</u> MOTION for Sanctions (CBD) (Entered: 02/05/2007)
02/06/2007	<u>108</u>	RESPONSE to Motion re <u>102</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Attachments: # <u>1</u> Proposed Order)(Herren, Thomas) (Entered: 02/06/2007)
02/06/2007	<u>109</u>	MOTION for Leave to File by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Supplemental Memorandum</i> (Attachments: # <u>1</u> Exhibit 1--Jillian Baker Deposition Transcript# <u>2</u> Proposed Order # <u>3</u> Memorandum in Support)(Meade, Tammy) (Entered: 02/06/2007)
02/06/2007	<u>110</u>	Proposed Agreed Order/Stipulation <i>to permit dfts to depose plaintiff James Bixler</i> by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Franklin County, Kentucky, Deidra Wash, Franklin County Correctional Complex,

		James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Meade, Tammy) Modified text w/ language in italics on 2/26/2007 (Dearborn, Christy). (Entered: 02/06/2007)
02/07/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>110</u> Proposed Agreed Order/Stipulation (AKR) (Entered: 02/07/2007)
02/07/2007	<u>111</u>	REPLY to Response to Motion re <u>102</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Meade, Tammy) (Entered: 02/07/2007)
02/08/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>102</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 02/08/2007)
02/08/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>101</u> MOTION to Compel by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 02/08/2007)
02/09/2007	<u>112</u>	RESPONSE in Opposition re <u>106</u> MOTION to Certify Class by Wendy Hockensmith filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit 1–Plaintiffs Expert Report dated November 7, 2006# <u>3</u> Exhibit 2—Eddleman v. Jefferson County, Kentucky# <u>4</u> Exhibit 3–Bostick v. St. Jude Medical, Inc.)(Meade, Tammy) (Entered: 02/09/2007)
02/22/2007	<u>113</u>	Proposed Agreed Order/Stipulation <i>to extend certain discovery ddls</i> by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillet, Patricia Tipton, Franklin County, Kentucky, Deidra Wash, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins. (Meade, Tammy) Modified text w/ language in italics on 2/23/2007 (Dearborn, Christy). (Entered: 02/22/2007)
02/22/2007	<u>114</u>	MOTION for Summary Judgment by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit 1 – Affidavit of Lt Rachel Hensley)(Meade, Tammy) (Entered: 02/22/2007)
02/23/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>113</u> Proposed Agreed Order to extend deadlines (AKR) (Entered: 02/23/2007)
02/26/2007	<u>115</u>	AGREED ORDER (re <u>113</u>): All Discovery be commenced in time to be completed by 3/16/2007. All Dispositive Motions due by 4/6/2007. Motions in Limine due by 4/27/2007. This Agreed Order does alter the pretrial and trial dates scheduled in this matter. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 02/26/2007)
02/27/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>109</u> MOTION for Leave to File by Franklin County, Kentucky, Franklin County

		Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, <u>106</u> MOTION to Certify Class by Wendy Hockensmith (AKR) (Entered: 02/27/2007)
02/27/2007	<u>116</u>	MOTION for Leave to File to File Paper Pleading (Plaintiffs' Reply) by Tina Michelle Black, Et Al (Attachments: # <u>1</u> Proposed Order # <u>2</u> Tendered Reply to Response in Opposition to Motion to Certify Class# <u>3</u> Exhibit 1 to Tendered Reply# <u>4</u> Exhibit 2 to Tendered Reply)(CBD) (Entered: 02/27/2007)
02/27/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>116</u> MOTION for Leave to File Paper Pleading (Plaintiffs' Reply) by Tina Michelle Black, Et Al (CBD) (Entered: 02/27/2007)
02/28/2007	<u>117</u>	INCORRECTLY FILED AS MOTION to Strike <u>116</u> MOTION for Leave to File by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McClea by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister Responses due by 3/14/2007 (Attachments: # <u>1</u> Proposed Order)(Meade, Tammy) Please see docket entry <u>118</u> CORRECT ENTRY for this pleading. Modified text w/ language in bold on 2/28/2007 (Dearborn, Christy). (Entered: 02/28/2007)
02/28/2007	<u>118</u>	RESPONSE in Opposition re <u>116</u> MOTION for Leave to File to <i>File Paper Pleading</i> by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McClea filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Proposed Order)(Meade, Tammy) Modified text w/ language in italics on 2/28/2007 (Dearborn, Christy). (Entered: 02/28/2007)
02/28/2007		Clerk's Note: Atty T. Meade's office contacted Clerk to advise <u>117</u> MOTION to Strike was filed using incorrect event. Document should have been filed as Response in Opposition. Atty has refiled the document as <u>118</u> Response in Opposition to Motion. (STB) (Entered: 02/28/2007)
03/01/2007	<u>119</u>	MOTION for Extension of Time to Complete Discovery by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizabeth McCleave, Sandra McCleave, Tony Ray McCleave, Angela Nesselrode, Penny Tillett, Patricia Tipton, Deidra Wash, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Tammy Laurine Cooper, Julie Ann Cornn, Jonathan Cox, Tommy Cummins (Attachments: # <u>1</u> Proposed Order)(Herren, Thomas) (Entered: 03/01/2007)
03/01/2007	<u>120</u>	MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1 – Notices of Deposition# <u>4</u> Exhibit 2 – Discovery Requests)(Meade, Tammy) Additional attachment(s) added on 3/6/2007 (Ratliff, Kay). (Entered: 03/01/2007)
03/05/2007	<u>121</u>	NOTICE OF FILING by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister re <u>120</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Sanctions)(Meade, Tammy) (Entered: 03/05/2007)
03/06/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>119</u> MOTION for Extension of Time to Complete Discovery by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter,

		Angela Lear, Natalie Elizab (AKR) (Entered: 03/06/2007)
03/06/2007	<u>122</u>	RESPONSE in Opposition re <u>119</u> MOTION for Extension of Time to Complete Discovery by Jeffrey Curtis, Linda Epling, Joe Farler, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Brittney Creech, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Natalie Elizab filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1–Correspondence# <u>2</u> Proposed Order)(DeSimone, Andrew) (Entered: 03/06/2007)
03/07/2007	<u>123</u>	MOTION for Leave to File by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Surreply in Opposition to Plaintiffs' Petition for Class Certification</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Defendants' Surreply in Opposition to Plaintiffs' Petition for Class Certification)(Meade, Tammy) (Entered: 03/07/2007)
03/08/2007	<u>124</u>	Proposed Agreed Order/Stipulation of <i>Voluntary Dismissal of Designated Plaintiffs</i> by Jeffrey Curtis, Joe Farler, Brittney Creech, Natalie Elizabeth McCleave, Tony Ray McCleave, Angela Nesselrode, Patricia Tipton, Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tammy Laurine Cooper, Julie Ann Cornn. (Meade, Tammy) (Entered: 03/08/2007)
03/09/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>124</u> Proposed Agreed Order of voluntary dismissal of certain plaintiffs. (AKR) (Entered: 03/09/2007)
03/13/2007	<u>125</u>	ORDER OF VOLUNTARY DISMISSAL OF DESIGNATED PLAINTIFFS re <u>124</u> Proposed Agreed Order: claims of Tammy Laurine Cooper (a/k/a Tammy Cubert), Julie Cornn, Jeffrey Curtis, Tony McCleave, Joe Farler, Angela Nesselrode, Brittany Creech, and Patricia Tipton are dismissed, with prejudice . Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 03/14/2007)
03/15/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>114</u> MOTION for Summary Judgment by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister (CBD) (Entered: 03/15/2007)
03/15/2007	<u>126</u>	SUPPLEMENTAL DISCLOSURES <i>Supplemental FRCP 26 (a)(2) Expert Disclosures</i> by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit A—Addendum to Report Issued 1–22–07)(Meade, Tammy) (Entered: 03/15/2007)
03/15/2007	<u>127</u>	Proposed Agreed Order/Stipulation to <i>permit Defendants to depose Plaintiff James Bixler</i> by Linda Epling, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Sandra McCleave, Penny Tillett, Franklin County, Kentucky, Deidra Wash, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Jonathan Cox, Tommy Cummins. (Meade, Tammy) (Entered: 03/15/2007)
03/15/2007	<u>128</u>	DISCLOSURES –– <i>Rebuttal Expert Disclosure Regarding Report of Thomas Rosazza</i> by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit A—Review of Plaintiffs' Expert Report)(Meade, Tammy) (Entered: 03/15/2007)
03/16/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>127</u> Proposed Agreed Order to depose plaintiff James Bixler. (AKR) (Entered: 03/16/2007)

03/16/2007	<u>129</u>	AGREED ORDER: dft are permitted to depose James Bixler who is presently incarcerated at Kentucky State Reformatory, at a mutually agreeable date and time for the parties. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 03/16/2007)
03/26/2007	<u>130</u>	MEMORANDUM ORDER (Minute Entry for Oral Argument held on 3/15/2007) before Judge J. Gregory Wehrman: 1) dfts' motion to compel <u>101</u> is denied as moot 2) dfts' motion for discovery sanctions <u>102</u> is granted in part and denied in part. The motion is denied as moot concerning pltf Creech, but granted as to pltfs Bixler, Baker and Hockensmith (a.) based upon his failure to comply w/ prior orders of court, Bixler shall pay \$200.00 to dfts as a sanction under Rule 37. Any adtl failures to comply will likely result in dismissal of his claim (b.) undersigned will recommend dismissal of claims of Baker &Hockensmith by sep. RRfiled herewith for failure to prosecute 3) dfts' motion to file supplemental memo <u>109</u> granted 4) dfts' motion for ext of time to serve expert disclosures <u>103</u> 5) pltfs motion for ext of time in which to complete discovery <u>119</u> granted through 4/1/2007. Pltf shall fully respond to all outstanding discovery including but not limited to interrogatories seeking i.d. of all fact witnesses. NO FURTHER EXTENSIONS WILL BE GRANTED. 6) dispositive motions ddl 4/23/2007 7) dfts' oral motion to limit scope of testimony of pltf's expert granted in part as more fully delineated above 8) dfts' motion for sanctions <u>120</u> granted in part as follows: (a.) Jennifer Reneer, Sara Hodgkin, Stephen Wise, Teresa Hendren, Derek Harvey, Kimberlie Simmons, and Timothy Green shall show cause w/in 15 days of date of this order why their cases should not be dismissed both as a sanction under Rule 37 and for failure to prosecute (b.) w/in 10 days of date of this order, dft, by counsel, shall file, an itemization of resonable expenses incurred in making referenced motion for sanctions. (c.) w/in 10 days of date of service of dft's counse's stnt of expenses, pltf, by counsel, by written response to be filed herein, why Court should not award dft all reasonable expenses as claimed. (CBD)cc: COR (Entered: 03/26/2007)
03/26/2007	<u>131</u>	SUPPLEMENTAL MEMORANDUM IN SUPPORT of <u>109</u> Motion for Sanctions filed by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister. (Attachments: # <u>1</u> Exhibit 1 – Jillian Baker Deposition)(CBD) FILED per Order <u>130</u> (Entered: 03/26/2007)
03/26/2007	<u>132</u>	REPORT AND RECOMMENDATIONS: dfts' motion to dismiss claims of identified pltfs <u>102</u> be granted in part and that claims of Jillian Baker and Darren Dean Hockensmith be dismissed w/ prejudice for failure to prosecute, failure to respond to discovery, and failure to comply w/ this Court's Sept. 8 and Dec 29, 2006 orders. Objections to RRmust be filed w/ Clerk w/in 10 days of date of service of same. A party may file a resp to another party's obj w/in 10 days after being served w/ copy thereof. Signed by Judge J. Gregory Wehrman. (CBD)cc: COR Modified Doc Type to Opn per Order <u>144</u> on 6/11/2007 (Dearborn, Christy). (Entered: 03/26/2007)
03/27/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>123</u> MOTION for Leave to File <i>Surreply in Opposition to Plaintiffs' Petition for Class Certification</i> by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (CBD) (Entered: 03/27/2007)
03/28/2007	<u>133</u>	MOTION for Leave to File by Franklin County, Kentucky, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Supplemental Exh in Support of Response to Petition for Class Certification</i> (Attachments: # <u>1</u> Exhibit 1; Deposition of Thomas A. Rosazza# <u>2</u> Proposed Order)(DeSimone, Andrew) (Entered: 03/28/2007)
04/05/2007	<u>134</u>	NOTICE OF FILING by Franklin County, Kentucky, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister re <u>130</u> Memorandum Order – Docket Call on Oral Argument <i>Billing Itemization</i> (Attachments: # <u>1</u> Exhibit Billing Itemization)(DeSimone, Andrew) Modified text w/ language in italics and text clean up on 4/6/2007 (Dearborn, Christy). (Entered: 04/05/2007)
04/06/2007	<u>135</u>	Proposed Agreed Order/Stipulation of <i>Voluntary Dismissal of Designated Plaintiffs</i> by Linda Epling, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Sandra McCleave, Penny Tillett, Franklin County, Kentucky, Deidra Wash, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted

		Hammermeister, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Jonathan Cox, Tommy Cummins. (DeSimone, Andrew) (Entered: 04/06/2007)
04/09/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>135</u> Proposed Agreed Order of voluntary dismissal of certain parties. (AKR) (Entered: 04/09/2007)
04/10/2007	<u>136</u>	RESPONSE to Motion re <u>133</u> MOTION for Leave to File by Franklin County, Kentucky, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Linda Epling, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Darren Dean Hockensmith, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Sandra McCleave, Penny Tillett, Deidra Wash, Tina Michelle Black, Tim Childers, Audrey Cunningham, April Engler, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, Alpha Lemay, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Stephen Wise, Davanika Barber, James Dion Bixler, Maureen O. Mitchell, Jonathan Cox, Tommy Cummins. (Herren, Thomas) (Entered: 04/10/2007)
04/11/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: Plaintiffs, Jennifer Reneer, Sara Hodgkin, Teresa Hendren, Derek Harvey, Kimberlie Simmons & Timothy Green have not responded to <u>130</u> Order of Court to show cause why their case should not be dismissed. (AKR) (Entered: 04/11/2007)
04/16/2007	<u>137</u>	ORDER OF VOLUNTARY DISMISSAL OF DESIGNATED PLAINTIFFS: claims of Stephen Wise, Darren Hockensmith, James Bixler, Alpha LeMay, Timothy Childers, and April Engler are dismissed, with prejudice. FURTHER ORDERED any pending motions regarding these pltf are moot. There being no just cause for delay, this is a final and appealable order. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 04/16/2007)
04/16/2007	<u>138</u>	RESPONSE to <u>134</u> Notice of Filing Billing Itemization filed by Linda Epling, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Sandra McCleave, Penny Tillett, Deidra Wash, Tina Michelle Black, Audrey Cunningham, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Davanika Barber, Maureen O. Mitchell, Jonathan Cox, Tommy Cummins. (Herren, Thomas) Modified text w/ language in italics on 4/18/2007 (Dearborn, Christy). (Entered: 04/16/2007)
04/18/2007		***FILE SUBMITTED TO CHAMBERS of Judge Wehrman for review: <u>134</u> Notice of Filing Billing Itemization, <u>138</u> RESPONSE to Notice of Filing Billing Itemization, per Order <u>130</u> (CBD) (Entered: 04/18/2007)
04/18/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>132</u> REPORT AND RECOMMENDATIONS re <u>102</u> MOTION for Sanctions by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister filed by Franklin County Correctional Complex., James Kemper, Jr., Ted H (CBD) (Entered: 04/18/2007)
04/19/2007	<u>139</u>	MOTION for Summary Judgment by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister <i>Against Plaintiffs</i> (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit 1 – Deposition of Tina Black # <u>4</u> Exhibit 2 – Affidavit of Sgt Richard Mazzacone # <u>5</u> Exhibit 3 – Deposition of Wendy Hockensmith # <u>6</u> Exhibit 4 – 6-25-04 Uniform Citation – Wendy Hockensmith # <u>7</u> Exhibit 5 – Deposition of Melissa Pickett # <u>8</u> Exhibit 6 – 7-29-04 Uniform Citation – Melissa Pickett # <u>9</u> Exhibit 7 – Deposition of Thomas A. Rosazza # <u>10</u> Exhibit 8 – Affidavit of Lt Rachel Hensley # <u>11</u> Exhibit 9 – Deposition of Audrey Cunningham # <u>12</u> Exhibit 10 – Deposition of Linda Epling) (DeSimone, Andrew) (Entered: 04/19/2007)
04/26/2007		***MOTION SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>133</u> MOTION for Leave to File Supplemental Exhibit by Franklin County, Kentucky,

		James Kemper, Jr, Ted Hammermeister, Ted Hammermeister (AKR) (Entered: 04/26/2007)
04/27/2007	<u>140</u>	MINUTE ENTRY FOR TELEPHONE CONFERENCE held on 4/27/2007 before Judge J. Gregory Wehrman: Counsel jointly requested all pending motions be held in abeyance in light of ongoing negotiations. Pending Mr. Herren's re-notification to the plaintiffs directed to "show cause" in the Memorandum Order <u>130</u> filed 3/26/2007, those plaintiffs will be dismissed for failure to comply with discovery. Mr. Herren to file a status report on or before 5/11/2007. (COURT REPORTER: None) (CBD)cc: COR (Entered: 04/30/2007)
05/13/2007	<u>141</u>	STATUS REPORT <i>OF PLAINTIFFS</i> by Linda Epling, Karen Gamble, Rebecca Hagan, Jimmy Hammonds, Wendy Hockensmith, Natasha Marie Hunter, Angela Lear, Sandra McCleave, Penny Tillett, Deidra Wash, Tina Michelle Black, Audrey Cunningham, Timothy Lee Green, Jillian Baker, Derek Harvey, Teresa Hendren, Sarah Hodgkin, William Mills, Melissa Pickett, Jennifer Reneer, Kimberlie Simmons, Davanika Barber, Maureen O. Mitchell, Jonathan Cox, Tommy Cummins. (Herren, Thomas) (Entered: 05/13/2007)
05/14/2007		***FILE SUBMITTED TO CHAMBERS of Magistrate Judge Wehrman for review: <u>141</u> Status Report of Plaintiffs (AKR) (Entered: 05/14/2007)
05/23/2007	<u>142</u>	MINUTE ENTRY FOR TELEPHONE CONFERENCE held on 5/22/2007 before Judge J. Gregory Wehrman : Case has settled. A separate order will be entered by Judge Karen K. Caldwell. (AKR)cc: COR (Entered: 05/23/2007)
05/23/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review & Order: <u>142</u> Telephone Conference Minute Order (Case has settled). (AKR) (Entered: 05/23/2007)
05/24/2007	<u>143</u>	SET ASIDE per Order <u>144</u> ORDER: action is DISMISSED W/ PREJUDICE and STRICKEN from the ACTIVE DOCKET. Parties TENDER an agreed order dismissing case w/ prejudice w/in 45 days from entry of the Order. Court will entertain a motion to redocket action upon application w/in 45 days of this Order if settlement is not consummated. FURTHER ORDERED the PTC of 7/17/2007 and trial of 8/13/2007 are CANCELLED. Signed by Judge Karen K. Caldwell. (CBD)cc: COR, diary Modified w/ language in bold on 6/11/2007 (Dearborn, Christy). (Entered: 05/24/2007)
06/11/2007	<u>144</u>	ORDER: Own its own motion, Court ORDERS the Order ent on 5/24/2007 <u>143</u> dismissing action as settled is SET ASIDE. Court further ORDERS 1) Report and Recommendation <u>132</u> is ADOPTED as Opinion of the Court and claims of pltf Jillian Baker are DISMISSED w/ prejudice for failure to prosecute; 2) Pltfs Jennifer Reneer, Sara Hodgkin, Teresa Hendren, Derek Harvey, Kimberlie Simmons and Timothy Green having failed to show cause, the claims of those pltfs are DISMISSED w/ prejudice as sanctions under Rule 37 and for failure to prosecute 3) claims of pltfs Maureen O. Mitchell, Deidra Wash, Rebecca Hagan, Karen Gamble, Penny Tillett, Sandra McCleave, Angela Lear, Jimmy Hammonds, Davanika Barker, Natasha Marie Hunter, Jonathan Cox and Tommy Cummins having been previously DISMISSED by court pursuant to Orders dated 8/16/2005 <u>35</u> and 9/28/2006 <u>72</u> , the claims of those pltfs are and remain DISMISSED for reasons stated in the 8/16/2005 Opinion and Order and the 9/28/2006 Opinion and Order. Signed by Judge Karen K. Caldwell. (CBD)cc: COR Modified text – sp. error on 6/11/2007 (Dearborn, Christy). (Entered: 06/11/2007)
06/11/2007	<u>145</u>	JUDGMENT: claims of pltfs Jillian Baker, Jennifer Reneer, Sara Hodgkin, Teresa Hendren, Derek Harvey, Kimberlie Simmons and Timothy Green, Maureen O. Mitchell, Deidra Wash, Rebecca Hagan, Karen Gamble, Penny Tillett, Sandra McCleave, Angela Lear, Jimmy Hammonds, Davanika Barker, Natasha Marie Hunter, Jonathan Cox and Tommy Cummins are DISMISSED and jgm is ent for dfts as to these claims 2) There being no reason for delay, Court ORDERS this Jgm is Final and Appealable. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 06/11/2007)
08/01/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review/scheduling. (CBD) (Entered: 08/01/2007)

08/03/2007	<u>146</u>	ORDER FOR MEETING AND REPORT: 1) w/in 21 days parties hold Rule 26 Meeting 2) w/in days thereafter parties shall file a Join Status Report. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 08/03/2007)
08/14/2007	<u>147</u>	INCORRECT – Proposed Agreed Order/Stipulation of <i>Dismissal</i> by Linda Epling, Wendy Hockensmith, Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister, Tina Michelle Black, Audrey Cunningham, William Mills, Melissa Pickett. (DeSimone, Andrew) See DE 148 for correct entry. Modified text by adding "Incorrect" & "See DE 148 for correct entry" on 8/15/2007 (Ratliff, Kay). (Entered: 08/14/2007)
08/14/2007	<u>148</u>	NOTICE OF FILING by Franklin County, Kentucky, Franklin County Correctional Complex, James Kemper, Jr, Ted Hammermeister, Ted Hammermeister of <i>Agreed Order of Dismissal</i> (Attachments: # <u>1</u> Proposed Order Agreed Order of Dismissal)(DeSimone, Andrew) (Entered: 08/14/2007)
08/20/2007	<u>149</u>	AGREED ORDER OF DISMISSAL: all claims asserted against dfts by pltfs Wendy Hockensmith, Melissa Pickett, Tina Black, Linda Epling, William Mills and Aubrey Cunningham are DISMISSED WITH PREJUDICE, as settled, each side paying their costs and attorney fees. As no further claims of pltfs remain, case should be stricken from the docket as settled. There being no just cause for delay, this is a final and appealable order. Signed by Judge Karen K. Caldwell. (CBD)cc: COR (Entered: 08/20/2007)