

**U.S. District Court  
District of Maryland (Baltimore)  
CIVIL DOCKET FOR CASE #: 1:08-cv-01953-CCB**

Munyiri v. Maynard et al  
Assigned to: Judge Catherine C. Blake  
Case in other court: Fourth Circuit Court of Appeals, 13-01471  
Cause: 42:1983 Civil Rights Act

Date Filed: 07/28/2008  
Date Terminated: 03/29/2013  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Rosemary Munyiri**

represented by **Robert David Schulte**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Alan J Booth**  
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14107321315  
Fax: 14107321316  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Kimberly Felder**

represented by **Alan J Booth**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Christina Schaeffer**

represented by **Alan J Booth**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Nelear Walls**

represented by **Alan J Booth**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Peter M. Haduch, Jr.**  
*in his individual capacity and in his  
official capacity as a Baltimore City  
Police Officer*  
**TERMINATED: 11/02/2008**

represented by **Neal Marcellas Janey , Jr**  
Baltimore City Law Department  
100 N Holliday St Room 101  
Baltimore, MD 21202  
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Email: [njane001@aol.com](mailto:njane001@aol.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Frederick H. Bealefeld**  
*in his individual capacity and in his  
official capacity as Baltimore City Police  
Commissioner*  
TERMINATED: 11/02/2008

represented by **Neal Marcellas Janey , Jr**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**Baltimore City Police Department**  
TERMINATED: 11/02/2008

represented by **Neal Marcellas Janey , Jr**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**Mayor & City Council of Baltimore**  
TERMINATED: 11/02/2008

represented by **David E Ralph**  
Baltimore City Department of Law  
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Baltimore, MD 21202  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**Unknown Maryland Correctional  
Officers**  
*in their individual capacities and their  
official capacities as Officers employed  
by the Maryland Department of Public  
Safety and Correctional Services*  
TERMINATED: 05/12/2009

**Defendant**

**Gary D. Maynard**  
*in his individual capacity and in his  
official capacity as Secretary of the  
Maryland Department of Public Safety  
and Correctional Services*  
TERMINATED: 05/12/2009

represented by **Alan D Eason**  
State of Maryland Office of the Attorney  
General  
Public Safety and Correctional Services  
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ATTORNEY TO BE NOTICED

**Laura Mullally**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**Naomi Williams**  
*in her individual capacity and in her  
official capacity as the Acting Warden of  
the Baltimore Central Booking & Intake  
Center*  
TERMINATED: 05/12/2009

represented by **Alan D Eason**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant****Gary D. Maynard**represented by **Laura Mullally**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Mitchell E. Franks**represented by **Laura Mullally**  
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**ATTORNEY TO BE NOTICED****Defendant****Naiomi Williams****Defendant****Latrice Lee**represented by **Laura Mullally**  
(See above for address)  
**LEAD ATTORNEY****Defendant****John & Jane Doe**

| Date Filed | #        | Docket Text                                                                                                                                                                                                                                                                                                                                                             |
|------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/28/2008 | <u>1</u> | COMPLAINT against Peter M. Haduch, Jr, Frederick H. Bealefeld, Baltimore City Police Department, Mayor & City Council of Baltimore, Unknown Maryland Correctional Officers, Gary D. Maynard, Naomi Williams (Filing fee \$ 350. Receipt # 14637027464), filed by Rosemary Munyiri. (Attachments: # <u>1</u> Civil Cover Sheet)(ljs, Deputy Clerk) (Entered: 07/28/2008) |
| 07/28/2008 |          | Jury Trial Demand by Rosemary Munyiri. (ljs, Deputy Clerk) (Entered: 07/28/2008)                                                                                                                                                                                                                                                                                        |
| 07/28/2008 | <u>2</u> | Summons Issued 20 days as to Peter M. Haduch, Jr, Frederick H. Bealefeld, Baltimore City Police Department, Mayor & City Council of Baltimore, Gary D. Maynard, Naomi Williams. (ljs, Deputy Clerk) (Entered: 07/28/2008)                                                                                                                                               |
| 08/25/2008 | <u>3</u> | MOTION to Dismiss <i>Complaint</i> by Mayor & City Council of Baltimore Responses due by 9/11/2008 (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Text of Proposed Order)(Ralph, David) (Entered: 08/25/2008)                                                                                                                                                   |
| 08/26/2008 | <u>4</u> | MOTION to Dismiss by Peter M. Haduch, Jr, Frederick H. Bealefeld, Baltimore City Police Department Responses due by 9/12/2008 (Attachments: # <u>1</u> Memorandum of Law)(Janey, Neal) (Entered: 08/26/2008)                                                                                                                                                            |
| 08/28/2008 | <u>5</u> | MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint, by Gary D. Maynard, Naomi Williams. Responses due by 9/15/2008 (Attachments: # <u>1</u> Text of Proposed Order Granting Consent Motion for Enlargement of Time to Respond to Complaint)(Eason, Alan) (Entered: 08/28/2008)                                                                |
| 08/28/2008 | <u>6</u> | PAPERLESS ORDER granting <u>5</u> Motion for Extension of Time to File Response. (Judge Davis) (Entered: 08/28/2008)                                                                                                                                                                                                                                                    |
| 09/11/2008 | <u>7</u> | RESPONSE in Opposition re <u>4</u> MOTION to Dismiss filed by Rosemary Munyiri. Replies due by 9/25/2008. (Schulte, Robert) (Entered: 09/11/2008)                                                                                                                                                                                                                       |

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| 09/11/2008 | <u>8</u>  | PAPERLESS ORDER Setting Hearing on ALL OPEN MOTIONS <u>3</u> MOTION to Dismiss <i>Complaint</i> , <u>4</u> MOTION to Dismiss : Motion Hearing set for 10/22/2008 03:00 PM in Courtroom 5B before Judge Andre M Davis. (Judge Davis) (Entered: 09/11/2008)                                                                                             |
| 09/17/2008 | <u>9</u>  | Second MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint, by Gary D. Maynard, Naomi Williams. Responses due by 10/6/2008 (Attachments: # <u>1</u> Text of Proposed Order Granting Consent Motion for Enlargment of Time to Respond to Complaint)(Eason, Alan) (Entered: 09/17/2008)                                        |
| 09/17/2008 | <u>10</u> | Second REQUEST for Extension of Time to File <i>Response to Complaint</i> (Eason, Alan) (Entered: 09/17/2008)                                                                                                                                                                                                                                         |
| 09/18/2008 | <u>11</u> | PAPERLESS ORDER denying <u>9</u> Motion for Extension of Time to File Response/Reply MOTION HEARING IS CALENDARRED ON OCTOBER 22, 2008 (Judge Davis) (Entered: 09/18/2008)                                                                                                                                                                            |
| 10/07/2008 | <u>12</u> | NOTICE of Appearance by Laura Mullally on behalf of Gary D. Maynard (Mullally, Laura) (Entered: 10/07/2008)                                                                                                                                                                                                                                           |
| 10/07/2008 | <u>13</u> | MOTION to Dismiss by Gary D. Maynard Responses due by 10/24/2008 (Mullally, Laura) (Entered: 10/07/2008)                                                                                                                                                                                                                                              |
| 10/07/2008 | <u>14</u> | PAPERLESS ORDER RESetting Hearing on Motion <u>13</u> MOTION to Dismiss, <u>3</u> MOTION to Dismiss <i>Complaint</i> , <u>4</u> MOTION to Dismiss : Motion Hearing set for 10/27/2008 04:00 PM in Courtroom 1A before Judge Andre M Davis. THIS ORDER SUPERCEDES THE ORDER SETTING A HEARING ON OCTOBER 22, 2008. (Judge Davis) (Entered: 10/07/2008) |
| 10/24/2008 | <u>15</u> | RESPONSE in Opposition re <u>13</u> MOTION to Dismiss by <i>Gary Maynard and Naomi Williams</i> filed by Rosemary Munyiri. Replies due by 11/7/2008. (Schulte, Robert) (Entered: 10/24/2008)                                                                                                                                                          |
| 10/27/2008 | <u>16</u> | Motion Hearing held on 10/27/2008 re <u>3</u> MOTION to Dismiss <i>Complaint</i> filed by Mayor & City Council of Baltimore held before Judge Andre M Davis (Court Reporter M. Zajac) (bma, CRD) (Entered: 10/27/2008)                                                                                                                                |
| 10/28/2008 | <u>17</u> | Correspondence re: Request of Court to provide Statement of Probable Cause (Attachments: # <u>1</u> Exhibit Statement of Probable Cause)(Schulte, Robert) (Entered: 10/28/2008)                                                                                                                                                                       |
| 11/02/2008 | <u>18</u> | MEMORANDUM OPINION and ORDER granting <u>3</u> Motion to Dismiss; granting <u>4</u> Motion to Dismiss; denying <u>13</u> Motion to Dismiss (Judge Davis) (Entered: 11/02/2008)                                                                                                                                                                        |
| 11/14/2008 | <u>19</u> | ANSWER to Complaint by Gary D. Maynard.(Mullally, Laura) (Entered: 11/14/2008)                                                                                                                                                                                                                                                                        |
| 11/14/2008 | <u>20</u> | SCHEDULING ORDER (Judge Davis) (Entered: 11/14/2008)                                                                                                                                                                                                                                                                                                  |
| 02/23/2009 | <u>21</u> | MOTION for Extension of Time to Complete Discovery by Gary D. Maynard Responses due by 3/12/2009 (Mullally, Laura) (Entered: 02/23/2009)                                                                                                                                                                                                              |
| 02/23/2009 | <u>22</u> | ORDER granting <u>21</u> Motion for Extension of Time to Complete Discovery (Judge Davis) (Entered: 02/23/2009)                                                                                                                                                                                                                                       |
| 03/05/2009 | <u>23</u> | MOTION to Compel <i>Discovery from Defendants Maynard &amp; Williams</i> by Rosemary Munyiri Responses due by 3/23/2009 (Schulte, Robert) (Entered: 03/05/2009)                                                                                                                                                                                       |
| 03/16/2009 | <u>24</u> | NOTICE by Rosemary Munyiri re <u>23</u> MOTION to Compel <i>Discovery from Defendants Maynard &amp; Williams Withdraw of Motion to Compel</i> (Schulte, Robert) (Entered: 03/16/2009)                                                                                                                                                                 |
| 05/11/2009 | <u>25</u> | (FILED IN ERROR – ATTY TO REFILE) AMENDED COMPLAINT against all plaintiffs, filed by Rosemary Munyiri. (Attachments: # <u>1</u> Appendix Comparison Copy of First Amended Complaint)(Schulte, Robert) Modified on 5/11/2009 (hmls, Deputy Clerk). (Entered: 05/11/2009)                                                                               |

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| 05/12/2009 | <u>26</u> | AMENDED COMPLAINT against all defendants, filed by Rosemary Munyiri. (Attachments: # <u>1</u> Appendix Comparison Copy (Caption Page), # <u>2</u> Appendix Comparison Copy (Body of Complaint))(Schulte, Robert) (Entered: 05/12/2009)                                                                                                                                    |
| 05/12/2009 |           | Jury Trial Demand by Rosemary Munyiri, Kimberly Felder, Christina Schaeffer, Nelear Walls. (hmls, Deputy Clerk) (Entered: 05/14/2009)                                                                                                                                                                                                                                     |
| 05/20/2009 |           | Case reassigned to Judge Catherine C. Blake. Judge Andre M Davis no longer assigned to the case. (cag, Deputy Clerk) (Entered: 05/20/2009)                                                                                                                                                                                                                                |
| 05/29/2009 | <u>29</u> | MOTION to Dismiss <i>first amended complaint</i> by Gary D. Maynard Responses due by 6/15/2009 (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> memorandum in support of motion to dismiss first amended complaint, # <u>3</u> Exhibit defendants' exhibit 1, # <u>4</u> Exhibit defendants' exhibit 2)(Mullally, Laura) (Entered: 05/29/2009)                 |
| 06/15/2009 | <u>30</u> | RESPONSE in Opposition re <u>29</u> MOTION to Dismiss <i>first amended complaint</i> filed by Rosemary Munyiri. Replies due by 6/29/2009. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Text of Proposed Order)(Schulte, Robert) (Entered: 06/15/2009)                                                                                                           |
| 06/17/2009 | <u>31</u> | Correspondence re: Extension of Discovery Deadline (Schulte, Robert) (Entered: 06/17/2009)                                                                                                                                                                                                                                                                                |
| 06/17/2009 | <u>32</u> | PAPERLESS ORDER APPROVING <u>31</u> Miscellaneous Correspondence and request to extend discovery deadline. Signed by Judge Catherine C. Blake on June 17, 2009. (Blake, Catherine) (Entered: 06/17/2009)                                                                                                                                                                  |
| 06/29/2009 | <u>33</u> | REPLY to Response to Motion re <u>29</u> MOTION to Dismiss <i>first amended complaint</i> filed by Gary D. Maynard. (Mullally, Laura) (Entered: 06/29/2009)                                                                                                                                                                                                               |
| 08/07/2009 | <u>34</u> | MOTION for Extension of Time to Complete Discovery by Gary D. Maynard. Responses due by 8/24/2009 (Mullally, Laura) (Entered: 08/07/2009)                                                                                                                                                                                                                                 |
| 08/07/2009 | <u>35</u> | Paperless ORDER granting <u>34</u> Consent Motion for Extension of Time until October 31, 2009 to Complete Discovery. Signed by Judge Catherine C. Blake on 8/7/09. (Blake, Catherine) (Entered: 08/07/2009)                                                                                                                                                              |
| 09/01/2009 | <u>36</u> | MEMORANDUM. Signed by Judge Catherine C. Blake on 9/1/09. (hmls, Deputy Clerk) (Entered: 09/01/2009)                                                                                                                                                                                                                                                                      |
| 09/01/2009 | <u>37</u> | ORDER denying <u>29</u> Motion of defendants to Dismiss. Signed by Judge Catherine C. Blake on 9/1/09. (hmls, Deputy Clerk) (Entered: 09/01/2009)                                                                                                                                                                                                                         |
| 09/16/2009 | <u>38</u> | AMENDED COMPLAINT against all defendants, filed by Rosemary Munyiri. (Attachments: # <u>1</u> Appendix Comparison Copy (Caption), # <u>2</u> Appendix Comparison Copy (Body))(Schulte, Robert) (Entered: 09/16/2009)                                                                                                                                                      |
| 09/17/2009 | <u>39</u> | NOTICE of Appearance by Alan J Booth on behalf of all plaintiffs (Booth, Alan) (Entered: 09/17/2009)                                                                                                                                                                                                                                                                      |
| 09/17/2009 | <u>40</u> | NOTICE by Nelear Walls of <i>Summons to be Issued as to Defendant Latrice Lee</i> (Schulte, Robert) (Entered: 09/17/2009)                                                                                                                                                                                                                                                 |
| 09/17/2009 | <u>41</u> | Summons Issued 20 days as to Latrice Lee. (hmls, Deputy Clerk) (Entered: 09/17/2009)                                                                                                                                                                                                                                                                                      |
| 09/30/2009 | <u>42</u> | MOTION for Extension of Time to File Response/Reply as to <u>38</u> Amended Complaint by Gary D. Maynard(in his individual capacity and in his official capacity as Secretary of the Maryland Department of Public Safety and Correctional Services). Responses due by 10/19/2009 (Attachments: # <u>1</u> Text of Proposed Order)(Mullally, Laura) (Entered: 09/30/2009) |
| 10/01/2009 | <u>43</u> | PAPERLESS ORDER Granting <u>42</u> Motion for Extension of Time until October 2, 2009 to File Response to second amended complaint. Signed by Judge Catherine C. Blake on October 1, 2009. (Blake, Catherine) (Entered: 10/01/2009)                                                                                                                                       |
| 10/02/2009 | <u>44</u> | ANSWER to <u>38</u> Amended Complaint by Gary D. Maynard.(Mullally, Laura) (Entered: 10/02/2009)                                                                                                                                                                                                                                                                          |



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| 10/12/2009 | <u>45</u> | Second REQUEST for Extension of Time to File / <i>Complete Discovery</i> (Booth, Alan) (Entered: 10/12/2009)                                                                                                                                                                                                                                                           |
| 10/13/2009 | 46        | PAPERLESS ORDER APPROVING <u>45</u> Request for Extension of Time. Discovery deadline extended until December 31, 2009. Signed by Judge Catherine C. Blake on October 13, 2009. (Blake, Catherine) (Entered: 10/13/2009)                                                                                                                                               |
| 11/16/2009 | <u>47</u> | ANSWER to Complaint by Latrice Lee.(Mullally, Laura) (Entered: 11/16/2009)                                                                                                                                                                                                                                                                                             |
| 12/21/2009 | <u>48</u> | MOTION for Extension of Time to Complete Discovery by Gary D. Maynard. Responses due by 1/7/2010 (Mullally, Laura) (Entered: 12/21/2009)                                                                                                                                                                                                                               |
| 12/22/2009 | 49        | PAPERLESS ORDER Granting <u>48</u> Motion for Extension of Time to Complete Discovery. Status report due JANUARY 31, 2010. Signed by Judge Catherine C. Blake on December 22, 2009. (Blake, Catherine) (Entered: 12/22/2009)                                                                                                                                           |
| 01/29/2010 | <u>50</u> | MOTION for Protective Order by Gary D. Maynard Responses due by 2/16/2010 (Attachments: # <u>1</u> Appendix memorandum in support of motion for protective order, # <u>2</u> Appendix certification of discovery dispute, # <u>3</u> Affidavit affidavit of glenn t. marrow, # <u>4</u> Affidavit affidavit of karl a. pothier)(Mullally, Laura) (Entered: 01/29/2010) |
| 02/02/2010 | <u>51</u> | STATUS REPORT by Rosemary Munyiri. (Schulte, Robert) (Entered: 02/02/2010)                                                                                                                                                                                                                                                                                             |
| 02/02/2010 | 52        | PAPERLESS Correspondence to counsel: The Court has reviewed your February 2, 2010 Status Report. A conference call has been set for February 22, 2010 at 5:15 p.m. to discuss further scheduling needs. Chambers will initiate the call. (Blake, Catherine) (Entered: 02/02/2010)                                                                                      |
| 02/14/2010 | <u>53</u> | RESPONSE in Opposition re <u>50</u> MOTION for Protective Order filed by Rosemary Munyiri. Replies due by 3/3/2010. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit 1 to Memorandum of Law, # <u>3</u> Exhibit 2 to Memorandum of Law, # <u>4</u> Exhibit 3 to Memorandum of Law)(Schulte, Robert) (Entered: 02/14/2010)                                |
| 02/16/2010 | <u>54</u> | Correspondence re: conference call for 2-22-10 at 5:15 p.m. (Mullally, Laura) (Entered: 02/16/2010)                                                                                                                                                                                                                                                                    |
| 02/22/2010 |           | Telephone Conference held on 2/22/2010 held before Judge Catherine C. Blake. (kam, Deputy Clerk) (Entered: 02/24/2010)                                                                                                                                                                                                                                                 |
| 02/23/2010 | 55        | PAPERLESS Correspondence to counsel: A conference call to discuss the motion for protective order has been set for March 10, 2010 at 2:15 p.m. Chambers will initiate the call. The defendant's motion for summary judgment is due April 23, 2010. (Blake, Catherine) (Entered: 02/23/2010)                                                                            |
| 03/03/2010 | <u>56</u> | REPLY to Response to Motion re <u>50</u> MOTION for Protective Order filed by Gary D. Maynard. (Mullally, Laura) (Entered: 03/03/2010)                                                                                                                                                                                                                                 |
| 03/03/2010 | <u>57</u> | (FILED IN ERROR – ATTY TO REFILE) –SEALED – NOTICE of Filing Under Seal by Gary D. Maynard re <u>56</u> Reply to Response to Motion (Mullally, Laura) Modified on 3/3/2010 (hmls, Deputy Clerk). (Entered: 03/03/2010)                                                                                                                                                 |
| 03/03/2010 | <u>58</u> | –SEALED – NOTICE of Filing Under Seal 3 memoranda and 1 email concerning Defendants' Motion for Protective order by Gary D. Maynard re <u>56</u> Reply to Response to Motion, <u>50</u> MOTION for Protective Order, <u>53</u> Response in Opposition to Motion, (Mullally, Laura) (Entered: 03/03/2010)                                                               |
| 03/10/2010 | <u>59</u> | ORDER denying <u>50</u> Motion of defendants for Protective Order. Signed by Judge Catherine C. Blake on 3/10/10. (hmls, Deputy Clerk) (Entered: 03/10/2010)                                                                                                                                                                                                           |
| 03/10/2010 |           | Telephonic/Motion Hearing held on 3/10/2010 re <u>50</u> MOTION for Protective Order filed by Gary D. Maynard held before Judge Catherine C. Blake. (kam, Deputy Clerk) (Entered: 03/11/2010)                                                                                                                                                                          |
| 04/21/2010 | <u>60</u> | MOTION for Extension of Time <i>to file dispositive motions</i> by Gary D. Maynard Responses due by 5/10/2010 (Attachments: # <u>1</u> Text of Proposed Order)(Mullally, Laura) (Entered: 04/21/2010)                                                                                                                                                                  |
| 04/22/2010 | 61        | PAPERLESS ORDER Granting <u>60</u> Consent Motion for Extension of Time until May 7, 2010 to file dispositive motions. Signed by Judge Catherine C. Blake on                                                                                                                                                                                                           |

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|            |           | April 21, 2010. (Blake, Catherine) (Entered: 04/22/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/04/2010 | <u>62</u> | Second REQUEST for Extension of Time to File <i>motion for summary judgment</i> (Mullally, Laura) (Entered: 05/04/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 05/06/2010 | 63        | PAPERLESS ORDER APPROVING <u>62</u> Request for Extension of Time until May 14, 2010 to file dispositive motions. Signed by Judge Catherine C. Blake on May 6, 2010. (Blake, Catherine) (Entered: 05/06/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/14/2010 | <u>64</u> | MOTION for Summary Judgment by Gary D. Maynard. Responses due by 6/1/2010 (Attachments: # <u>1</u> supporting memorandum, # <u>2</u> notice of filing of lengthy exhibit, # <u>3</u> notice of filing of lengthy exhibit, # <u>4</u> notice of filing of lengthy exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> notice of filing of lengthy exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit)(Mullally, Laura) (Entered: 05/14/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/25/2010 | <u>65</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>64</u> MOTION for Summary Judgment by Rosemary Munyiri. Responses due by 6/11/2010 (Schulte, Robert) (Entered: 05/25/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/26/2010 | 66        | PAPERLESS ORDER granting <u>65</u> Motion for Extension of Time to File Response/Reply re <u>64</u> Motion for Summary Judgment. Responses due by 6/25/2010; Replies due by 7/15/2010. Signed by Judge Catherine C. Blake on May 26, 2010. (Blake, Catherine) (Entered: 05/26/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/22/2010 | <u>67</u> | RESPONSE in Opposition re <u>64</u> MOTION for Summary Judgment filed by Rosemary Munyiri. Replies due by 7/9/2010. (Attachments: # <u>1</u> Memorandum of Law in Support of Response in Opposition to Motion to for Summary Judgment, # <u>2</u> Exhibit 1 to Memorandum of Law, # <u>3</u> Exhibit 2 to Memorandum of Law, # <u>4</u> Exhibit 3 to Memorandum of Law, # <u>5</u> Exhibit 4 to Memorandum of Law, # <u>6</u> Exhibit 5 to Memorandum of Law, # <u>7</u> Exhibit 6 to Memorandum of Law, # <u>8</u> Exhibit 7 to Memorandum of Law, # <u>9</u> Exhibit 8 to Memorandum of Law, # <u>10</u> Exhibit 9 to Memorandum of Law, # <u>11</u> Exhibit 10 to Memorandum of Law, # <u>12</u> Exhibit 11 to Memorandum of Law, # <u>13</u> Exhibit 12 to Memorandum of Law, # <u>14</u> Exhibit 13 to Memorandum of Law, # <u>15</u> Exhibit 14 to Memorandum of Law, # <u>16</u> Exhibit 15 to Memorandum of Law, # <u>17</u> Exhibit 16 to Memorandum of Law, # <u>18</u> Exhibit 17 to Memorandum of Law, # <u>19</u> Exhibit 18 to Memorandum of Law)(Schulte, Robert) (Entered: 06/22/2010) |
| 06/29/2010 | <u>68</u> | NOTICE by Rosemary Munyiri re <u>67</u> Response in Opposition to Motion,, <i>Notice of Lengthy Filing</i> (Schulte, Robert) (Entered: 06/29/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/07/2010 | <u>69</u> | MOTION for Extension of Time to File Response/Reply by Gary D. Maynard. Responses due by 7/26/2010 (Mullally, Laura) (Entered: 07/07/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 07/08/2010 | 70        | PAPERLESS ORDER Granting <u>69</u> Motion for Extension of Time to File Reply re <u>64</u> Motion for Summary Judgment. Replies due by 7/23/2010. Signed by Judge Catherine C. Blake on July 8, 2010. (Blake, Catherine) (Entered: 07/08/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 07/16/2010 | <u>71</u> | MOTION for Extension of Time to File Response/Reply as to <u>67</u> Response in Opposition to Motion,, by Gary D. Maynard. Responses due by 8/2/2010 (Mullally, Laura) (Entered: 07/16/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/19/2010 | 72        | PAPERLESS ORDER Granting <u>71</u> Motion for Extension of Time to File Reply re <u>64</u> Motion for Summary Judgment. Replies due by 8/6/2010. Signed by Judge Catherine C. Blake on July 19, 2010. (Blake, Catherine) (Entered: 07/19/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 08/03/2010 | <u>73</u> | REPLY to Response to Motion re <u>64</u> MOTION for Summary Judgment filed by Gary D. Maynard. (Attachments: # <u>1</u> Exhibit deposition of secretary, # <u>2</u> Exhibit deposition of warden, # <u>3</u> Exhibit deposition of former warden, # <u>4</u> Exhibit deposition of plaintiff schaeffer, # <u>5</u> Exhibit affidavit of secretary, # <u>6</u> Exhibit deposition of barbara ann martin, # <u>7</u> Exhibit affidavit of warden, # <u>8</u> Exhibit affidavit of assistant warden)(Mullally, Laura) (Entered: 08/03/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/31/2011 | <u>74</u> | MEMORANDUM. Signed by Judge Catherine C. Blake on 3/31/11. (bmh, Deputy Clerk) (Entered: 03/31/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 03/31/2011 | <u>75</u> | ORDER denying in part and granting in part <u>64</u> Defendants' Motion for Summary Judgment. Signed by Judge Catherine C. Blake on 3/31/11. (bmh, Deputy Clerk) (Entered: 03/31/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/06/2011 | <u>76</u> | MOTION for Reconsideration re <u>74</u> Memorandum Opinion, <u>75</u> Order on Motion for Summary Judgment by Rosemary Munyiri Responses due by 4/25/2011 (Schulte, Robert) (Entered: 04/06/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/06/2011 | <u>77</u> | Amended MOTION for Reconsideration re <u>74</u> Memorandum Opinion, <u>75</u> Order on Motion for Summary Judgment, <u>76</u> MOTION for Reconsideration re <u>74</u> Memorandum Opinion, <u>75</u> Order on Motion for Summary Judgment by Rosemary Munyiri Responses due by 4/25/2011 (Schulte, Robert) (Entered: 04/06/2011)                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 12/06/2011 | <u>78</u> | Second MOTION for Reconsideration re <u>75</u> Order on Motion for Summary Judgment, <u>77</u> Amended MOTION for Reconsideration re <u>74</u> Memorandum Opinion, <u>75</u> Order on Motion for Summary Judgment, <u>76</u> MOTION for Reconsideration re <u>74</u> Memorandum Opinion, <u>75</u> Order on Motion for Summary Judgment by Rosemary Munyiri Responses due by 12/23/2011 (Schulte, Robert) (Entered: 12/06/2011)                                                                                                                                                                                                                                                                                                                   |
| 12/15/2011 | 79        | PAPERLESS Correspondence to counsel: A conference call is set for December 19, 2011 at 12:30 p.m. to discuss scheduling needs in this case. Plaintiffs' counsel is asked to initiate that call. (Blake, Catherine) (Entered: 12/15/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12/19/2011 |           | Telephone Conference re: Scheduling held on 12/19/2011 before Judge Catherine C. Blake. (kam, Deputy Clerk) (Entered: 12/22/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12/20/2011 | <u>80</u> | ORDER denying <u>76</u> Motion of plaintiff for Reconsideration ; denying <u>77</u> Motion of plaintiff for Reconsideration ; denying <u>78</u> Motion of plaintiff for Reconsideration; scheduling conference call. Signed by Judge Catherine C. Blake on 12/20/11. (jnls, Deputy Clerk) (Entered: 12/20/2011)                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/06/2012 | 81        | PAPERLESS Correspondence: A conference call is set in this matter for June 8, 2012 at 9:00 a.m. Plaintiffs' counsel is asked to initiate that call. (Blake, Catherine) (Entered: 03/06/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/06/2012 |           | Telephone Conference re: Scheduling held on 3/6/2012 before Judge Catherine C. Blake. (kam, Deputy Clerk) (Entered: 03/12/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 04/03/2012 | <u>82</u> | Miscellaneous Correspondence to counsel. A status report is requested by April 20, 2012. (Blake, Catherine) (Entered: 04/03/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/20/2012 | <u>83</u> | STATUS REPORT by all Parties by Rosemary Munyiri. (Schulte, Robert) (Entered: 04/20/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/01/2012 | 84        | A conference call will be held at 9:15 am on Monday, May 14, 2012. I ask counsel for plaintiff to make the arrangements for the conference call. Thank you. (Blake, Catherine) (Entered: 05/01/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/14/2012 | 85        | PAPERLESS Correspondence to counsel: The June 8, 2012 conference call in this case is cancelled as no longer necessary. (Blake, Catherine) (Entered: 05/14/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/14/2012 | <u>86</u> | ORDER confirming results of conference call; setting briefing deadlines for defendants' motion for summary judgment; setting dates for jury trial. Signed by Judge Catherine C. Blake on 5/14/12. (dass, Deputy Clerk) (Entered: 05/14/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/29/2012 | <u>87</u> | Supplemental MOTION for Summary Judgment by Mitchell E. Franks. Responses due by 7/16/2012 (Attachments: # <u>1</u> memorandum in support of motion, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit 1 to Stacey M. Felder Declaration, # <u>14</u> Exhibit 2 to Stacey M. Felder Declaration, # <u>15</u> Exhibit 3 to Stacey M. Felder Declaration, # <u>16</u> Exhibit 4 to Stacey M. Felder Declaration, # <u>17</u> Exhibit L, # <u>18</u> Exhibit M, # <u>19</u> Exhibit N)(Mullally, Laura) (Entered: 06/29/2012) |
| 06/29/2012 | <u>88</u> | MOTION to Amend/Correct <i>defendants' answers to second amended complaint</i> by Mitchell E. Franks Responses due by 7/16/2012 (Attachments: # <u>1</u> memorandum in support of motion)(Mullally, Laura) (Entered: 06/29/2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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| 07/14/2012 | <u>89</u>  | Consent MOTION for Extension of Time to File Response/Reply as to <u>87</u> Supplemental MOTION for Summary Judgment , <u>88</u> MOTION to Amend/Correct <i>defendants' answers to second amended complaint</i> by Rosemary Munyiri. Responses due by 8/2/2012 (Schulte, Robert) (Entered: 07/14/2012)                                                                                               |
| 07/16/2012 | 90         | PAPERLESS ORDER Granting <u>89</u> Motion for Extension of Time to File Response re <u>87</u> Supplemental Motion for Summary Judgment. Responses due by 7/31/2012. Signed by Judge Catherine C. Blake on July 16, 2012. (Blake, Catherine) (Entered: 07/16/2012)                                                                                                                                    |
| 07/30/2012 | <u>91</u>  | RESPONSE in Opposition re <u>87</u> Supplemental MOTION for Summary Judgment , <u>88</u> MOTION to Amend/Correct <i>defendants' answers to second amended complaint</i> filed by Rosemary Munyiri. Replies due by 8/16/2012. (Attachments: # <u>1</u> Memorandum of Law)(Schulte, Robert) (Entered: 07/30/2012)                                                                                      |
| 08/14/2012 | <u>92</u>  | MOTION for Extension of Time to File Response/Reply by Gary D. Maynard. Responses due by 8/31/2012 (Mullally, Laura) (Entered: 08/14/2012)                                                                                                                                                                                                                                                           |
| 08/17/2012 | <u>93</u>  | Correspondence re: cancelling trial date of september 10, 2012 (Mullally, Laura) (Entered: 08/17/2012)                                                                                                                                                                                                                                                                                               |
| 08/20/2012 | <u>94</u>  | Correspondence re: Defendant Correspondence of August 17, 2012 (Schulte, Robert) (Entered: 08/20/2012)                                                                                                                                                                                                                                                                                               |
| 08/27/2012 | 95         | PAPERLESS ORDER Granting <u>92</u> Motion for Extension of Time, as proposed. Signed by Judge Catherine C. Blake on August 27, 2012. (Blake, Catherine) (Entered: 08/27/2012)                                                                                                                                                                                                                        |
| 08/27/2012 | <u>96</u>  | ORDER postponing trial. Signed by Judge Catherine C. Blake on 8/27/2012. (aos, Deputy Clerk) (Entered: 08/27/2012)                                                                                                                                                                                                                                                                                   |
| 09/07/2012 | <u>97</u>  | REPLY to Response to Motion re <u>87</u> Supplemental MOTION for Summary Judgment , <u>88</u> MOTION to Amend/Correct <i>defendants' answers to second amended complaint</i> filed by Mitchell E. Franks. (Mullally, Laura) (Entered: 09/07/2012)                                                                                                                                                    |
| 03/29/2013 | <u>98</u>  | MEMORANDUM. Signed by Judge Catherine C. Blake on 3/29/13. (dass, Deputy Clerk) (Entered: 03/29/2013)                                                                                                                                                                                                                                                                                                |
| 03/29/2013 | <u>99</u>  | ORDER granting defendants' <u>87</u> Motion for Summary Judgment; granting defendants' <u>88</u> Motion to Amend/Correct; closing case. Signed by Judge Catherine C. Blake on 3/29/13. (dass, Deputy Clerk) (Entered: 03/29/2013)                                                                                                                                                                    |
| 04/10/2013 | <u>100</u> | NOTICE OF APPEAL as to <u>99</u> Order on Motion for Summary Judgment, Order on Motion to Amend/Correct by Kimberly Felder, Rosemary Munyiri, Christina Schaeffer, Nelear Walls. Filing fee \$ 455, receipt number 0416-4044298. (Schulte, Robert) (Entered: 04/10/2013)                                                                                                                             |
| 04/10/2013 | <u>101</u> | Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>100</u> Notice of Appeal,. IMPORTANT NOTICE: To access forms which you are required to file with the United States Court of Appeals for the Fourth Circuit please go to <a href="http://www.ca4.uscourts.gov">http://www.ca4.uscourts.gov</a> and click on Forms & Notices. (sls, Deputy Clerk) (Entered: 04/10/2013) |
| 04/11/2013 | <u>102</u> | USCA Case Number 13-1471 for <u>100</u> Notice of Appeal filed by Christina Schaeffer, Kimberly Felder, Nelear Walls, Rosemary Munyiri - Case Manager - Sharon Wiley (sls, Deputy Clerk) (Entered: 04/11/2013)                                                                                                                                                                                       |