

CLOSED,MEDIATION

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:15-cv-02232**

Reed-Veal v. Encinia et al
Assigned to: Judge David Hittner
Cause: 42:1983 Civil Rights Act

Date Filed: 08/04/2015
Date Terminated: 11/01/2016
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Diversity

Plaintiff

Geneva Reed-Veal

represented by **Cannon D Lambert , Sr**
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V.

Defendant

Brian Encinia

represented by **Seth Byron Dennis**
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Defendant

**TEXAS DEPARTMENT OF PUBLIC
SAFETY
TERMINATED: 02/18/2016**

represented by **Seth Byron Dennis**
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Defendant

Elsa Magnus

represented by **Larry J Simmons , Jr**
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Defendant

Oscar Prudente

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Defendant

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Defendant

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Defendant

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Movant

**City of Prairie View, Texas Police
Department**

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Movant

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| Date Filed | # | Docket Text |
|------------|-----------|---|
| 08/04/2015 | <u>1</u> | COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-15225115) filed by Geneva Reed-Veal. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet)(Rhodes, J) (Entered: 08/04/2015) |
| 08/05/2015 | <u>2</u> | ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 12/1/2015 at 02:00 PM in Courtroom 703 before Magistrate Judge Stephen Smith(Signed by Judge David Hittner) Parties notified.(smurdock, 4) (Entered: 08/05/2015) |
| 08/05/2015 | <u>3</u> | MOTION for Cannon D. Lambert, Sr. to Appear Pro Hac Vice by Geneva Reed-Veal, filed. Motion Docket Date 8/26/2015. (Rhodes, J) (Entered: 08/05/2015) |
| 08/05/2015 | <u>4</u> | MOTION for Larry R. Rogers, Jr. to Appear Pro Hac Vice by Geneva Reed-Veal, filed. Motion Docket Date 8/26/2015. (Rhodes, J) (Entered: 08/05/2015) |
| 08/05/2015 | <u>5</u> | ORDER Setting Status Conference A Status Conference is set for 9/15/2015 at 02:00 PM in Courtroom 8A before Judge David Hittner(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 08/06/2015) |
| 08/06/2015 | <u>6</u> | ORDER granting <u>3</u> Motion to Appear Pro Hac Vice on behalf of Cannon D. Lambert, Sr.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 08/06/2015) |
| 08/06/2015 | <u>7</u> | ORDER granting <u>4</u> Motion to Appear Pro Hac Vice on behalf of Larry R. Rogers, Jr.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 08/06/2015) |
| 08/20/2015 | <u>8</u> | CERTIFICATE OF INTERESTED PARTIES by Geneva Reed-Veal, filed.(Rhodes, J) (Entered: 08/20/2015) |
| 08/21/2015 | <u>9</u> | NOTICE of Appearance by Larry R. Rogers, Jr. on behalf of Geneva Reed-Veal, filed. (Rogers, Larry) (Entered: 08/21/2015) |
| 08/24/2015 | <u>10</u> | NOTICE of Appearance by Cannon Lambert (Lead Counsel) on behalf of Geneva Reed-Veal, filed. (Lambert, Cannon) (Entered: 08/24/2015) |
| 08/26/2015 | <u>11</u> | First AMENDED COMPLAINT with Jury Demand against All Defendants filed by Geneva Reed-Veal.(Rogers, Larry) (Entered: 08/26/2015) |
| 09/03/2015 | <u>12</u> | ANSWER to <u>11</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by Elsa Magnus, Oscar Prudente, Waller County, filed.(Simmons, Larry) (Entered: 09/03/2015) |
| 09/04/2015 | <u>13</u> | NOTICE of Appearance by B. Eliot New on behalf of Elsa Magnus, Oscar Prudente, Waller County, filed. (New, Benjamin) (Entered: 09/04/2015) |
| 09/04/2015 | <u>14</u> | CERTIFICATE OF INTERESTED PARTIES by Elsa Magnus, Oscar Prudente, Waller County, filed.(Simmons, Larry) (Entered: 09/04/2015) |
| 09/08/2015 | <u>15</u> | Texas Department of Public Safety's MOTION to Dismiss <i>and Defendant Encina's Motion to Dismiss and/or Opposed Motion for Rule 7a Reply with Brief in Support</i> by TEXAS DEPARTMENT OF PUBLIC SAFETY, Brian Encinia, filed. Motion Docket Date 9/29/2015. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) Filers corrected on 9/8/2015 (Itien, 4). (Entered: 09/08/2015) |
| 09/08/2015 | <u>16</u> | CERTIFICATE OF INTERESTED PARTIES by Brian Encinia, TEXAS DEPARTMENT OF PUBLIC SAFETY, filed.(Dennis, Seth) (Entered: 09/08/2015) |
| 09/11/2015 | <u>17</u> | Opposed MOTION Limit Discovery by Elsa Magnus, Oscar Prudente, Waller County, filed. Motion Docket Date 10/2/2015. (Attachments: # <u>1</u> Proposed Order)(Simmons, Larry) (Entered: 09/11/2015) |
| 09/14/2015 | <u>18</u> | NOTICE of Initial Disclosure by Elsa Magnus, Oscar Prudente, Waller County, filed. (Simmons, Larry) (Entered: 09/14/2015) |
| 09/15/2015 | <u>19</u> | INITIAL DISCLOSURES by Brian Encinia, TEXAS DEPARTMENT OF PUBLIC SAFETY, filed.(Dennis, Seth) (Entered: 09/15/2015) |

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| 09/15/2015 | <u>20</u> | Minute Entry for proceedings held before Judge David Hittner. STATUS CONFERENCE held on 9/15/2015. Plaintiff to file a response to the Motion for Rule 7 Reply (Doc. # 15) by November 2, 2015. Defendants to file a reply by November 7, 2015. Status Conference set for December 17, 2015 at 2:00 p.m. Appearances: Seth Byron Dennis, Larry J Simmons, Jr, Cannon D Lambert, Sr, Larry R Rogers, Jr, J Thomas Rhodes, III, Robert Brezezinski, Erin Oglesby, Ted Diamantopoulos, Karen Matlock.(Court Reporter: Laura Wells), filed.(ealexander, 4) (Entered: 09/16/2015) |
| 09/15/2015 | | ***Set/Reset Hearings: Status Conference set for 12/17/2015 at 02:00 PM in Courtroom 8A before Judge David Hittner (ealexander, 4) (Entered: 09/16/2015) |
| 09/24/2015 | <u>21</u> | REPLY to Response to <u>15</u> MOTION to Dismiss <i>And Defendant Encina's Motion to Dismiss and/or Opposed Motion for Rule 7a Reply with Brief in Support</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 09/24/2015) |
| 09/29/2015 | <u>22</u> | Second AMENDED COMPLAINT with Jury Demand against All Defendants filed by Geneva Reed-Veal.(Lambert, Cannon) (Entered: 09/29/2015) |
| 09/29/2015 | <u>23</u> | REPLY to Response to <u>15</u> MOTION to Dismiss <i>And Defendant Encina's Motion to Dismiss and/or Opposed Motion for Rule 7a Reply with Brief in Support</i> , filed by TEXAS DEPARTMENT OF PUBLIC SAFETY. (Dennis, Seth) (Entered: 09/29/2015) |
| 10/01/2015 | <u>24</u> | RESPONSE to <u>17</u> Opposed MOTION Limit Discovery filed by Geneva Reed-Veal. (Rhodes, J) (Entered: 10/01/2015) |
| 10/07/2015 | <u>25</u> | MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint With Brief In Support</i> by Brian Encinia, filed. Motion Docket Date 10/28/2015. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 10/07/2015) |
| 10/07/2015 | <u>26</u> | MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint With Brief In Support</i> by TEXAS DEPARTMENT OF PUBLIC SAFETY, filed. Motion Docket Date 10/28/2015. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 10/07/2015) |
| 10/14/2015 | <u>27</u> | MOTION to Quash Subpoena to Produce Documents, MOTION for Protective Order(Motion Docket Date 11/4/2015.) by City of Prairie View, Texas Police Department, filed. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Bounds, Scott) (Entered: 10/14/2015) |
| 10/15/2015 | <u>28</u> | Joint MOTION for Entry of Order re: Agreed Protective Order by Elsa Magnus, Oscar Prudente, Waller County, filed. Motion Docket Date 11/5/2015. (Attachments: # <u>1</u> Exhibit A – Agreed Protective Order)(Simmons, Larry) (Entered: 10/15/2015) |
| 10/16/2015 | <u>29</u> | MOTION to Quash Subpoena to FBI by U.S. Attorney, filed. Motion Docket Date 11/6/2015. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(Longoria, Samuel) (Entered: 10/16/2015) |
| 10/16/2015 | <u>30</u> | Opposed MOTION for Protective Order by Brian Encinia, TEXAS DEPARTMENT OF PUBLIC SAFETY, filed. Motion Docket Date 11/6/2015. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 1)(Dennis, Seth) (Entered: 10/16/2015) |
| 10/16/2015 | <u>31</u> | PROTECTIVE ORDER granting <u>28</u> Joint MOTION for Entry of Order re: Agreed Protective Order (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 10/19/2015) |
| 11/04/2015 | <u>32</u> | AMENDED <u>27</u> MOTION by City of Prairie View, Texas Police Department, filed. Motion Docket Date 11/25/2015. (Attachments: # <u>1</u> Exhibit Exhibit A – Subpoena)(Bounds, Scott) (Entered: 11/04/2015) |
| 11/04/2015 | <u>33</u> | REPLY <i>Individual Answer to Interrogatories</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/04/2015) |
| 11/04/2015 | <u>34</u> | REPLY <i>Representative Answers to Interrogatories</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/04/2015) |
| 11/06/2015 | <u>35</u> | REPLY <i>Representative Answers to Interrogatories</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/06/2015) |

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| 11/06/2015 | <u>36</u> | REPLY <i>Individual Answer to Interrogatories</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/06/2015) |
| 11/10/2015 | <u>37</u> | RESPONSE to <u>32</u> AMENDED <u>27</u> MOTION filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/10/2015) |
| 11/11/2015 | <u>38</u> | MOTION to Compel Plaintiff's Initial Disclosures and Responses to Request for Production by Waller County, filed. Motion Docket Date 12/2/2015. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Proposed Order)(Simmons, Larry) (Entered: 11/11/2015) |
| 11/11/2015 | <u>39</u> | MOTION for Summary Judgment by Elsa Magnus, Oscar Prudente, Waller County, filed. Motion Docket Date 12/2/2015. (Attachments: # <u>1</u> Affidavit, # <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 L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Proposed Order)(Simmons, Larry) (Entered: 11/11/2015) |
| 11/17/2015 | <u>40</u> | NOTICE of Setting. Parties notified. Motion Hearing on Amended Motion to Quash and Motion for Protective Order from Plaintiff's Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in Civil Action set for 11/17/2015 at 03:30 PM in Courtroom 8A before Judge David Hittner, filed. (ealexander, 4) (Entered: 11/17/2015) |
| 11/17/2015 | <u>41</u> | Minute Entry for proceedings held before Judge David Hittner. MOTION HEARING held on 11/17/2015 on Doc. # 32 – Motion to Quash and Motion for Protective Order from Plaintiff's Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in Civil Action. Written order to issue. Appearances: Scott Bounds, Michael Gary, Seth Byron Dennis, Benjamin Eliot New, Cannon D Lambert, Sr, Larry R Rogers, Jr., Erin Olgesby(Court Reporter: Kathy Miller), filed.(ealexander, 4) (Entered: 11/18/2015) |
| 11/17/2015 | <u>43</u> | EXHIBIT K on CD re: <u>39</u> MOTION for Summary Judgment by Elsa Magnus, Oscar Prudente, Waller County CD forwarded to Clerk's office fileroom, filed.(smurdock, 4) (Entered: 11/19/2015) |
| 11/18/2015 | <u>42</u> | ORDER that the Motion to Compel is granted by agreement. The parties have agreed that the City of Prairie View and its police department must disclose to Plaintiff's counsel all materials sought in the subpoena issued on October 22, 2015 and returnable on November 10, 2015. Production of said documents to occur on or before January 4, 2016. (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 11/18/2015) |
| 11/20/2015 | <u>44</u> | Unopposed MOTION for Extension of Time to Respond to Defendants, Waller County; Elsa Magnus; and Oscar Prudente, Motion for Summary Judgment by Geneva Reed-Veal, filed. Motion Docket Date 12/11/2015. (Attachments: # <u>1</u> Proposed Order)(Rogers, Larry) (Entered: 11/20/2015) |
| 11/23/2015 | <u>45</u> | ORDER granting <u>44</u> Motion for Extension of Time. Plaintiff's response to the Motion for Summary Judgment filed by Defendants, Waller County, Elsa Magnus and Oscar Prudente is due January 19, 2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 11/24/2015) |
| 11/30/2015 | <u>46</u> | RESPONSE to <u>38</u> MOTION to Compel Plaintiff's Initial Disclosures and Responses to Request for Production filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 11/30/2015) |
| 12/01/2015 | <u>47</u> | REPLY to Response to <u>38</u> MOTION to Compel Plaintiff's Initial Disclosures and Responses to Request for Production, filed by Waller County. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Simmons, Larry) (Entered: 12/01/2015) |
| 12/07/2015 | <u>48</u> | JOINT DISCOVERY/CASE MANAGEMENT PLAN by Elsa Magnus, Oscar Prudente, Waller County, filed.(Simmons, Larry) (Entered: 12/07/2015) |
| 12/17/2015 | <u>49</u> | Minute Entry for proceedings held before Judge David Hittner. STATUS CONFERENCE held on 12/17/2015. Written order to issue. Appearances: Seth Byron Dennis, Larry J Simmons, Jr, Benjamin Eliot New, Cannon D Lambert, Sr, Larry R Rogers, Jr, J Thomas Rhodes, III, Erin Olgesby.(Court Reporter: Johnny Sanchez), |

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| | | filed.(ealexander, 4) (Entered: 12/18/2015) |
| 12/17/2015 | <u>50</u> | SCHEDULING ORDER. Jury Trial. Joinder of Parties due by 1/19/2016 Pltf Expert Report due by 7/1/2016. Deft Expert Report due by 8/12/2016. Discovery due by 9/30/2016. Dispositive Motion Filing due by 10/31/2016. Non-Dispositive Motion Filing due by 10/31/2016. Joint Pretrial Order due by 1/17/2017. Jury Selection set for 1/23/2017 at 10:00 AM in Courtroom 8A before Judge David Hittner Jury Trial set for 1/12/2017 at 10:00 AM in Courtroom 8A before Judge David Hittner(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 12/18/2015) |
| 12/18/2015 | <u>51</u> | ORDER denying at this time <u>38</u> Motion to Compel Plaintiff's Initial Disclosures and Responses to Request for Production.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 12/18/2015) |
| 12/21/2015 | <u>52</u> | ORDER denying <u>29</u> Motion to Quash.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 12/21/2015) |
| 01/08/2016 | <u>53</u> | Opposed MOTION to Stay <i>Brief in Support</i> by Brian Encinia, TEXAS DEPARTMENT OF PUBLIC SAFETY, filed. Motion Docket Date 1/29/2016. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 1)(Dennis, Seth) (Entered: 01/08/2016) |
| 01/08/2016 | <u>54</u> | Opposed MOTION to Quash Subpoena by TEXAS DEPARTMENT OF PUBLIC SAFETY, filed. Motion Docket Date 1/29/2016. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 1)(Dennis, Seth) (Entered: 01/08/2016) |
| 01/12/2016 | <u>55</u> | BRIEF <i>Regarding The Younger Abstention Doctrine and This Court's Authority to Compel The Texas Rangers' Report</i> by Geneva Reed-Veal, filed.(Rhodes, J) (Entered: 01/12/2016) |
| 01/13/2016 | <u>56</u> | <i>Pltf Supplemental Req. Production</i> by Geneva Reed-Veal, filed.(Lambert, Cannon) (Entered: 01/13/2016) |
| 01/14/2016 | <u>57</u> | MOTION for Order to Show Cause as to PLAINTIFFS MOTION FOR A RULE TO SHOW CAUSE AS TO WHY STEVE KUNKEMOELLER AND WENDY TAFT, OF THE FEDERAL BUREAU OF INVESTIGATION, SHOULD NOT BE HELD IN CONTEMPT OF THIS HONORABLE COURT FOR FAILING TO ADHERE AND COMPLY WITH THIS COURTS SUBPOENA THAT WAS RETURNABLE ON OCTOBER 22, 2016 OR IN THE ALTERNATIVE, FOR IN CAMERA INSPECTION by Geneva Reed-Veal, filed. Motion Docket Date 2/4/2016. (Lambert, Cannon) (Entered: 01/14/2016) |
| 01/15/2016 | <u>58</u> | RESPONSE in Opposition to <u>57</u> MOTION for Order to Show Cause as to PLAINTIFFS MOTION FOR A RULE TO SHOW CAUSE AS TO WHY STEVE KUNKEMOELLER AND WENDY TAFT, OF THE FEDERAL BUREAU OF INVESTIGATION, SHOULD NOT BE HELD IN CONTEMPT OF THIS HONORABLE COURT FOR FAILING TO ADHERE AND COMP, filed by U.S. Attorney. (Longoria, Samuel) (Entered: 01/15/2016) |
| 01/15/2016 | <u>59</u> | REPLY to <i>Plaintiff's Brief Regarding the Younger Abstention Doctrine and this Court's Authority to Compel the Texas rangers' Report [D.E.55]</i> , filed by Brian Encinia, TEXAS DEPARTMENT OF PUBLIC SAFETY. (Dennis, Seth) (Entered: 01/15/2016) |
| 01/15/2016 | <u>60</u> | Letter from Robert Brzezinski re: Telephone Status Conference, filed. (ealexander, 4) (Entered: 01/19/2016) |
| 01/19/2016 | <u>61</u> | Unopposed MOTION for Extension of Time for Joinder of Additional Parties by Geneva Reed-Veal, filed. Motion Docket Date 2/9/2016. (Attachments: # <u>1</u> Proposed Order)(Rogers, Larry) Modified on 1/20/2016 (ealexander, 4). (Entered: 01/19/2016) |
| 01/19/2016 | <u>62</u> | Unopposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES by Geneva Reed-Veal, filed. Motion Docket Date 2/9/2016. (Attachments: # <u>1</u> Proposed Order Order)(Rogers, Larry) (Entered: 01/19/2016) |
| 01/19/2016 | <u>63</u> | Third AMENDED COMPLAINT with Jury Demand against All Defendants filed by Geneva Reed-Veal.(Rogers, Larry) (Entered: 01/19/2016) |

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| 01/21/2016 | <u>64</u> | Opposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES by Geneva Reed-Veal, filed. Motion Docket Date 2/11/2016. (Attachments: # <u>1</u> Proposed Order)(Rogers, Larry) (Entered: 01/21/2016) |
| 01/21/2016 | <u>65</u> | ORDER mootng <u>15</u> Motion to Dismiss; mootng <u>25</u> Motion to Dismiss; mootng <u>26</u> Motion to Dismiss due to the fact that Plaintiff's prior pleadings have now been superceded by Plaintiff's Third Amended Complaint.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 01/21/2016) |
| 01/21/2016 | <u>66</u> | ORDER Striking Document re: <u>62</u> Unopposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES, <u>61</u> Unopposed MOTION for Leave to Appeal in forma pauperis. No statement of conference between all counsel.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 01/21/2016) |
| 01/25/2016 | <u>67</u> | MOTION to Dismiss <i>Plaintiffs' Third Amended Complaint With Brief In Support</i> by Brian Encinia, filed. Motion Docket Date 2/16/2016. (Dennis, Seth) (Entered: 01/25/2016) |
| 01/25/2016 | <u>68</u> | Opposed MOTION to Sever Waller County, Elsa Magnus, Oscar Prudente, Opposed MOTION for Separate Trial(Motion Docket Date 2/16/2016.) by Elsa Magnus, Oscar Prudente, Waller County, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order)(Simmons, Larry) (Entered: 01/25/2016) |
| 01/26/2016 | <u>69</u> | RESPONSE to <u>53</u> Opposed MOTION to Stay <i>Brief in Support</i> filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 01/26/2016) |
| 01/27/2016 | <u>70</u> | REPLY to <i>Plaintiffs' Response to Defendant, Encinia's, Motion to Stay</i> , filed by Brian Encinia. (Dennis, Seth) (Entered: 01/27/2016) |
| 01/27/2016 | <u>71</u> | ORDER Setting Hearing on Motion <u>54</u> Opposed MOTION to Quash Subpoena, <u>67</u> MOTION to Dismiss <i>Plaintiffs' Third Amended Complaint With Brief In Support</i> , <u>57</u> MOTION for Order to Show Cause as to PLAINTIFFS MOTION FOR A RULE TO SHOW CAUSE AS TO WHY STEVE KUNKEMOELLER AND WENDY TAFT, OF THE FEDERAL BUREAU OF INVESTIGATION, SHOULD NOT BE HELD IN CONTEMPT OF THIS HONORABLE COURT FOR FAILING TO ADHERE AND COMP, <u>53</u> Opposed MOTION to Stay <i>Brief in Support</i> , <u>68</u> Opposed MOTION to Sever Waller County, Elsa Magnus, Oscar PrudenteOpposed MOTION for Separate Trial, <u>64</u> Opposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES, <u>17</u> Opposed MOTION Limit Discovery, <u>30</u> Opposed MOTION for Protective Order : Motion Hearing set for 2/18/2016 at 01:30 PM in Courtroom 8A before Judge David Hittner. Parties are to file a response to any and all motions no later than noon on February 11, 2016. Failure to file a response will be considered by the Court as the motion being deemed unopposed.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 01/27/2016) |
| 01/27/2016 | <u>72</u> | RESPONSE to <u>64</u> Opposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES filed by Elsa Magnus, Oscar Prudente, Waller County. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Simmons, Larry) (Entered: 01/27/2016) |
| 01/28/2016 | <u>73</u> | RESPONSE to <u>67</u> MOTION to Dismiss <i>Plaintiffs' Third Amended Complaint With Brief In Support</i> filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 01/28/2016) |
| 01/29/2016 | <u>74</u> | RESPONSE to <u>54</u> Opposed MOTION to Quash Subpoena filed by Geneva Reed-Veal. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Rhodes, J) (Entered: 01/29/2016) |
| 02/02/2016 | <u>75</u> | Supplemental RESPONSE in Opposition to <u>57</u> MOTION for Order to Show Cause as to PLAINTIFFS MOTION FOR A RULE TO SHOW CAUSE AS TO WHY STEVE KUNKEMOELLER AND WENDY TAFT, OF THE FEDERAL BUREAU OF INVESTIGATION, SHOULD NOT BE HELD IN CONTEMPT OF THIS HONORABLE COURT FOR FAILING TO ADHERE AND COMP, filed by U.S. Attorney. (Longoria, Samuel) (Entered: 02/02/2016) |
| 02/09/2016 | <u>76</u> | REPLY to <u>58</u> Response in Opposition to Motion, , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 02/09/2016) |

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| 02/11/2016 | <u>77</u> | RESPONSE to <u>30</u> Opposed MOTION for Protective Order filed by Geneva Reed-Veal. (Attachments: # <u>1</u> Exhibit P's Rsp to County Def's Opposed Motion to Limit Discovery, # <u>2</u> Exhibit P's Brief Regarding The Younger Abstention Doctrine, # <u>3</u> Exhibit P's Response to Def, TDOPS's MTD, # <u>4</u> Exhibit 3rd Amended Complaint at Law and Jury Demand)(Rhodes, J) (Entered: 02/11/2016) |
| 02/11/2016 | <u>78</u> | REPLY to <u>64</u> Opposed MOTION for Extension of Time FOR JOINDER OF ADDITIONAL PARTIES , filed by Geneva Reed-Veal. (Rogers, Larry) (Entered: 02/11/2016) |
| 02/11/2016 | <u>79</u> | RESPONSE to <u>68</u> Opposed MOTION to Sever Waller County, Elsa Magnus, Oscar PrudenteOpposed MOTION for Separate Trial filed by Geneva Reed-Veal. (Rogers, Larry) (Entered: 02/11/2016) |
| 02/11/2016 | <u>80</u> | NOTICE <i>Certificate of Service</i> by Geneva Reed-Veal, filed. (Rogers, Larry) (Entered: 02/11/2016) |
| 02/11/2016 | <u>81</u> | RESPONSE to <u>68</u> Opposed MOTION to Sever Waller County, Elsa Magnus, Oscar PrudenteOpposed MOTION for Separate Trial filed by Geneva Reed-Veal. (Rogers, Larry) (Entered: 02/11/2016) |
| 02/11/2016 | <u>82</u> | REPLY to <i>Plaintiffs' Response to his Motion to Dismiss Plaintiffs' Third Amended Complaint with Brief in Support</i> , filed by Brian Encinia. (Dennis, Seth) (Entered: 02/11/2016) |
| 02/18/2016 | <u>83</u> | REPLY to Response to <u>68</u> Opposed MOTION to Sever Waller County, Elsa Magnus, Oscar PrudenteOpposed MOTION for Separate Trial, filed by Elsa Magnus, Oscar Prudente, Waller County. (Simmons, Larry) (Entered: 02/18/2016) |
| 02/18/2016 | <u>84</u> | Minute Entry for proceedings held before Judge David Hittner. MOTION HEARING held on 2/18/2016 on pending motions. Written order to issue. Appearances: Seth Byron Dennis, Larry J Simmons, Jr, Cannon D Lambert, Sr, Larry R Rogers, Jr, Samuel G Longoria, Erin Olgelsby.(Court Reporter: Heather Alcazar), filed.(ealexander, 4) (Entered: 02/19/2016) |
| 02/22/2016 | <u>85</u> | NOTICE of <i>Production of Privacy Act Protected Documents for In Camera Inspection</i> by U.S. Attorney, filed. (Longoria, Samuel) (Entered: 02/22/2016) |
| 02/22/2016 | <u>86</u> | PROPOSED ORDER <i>Privacy Act, 5 U.S.C. 552a</i> , filed.(Longoria, Samuel) (Entered: 02/22/2016) |
| 02/26/2016 | <u>87</u> | ANSWER to <u>63</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rothen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga, filed.(Simmons, Larry) (Entered: 02/26/2016) |
| 02/29/2016 | <u>88</u> | REPLY to <u>87</u> Answer to Amended Complaint, , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 02/29/2016) |
| 03/02/2016 | <u>89</u> | MOTION for Summary Judgment by Marc Langdon, Lanny Thibodeaux, Marianne Williams, filed. Motion Docket Date 3/23/2016. (Attachments: # <u>1</u> Exhibit S, # <u>2</u> Exhibit T, # <u>3</u> Exhibit U, # <u>4</u> Proposed Order)(Simmons, Larry) (Entered: 03/02/2016) |
| 03/11/2016 | <u>90</u> | MOTION for Extension of Time Continue Defendants Marc Langdon, Lanny Thibodeaux, and Marianne Williams' Motion for Summary Judgment by Geneva Reed-Veal, filed. Motion Docket Date 4/1/2016. (Attachments: # <u>1</u> Proposed Order)(Rhodes, J) (Entered: 03/11/2016) |
| 03/17/2016 | <u>91</u> | ORDER that Defendant Brian Encinia may submit a brief on whether the Court should grant a stay under its discretionary powers within 14 days of the date of this Order. Plaintiff and the Waller County defendants may submit a response within 14 days of Encinia's brief.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 03/17/2016) |
| 03/17/2016 | <u>92</u> | ORDER granting in part and denying in part <u>57</u> Motion for Order to Show Cause. Plaintiff's Alternative Request for In Camera Inspection is granted. Further the FBI must produce the Rangers Report in accordance with the protective order as outlined in the Court's separate Privacy Act Order.(Signed by Judge David Hittner) Parties |

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| | | notified.(ealexander, 4) (Entered: 03/17/2016) |
| 03/17/2016 | <u>93</u> | PRIVACY ACT ORDER (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 03/17/2016) |
| 03/17/2016 | <u>94</u> | ORDER denying <u>68</u> Motion to Sever; denying without prejudice <u>68</u> Motion for Separate Trial.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 03/17/2016) |
| 03/17/2016 | <u>95</u> | ORDER mooting <u>54</u> Motion to Quash; mooting <u>17</u> Motion to Limit Discovery.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 03/17/2016) |
| 03/18/2016 | <u>96</u> | MOTION for Summary Judgment by Randy Lewis, Sherry Rothen, filed. Motion Docket Date 4/8/2016. (Attachments: # <u>1</u> Exhibit V, # <u>2</u> Exhibit W, # <u>3</u> Proposed Order)(Simmons, Larry) (Entered: 03/18/2016) |
| 03/22/2016 | <u>97</u> | ORDER granting <u>90</u> Motion for Extension of Time. Responses to Defendant Mark Langdon, Lanny Thibodeaux, and Marianne Williams' Motion for Summary Judgment (Doc. # 89) and Defendant Sherry Rothen and Randy Lewis' Motion for Summary Judgment (Doc. # 96) is extended to on or before April 22, 2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 03/22/2016) |
| 03/23/2016 | <u>98</u> | MOTION for Discovery by Geneva Reed-Veal, filed. Motion Docket Date 4/13/2016. (Lambert, Cannon) (Entered: 03/23/2016) |
| 03/30/2016 | <u>99</u> | MOTION to Stay <i>Briefing on Motion to Stay</i> by Brian Encinia, filed. Motion Docket Date 4/20/2016. (Attachments: # <u>1</u> Exhibit 1)(Dennis, Seth) (Entered: 03/30/2016) |
| 04/01/2016 | <u>100</u> | ORDER granting <u>64</u> Motion for Extension of Time. The deadline for the joinder of additional parties is extended to May 1, 2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 04/01/2016) |
| 04/05/2016 | <u>101</u> | Request for Production of Documents(Motion Docket Date 4/26/2016.) by Geneva Reed-Veal, filed. (Lambert, Cannon) Modified on 4/28/2016 (ealexander, 4). (Entered: 04/05/2016) |
| 04/06/2016 | <u>102</u> | RESPONSE <i>PLF'S RESPONSE TO DEFENDANT, ENCINIA'S BRIEF ON WHETHER THIS COURT SHOULD GRANT A STAY UNDER ITS DISCRETIONARY POWERS</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 04/06/2016) |
| 04/13/2016 | <u>103</u> | MOTION for Extension of Time to respond to def MFSJ by Geneva Reed-Veal, filed. Motion Docket Date 5/4/2016. (Lambert, Cannon) (Entered: 04/13/2016) |
| 04/14/2016 | <u>104</u> | RESPONSE to <u>96</u> MOTION for Summary Judgment , <u>89</u> MOTION for Summary Judgment filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 04/14/2016) |
| 04/14/2016 | <u>105</u> | ORDER granting <u>103</u> Motion for Extension of Time Responses to the Motions for Summary Judgment are due by 6/17/2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 04/14/2016) |
| 04/14/2016 | <u>106</u> | MOTION for Extension of Time to respond to def MFSJ by Geneva Reed-Veal, filed. Motion Docket Date 5/5/2016. (Lambert, Cannon) (Entered: 04/14/2016) |
| 04/15/2016 | <u>107</u> | Opposed MOTION to Quash Subpoena by TEXAS DEPARTMENT OF PUBLIC SAFETY, filed. Motion Docket Date 5/6/2016. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 04/15/2016) |
| 04/21/2016 | <u>108</u> | ORDER granting in part and denying in part <u>53</u> Motion to Stay. All discovery must proceed prior to defendant Brian Encinia's deposition during the pendency of Defendant Brian Encinia's criminal case and that Defendant Brian Encinia must update the Court every two months regarding the status of his criminal case.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 04/21/2016) |
| 04/29/2016 | <u>109</u> | Opposed MOTION Plf. Opposed Motion for leave to Conduct In Excess of ten Depositions by Geneva Reed-Veal, filed. Motion Docket Date 5/20/2016. (Lambert, Cannon) (Entered: 04/29/2016) |
| 05/02/2016 | <u>110</u> | Unopposed MOTION for Extension of Time to Def. Motion for Summary Judgment by Geneva Reed-Veal, filed. Motion Docket Date 5/23/2016. (Lambert, Cannon) |

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| | | (Entered: 05/02/2016) |
| 05/02/2016 | <u>111</u> | RESPONSE to <u>109</u> Opposed MOTION Plf. Opposed Motion for leave to Conduct In Excess of ten Depositions filed by Brian Encinia. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 05/02/2016) |
| 05/02/2016 | <u>112</u> | RESPONSE to <u>109</u> Opposed MOTION Plf. Opposed Motion for leave to Conduct In Excess of ten Depositions filed by Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga. (Attachments: # <u>1</u> Proposed Order)(Simmons, Larry) (Entered: 05/02/2016) |
| 05/03/2016 | <u>113</u> | Opposed RESPONSE in Opposition to <u>67</u> MOTION to Dismiss <i>Plaintiffs' Third Amended Complaint With Brief In Support</i> , filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 05/03/2016) |
| 05/03/2016 | <u>114</u> | ORDER granting <u>110</u> Motion for Extension of Time. Responses are extended to on or before August 13, 2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 05/06/2016) |
| 05/04/2016 | <u>115</u> | ORDER granting in part and denying in part <u>109</u> Motion for Leave to take in Excess of Ten Depositions. Plaintiff may depose up to 15 witnesses, and that each side will be limited to 35 hours of deposition time for all depositions in this case.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 05/06/2016) |
| 05/06/2016 | <u>116</u> | REPLY PLF'S REPLY TO DEF. ENCINIA'S, AND COUNTY DEFENDANTS' RESPONSE TO PLTF'S OPPOSED MOTION, PURSUANT TO RULE 30(a)(2), FOR LEAVE TO CONDUCT IN EXCESS OF TEN DEPOSITIONS, filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 05/06/2016) |
| 05/11/2016 | <u>117</u> | MOTION for Reconsideration by Geneva Reed-Veal, filed. Motion Docket Date 6/1/2016. (Rhodes, J) (Entered: 05/11/2016) |
| 05/12/2016 | <u>118</u> | ORDER granting <u>107</u> Motion to Quash.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 05/12/2016) |
| 05/17/2016 | <u>119</u> | MOTION for Summary Judgment by Matthew Mills, Michael Sergis, Dormic Smith, Cynthia Whidden, Rafael Zuniga, filed. Motion Docket Date 6/7/2016. (Attachments: # <u>1</u> Exhibit X, # <u>2</u> Exhibit Y, # <u>3</u> Exhibit Z, # <u>4</u> Exhibit AA, # <u>5</u> Exhibit BB, # <u>6</u> Proposed Order)(Simmons, Larry) (Entered: 05/17/2016) |
| 05/18/2016 | <u>120</u> | Opposed MOTION for Extension of Time to Respond to Def MFSJ by Geneva Reed-Veal, filed. Motion Docket Date 6/8/2016. (Lambert, Cannon) (Entered: 05/18/2016) |
| 06/03/2016 | <u>121</u> | ORDER granting <u>117</u> Motion for Reconsideration. Plaintiff, at a later date and if good cause is shown, may seek leave of this court to conduct more than fifteen depositions so as to allow her the opportunity to complete the depositions essential to her case.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 06/03/2016) |
| 06/14/2016 | <u>122</u> | ORDER granting <u>120</u> Motion for Extension of Time. The responses to the Motions for Summary Judgment (Doc. # 119 and 39) is extended to on or before August 31, 2016.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 06/15/2016) |
| 06/16/2016 | <u>123</u> | ADVISORY by Brian Encinia, filed.(Dennis, Seth) (Entered: 06/16/2016) |
| 06/17/2016 | <u>124</u> | MOTION for Extension of Time to Disclose Plaintiff's Experts by Geneva Reed-Veal, filed. Motion Docket Date 7/8/2016. (Lambert, Cannon) (Entered: 06/17/2016) |
| 06/20/2016 | <u>125</u> | RESPONSE to <u>124</u> MOTION for Extension of Time to Disclose Plaintiff's Experts filed by Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga. (Attachments: # <u>1</u> Proposed Order)(Simmons, Larry) (Entered: 06/20/2016) |
| 06/30/2016 | <u>126</u> | ORDER mooting <u>30</u> Motion for Protective Order.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 06/30/2016) |

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| 06/30/2016 | <u>127</u> | ORDER granting <u>124</u> Motion for Extension of Time. Plaintiff's expert disclosure is reset to July 31, 2016; Defendant's expert disclosure is reset to August 12, 2016 and the discovery cutoff is extended to October 12, 2016. All other dates in the initial scheduling order will remain the same.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 06/30/2016) |
| 06/30/2016 | <u>128</u> | AMENDED ORDER that the Opposed Motion for Extension of Time to Disclose Experts is granted in part. Plaintiff's Expert Disclosure is extended to 7/31/16; Defendant's Expert Disclosure is extended to September 12, 2016 and discovery cutoff is extended to October 12, 2016. (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 07/01/2016) |
| 07/14/2016 | <u>129</u> | ORDER that the Motions for Summary Judgment (Doc. #'s 39, 89, 96 and 119) must be responded to by August 31, 2016 and any replies must be filed by September 6, 2016. (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 07/14/2016) |
| 07/20/2016 | <u>130</u> | ORDER, Order Referring Case to Mediation. (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 07/20/2016) |
| 07/28/2016 | <u>131</u> | MOTION for Protective Order by Brian Encinia, Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga, filed. Motion Docket Date 8/18/2016. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Simmons, Larry) (Entered: 07/28/2016) |
| 07/29/2016 | <u>132</u> | <i>Plf. Expert Designation Disclosure</i> by Geneva Reed-Veal, filed.(Lambert, Cannon) (Entered: 07/29/2016) |
| 08/02/2016 | <u>133</u> | ORDER that Plaintiff shall respond to the pending Motion for Protective Order by 1:00 p.m. on Friday, August 5, 2016. If Plaintiff fails to respond by that deadline, the Court will deem the motion unopposed. (Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 08/02/2016) |
| 08/03/2016 | <u>134</u> | MOTION for Leave to File 4th Amended Complaint at Law by Geneva Reed-Veal, filed. Motion Docket Date 8/24/2016. (Lambert, Cannon) (Entered: 08/03/2016) |
| 08/04/2016 | <u>135</u> | RESPONSE to <u>131</u> MOTION for Protective Order filed by Geneva Reed-Veal. (Lambert, Cannon) (Entered: 08/04/2016) |
| 08/04/2016 | <u>136</u> | NOTICE <i>Exhibit 1 to Plf. Response to Def. Gag order re: 135</i> Response to Motion by Geneva Reed-Veal, filed. (Lambert, Cannon) (Entered: 08/04/2016) |
| 08/10/2016 | <u>137</u> | INITIAL DISCLOSURES by Geneva Reed-Veal, filed.(Lambert, Cannon) (Entered: 08/10/2016) |
| 08/10/2016 | <u>138</u> | Opposed MOTION to Compel Notice of Plf.'s Opposed Motion to Compel Def. To Produce Jail Administrator, Craig Davis, Joe Hester, Glen Smith by Geneva Reed-Veal, filed. Motion Docket Date 8/31/2016. (Lambert, Cannon) (Entered: 08/10/2016) |
| 08/12/2016 | <u>139</u> | RESPONSE to <u>134</u> MOTION for Leave to File 4th Amended Complaint at Law filed by Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga. (Attachments: # <u>1</u> Proposed Order order)(Simmons, Larry) (Entered: 08/12/2016) |
| 08/12/2016 | <u>140</u> | RESPONSE to <u>138</u> Opposed MOTION to Compel Notice of Plf.'s Opposed Motion to Compel Def. To Produce Jail Administrator, Craig Davis, Joe Hester, Glen Smith filed by Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams, Rafael Zuniga. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order Order)(Simmons, Larry) (Entered: 08/12/2016) |
| 09/27/2016 | <u>141</u> | Sealed Order, filed. (Entered: 09/27/2016) |
| 09/29/2016 | <u>142</u> | ORDER holding in abeyance at this time <u>39</u> Motion for Summary Judgment; holding in abeyance at this time <u>67</u> Motion to Dismiss. If a notice of settlement is not filed with this court prior to the motion cut-off date of October 31, 2016, the moving |

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| | | parties are to request, in writing, a formal ruling on said pending motions; otherwise they will be deemed moot.(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 09/29/2016) |
| 10/31/2016 | <u>143</u> | Joint PROPOSED ORDER <i>of Dismissal</i> , filed.(Lambert, Cannon) (Entered: 10/31/2016) |
| 11/01/2016 | <u>144</u> | FINAL JUDGMENT. Case terminated on November 1, 2016(Signed by Judge David Hittner) Parties notified.(ealexander, 4) (Entered: 11/01/2016) |