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**Electronic Case Filing System**  
**District of Utah (Central)**  
**CIVIL DOCKET FOR CASE #: 2:95-cv-00956-TC**

Foote v. St UT, et al  
Assigned to: Judge Tena Campbell  
Demand: \$500,000  
Case in other court: Lead Case, 2:94-cv-00754  
Cause: 42:12101 Americans with Disabilities Act of 1990

Date Filed: 10/18/1995  
Date Terminated: 01/16/1998  
Jury Demand: Both  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff****Kristin Foote**

represented by **Holly J. Mahoney**  
ARCHIBALD MAHONEY LLC  
PO BOX 1244  
SANDY, UT 84091  
(801)233-0533  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**W. Andrew McCullough**  
MCCULLOUGH & ASSOCIATES  
6885 S STATE STE 200  
MIDVALE, UT 84047  
(801)565-0894  
Email: wandrew48@qwest.net  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jensie L. Anderson**  
UNIVERSITY OF UTAH  
COLLEGE OF LAW  
332 S 1400 E FRONT  
SALT LAKE CITY, UT 84112  
(801)585-9692  
*TERMINATED: 01/16/1998*  
*ATTORNEY TO BE NOTICED*

**Lauren R. Barros**  
261 E 300 S STE 300  
SALT LAKE CITY, UT 84111  
(801)746-0670  
*ATTORNEY TO BE NOTICED*

**Randy M Lish**  
SALLENBACK & FACEMYER  
3610 N UNIVERSITY AVE STE 375

PROVO, UT 84604  
(801)235-9400

V.

**Defendant**

**State of Utah**

represented by **Brent A. Burnett**  
UTAH ATTORNEY GENERAL'S  
OFFICE  
160 E 300 S 5TH FL  
PO BOX 140858  
SALT LAKE CITY, UT 84114-0858  
(801)366-0120  
Email: BrentBurnett@utah.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rebecca D. Waldron**  
UTAH ATTORNEY GENERAL'S  
OFFICE  
LITIGATION UNIT  
160 E 300 S 6TH FL  
PO BOX 140856  
SALT LAKE CITY, UT 84114-0856  
(801)366-0100  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Utah State Department of Public  
Safety**

represented by **Martha S Stonebrook**  
SALT LAKE CITY ATTORNEYS  
OFFICE  
451 S STATE ST STE 505A  
SALT LAKE CITY, UT 84111  
(801)535-7690  
Email: martha.stonebrook@slcgov.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rebecca D. Waldron**  
(See above for address)

**Defendant**

**Davis County**  
*a Political subdivision of the State of  
Utah*

represented by **Brett B Rich**  
NIELSEN & SENIOR  
5217 S STATE ST STE 400  
SALT LAKE CITY, UT 84107  
(801)327-8200  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Robert R Wallace**  
 KIRTON & MCCONKIE  
 60 E SO TEMPLE STE 1800  
 SALT LAKE CITY, UT 84111-1004  
 (801)328-3600  
 Email: rwallace@kmclaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/18/1995	1	Complaint filed, assigned to Judge David Sam Receipt #: 70327 (ksp) (Entered: 10/19/1995)
10/18/1995		Jury Flag set (ksp) (Entered: 10/19/1995)
11/02/1995	2	Return of summons executed as to St UT 10/24/95 Answer due on 11/13/95 for St UT (mjm) (Entered: 11/02/1995)
11/02/1995	3	Return of summons executed as to UTDPS 10/23/95 Answer due on 11/12/95 for UTDPS (mjm) (Entered: 11/02/1995)
11/06/1995	4	Notice of attorney appearance for Kristin Foote by Holly J. Foster (mjm) (Entered: 11/07/1995)
11/13/1995	5	Answer to Complaint by St UT, UTDPS; jury demand (ce) (Entered: 11/15/1995)
11/15/1995		Clerk's mailing of certificate of acknowledgement of alternative dispute resolution option. Mailed to: W. McCullough, Jensie Anderson, Holly Foster (cnsl for pla); Rebecca Waldron (dfts) (ce) (Entered: 11/15/1995)
11/27/1995	6	Certificate of election filed by plaintiff Kristin Foote Retain case in court's traditional litigation track. Party address: Kristin Foote, 2905 S 2000 E, SLC, UT 84109 (mjm) (Entered: 11/28/1995)
12/08/1995	7	Certificate of election filed by defendant UTDPS Retain case in Court's traditional litigation track. Party address: UDPS, 4501 S. 2700 W. SLC, UT 84119 (mjm) (Entered: 12/08/1995)
12/15/1995	8	Motion by Kristin Foote to amend [1-1] complaint (ce) (Entered: 12/15/1995)
12/20/1995	9	Order of Reference signed by DS, 12/19/95, 636(b)(1)(A). Mag to hear/determine any nondispositive pretrial matters. cc: atty (ce) (Entered: 12/21/1995)
12/20/1995		Case referred to magistrate under 28:636(b)(1)(A). (ce) (Entered: 12/21/1995)
12/28/1995	10	Magistrate Notice of Hearing Initial Pretrial Conference set for 9:30

		2/29/96 Signed by Judge Boyce (Entered: 12/28/1995)
12/28/1995	11	Case referred to Judge Samuel Alba. Cnsl notified (ce) (Entered: 12/28/1995)
12/28/1995	12	Magistrate Notice of Hearing Motion hearing set for 2:00 1/8/96 for [8-1] motion to amend [1-1] complaint set before Judge Alba. cc: atty (ce) (Entered: 12/28/1995)
01/08/1996	13	Notice of filing by St UT, UTDPS re: change of address for dft cnsl (ss) (Entered: 01/09/1996)
01/08/1996	14	Minute entry:, Motion hearing held for [8-1] motion to amend [1-1] complaint - granting [8-1] motion to amend [1-1] complaint. New def to be served w/amd cmplt asap. Mr. McCullough to submit an order reflecting the crt's ruling. Judge: Samuel Alba Court Reporter: Electronic Court Deputy: Kathlyn Shauklas (Entered: 01/12/1996)
01/11/1996	15	Order granting [8-1] motion to amend [1-1] complaint. Pla shall serve the new dft and notify him of the 2/29/96 IPT before Mag Boyce, signed by SA, cc;attys (mjm) (Entered: 01/12/1996)
01/12/1996	16	Amended complaint by Kristin Foote added party(ies): Davis Cnty . Amends [1-1] complaint; jury demand (mjm) (Entered: 01/12/1996)
01/30/1996	17	Answer to Complaint by Davis Cnty; jury demand (mjm) (Entered: 01/31/1996)
01/31/1996		Clerk's mailing of certificate of acknowledgement of alternative dispute resolution option. Mailed to Robert R Wallace for defendant Davis Cnty, Holly J. Foster for plaintiff Kristin Foote, Jense L. Anderson for plaintiff Kristin Foote, W. Andrew McCullough for plaintiff Kristin Foote (mjm) (Entered: 01/31/1996)
02/12/1996	18	Answer by St UT, UTDPS to amended complaint; jury demand (mjm) (Entered: 02/12/1996)
02/27/1996	19	REPORT of Planning Meeting (mjm) (Entered: 02/28/1996)
02/29/1996	20	Scheduling order Setting Deadline for filing of all motions 11/8/96 Discovery cutoff 9/30/96 Final Pretrial Conference for 8:00 2/3/96 4 Day Jury Trial for 9:30 2/18/97 Rule 26(f)(1) cnf hedl. Expert witness disclosure dates set. Not referred to ADR. Discovery limits not set. ( Signed by Judge Ronald N. Boyce 2/29/96 cc:attys ) (mjm) (Entered: 03/01/1996)
03/04/1996	21	Notice of attorney appearance for UTDPS by Martha S. Stonebrook (mjm) (Entered: 03/05/1996)
03/04/1996	22	Notice by Davis Cnty to take deposition of Kristin Foote (mjm) (Entered: 03/06/1996)
03/08/1996	23	Motion by Kristin Foote for protective order re: add'l depo's (tl) (Entered: 03/11/1996)

03/08/1996	24	Memorandum by Kristin Foote in support of [23-1] motion for protective order re: add'l depo's (tl) (Entered: 03/11/1996)
03/12/1996	25	Notice of Hearing filed : Motion hearing set for 3:00 3/28/96 Room 248 for [23-1] motion for protective order re: add'l depo's JUDGE: SA, cc:attys (mjm) (Entered: 03/13/1996)
03/12/1996	26	Certificate of service by Kristin Foote re first set interrog to dft State of Utah no. 1-6 (ce) (Entered: 03/13/1996)
03/18/1996	27	Memorandum by Davis Cnty in opposition to [23-1] motion for protective order re: add'l depo's (mjm) (Entered: 03/19/1996)
03/20/1996	28	Memorandum by St UT, UTDPS, Davis Cnty in opposition to [23-1] motion for protective order re: add'l depo's (mjm) (Entered: 03/21/1996)
03/27/1996	30	Minute entry: Via telephonic communication, Mr. McCullough rep to the crt that the matters in dispute were now resolved & the [23-1] motion for protective order re: add'l depo's was withdrawn. Judge: Samuel Alba Court Reporter: None Court Deputy: Kathlyn Shauklas (Entered: 04/15/1996)
04/05/1996		Notice of filing by Kristin Foote re: Change of Address for Jensie L. Anderson (rb) (Entered: 04/08/1996)
04/12/1996	29	Certificate of service by St UT, UTDPS re ans to pla's first set interrog (ce) (Entered: 04/15/1996)
04/19/1996	31	Notice by Kristin Foote to take deposition of Ronald Ostler on 5/14/96 (tl) (Entered: 04/22/1996)
05/10/1996	32	Notice by Kristin Foote to take deposition of Ivan Orr, 6/6/96; Paul Hyatt, 6/6/96; Ronald Ostler, 6/6/96 (ce) Modified on 05/13/1996 (Entered: 05/13/1996)
06/03/1996	35	Notice by Kristin Foote to take deposition of R.L. McAfee, 6/27/96; Robert Yeaman, 6/7/96 (ce) (Entered: 06/06/1996)
06/04/1996	33	Notice by Kristin Foote to take deposition of R.L. McAfee, 6/14/96 (ksp) (Entered: 06/04/1996)
06/04/1996	34	Return of service executed re: amended deposition subpoena served on R.L. McAfee Officer UHP (ksp) (Entered: 06/04/1996)
06/11/1996	36	Certificate of service by Kristin Foote re: interrog numbered 1-4, dated 6/10/96 sent to Rebecca Waldron (tl) (Entered: 06/11/1996)
06/11/1996	37	Motion by Kristin Foote to compel discovery (tl) (Entered: 06/11/1996)
06/19/1996	38	Memorandum by Kristin Foote in support of [37-1] motion to compel discovery (tl) (Entered: 06/20/1996)
07/08/1996	39	Memorandum by St UT, UTDPS in opposition to [37-1] motion to compel discovery (rb) (Entered: 07/09/1996)
07/12/1996	40	Reply by Kristin Foote to response to [37-1] motion to compel discovery

		(rb) (Entered: 07/15/1996)
07/17/1996	41	Certificate of service by Kristin Foote re: req for prod of docs (tl) (Entered: 07/17/1996)
07/22/1996	42	Motion by Davis Cnty for summary judgment (rb) (Entered: 07/23/1996)
07/22/1996	43	Memorandum by Davis Cnty in support of [42-1] motion for summary judgment (rb) (Entered: 07/23/1996)
07/31/1996	44	Certificate of service by Davis Cnty re: Resp of Davis Cnty to pla's req for prod of docs was mailed to W. Andrew McCullough & Jensi Anderson (rb) (Entered: 07/31/1996)
08/14/1996	45	Memorandum by Kristin Foote in opposition to [42-1] motion for summary judgment (rb) (Entered: 08/15/1996)
09/26/1996		Certificate of delivering deposition of Kristin Foote to Robert R. Wallace on 9/18/96 by court reporter: Depomax (tl) (Entered: 09/26/1996)
10/11/1996	46	Motion by Kristin Foote to extend time for discovery (ce) (Entered: 10/15/1996)
10/11/1996	47	Notice of Hearing filed by plaintiff Kristin Foote : Motion hearing set for 2:00 11/7/96 for [46-1] motion to extend time for discovery To be held before Judge SA (ce) (Entered: 10/15/1996)
10/23/1996	48	Notice of Hearing filed by plaintiff Kristin Foote : Motion hearing set for 2:00 11/7/96 for [37-1] motion to compel discovery To be held before Judge Samuel Alba (rb) (Entered: 10/23/1996)
11/06/1996	49	Order, re: Intructions to cnsl for preparation of trial signed by Judge David Sam 11/6/96 cc:attys (rb) (Entered: 11/06/1996)
11/07/1996	50	Minute entry: Mot hrg held - granting [37-1] motion to compel discovery. Cnsl to take the depo of McAfee & finish the depo of Hyatt. [46-1] Motion to extend time for discovery granted & discovery ext'd to 1/31/97 . Motion filing deadline set for 2/28/97 . Terminated deadlines - trial & FPT dates are stricken . Pltf's rqst for sanctions denied. Cnsl to obtain hrg date from Judge Sam re mot/SJ. A copy of this min entry will be sent to cnsl. Judge: Samuel Alba Court Reporter: Electronic Court Deputy: Kathlyn Shauklas (Entered: 11/07/1996)
01/23/1997	51	Memorandum Decision denying [42-1] motion for summary judgment signed by David Sam 1/23/97 cc:attys (rb) (Entered: 01/24/1997)
02/07/1997	52	Notice of Hearing filed : scheduling conference set for 8:30 2/28/97 To be held before Judge David Sam. (rb) (Entered: 02/07/1997)
02/25/1997	53	Motion by St UT, UTDPS for summary judgment (ce) (Entered: 02/26/1997)
02/25/1997	54	Memorandum by St UT, UTDPS in support of [53-1] motion for summary judgment (ce) (Entered: 02/26/1997)

02/26/1997	55	Addendum to [54-1] support memorandum filed by St UT, UTDPS . (ksp) (Entered: 02/26/1997)
02/28/1997	56	Minute entry:, scheduling conference held The Ct notes dft Utah's pending Mot/Sum Jgm and the fact that this Sched Conf may be premature. Mr.Wallace rpts dft Davis Co will be filing yet another mot on this date. Mr.McCullough requests add'l time to respond to the mots and is given till April 11th to do so. Dfts are to rspnd pursuant to rule. Judge: DS Court Reporter: None Court Deputy: LaRene Christensen (Entered: 02/28/1997)
02/28/1997	57	Second Motion by Davis Cnty for summary judgment (rb) Modified on 04/30/1997 (Entered: 03/03/1997)
02/28/1997	58	Memorandum by Davis Cnty in support of [57-1] motion for summary judgment (rb) (Entered: 03/03/1997)
04/11/1997	59	Memorandum by Kristin Foote in opposition to [53-1] motion for summary judgment (Entered: 04/14/1997)
04/11/1997	60	Exhibits filed by plaintiff Kristin Foote RE: [59-1] opposition memorandum (Entered: 04/14/1997)
04/15/1997	61	Stipulation by Kristin Foote, Davis Cnty stip to ext time to file memo in opp to Davis Cnty's mot for sum jgm. Dft has 10 days to ans and serve interrogs to pla. Pla has 5 days from date of ans to interrogs to file resp (Entered: 04/15/1997)
04/15/1997	62	Supplemental Submission of Exhibits filed by plaintiff Kristin Foote RE: [59-1] opposition memorandum (Entered: 04/15/1997)
04/15/1997	63	Order granting [61-1] stip to ext time to file memo in opp to Davis Cnty's mot for sum jgm. Dft has 10 days to ans and serve interrogs to pla. Pla has 5 days from date of ans to interrogs to file resp signed by Judge David Sam, 4/15/97. cc: attys (Entered: 04/16/1997)
04/22/1997	64	Stipulation by Kristin Foote, UTDPS stip to extend time for UTDPS to file reply memo in sup of DPS' mot for sum jgm until 5/16/97 (Entered: 04/23/1997)
04/24/1997	65	Certificate of service by Davis Cnty re: answers to pla's interrogs (Entered: 04/24/1997)
04/29/1997	66	Memorandum by Kristin Foote in opposition to [57-1] second motion for summary judgment (Entered: 04/30/1997)
05/16/1997	67	Reply by St UT, UTDPS to response to [53-1] motion for summary judgment (Entered: 05/19/1997)
05/22/1997	68	Reply by Davis Cnty to response to [57-1] motion for summary judgment (rb) (Entered: 05/23/1997)
07/31/1997	69	Motion by Kristin Foote for Jensie L. Anderson to withdraw as attorney for pla (Entered: 08/01/1997)

10/30/1997	70	Motion by Davis Cnty to consolidate case with 2:94cv754 (Entered: 10/31/1997)
10/30/1997	71	Memorandum by Davis Cnty in support of [70-1] motion to consolidate case with 2:94cv754 (Entered: 10/31/1997)
11/20/1997	72	Memorandum by Kristin Foote in opposition to [70-1] motion to consolidate case with 2:94cv754 (Entered: 11/20/1997)
12/01/1997	73	Memorandum by Davis Cnty in support of [70-1] motion to consolidate case with 2:94cv754 (Entered: 12/02/1997)
12/01/1997	74	Memorandum by Kristin Foote in opposition to [70-1] motion to consolidate case with 2:94cv754 (Entered: 12/02/1997)
12/05/1997		Dft Davis Cnty's rply memo in support of dft's mot to consolidate this case with 2:94cv00754C was docketed in 2:94cv754 (see doc #200). Mot to consol will be heard by Judge TC on 12/15/97 (Entered: 12/05/1997)
01/13/1998		No Docketing to this case. All docketing to take place in 2:94cv754C (Entered: 01/13/1998)
01/13/1998		CASE NO LONGER REFERRED TO Judge Samuel Alba (Entered: 01/13/1998)
01/13/1998		(Entered: 01/13/1998)
01/13/1998		Case reassigned to Judge Tena Campbell per Order granting consolidation of this case with 2:94cv00754C (Entered: 01/13/1998)
01/16/1998	75	Order granting [70-1] motion to consolidate case with 2:94cv754, granting [69-1] motion for Jensie L. Anderson to withdraw as attorney for pla (Terminated attorney Jensie L. Anderson for Kristin Foote signed by Judge Tena Campbell, 1/16/98. cc: attys (Entered: 01/16/1998)
01/16/1998		Case closed per Order #75. Case consol w/2:94cv754C (Entered: 01/16/1998)

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