

**United States District Court
Southern District of West Virginia (Huntington)
CIVIL DOCKET FOR CASE #: 3:09-cv-00758**

Cantley et al v. The West Virginia Regional Jail and
Correctional Facility Authority et al
Assigned to: Judge Robert C. Chambers
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/01/2009
Date Terminated: 10/04/2013
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Michael Cantley
and

represented by **Chad P. Shannon**
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Plaintiff

Floyd Teter
*on behalf of themselves and on behalf of a
Class of others similarly situated*

represented by **D. Aaron Rihn**
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Elgine Heceta McArdle
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**The West Virginia Regional Jail and
Correctional Facility Authority**
and

represented by **David J. Mincer**
BAILEY & WYANT
P. O. Box 3710
Charleston, WV 25337-3710
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Fax: 304/343-3133
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Joshua K. Boggs
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P. O. Box 3710
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304/345-4222
Fax: 304/343-3133
Email: jboggs@baileywyant.com
TERMINATED: 05/22/2012

Defendant

Terry L. Miller
*both individually and in his official
capacity as Executive Director of the
West Virginia Regional Jail and
Correctional Facility Authority and*

represented by **David J. Mincer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joshua K. Boggs
(See above for address)
TERMINATED: 05/22/2012

Defendant

Joseph A. DeLong
*both individually and in his official
capacity as Acting Executive Director of
the West Virginia Regional Jail and
Correctional Facility Authority and*

represented by **David J. Mincer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Larry Parsons
*both individually and in his Official
capacity as Executive Director of the
West Virginia Regional Jail and
Correctional Facility Authority*

represented by **David J. Mincer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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07/01/2009	<u>1</u>	COMPLAINT. Filing Fee \$350.00. Receipt # 0442500000000103883. (dcm) (Additional attachment(s) added on 7/1/2009: # <u>1</u> Civil Cover Sheet) (dcm).
07/01/2009	<u>2</u>	WAIVER OF SERVICE OF SUMMONS by Michael Cantley for The West Virginia Regional Jail and Correctional Facility Authority (dcm)
07/01/2009	<u>3</u>	WAIVER OF SERVICE OF SUMMONS by Michael Cantley for Terry L. Miller. (dcm)
07/01/2009	<u>4</u>	STANDING ORDER IN RE: ASSIGNMENT AND REFERRAL OF CIVIL ACTIONS AND MATTERS TO MAGISTRATE JUDGES ENTERED AUGUST 1, 2006. This matter referred to Magistrate Judge Taylor for discovery. (cc:attys; any unrepresented party) (dcm)
07/01/2009		CASE assigned to Judge Robert C. Chambers. (ras) (Entered: 07/10/2009)
08/10/2009	<u>5</u>	WAIVER OF SERVICE EXECUTED. Waiver signed by Joshua K. Boggs, Attorney on 08/10/2009. Terry L. Miller waiver mailed on 7/1/2009, answer due 8/31/2009. (Boggs, Joshua)
08/10/2009	<u>6</u>	WAIVER OF SERVICE EXECUTED. Waiver signed by Joshua K. Boggs, Attorney on 08/10/2009. The West Virginia Regional Jail and Correctional Facility Authority waiver mailed on 7/1/2009, answer due 8/31/2009. (Boggs, Joshua)
08/31/2009	<u>7</u>	MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>1</u> Complaint (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D)(Mincer, David)
08/31/2009	<u>8</u>	MEMORANDUM by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority in support of <u>7</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>1</u> Complaint (Mincer, David)
09/03/2009	<u>9</u>	ORDER AND NOTICE: Rule 12(b) Motions 10/2/2009. Rule 26(f) Meeting 11/2/2009. Last day to file report of Rule 26(f) Meeting 11/9/2009. Scheduling Conference at 11:30 AM on 11/23/2009 in Huntington. Entry of Scheduling Order 12/3/2009. Last Day to make Rule 26(a)(1) disclosures 12/7/2009. Signed by Judge Robert C. Chambers on 9/3/2009. (cc:attys; any unrepresented party) (skm)
09/14/2009	<u>10</u>	MOTION by Michael Cantley for Extension of Time to File Response re: <u>7</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>1</u> Complaint to October, 9, 2009 (Rihn, D.) (Modified text to conform to filed document, to add link to #7 motion and to remove attachment (stipulation) and file as entry #11 on 9/15/2009) (skh).
09/14/2009	<u>11</u>	STIPULATION EXTENDING TIME to respond re: <u>7</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>1</u> Complaint to 10/9/2009 and to reply to 10/26/2009 by Michael Cantley, Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority. (skh) (Entered: 09/15/2009)
09/15/2009		NOTICE OF DOCKET CORRECTION re: <u>10</u> MOTION by Michael Cantley for Extension of Time to File Response re: <u>7</u> MOTION to Dismiss. ERROR: Attached stipulation should be filed separately. CORRECTION: Detached stipulation and filed using the event Stipulation Extending Time. (skh)
09/16/2009	<u>12</u>	ORDER granting <u>10</u> MOTION for Extension of Time to File Response/Reply. Responses due by 10/9/2009 Replies due by 10/26/2009. Signed by Judge Robert C. Chambers on 9/16/2009. (cc: attys; any unrepresented party) (skm)
10/09/2009	<u>13</u>	INCORRECT ENTRY; SEE ENTRY #14. (Modified on 10/13/2009 to remove image and file as entry #14) (skh).
10/09/2009	<u>14</u>	FIRST AMENDED CLASS ACTION COMPLAINT by Michael Cantley against The West Virginia Regional Jail and Correctional Facility Authority, Terry L. Miller. (Attachment: # <u>1</u> Exhibit A) (skh) (Entered: 10/13/2009)
10/13/2009		NOTICE OF DOCKET CORRECTION re: <u>13</u> NOTICE of Filing of First Amended Class Action Complaint by Michael Cantley. ERROR: Incorrect event selected.

		CORRECTION: Removed image and filed as entry <u>14</u> . (skh)
10/27/2009	<u>15</u>	ORDER denying as moot <u>7</u> MOTION to Dismiss. Signed by Judge Robert C. Chambers on 10/27/2009. (cc: attys; any unrepresented party) (dcm)
10/28/2009	<u>16</u>	MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>14</u> First Amended Complaint (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D)(Mincer, David) (Modified text to conform to filed document on 10/29/2009) (skh).
10/28/2009	<u>17</u>	MEMORANDUM by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority in support of <u>16</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>14</u> First Amended Complaint (Mincer, David) (Modified text to conform to filed document on 10/29/2009) (skh).
11/02/2009	<u>18</u>	MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Extension of Deadline to Conduct Rule 26(f) Meeting and Deadline to File Report Thereof (Mincer, David) (Modified text to conform to filed document on 11/3/2009) (skh).
11/02/2009	<u>19</u>	MEMORANDUM by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority in support of <u>18</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Extension of Deadline to Conduct Rule 26(f) Meeting and Deadline to File Report Thereof (Mincer, David) (Modified text to conform to filed document on 11/3/2009) (skh).
11/03/2009	<u>20</u>	ORDER granting <u>18</u> MOTION for Extension of Time to conduct Rule 26(f) Meeting and file the report thereof. The Court vacates the remainder of the Order and Notice entered on 09/03/2009. If necessary, the Court will reset the Rule 26(f) deadlines and a date and time for the Scheduling Conference after the Court rules on defendant's Motion to Dismiss. Signed by Judge Robert C. Chambers on 11/3/2009. (cc: attys; any unrepresented party) (dcm)
11/16/2009	<u>21</u>	MOTION by Michael Cantley for Extension of Time to File Response to <u>16</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss the <u>14</u> First Amended Complaint to November 27, 2009 (Attachments: # <u>1</u> Stipulation, # <u>2</u> Proposed Order)(Rihn, D.) (Modified text to conform to filed document on 11/17/2009) (skh).
11/17/2009	<u>22</u>	ORDER granting <u>21</u> MOTION for Extension of Time to File Response/Reply re: <u>16</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss. Responses due by 11/17/2009. Replies due by 11/27/2009. Signed by Judge Robert C. Chambers on 11/17/2009. (cc: attys; any unrepresented party) (skm) Modified on 11/18/2009 to remove and add text (dcm).
11/17/2009	<u>23</u>	MEMORANDUM by Michael Cantley in opposition to <u>16</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss re: <u>14</u> First Amended Complaint (Rihn, D.) (Modified on 11/18/2009 to remove duplicate text) (skh).
11/30/2009	<u>24</u>	REPLY by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to <u>23</u> Memorandum In Opposition. (Mincer, David)
05/04/2010	<u>25</u>	CLERK'S ORDER WITHDRAWING AND TRANSFERRING REFERENCE TO UNITED STATES MAGISTRATE JUDGE. The reference of this civil action to Magistrate Judge Maurice G. Taylor, Jr., pursuant to the Standing Order of this Court entered on 08/1/2006, is withdrawn and this civil action will be referred to Magistrate Judge Stanley for discovery disputes. Signed by Clerk of Court Teresa L. Deppner on 5/4/2010.(cc: unrepresented parties; non CM/ECF users). (klc)
06/14/2010	<u>26</u>	ORDER Counsel for the Plaintiff have not met the requirements of LRCivP 83.6 of the United States District Court for the Southern District of West Virginia; it is therefore Ordered that within 20 days of the entry of this Order counsel for Plaintiff shall comply with the provisions of this local rule and others related thereto by associating with qualified local counsel. Signed by Judge Robert C. Chambers on 6/14/2010. (cc: attys; any unrepresented party) (skm)

07/01/2010	<u>27</u>	NOTICE OF ATTORNEY APPEARANCE by Elgine Heceta McArdle on behalf of Michael Cantley (McArdle, Elgine)
07/01/2010	<u>28</u>	STATEMENT OF VISITING ATTORNEY from Daniel R. Karon on behalf of Michael Cantley. Local counsel: Elgine McArdle. Fee \$50.00. Receipt # 0425-1311118. (Rihn, D.) (Modified on 7/1/2010 to add name of visiting attorney and to correct typographical error) (skh).
07/01/2010	<u>29</u>	STATEMENT OF VISITING ATTORNEY from Elmer Robert Keach III on behalf of Michael Cantley. Local counsel: Elgine McArdle. Fee \$50.00. Receipt # 0425-1311122. (Rihn, D.) (Modified on 7/1/2010 to add name of visiting attorney and to correct typographical error) (skh).
07/01/2010	<u>30</u>	STATEMENT OF VISITING ATTORNEY from Nicholas A. Migliaccio on behalf of Michael Cantley. Local counsel: Elgine McArdle. Fee \$50.00. Receipt # 0425-1311129. (Rihn, D.) (Modified on 7/1/2010 to add name of visiting attorney and to correct typographical error) (skh).
07/01/2010	<u>31</u>	STATEMENT OF VISITING ATTORNEY from Donna F. Solen on behalf of Michael Cantley. Local counsel: Elgine McArdle. Fee \$50.00. Receipt # 0425-1311130. (Rihn, D.) (Modified on 7/1/2010 to add name of visiting attorney and to correct typographical error) (skh).
08/05/2010	<u>32</u>	MEMORANDUM OPINION AND ORDER denying <u>16</u> MOTION to Dismiss. Signed by Judge Robert C. Chambers on 8/5/2010. (cc: attys; any unrepresented party) (dcm)
08/05/2010	<u>33</u>	ORDER AND NOTICE: Rule 26(f) Meeting 8/30/2010. Last day to file report of Rule 26(f) Meeting 9/13/2010. Scheduling Conference at 11:00 AM on 9/27/2010 in Huntington. Entry of Scheduling Order 10/7/2010. Last Day to make Rule 26(a)(1) disclosures 10/12/2010. Signed by Judge Robert C. Chambers on 8/5/2010. (cc:attys; any unrepresented party) (dcm)
08/31/2010	<u>34</u>	STIPULATION EXTENDING TIME for defendants Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to file their response to the <u>1</u> Complaint to September 3, 2010 by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley (Mincer, David) (Modified for clarity of text and to add additional filer on 9/1/2010) (skh).
08/31/2010		RESET DEADLINE: Terry L. Miller and The West Virginia Regional Jail and Correctional Facility Authority answer to the complaint due 9/3/2010 pursuant to the <u>34</u> Stipulation. (skh) (Entered: 09/01/2010)
09/02/2010	<u>35</u>	CLERK'S ORDER WITHDRAWING AND TRANSFERRING REFERENCE TO UNITED STATES MAGISTRATE JUDGE. The reference of this civil action to Magistrate Judge Mary E. Stanley is withdrawn and this civil action will be referred to Magistrate Judge Cheryl A. Eifert for discovery disputes. Signed by Clerk of Court Teresa L. Deppner on 9/2/2010.(cc: unrepresented parties; non CM/ECF users). (klc)
09/07/2010	<u>36</u>	STIPULATION EXTENDING TIME for Defendants to file their response to the <u>14</u> First Amended Class Action Complaint to September 10, 2010 by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley (Mincer, David) (Modified for clarity of text, to add link to #14 first amended complaint, to remove link to #1 complaint and to add additional filer on 9/7/2010) (skh).
09/07/2010		RESET DEADLINE: Terry L. Miller and The West Virginia Regional Jail and Correctional Facility Authority answer to First Amended Class Action Complaint due 9/10/2010 pursuant to the <u>36</u> Stipulation. (skh)
09/10/2010	<u>37</u>	ANSWER TO <u>14</u> First Amended Class Action Complaint by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority.(Mincer, David) (Modified text to note the answer is to the first amended class action complaint on 9/13/2010) (skh).
09/13/2010	<u>38</u>	RULE 26(f) REPORT OF PLANNING MEETING by Michael Cantley, Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority. (Mincer, David)

09/15/2010	<u>39</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at 1225 19th Street, NW, Suite 500, Washington, D. C. 20036. Mail resent to Gary E. Mason at 1625 Massachusetts Avenue, NW, Suite 605, Washington, D. C. 20036. (dcm)
09/22/2010	<u>40</u>	SCHEDULING ORDER: Joinder of Parties, amended pleadings due by 10/1/2010. The First phase of discovery shall be completed by 12/31/2010, the Defendant shall make the Disclosures by 12/01/2010. Each party shall make its experts available for deposition by 12/31/2010. The Second phase of discovery shall be completed by 11/15/2011 and Plaintiff shall disclose experts by 09/01/2011. The Defendant shall disclose experts by 10/01/2011. Depositions will be completed by 10/28/2011. Class Certification Motions filed by 01/31/2011. Settlement Meeting and Rule 26(a)(3) disclosures by 3/15/2011; Plaintiffs portion of proposed Pretrial Order to defendants due by 4/2/2012, Proposed Integrated Pretrial Order due by 4/16/2012. Pretrial Conference set for 4/30/2012 10:00 AM in Huntington before Judge Robert C. Chambers. Proposed Jury Charge due by 5/15/2012. Final Settlement Conference at 09:30 AM on 5/21/2012 in Huntington. Trial of this action shall commence on 05/22/2012, at 8:30AM in Huntington. Signed by Judge Robert C. Chambers on 9/22/2010. (cc:attys; any unrepresented party) (skm) Modified on 9/23/2010 to add text for clarity (dcm).
10/06/2010	<u>41</u>	NOTICE TO TAKE DEPOSITION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority of Michael Cantley on October 26, 2010 at 9:00 a.m. (Boggs, Joshua)
10/12/2010	<u>42</u>	CERTIFICATE OF SERVICE by The West Virginia Regional Jail and Correctional Facility Authority, Terry L. Miller for Rule 26(a)(1) Initial Disclosures. (Mincer, David) (Modified on 10/13/2010 to add additional filer) (skh).
10/12/2010	<u>43</u>	CERTIFICATE OF SERVICE by Michael Cantley for Rule 26(a)(1) Initial Disclosures. (Rihn, D.)
10/14/2010	<u>44</u>	AMENDED NOTICE TO TAKE DEPOSITION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority of Michael Cantley on October 26, 2010 at 09:00 a.m. (Boggs, Joshua)
10/22/2010	<u>45</u>	EMERGENCY MOTION by Michael Cantley To Proceed Without the Appearance of the Sponsoring Attorney (Attachment: # <u>1</u> Proposed Order)(Rihn, D.) (Modified title of entry to add "emergency" on 10/24/2010) (skh).
10/25/2010	<u>46</u>	ORDER granting <u>45</u> EMERGENCY MOTION to Proceed without the Appearance of Sponsoring Attorney, and depositions will proceed as scheduled on 10/25/2010, without the presence of the sponsoring attorney. Signed by Judge Robert C. Chambers on 10/25/2010. (cc: attys) (gan)
11/30/2010	<u>47</u>	CERTIFICATE OF SERVICE filed by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Defendants' Expert Witness Disclosure (Boggs, Joshua)
01/03/2011	<u>48</u>	INCORRECT ENTRY; SEE ENTRY #49. (Modified on 1/3/2011 to remove image and file using the event Proposed Order) (skh).
01/03/2011	<u>49</u>	PROPOSED ORDER Stipulation and Order by Michael Cantley, Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority (skh)
01/03/2011		NOTICE OF DOCKET CORRECTION re: <u>48</u> Stipulation by Michael Cantley. ERROR: Incorrect event selected. CORRECTION: Removed image and filed using the event Proposed Order. (skh)
01/06/2011	<u>50</u>	AMENDED SCHEDULING ORDER: The deposition of John King, Executive Director, WVRJA, will be held on 1/5/2011. Expert Witness List by parties bearing the burden of proof due by 1/31/2011, by party not bearing burden of proof due by 3/1/2011; the deadline for Expert Depositions is 03/21/2011; the deadline for Fact of Expert Class Discovery is 03/21/2011. Class Certification Motions due by 4/1/2011, any response shall be filed within 21 days of the filing of the motion, with replies due within 7 days of the filing of the response. Settlement Meeting and Rule 26(a)(3) disclosures by 3/15/2012; Plaintiffs portion of proposed Pretrial Order to defendants due by 4/2/2012, Proposed Integrated Pretrial Order due by 4/16/2012. Pretrial Conference set for 4/30/2012 10:00 AM in Huntington before Judge Robert C.

		Chambers. Proposed Jury Charge due by 5/15/2012. Final Settlement Conference at 09:30 AM on 5/21/2012 in Huntington. Jury Trial set for 5/22/2012 at 08:30 AM in Huntington before Judge Robert C. Chambers. Signed by Judge Robert C. Chambers on 1/6/2011. (cc:attys; any unrepresented party) (skm) Modified on 1/7/2011 to correct text for clarity (dcm).
01/07/2011	<u>51</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS' RESPONSE TO PLAINTIFF'S FIRST SET OF REQUEST FOR PRODUCTION OF DOCUMENTS AND INTERROGATORIES to 02/07/2011 by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley (Boggs, Joshua) (Modified text to conform to filed document and to add additional filer on 1/9/2011) (skh).
01/12/2011	<u>52</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Daniel R. Karon at Goldman Scarlato & Karon, 55 Public Square, Suite 1500, Cleveland, OH 44113. Mail resent to Daniel R. Karon at 700 West St. Clair Avenue, Suite 204, Cleveland, OH 44113. (skm)
02/07/2011	<u>53</u>	CERTIFICATE OF SERVICE filed by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Defendants' Answers and Responses to Plaintiff's First Set of Requests for Production of Documents and Interrogatories (Boggs, Joshua)
03/07/2011	<u>54</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS' RESPONSE TO PLAINTIFF'S SUPPLEMENTAL DISCOVERY REQUESTS to March 11, 2011 by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley (Boggs, Joshua) (Modified text to conform to filed document and to add additional filer on 3/7/2011) (skh).
03/11/2011	<u>55</u>	CERTIFICATE OF SERVICE filed by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Defendants' Responses to Plaintiff's Supplemental Discovery Requests (Boggs, Joshua)
04/01/2011	<u>56</u>	INCORRECT ENTRY; SEE ENTRY #57. (Modified on 4/4/2011 to remove image and file as entry #57) (skh).
04/01/2011	<u>57</u>	PROPOSED ORDER Stipulation and Order by Michael Cantley, Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority (skh) (Entered: 04/04/2011)
04/04/2011		NOTICE OF DOCKET CORRECTION re: <u>56</u> Stipulation by The West Virginia Regional Jail and Correctional Facility Authority. ERROR: Incorrect event selected. CORRECTION: Removed image and filed using the event Proposed Order.
04/05/2011	<u>58</u>	STIPULATION AND ORDER The parties hereby stipulate to the following revised schedule for completion of class certification discovery: Disclosure of Defendant's Expert Witnesses due by 04/08/2011; Disclosure of Defendants' Expert Witness Reports due by 04/22/2011; Deadline for Fact or Expert Class Discovery is 05/31/2011; and Deadline for Filing of Motion for Class Certification is 06/15/2011 Signed by Judge Robert C. Chambers on 4/5/2011. (cc: attys; any unrepresented party) (dcm)
04/08/2011	<u>59</u>	CERTIFICATE OF SERVICE filed by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Defendants' Amended Expert Witness Disclosure (Boggs, Joshua)
04/22/2011	<u>60</u>	CERTIFICATE OF SERVICE by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Second Amended Expert Witness Disclosure. (Boggs, Joshua) (Modified text to conform to filed document on 4/25/2011) (skh).
05/31/2011	<u>61</u>	JOINT STIPULATION TO STAY PROCEEDINGS AND PROPOSED ORDER by Michael Cantley, Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority (Rihn, D.) (Modified text to conform to filed document and to add additional filers on 5/31/2011) (skh).
06/01/2011	<u>62</u>	JOINT STIPULATION TO STAY PROCEEDINGS AND ORDER The Parties jointly move the Court to stay this litigation in its entirety until such time as the Supreme Court rules in Florence; the one exception to this request will be the Plaintiffs' Motion

		to Intervene a New Representative Plaintiff, which is filed contemporaneously with this stipulation. Signed by Judge Robert C. Chambers on 6/1/2011. (cc: attys; any unrepresented party) (skm)
06/06/2011	<u>63</u>	MOTION by Michael Cantley for Leave to Amend <u>14</u> First Amended Class Action Complaint to Intervene Floyd Teter (Attachment: # <u>1</u> Exhibit A)(Rihn, D.) (Modified text to conform to filed document and to add link to #14 amended complaint on 6/6/2011) (skh).
06/06/2011	<u>64</u>	MEMORANDUM by Michael Cantley in support of <u>63</u> MOTION by Michael Cantley for Leave to Amend <u>14</u> First Amended Class Action Complaint to Intervene Floyd Teter (Rihn, D.) (Modified text to conform to filed document and to remove Exhibit A (Attachment #1) as a duplicate of the exhibit attached to entry #63 on 6/6/2011) (skh).
06/06/2011		NOTICE OF DOCKET CORRECTION re: <u>64</u> Memorandum by Michael Cantley in support of Motion for Leave to Amend Complaint. ERROR: Exhibit A is a duplicate of Exhibit A attached to the <u>63</u> Motion. CORRECTION: Removed Exhibit A (Attachment #1). (skh)
08/04/2011	<u>65</u>	ORDER granting Plaintiff's <u>63</u> MOTION to Amend the Complaint to Intervene Floyd Teter as an additional class representative. Signed by Judge Robert C. Chambers on 8/4/2011. (cc: attys; any unrepresented party) (dcm) Modified text for clarity on 8/5/2011. (ras)
08/04/2011	<u>66</u>	SECOND AMENDED CLASS ACTION COMPLAINT by Michael Cantley, Floyd Teter against The West Virginia Regional Jail and Correctional Facility Authority and Terry L. Miller. (Filed pursuant to the <u>65</u> order entered of even date.) (dcm) Modified text to place parties in correct sequence and to add link to order on 8/5/2011. (ras)
08/12/2011	<u>67</u>	MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Reconsideration of the <u>65</u> Order (Boggs, Joshua) (Modified for clarity of text on 8/13/2011) (skh).
08/12/2011	<u>68</u>	MEMORANDUM by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority in support of <u>67</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Reconsideration of the <u>65</u> Order (Boggs, Joshua) (Modified for clarity of text on 8/13/2011) (skh).
09/08/2011	<u>69</u>	UNCONTESTED MOTION by Michael Cantley for Extension of Time to File Response to <u>67</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Reconsideration of the <u>65</u> Order to 9/9/2011 (Attachment: # <u>1</u> Proposed Order)(Rihn, D.) (Modified for clarity of text and to add link to #65 order on 9/8/2011) (skh).
09/09/2011	<u>70</u>	ORDER granting <u>69</u> UNCONTESTED MOTION by Michael Cantley for Extension of Time to File Response to <u>67</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Reconsideration of the <u>65</u> Order to 9/9/2011. Signed by Judge Robert C. Chambers on 9/9/2011. (cc: attys; any unrepresented party) (dcm) Modified for clarity of text on 9/13/2011. (ras)
09/09/2011	<u>71</u>	RESPONSE by Michael Cantley, Floyd Teter in opposition of <u>67</u> MOTION by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority for Reconsideration of the <u>65</u> Order (Rihn, D.)
09/16/2011	<u>72</u>	REPLY by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority to <u>71</u> Response In Opposition. (Boggs, Joshua)
12/13/2011	<u>73</u>	ORDER denying <u>67</u> MOTION for Reconsideration of <u>65</u> Order on Motion to Amend the Complaint. Signed by Judge Robert C. Chambers on 12/13/2011. (cc: attys; any unrepresented party) (dcm)
05/16/2012	<u>74</u>	ORDER The parties are directed to file a joint status report informing the Court how the parties plan on proceeding in this matter on or before 05/30/2012. Signed by Judge Robert C. Chambers on 5/16/2012. (cc: attys; any unrepresented party) (dcm)
05/22/2012	<u>75</u>	NOTICE OF CHANGE OF ATTORNEY INFORMATION by David J. Mincer (replacing Joshua K. Boggs) on behalf of Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority. (Mincer, David) (Modified text for clarity on

		5/22/2012) (skh).
05/30/2012	<u>76</u>	JOINT STATUS REPORT by Michael Cantley, Terry L. Miller, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority (Mincer, David)
06/01/2012	<u>77</u>	ORDER The Court Denies the request for a Status Conference, and Directs the parties to file brief summaries on or before Thursday, 06/07/2012 of where they believe this case stands. Signed by Judge Robert C. Chambers on 6/1/2012. (cc: attys; any unrepresented party) (skm)
06/06/2012	<u>78</u>	STATUS REPORT AND REQUEST FOR BRIEFING SCHEDULE by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority (Mincer, David) (Main Document 78 replaced on 6/6/2012) (dcm). Modified on 6/7/2012 to change title to conform with filed document (dcm).
06/06/2012		NOTICE OF DOCKET CORRECTION re: <u>78</u> STATUS REPORT (Original image incorrect; image replaced) (dcm)
06/07/2012	<u>79</u>	STATUS REPORT by Michael Cantley, Floyd Teter (Keach, Elmer)
06/08/2012	<u>80</u>	ORDER The Court lifts the stay of this matter and directs plaintiffs to file a motion to file a Third Amended Complaint on or before 06/22/2012; defendants shall file a response to the motion on or before 07/09/2012 and plaintiffs shall file a reply on or before 07/19/2012; after the Court rules on the plaintiffs' motion to amend, the Court will entertain a motion to dismiss by defendants. Signed by Judge Robert C. Chambers on 6/8/2012. (cc: attys; any unrepresented party) (dcm)
06/22/2012	<u>81</u>	CONSENT MOTION by Michael Cantley, Floyd Teter for Enlargement of Time to File a Motion for Leave to File an Amended Complaint to June 26, 2012 (Attachment: # <u>1</u> Proposed Order)(Keach, Elmer) (Modified text for clarity on 6/23/2012) (skh).
06/25/2012	<u>82</u>	ORDER granting Plaintiffs' <u>81</u> CONSENT MOTION for an Enlargement of Time to File a Motion for Leave to Amend their Complaint; directing the following briefing schedule: Plaintiffs' Motion for Leave to Amend Complaint due by 6/26/2012; Defendants' Response to Motion due by 7/13/2012; Plaintiffs' Reply in Support of Motion due by 7/23/2012; the Court will entertain a Motion to Dismiss from the Defendants after ruling on the Plaintiffs' Motion for Leave to File an Amended Complaint. Signed by Judge Robert C. Chambers on 6/22/2012. (cc: attys; any unrepresented party) (mkw)
06/26/2012	<u>83</u>	MOTION by Michael Cantley, Floyd Teter for Leave to File Third Amended Class Action Complaint and Add Additional Parties (Attachments: # <u>1</u> Affirmation in Support, # <u>2</u> Exhibit A -- Proposed Amended Complaint, # <u>3</u> Exhibit B -- Redlined Proposed Amended Complaint, # <u>4</u> Exhibit C -- WVRJA Rule 30(b)(6) deposition, # <u>5</u> Exhibit D - Inmate Admissions Policy, # <u>6</u> Exhibit E - WVRJA Strip Search Policy)(Keach, Elmer) (Modified text to conform to filed document on 6/27/2012) (skh).
06/27/2012	<u>84</u>	MEMORANDUM by Michael Cantley, Floyd Teter in support of <u>83</u> MOTION by Michael Cantley, Floyd Teter for Leave to File Third Amended Class Action Complaint and Add Additional Parties (Keach, Elmer) (Modified text to conform to filed document on 6/27/2012) (skh).
06/27/2012	<u>85</u>	CERTIFICATE OF SERVICE by Michael Cantley, Floyd Teter for <u>83</u> MOTION by Michael Cantley, Floyd Teter for Leave to File Third Amended Class Action Complaint and Add Additional Parties and <u>84</u> Memorandum In Support (Keach, Elmer) (Modified text to conform to filed document on 6/27/2012) (skh).
07/13/2012	<u>86</u>	RESPONSE by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority in opposition of <u>83</u> MOTION by Michael Cantley, Floyd Teter for Leave to File Third Amended Class Action Complaint and Add Additional Parties (Mincer, David)
07/23/2012	<u>87</u>	REPLY by Michael Cantley, Floyd Teter to <u>86</u> Response In Opposition. (Attachments: # <u>1</u> Reply Memorandum of Law, # <u>2</u> Certificate of Service)(Keach, Elmer) (Modified on 7/24/2012 to remove link to #83 motion) (skh).

09/14/2012	<u>88</u>	ORDER granting Plaintiffs' <u>83</u> MOTION for Leave to File Third Amended Class Action Complaint and Add Additional Parties; directing the parties to conduct a new Rule 26(f) Meeting by 9/28/2012; directing the parties to expedite discovery and the trial date; the report of Rule 26(f) Meeting due by 10/2/2012; Scheduling/status Conference at 11:00 AM on 10/9/2012 in Huntington; the parties shall have to 10/23/2012 make Rule 26(a)(1) disclosures. Signed by Judge Robert C. Chambers on 9/14/2012. (cc: attys; any unrepresented parties) (mkw)
09/14/2012	<u>89</u>	THIRD AMENDED COMPLAINT filed with Leave of Court (Docket Number 88) by Michael Cantley, Floyd Teter re: <u>88</u> Judge Chambers's Order and Notice. (Attachments: # <u>1</u> Certificate of Service)(Keach, Elmer) Modified on 9/17/2012 to remove punctuation dcm). Modified on 9/18/2012 to correct title of filed document (dcm).
09/28/2012	<u>90</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS TO FILE RESPONSIVE PLEADING TO PLAINTIFFS' <u>89</u> THIRD AMENDED CLASS ACTION COMPLAINT to October 2, 2012 by Terry L. Miller, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley, Floyd Teter (Mincer, David) (Modified on 9/30/2012 to add additional filers)(skh).
10/02/2012	<u>91</u>	RULE 26(f) REPORT OF PLANNING MEETING by Michael Cantley, Joseph A. DeLong, Terry L. Miller, Larry Parsons, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority. (Mincer, David)
10/02/2012	<u>92</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS TO FILE RESPONSIVE PLEADING TO PLAINTIFFS' THIRD AMENDED CLASS ACTION COMPLAINT to 10/04/12 by Michael Cantley, Joseph A. DeLong, Terry L. Miller, Larry Parsons, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority (Mincer, David)
10/03/2012	<u>93</u>	SCHEDULING ORDER: Joinder of Parties, amended pleadings due by 10/15/2012. Discovery requests to be completed by 4/5/2013 and all depositions by 5/20/2013. Expert Witness List by parties bearing the burden of proof due by 3/21/2013, by party not bearing burden of proof due by 4/19/2013, and to solely contradict or rebut evidence due by 5/6/2013. Dispositive Motions except those filed under Rule 12(b) due by 6/10/2013, any response shall be filed within 14 days of the filing of the motion, with replies due within 7 days of the filing of the response. Settlement Meeting and Rule 26(a)(3) disclosures by 7/22/2013. Plaintiffs portion of proposed Pretrial Order to defendants due by 7/29/2013, Proposed Integrated Pretrial Order due by 8/5/2013. Pretrial Conference set for 8/12/2013 10:30 AM in Huntington before Judge Robert C. Chambers. Proposed Jury Charge due by 9/3/2013. Final Settlement Conference at 09:30 AM on 9/9/2013 in Huntington. Jury Trial set for 9/10/2013 at 08:30 AM in Huntington before Judge Robert C. Chambers. The Court further cancels the scheduling conference set for 10/09/2012. Signed by Judge Robert C. Chambers on 10/3/2012. (cc:attys; any unrepresented party) (dcm)
10/04/2012	<u>94</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS TO FILE RESPONSIVE PLEADING TO PLAINTIFFS' THIRD AMENDED CLASS ACTION COMPLAINT to October 5, 2012 by Michael Cantley, Joseph A. DeLong, Terry L. Miller, Larry Parsons, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority (Mincer, David)
10/05/2012	<u>95</u>	RENEWED MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss <u>89</u> Third Amended Complaint (Mincer, David) (Modified on 10/6/2012 to add link to #89 third amended complaint) (skh).
10/05/2012	<u>96</u>	MEMORANDUM by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority in support of <u>95</u> RENEWED MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss <u>89</u> Third Amended Complaint (Mincer, David)
10/23/2012	<u>97</u>	CERTIFICATE OF SERVICE by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Rule 26(a)(1) Initial Disclosures. (Mincer, David)

10/26/2012	<u>98</u>	STIPULATION TO EXTEND THE TIME FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' <u>95</u> MOTION TO DISMISS THE THIRD AMENDED CLASS ACTION COMPLAINT to 11/9/2012 by Michael Cantley, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority, Terry L. Miller (Rihn, D.) (Modified text for clarity, to add link to #95 motion and to add additional filers on 10/28/2012) (skh).
11/14/2012	<u>99</u>	STIPULATION TO EXTEND THE TIME FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' <u>95</u> MOTION TO DISMISS THE THIRD AMENDED CLASS ACTION COMPLAINT to 11/20/2012 by Michael Cantley, Floyd Teter, The West Virginia Regional Jail and Correctional Facility Authority, Terry L. Miller (Rihn, D.) (Modified text for clarity, to add link to #95 motion and to add additional filers on 11/14/2012) (skh).
11/20/2012	<u>100</u>	RESPONSE by Michael Cantley in opposition to <u>95</u> RENEWED MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority to Dismiss <u>89</u> Third Amended Complaint (Rihn, D.)
04/19/2013	<u>101</u>	CERTIFICATE OF SERVICE by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Rule 26(a)(2) Expert Testimony Disclosures. (Mincer, David)
04/30/2013	<u>102</u>	MOTION AND REQUEST by Michael Cantley, Floyd Teter for a Status Conference with the Court (Keach, Elmer)
04/30/2013	<u>103</u>	CERTIFICATE OF SERVICE by Michael Cantley, Floyd Teter for Motion for Status Conference (Keach, Elmer) (Modified text for clarity on 4/30/2013) (skh).
05/08/2013	<u>104</u>	MOTION by Michael Cantley, Floyd Teter to Compel Discovery Responses (Attachments: # <u>1</u> Exhibit A -- Internet Print Out for Inmate A, # <u>2</u> Exhibit B -- Defendants' Response to Plaintiffs' Initial Requests, # <u>3</u> Exhibit C -- Order, Bruce v. County of Rensselaer, # <u>4</u> Exhibit D -- Transcript of Proceedings, Marriott v. County of Montgomery, # <u>5</u> Exhibit E -- Transcript of Proceedings, McDaniel v. County of Schenectady, # <u>6</u> Exhibit F -- Portions of Decision, Pritchard v. County of Erie, # <u>7</u> Exhibit G -- Protective Order, Marriott v. County of Montgomery, # <u>8</u> Exhibit H -- Defendants' Response to Plaintiffs' Supplemental Demands, # <u>9</u> Exhibit I -- Inmate Admission Procedure, WVRJA, # <u>10</u> Exhibit J -- Deposition of WVRJA Corporate Deponent John King, # <u>11</u> Proposed Order)(Keach, Elmer)
05/08/2013		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: <u>104</u> MOTION by Michael Cantley, Floyd Teter to Compel Discovery Responses (skh)
05/19/2013	<u>105</u>	MOTION by Michael Cantley, Floyd Teter for Extension of Discovery Deadline and for Leave of Court to Modify <u>93</u> Scheduling Order to Allow for Filing of Motion for Class Certification Before Concluding Merits Discovery (Attachment: # <u>1</u> Proposed Order)(Keach, Elmer). (Modified on 5/20/2013 to add motion to modify and link to #93 scheduling order) (skh).
05/30/2013	<u>106</u>	ORDER granting <u>104</u> MOTION to Compel Discovery Responses; Defendants shall provide full and complete responses to the Plaintiffs' discovery requests within 20 days of the date of this Order. Signed by Magistrate Judge Cheryl A. Eifert on 5/30/2013. (cc: attys; any unrepresented party) (skm)
05/30/2013	<u>107</u>	MEMORANDUM OPINION AND ORDER denying Defendants' <u>95</u> RENEWED MOTION to Dismiss Plaintiffs' Third Amended Complaint; granting Plaintiffs' <u>102</u> MOTION and REQUEST for a Status Conference with the Court; scheduling a telephone conference to be held on 6/11/2013 at 11:00 a.m. to discuss discovery and scheduling issues; directing counsel for Plaintiffs to initiate the call with counsel for Defendants and the Court. Signed by Judge Robert C. Chambers on 5/30/2013. (cc: attys; any unrepresented parties) (mkw)
06/11/2013	<u>108</u>	TELEPHONIC STATUS CONFERENCE held by Judge Robert C. Chambers on 6/11/2013; not reported. (trj)
06/12/2013	<u>109</u>	THIRD AMENDED SCHEDULING ORDER: granting in part <u>105</u> MOTION by Michael Cantley, Floyd Teter for Extension of Discovery Deadline and for Leave of Court to Modify <u>93</u> Scheduling Order to Allow for Filing of Motion for Class Certification Before Concluding Merits Discovery. Discovery requests to be

		completed by 6/19/2013 and all depositions by 8/5/2013; Dispositive Motions except those filed under Rule 12(b) due by 8/8/2013, responses due by 8/19/2013, replies due by 8/23/2013. Settlement Meeting and Rule 26(a)(3) disclosures by 8/30/2013. Status Conference and Hearing shall be held on 09/09/2013 at 9:30 AM in Huntington; to the extent Plaintiffs' requested different deadlines in their motion, the Court Denies the motion; in addition, in light of these changes, the Court Cancels the Pretrial Conference set for 08/12/2013; the Final Settlement Conference set for 09/09/2013 and the Trial set for 09/10/2013. Signed by Judge Robert C. Chambers on 6/12/2013. (cc:attys; any unrepresented parties) (skm) (Modified on 7/1/2013 to add response and reply deadlines in text) (mkw).
06/13/2013	<u>110</u>	NOTICE TO TAKE DEPOSITION DUCES TECUM by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority of Floyd Teter on June 17, 2013 at 9:00 a.m. (Attachment: # <u>1</u> Exhibit(s) A)(Mincer, David)
06/13/2013	<u>111</u>	MOTION by Michael Cantley, Floyd Teter to Proceed with Discovery without the Appearance of a Sponsoring West Virginia Attorney (Attachment: # <u>1</u> Proposed Order)(Rihn, D.)
06/14/2013	<u>112</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, Tygart Valley Regional Jail on June 18, 2013 at 9:00 AM (Keach, Elmer)
06/14/2013	<u>113</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Corrections Sergeant Dan Cutright on June 17, 2013 at 1:00 PM (Keach, Elmer)
06/14/2013	<u>114</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) deponent, North Central Regional Jail on June 18, 2013 at 2:00 PM (Keach, Elmer)
06/14/2013	<u>115</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, Northern Regional Jail on June 19, 2013 at 9:00 AM (Keach, Elmer)
06/17/2013	<u>116</u>	ORDER OF COURT granting <u>111</u> MOTION to proceed with Discovery without the Appearance of a Sponsoring West Virginia Attorney. Signed by Judge Robert C. Chambers on 6/17/2013. (cc: attys; any unrepresented party) (skm)
06/19/2013	<u>117</u>	CERTIFICATE OF SERVICE filed by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Defendants' First Set of Interrogatories and Requests for Production of Documents for Each Plaintiff (Mincer, David)
07/08/2013	<u>118</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) deponent, Eastern Regional Jail on 7/9/2013 at 10:00 AM (Keach, Elmer)
07/08/2013	<u>119</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, Potomac Highlands Regional Jail on 7/9/2013 at 2:00 PM (Keach, Elmer)
07/15/2013	<u>120</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, Southern Regional Jail on 7/16/2013 at 10:30 AM (Keach, Elmer)
07/15/2013	<u>121</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, Central Regional Jail on 7/16/2013 at 4:30 PM (Keach, Elmer)
07/16/2013	<u>122</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deponent, South Central Regional Jail on 7/16/2013 at 9:00 AM (Keach, Elmer)
07/16/2013	<u>123</u>	NOTICE TO TAKE DEPOSITION by Michael Cantley, Floyd Teter of Rule 30(b)(6) Deposition, Southwestern Regional Jail on 7/16/2013 at 1:00 PM (Keach, Elmer)
07/21/2013	<u>124</u>	MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court (Attachments: # <u>1</u> Exhibit A -- Previous Motion to Compel, # <u>2</u> Exhibit B -- Court Order, # <u>3</u> Exhibit C -- Defendants' Response to Plaintiffs' Discovery Demands, # <u>4</u> Exhibit D -- Defendants' Response to Plaintiffs' Supplemental Discovery Demands)(Keach, Elmer)
07/21/2013	<u>125</u>	MEMORANDUM by Michael Cantley, Floyd Teter in support of <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a

		Finding of Contempt of Court (Attachments: # <u>1</u> Exhibit A --- Photo of Garden Spray Can, # <u>2</u> Exhibit B --- Photo of Spray Bottle)(Keach, Elmer)
07/21/2013		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court (skh) (Entered: 07/22/2013)
07/22/2013	<u>126</u>	MOTION by Michael Cantley, Floyd Teter for Extension of Discovery Deadline (Attachment: # <u>1</u> Proposed Order)(Keach, Elmer)
07/23/2013	<u>127</u>	ORDER denying without prejudice Plaintiffs' <u>126</u> MOTION for Extension of Discovery Deadline; Plaintiffs may request an expedited hearing on the discovery issue with the Magistrate Judge. Signed by Judge Robert C. Chambers on 7/23/2013. (cc: attys; any unrepresented parties) (mkw)
07/23/2013	<u>128</u>	MOTION by Michael Cantley, Floyd Teter for Expedited Briefing and Decision on Motion for Sanctions and Contempt (Keach, Elmer)
07/23/2013		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: <u>128</u> MOTION by Michael Cantley, Floyd Teter for Expedited Briefing and Decision on Motion for Sanctions and Contempt (skh)
07/24/2013	<u>129</u>	ORDER granting Plaintiff's <u>128</u> MOTION for Expedited Briefing and Decision on Motion for Sanctions and Contempt; Defendant's shall have through and including 7/26/2013 in which to file a response to Plaintiff's motion for sanctions, and Plaintiff shall have until noon on 7/29/2013 in which to file a reply, a hearing on the motion shall take place on 7/30/2013 at 2:00 p.m. in Huntington. Signed by Magistrate Judge Cheryl A. Eifert on 7/24/2013. (cc: attys; any unrepresented party) (mkw)
07/24/2013		SET DEADLINES as to <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court. Responses due by 7/26/2013; Replies due by noon on 7/29/2013; Motion Hearing set for 7/30/2013 at 02:00 PM in Huntington before Magistrate Judge Cheryl A. Eifert. (mkw)
07/25/2013	<u>130</u>	NOTICE OF APPEARANCE by Chad P. Shannon on behalf of Michael Cantley. (Shannon, Chad)
07/25/2013	<u>131</u>	NOTICE TO TAKE DEPOSITION DUCES TECUM by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority of Richard Pollack on July 26, 2013 at 10:00 a.m. (Mincer, David)
07/26/2013	<u>132</u>	STIPULATION TO EXTEND TIME FOR DEFENDANTS TO FILE RESPONSE BRIEF TO PLAINTIFFS' <u>124</u> MOTION FOR SANCTIONS to 7/27/13 by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley, Floyd Teter (Mincer, David) (Modified on 7/27/2013 to add link to #124 motion and party filers) (skh).
07/27/2013	<u>133</u>	RESPONSE by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority in opposition to <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court (Mincer, David) (Modified on 7/29/2013 to remove link to #125 memorandum) (skh).
07/29/2013	<u>134</u>	NOTICE TO TAKE DEPOSITION DUCES TECUM by Michael Cantley, Floyd Teter of Pogos Voskanian on July 29, 2013 at 10:00 AM (Keach, Elmer)
07/29/2013	<u>135</u>	REPLY by Michael Cantley, Floyd Teter to <u>133</u> Response in Opposition. (Keach, Elmer) (Modified on 7/29/2013 to correct link to #133 response) (skh).
07/30/2013	<u>136</u>	MOTION HEARING held by Magistrate Judge Cheryl A. Eifert on 7/30/2013 re: <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court. Court Reporter: Courtflow. (skm)

07/31/2013	<u>137</u>	NOTICE TO TAKE DEPOSITION DUCES TECUM by Michael Cantley, Floyd Teter of Larry Parsons on 7/31/2013 at 10:00 AM (Keach, Elmer)
07/31/2013	<u>138</u>	NOTICE TO TAKE DEPOSITION DUCES TECUM by Michael Cantley, Floyd Teter of Joseph DeLong on 7/31/2013 at 1:00 PM (Keach, Elmer)
07/31/2013	<u>139</u>	ORDER The Court Holds the <u>124</u> Motion in Abeyance pending further production of documents by Defendants and Orders as follows: on or before 08/02/2013, Defendants shall provide Plaintiffs with copies of all reports regarding lice infestations at the regional jails during the period of 06/30/2013 through the present; on or before 08/02/2013, Defendants shall conduct and complete a search at all of the regional jails to locate and collect prior versions of policies previously produced to Plaintiffs and shall either provide Plaintiffs with the prior versions or shall notify Plaintiffs that older versions no longer exist; on or before 08/02/2013, Defendants shall supply Plaintiffs with information from the TAG System database relating to all pre-trial detainees, who were charged with misdemeanors; on or before 08/02/2013, Defendants shall supply Plaintiffs with information from the Tag System database relating to all pre-trial detainees, who were charged with misdemeanors, summary violations, violations of probation, traffic infractions, civil commitments or other minor crimes and were brought to any of West Virginia's regional jails between 06/30/2013 and 07/30/2013; to the extent that any of this information is deemed confidential, the parties shall tender the Agreed Protective Order found on the Court's website to govern its use and disclosure; within 20 days after receipt of the above-described materials, Plaintiffs shall notify the Court if they wish to pursue their motion for sanctions against the Defendants by doing one of the following; if Plaintiffs do not wish to pursue sanctions, they shall file a motion to withdraw the request; if they do seek sanctions, they shall provide the Court with a supplemental memorandum addressing the four factors set out in <i>Belk v Charlotte-Mecklenburg Bd. of Educ.</i> 269 F.3d 305, 349 (4th Cir. 2001), if plaintiffs seek attorney fees and costs, they shall also address the considerations outlined in <i>Robinson v Equifax Info.Servs., LLC</i> , 560 F.3d 235 (4th Cir. 2009) for determining reasonable fees; Defendants shall have 14 days after receipt of Plaintiffs' memorandum to file a responsive brief, and Plaintiffs shall have 7 days to reply; the undersigned will notify the parties if an additional hearing is necessary after receipt of the memoranda. Signed by Magistrate Judge Cheryl A. Eifert on 7/31/2013. (cc: attys; any unrepresented party) (skm)
08/05/2013	<u>140</u>	NOTICE TO TAKE DEPOSITION PURSUANT TO FED. R. CIV. P. 30 by Michael Cantley, Floyd Teter of Terry Miller on 8/5/2013 at 11:00 a.m. (Migliaccio, Nicholas)
08/05/2013	<u>141</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at The Mason Law Firm, Suite 500, 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason at The Mason Law Firm, Suite 605, 1625 Massachusetts Ave., Washington, DC 20036. (skm)
08/05/2013	<u>142</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at The Mason Law Firm, Suite 500, 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason, The Mason Law Firm, Suite 605, 1625 Massachusetts Avenue, Washington, DC 20036. (skm)
08/07/2013	<u>143</u>	LETTER to Clerk of the Court, from Monica DiCocco dated 8/7/2013, re: address change of Attorney Nicholas A. Migliaccio. (skm)
08/08/2013	<u>144</u>	JOINT MOTION by Michael Cantley, Floyd Teter to Amend <u>109</u> Third Amended Scheduling Order (Keach, Elmer)
08/08/2013	<u>145</u>	PROPOSED ORDER Agreed Order Amending Briefing Schedule by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley, Floyd Teter (Mincer, David) (Modified on 8/8/2013 to add party filers) (skh).
08/08/2013	<u>146</u>	ORDER granting the parties' <u>144</u> JOINT MOTION for Amended Briefing Schedule; amending the briefing schedule as follows: Defendants' Motion for Summary Judgment is due by 8/12/2013; Plaintiffs' Cross-Motion for Summary Judgment and Response is due by 8/23/2013; Defendants' Response and Reply is due by 8/27/2013; Plaintiffs' Reply, if any, due by 8/30/2013. Signed by Judge Robert C. Chambers on 8/8/2013. (cc: attys; any unrepresented parties) (mkw)

08/12/2013	147	EMAIL NOTIFICATION to Gary E. Mason with Notice from Teresa L. Deppner, Clerk, Re: Electronic filing requirements (Attachments: # 1 Clerk's Notice) (jkk)
08/12/2013	148	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at The Mason Law Firm, Suite 500 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason at The Mason Law Firm, Suite 605, 1625 Massachusetts, Washington, DC 20036. (skm)
08/12/2013	149	MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Summary Judgment (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K)(Mincer, David)
08/12/2013	150	MEMORANDUM by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority in support of 149 MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Summary Judgment (Mincer, David)
08/22/2013	151	MOTION by Michael Cantley, Floyd Teter for Extension of Time to Respond to 149 Motion by Defendants for Summary Judgment to August 26, 2013, and Revision of Briefing Schedule (Attachment: # 1 Proposed Order)(Keach, Elmer). (Modified on 8/22/2013 to add link to #149 motion) (skh).
08/23/2013	152	ORDER The Court having considered the Plaintiffs' Request for Enlargement of Time and Modification of Briefing Schedule, hereby grants Plaintiffs' 151 MOTION; the Parties shall brief the pending Motion for Summary Judgment as follows: Plaintiffs' Responses and Cross-Motion for Summary Judgment due by 8/26/2013; Defendants' Response and Reply due by 8/30/2013; Plaintiffs' Reply, if any due on 09/03/2013. Signed by Judge Robert C. Chambers on 8/23/2013. (cc: attys; any unrepresented party) (skm)
08/26/2013	153	SECOND MOTION by Michael Cantley, Floyd Teter for Extension of Time to Respond to 149 Motion by Defendants for Summary Judgment to August 27, 2013, and Amendment of Briefing Schedule (Attachment: # 1 Proposed Order)(Keach, Elmer) (Modified on 8/26/2013 to add link to #149 motion) (skh).
08/27/2013	154	STIPULATION EXTENDING TIME FOR DEFENDANTS TO FILE ANSWER TO PLAINTIFFS' 89 Third Amended Complaint to 08/27/13 by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority, Michael Cantley, Floyd Teter (Mincer, David) (Modified on 8/27/2013 to add party filers) (skh).
08/27/2013	155	ANSWER TO 89 THIRD AMENDED COMPLAINT by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority.(Mincer, David) (Modified on 8/27/2013 to add link to #89 third amended complaint) (skh).
08/27/2013	156	ORDER granting Plaintiffs' 153 SECOND MOTION for Extension of Time to Respond to Motion by Defendants for Summary Judgment; no further extensions will be granted regarding the Plaintiffs' responding filing and cross-motion; the parties will make their submissions according to the following briefing schedule: Plaintiffs' Response to Motion for Summary Judgment and Cross-Motion due by 8/27/2013; Defendants' Reply and Response to Cross-Motion due by 9/3/2013; Plaintiffs' Reply due by 9/4/2013. Signed by Judge Robert C. Chambers on 8/27/2013. (cc: attys; any unrepresented party) (mkw)
08/27/2013	157	CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs (Attachments: # 1 Exhibit 1 – Initial Complaint, # 2 Exhibit 2 – First Amended Complaint, # 3 Exhibit 3 – Defendants' Answer, First Amended Complaint, # 4 Exhibit 4 – Plaintiffs' Second Amended Complaint, # 5 Exhibit 5 – Plaintiffs' Third Amended Complaint, # 6 Exhibit 6 – Order Denying Defendants' Motion to Dismiss, # 7 Exhibit 7 – Defendants' Answer to Third Amended Complaint, # 8 Exhibit 8 – Order Granting Plaintiffs' Motion for Leave to File Amended Complaint, # 9 Exhibit 9 – Order Denying Defendants' Renewed Motion to Dismiss, # 10 Exhibit 10 – Plaintiffs Motion to Compel, with Exhibits, # 11 Exhibit 11 – Order Granting Motion to Compel, # 12 Exhibit 12 – Plaintiffs' Motion for Sanctions, without Exhibits, # 13

		Exhibit 13 --- Order Holding Motion for Sanctions in Abeyance, # <u>14</u> Exhibit 14 --- Teter Booking Documents, # <u>15</u> Exhibit 15 --- Deposition, Floyd Teter, # <u>16</u> Exhibit 16 --- Cantley Booking Documents, # <u>17</u> Exhibit 17 --- Deposition, Michael Cantley, # <u>18</u> Exhibit 18 --- WVRJA Policy 17001, # <u>19</u> Exhibit 19 --- WVRJA Policy 17004, # <u>20</u> Exhibit 20 --- Liceall Internet Print Out, # <u>21</u> Exhibit 21 --- Photo of Licecall Bottle, # <u>22</u> Exhibit 22 --- Photo of Liceall Bottle, # <u>23</u> Exhibit 23 --- Photo of Liceall Bottle, # <u>24</u> Exhibit 24 --- Photo of Ace Hardware Lawn and Garden Spray Bottle, # <u>25</u> Exhibit 25 --- Photo of Handheld Spray Bottle)(Keach, Elmer)
08/27/2013	<u>158</u>	CONTINUATION OF EXHIBITS, Exhibits 26 – 50 by Michael Cantley, Floyd Teter in support of <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment. (Attachments: # <u>1</u> Exhibit 26 --- January 6, 2011 Cox Memorandum to Tygart Valley, # <u>2</u> Exhibit 27 --- August 2010 Post Order, Tygart Valley, # <u>3</u> Exhibit 28 --- Deposition, Daniel Cutright, # <u>4</u> Exhibit 29 --- Tygart Valley Deponent, Michael Wayne, # <u>5</u> Exhibit 30 --- Pre-2011 Western Western Post Order, # <u>6</u> Exhibit 31 --- 2011 Western Post Order, # <u>7</u> Exhibit 32 --- Western Deponent, CE Aldridge, # <u>8</u> Exhibit 33 --- Earlier Potomac Highlands Post Order, # <u>9</u> Exhibit 34 --- Later Potomac Highlands Post Order, # <u>10</u> Exhibit 35 --- January 7, 2011 Collins Memo, Potomac Highlands, # <u>11</u> Exhibit 36 --- Potomac Highlands Deponent, Donna Haggerty, # <u>12</u> Exhibit 37 --- North Central Prior Post Order, # <u>13</u> Exhibits 38 --- North Central Revised Post Order, # <u>14</u> Exhibit 39 --- January 6, 2011 Trent Email Regarding Temporary Detainees, # <u>15</u> Exhibit 40 --- North Central Deponent, Amanda Gump, # <u>16</u> Exhibit 41 --- Post Orders, Central Regional Jail, 9-2011, # <u>17</u> Exhibit 42 --- Post Orders, Central Regional Jail, August 1, 2013, # <u>18</u> Exhibit 43 --- WVRJA Policy 17004, modified by Central Regional Jail, # <u>19</u> Exhibit 44 --- Electronic Mail Message, # <u>20</u> Exhibit 45 --- Memorandum from Shaver to Security Staff, January 12, 2001, # <u>21</u> Exhibit 46 --- Central Deponent, James Shaver, # <u>22</u> Exhibit 47 --- Post Orders, Northern Regional Jail, # <u>23</u> Exhibit 48 --- Northern Deponent, Jason Dalesio, # <u>24</u> Exhibit 49 --- Post Orders, Eastern Regional Jail, # <u>25</u> Exhibit 50 --- Eastern Deponent, David Bittinger)(Keach, Elmer)
08/27/2013	<u>159</u>	CONTINUATION OF EXHIBITS, Exhibits 51 – 73 by Michael Cantley, Floyd Teter in support of <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment. (Attachments: # <u>1</u> Exhibit 51 --- Post Orders, Southern Regional Jail, # <u>2</u> Exhibit 52 --- Southern Deponent, Jeffrey Clark, # <u>3</u> Exhibit 53 --- Post Orders, South Central Regional Jail, January 2013, # <u>4</u> Exhibit 54 --- South Central Deponent, Donnie Ames, # <u>5</u> Exhibit 55 --- Prior Post Orders, Southwestern Regional Jail, # <u>6</u> Exhibit 56 --- Current Post Orders, Southwestern Regional Jail, # <u>7</u> Exhibit 57 --- Southwestern Deponent, Chris Napier, # <u>8</u> Exhibit 58 --- WVRJA Lesson Plan, Inmate Search Procedures, # <u>9</u> Exhibit 59 --- Ronald Casto Deposition, # <u>10</u> Exhibit 60 --- John King Deposition, # <u>11</u> Exhibit 61 --- Terry Miller Deposition, # <u>12</u> Exhibit 62 --- Larry Parsons Deposition, # <u>13</u> Exhibit 63 --- Joseph Delong Deposition, # <u>14</u> Exhibit 64 --- Liceall Material Safety Data Sheet, # <u>15</u> Exhibit 65 --- Pyrethrin Internet Posting, # <u>16</u> Exhibit 66 --- Infection Control Forms, Western Regional Jail, # <u>17</u> Exhibit 67 --- BOP Clinical Practice Guidelines, Lice, # <u>18</u> Exhibit 68 --- Excerpt of Jerry Coleman's Deposition, Florence, # <u>19</u> Exhibit 69 --- Expert Report, Richard Pollack, # <u>20</u> Exhibit 70 --- Richard Pollack Deposition, # <u>21</u> Exhibit 71 --- Anthony Pizon Deposition, # <u>22</u> Exhibit 72 --- Vozkonian Deposition, # <u>23</u> Exhibit 73 --- Email Exchange Between Counsel)(Keach, Elmer)
08/27/2013	<u>160</u>	MEMORANDUM by Michael Cantley, Floyd Teter in support of <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs and MEMORANDUM by Michael Cantley, Floyd Teter in opposition to <u>149</u> MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Summary Judgment (Keach, Elmer) STRICKEN PURSUANT TO <u>164</u> ORDER (Modified on 9/3/2013 to note that this docket entry is stricken from the docket) (mkw).
08/28/2013	<u>161</u>	CORRECTED MEMORANDUM by Michael Cantley, Floyd Teter in support of <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs and in Opposition to <u>149</u> MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Summary Judgment (Keach, Elmer)

08/28/2013	<u>162</u>	CERTIFICATE OF SERVICE by Michael Cantley, Floyd Teter for <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs, <u>158</u> Exhibits in Support, <u>159</u> Exhibits in Support, <u>160</u> Memorandum In Support and In Opposition, <u>161</u> Corrected Memorandum In Support and In Opposition (Keach, Elmer)
08/29/2013	<u>163</u>	MOTION by Michael Cantley, Floyd Teter for Acceptance of Plaintiffs' <u>161</u> Corrected Brief and for Extension of Briefing Schedule (Attachment: # <u>1</u> Proposed Order)(Keach, Elmer) (Modified on 8/29/2013 to correct link to #161 corrected brief) (skh).
08/30/2013	<u>164</u>	PLAINTIFFS' MOTION FOR ACCEPTANCE OF PLAINTIFFS' CORRECTED BRIEF AND FOR EXTENSION OF BRIEFING SCHEDULE/ORDER granting Plaintiffs' <u>163</u> MOTION for Acceptance of Plaintiffs' Corrected Brief in Support of their Cross-Motion for Summary Judgment and For Extension of Time of Briefing Scheduling; the plaintiffs' request for acceptance of their Corrected Brief in Support of their Cross-Motion for Summary Judgment (Docket Number <u>161</u>) is granted; the Court Clerk will remove Docket Number <u>160</u> , the Plaintiffs' prior brief, from the docket; the Plaintiff's request for the revision of the briefing schedule is also granted; the parties will complete briefing in this matter as follows: Defendants' Response to Cross-Motion and Reply by 09/04/2013 and Plaintiffs' Reply by 09/05/2013. Signed by Judge Robert C. Chambers on 8/30/2013. (cc: attys; any unrepresented party) (skm)
09/03/2013	<u>165</u>	ORDER rescheduling the Status Conference to 9/19/2013 at 10:30 AM in Huntington before Judge Robert C. Chambers; directing the parties to send paper copies of their motions with exhibits as soon as possible if they have not yet been sent. Signed by Judge Robert C. Chambers on 9/3/2013. (cc: attys; any unrepresented parties) (mkw)
09/05/2013	<u>166</u>	MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Extension of Deadline to File Reply Brief as to <u>161</u> Corrected Memorandum in Opposition and Response to <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs to 09/05/13 (Mincer, David) (Modified on 9/5/2013 to correct links to #161 corrected memorandum and #157 cross motion) (skh).
09/05/2013	<u>167</u>	ORDER granting Defendants' <u>166</u> MOTION for an Extension of Deadline to File Reply Brief, re: <u>149</u> MOTION by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority for Summary Judgment; Responses due by 9/6/2013; Replies due by 9/9/2013. Signed by Judge Robert C. Chambers on 9/5/2013. (cc: attys; any unrepresented parties) (mkw)
09/05/2013	<u>168</u>	MOTION by Michael Cantley, Floyd Teter for Extension of Time to Address the Possible Continuance of Plaintiffs' Motion for Contempt to September 18, 2013 (Keach, Elmer)
09/06/2013	<u>169</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at The Mason Law Firm, Suite 500, 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason at The Mason Law Firm, Suite 605, 1625 Massachusetts, Washington, DC 20036. (skm)
09/06/2013	<u>170</u>	ORDER granting Plaintiffs' <u>168</u> MOTION for Extension of Time to Address the Possible Continuance of Plaintiffs' Motion for Contempt; Plaintiffs are granted through and including 9/18/2013, in which to comply with the Court's Order dated 7/31/2013. Signed by Magistrate Judge Cheryl A. Eifert on 9/6/2013. (cc: attys; any unrepresented parties) (mkw)
09/06/2013	<u>171</u>	RESPONSE by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority in opposition to <u>157</u> CROSS MOTION by Michael Cantley, Floyd Teter for Summary Judgment Regarding the Question of Violation of Constitutional Rights by Both Plaintiffs and REPLY by Joseph A. DeLong, Terry L. Miller, Larry Parsons, The West Virginia Regional Jail and Correctional Facility Authority to <u>160</u> Memorandum in Opposition. (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M, # <u>3</u> Exhibit N, # <u>4</u> Exhibit O, # <u>5</u> Exhibit P, # <u>6</u> Exhibit Q, # <u>7</u> Exhibit R, # <u>8</u> Exhibit S, # <u>9</u> Exhibit T, # <u>10</u> Exhibit U, # <u>11</u> Exhibit V, # <u>12</u> Exhibit W, # <u>13</u> Exhibit X, # <u>14</u> Exhibit Y, # <u>15</u> Exhibit Z, # <u>16</u> Exhibit AA, # <u>17</u> Exhibit BB, # <u>18</u> Exhibit CC)(Mincer, David) (Modified on 9/9/2013 to add link to #160

		memorandum in opposition) (skh).
09/13/2013	<u>172</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason at The Mason Law Firm, Suite 500, 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason at The Mason Law Firm, Suite 605, 1625 Massachusetts, Washington, DC 20036. (skm)
09/18/2013	<u>173</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to Gary E. Mason, at The Mason Law Firm, Suite 500, 1225 19th Street, NW, Washington, DC 20036. Mail resent to Gary E. Mason at The Mason Law Firm, Suite 605, 1625 Massachusetts, Washington, DC 20036. (skm)
09/19/2013	<u>174</u>	MOTION HEARING held by Judge Robert C. Chambers on 9/19/2013; Court Reporter: Teresa Ruffner. (trj)
09/23/2013	<u>175</u>	LETTER to Clerk of Court, from Monica DiCocco dated 9/18/2013, re: advising of new address for Gary E. Mason, Plaintiff's counsel in this case. (mkw)
10/01/2013	<u>176</u>	ORDER re: <u>124</u> MOTION by Michael Cantley, Floyd Teter for Sanctions Against the West Virginia Regional Jail and Correctional Facility Authority for Failure to Obey a Discovery Order and for a Finding of Contempt of Court; notifying the Plaintiffs that they have through and including 10/08/2013 in which to provide the supplemental memoranda and other information requested by the Court. Signed by Magistrate Judge Cheryl A. Eifert on 10/1/2013. (cc: attys; any unrepresented party) (mkw)
10/04/2013	<u>177</u>	MEMORANDUM OPINION AND ORDER granting <u>149</u> Defendant's MOTION for Summary Judgment; denying Plaintiff's <u>157</u> MOTION for Summary Judgment; the Court Dismisses this case from the docket of the Court. Signed by Judge Robert C. Chambers on 10/4/2013. (cc: attys; any unrepresented party) (skm)
10/04/2013	<u>178</u>	JUDGMENT ORDER In accordance with the accompanying Memorandum Opinion and Order, the Court Grants Defendant's Motion for Summary Judgment; Denies Plaintiffs' Motion for Summary Judgment and Orders that this case be dismissed and stricken from the docket of this Court. Signed by Judge Robert C. Chambers on 10/4/2013. (cc: attys; any unrepresented party) (skm) (Modified on 10/21/2013 to replace incorrect image with correct image) (mkw).
10/09/2013	<u>179</u>	NOTICE OF APPEAL WITH FEE PAID by Michael Cantley, Floyd Teter as to <u>178</u> Judgment Order, <u>177</u> Memorandum Opinion and Order. Filing Fee \$455. Receipt # 0425-2703335. (Keach, Elmer)
10/09/2013	<u>180</u>	STATUS REPORT REGARDING MOTION FOR SANCTIONS by Michael Cantley, Floyd Teter (Keach, Elmer)
10/10/2013	<u>181</u>	TRANSMITTAL OF NOTICE OF APPEAL TO 4CCA via NOTICE OF APPELLATE ACTION re: <u>179</u> Notice of Appeal to the 4CCA. (mkw)
10/11/2013	<u>182</u>	NOTICE OF APPELLATE CASE OPENING BY 4CCA re: <u>179</u> Notice of Appeal to the 4CCA in 4CCA Case No. 13-7655. Case Manager: Jeffrey S. Neal. (skm)
10/21/2013		NOTICE OF DOCKET CORRECTION re: <u>178</u> JUDGMENT ORDER. Error: Judgment order was signed with an incorrect date. Correction: Replaced incorrect image with correct image containing the correct date signed by the Judge. (mkw)
10/28/2013	<u>183</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT with Forms Attached in 4CCA Case Number 13-7655. Transcript due on 1/3/2014. (mkw)
11/05/2013	<u>184</u>	APPEAL TRANSCRIPT FILED for dates of September 19, 2013, before Judge Robert C. Chambers, Court Reporter Terry Ruffner, Telephone number 304-528-7583. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Does this satisfy all appellate orders for this reporter? - Yes. Notice of Intent to Redact due 11/15/2013. Redaction Request due 11/26/2013. Redacted Transcript Deadline set for 12/6/2013. Release of Transcript Restriction set for 2/3/2014. (tmr)
11/06/2013	<u>185</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT for pro se and non-electronic filers re <u>184</u> Appeal Transcript for proceeding held September 19, 2013. (klc)

11/14/2014	<u>186</u>	4CCA OPINION re: <u>179</u> Notice of Appeal to the 4CCA in 4CCA Case No. 13-7655. (mkw)
11/14/2014	<u>187</u>	4CCA JUDGMENT re: <u>179</u> Notice of Appeal to the 4CCA in 4CCA Case No. 13-7655. In accordance with the decision of this court, the judgment of the district court is affirmed. This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41. (mkw)
11/14/2014	<u>188</u>	NOTICE OF JUDGMENT as to <u>179</u> Notice of Appeal to the 4CCA filed by Floyd Teter, Michael Cantley in 4CCA Case Number 13-7655. (mkw)
12/02/2014	<u>189</u>	4CCA NOTICE – STAY OF MANDATE UNDER FRAP 41(d)(1) in 4CCA Case No. 13-7655, dated 12/2/2014. (mkw)
12/15/2014	<u>190</u>	ORDER OF 4CCA as to <u>179</u> Notice of Appeal to the 4CCA denying the petition for rehearing en banc in 4CCA Case No. 13-7655. (mkw)
12/23/2014	<u>191</u>	MANDATE re: <u>179</u> Notice of Appeal to the 4CCA in 4CCA Case No. 13-7655. The judgment of this Court, entered 11/14/2014, takes effect today. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. (mkw)