

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:05-cv-00566-JMS-LEK**

G., et al v. Koller, et al
Assigned to: JUDGE J. MICHAEL SEABRIGHT
Referred to: JUDGE LESLIE E KOBAYASHI
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 09/01/2005
Date Terminated: 09/06/2006
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

R. G.
an individual

represented by **Angela Padilla**
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Plaintiff

C. P.
*an individual by and through her next
friend, A. W.*

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Plaintiff

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V.

Defendant

Lillian Koller
*Director of the State Department of
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Defendant

Sharon Agnew
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Defendant

Kaleve Tufono–Iosefa
*Hawaii Youth Correctional Facility
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Defendant

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Defendant

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Defendant

Lawrence Alvaro
YCO, in his individual and official capacities
TERMINATED: 04/03/2006

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Defendant

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Defendant

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*YCO, in his individual and official
capacities
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Plaintiff

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next friend of C. P., and individual
TERMINATED: 04/03/2006

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Date Filed	#	Docket Text
09/01/2005	1	COMPLAINT for damages, declaratory and injunctive relief; exhibits A-D; (Summons(es) issued) (emt) (Entered: 09/02/2005)
09/01/2005	2	ORDER by Judge David A. Ezra rule 16 conference set for 9:00 11/28/05 before Mag Judge Leslie E. Kobayashi (emt) (Entered: 09/02/2005)
09/01/2005	3	EX PARTE MOTION for appointment of next friend for minor child plaintiff C. P. pursuant to Fed.R. Civ.P. 7 and 17 (c); declaration of Lois Perrin referred to Mag Judge Leslie E. Kobayashi (emt) (Entered: 09/02/2005)
09/01/2005	4	DECLARATION of Lois K. Perrin by plaintiffs (SEALED) (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 250.00, receipt # 231284 (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 225.00, receipt # 231285 for Tamara Lange, PHV (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 225.00, receipt # 231286 for Angela L. Padilla, PHV (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 225.00, receipt # 231287 for Matthew I. Hall, PHV (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 225.00, receipt # 231288 for Marilyn D. Martin-Culver, PHV (emt) (Entered: 09/02/2005)
09/01/2005		FILING FEE PAID in the amount of \$ 225.00, receipt # 231289 for Ashleigh E. Aitken (emt) (Entered: 09/02/2005)
09/06/2005	5	APPLICATION of Angela L. Padilla to appear pro hac vice ; declaration of Angela L. Padilla in support of application to appear pro hac vice; consent of Lois K. Perrin; ORDER granting application for admission of Angela L. Padilla pro hac vice by Mag

		Judge Leslie E. Kobayashi on behalf of plaintiffs (emt) (Entered: 09/07/2005)
09/06/2005	6	APPLICATION of Tamara Lange to appear pro hac vice ; declaration of Tamara Lange in support of application to appear pro hac vice; consent of Lois K. Perrin; ORDER granting application for admission of Tamara Lange pro hac vice by Mag Judge Leslie E. Kobayashi on behalf of plaintiffs (emt) (Entered: 09/08/2005)
09/06/2005	7	APPLICATION of Ashleigh E. Aitken to appear pro hac vice ; declaration of Ashleigh E. Aitken in support of application to appear pro hac vice; consent of Lois K. Perrin; ORDER granting application for admission of Ashleigh E. Aiken pro hac vice by Mag Judge Leslie E. Kobayashi on behalf of plaintiffs (emt) (Entered: 09/08/2005)
09/06/2005	8	APPLICATION of Marilyn D. Martin-Culver to appear pro hac vice ; declaration of Marilyn D. Martin-Culver in support of application to appear pro hac vice; consent of Lois K. Perrin; ORDER granting application for admission of Marilyn D. Martin-Culver pro hac vice by Mag Judge Leslie E. Kobayashi on behalf of plaintiffs (emt) (Entered: 09/08/2005)
09/06/2005	9	APPLICATION of Matthew I. Hall to appear pro hac vice ; declaration of Matthew I. Hall in support of application to appear pro hac vice; consent of Lois K. Perrin; ORDER granting application for admission of Matthew I. Hall pro hac vice by Mag Judge Leslie E. Kobayashi on behalf of plaintiffs (emt) (Entered: 09/08/2005)
09/06/2005	10	EX PARTE MOTION to seal declaration disclosing identities of plaintiffs and for permission to proceed using pseudonyms pursuant to Fed. R. Civ. P. 26(c); memorandum of law in support of ex parte motion; declaration of Lois K. Perrin – filed separately under seal; ORDER sealing declaration and granting permission to proceed using pseudonyms pursuant to Fed. R. Civ. P. (26)(c) by Mag Judge Leslie E. Kobayashi on behalf of plaintiffs [4-1] (emt) (Entered: 09/08/2005)
09/06/2005	11	ORDER appointing next friend for minor child plaintiff C. P. pursuant to Fed. R. Civ. P. 7 and 17(c) by Mag Judge Leslie E. Kobayashi [3-1] adding party plaintiff A. W. (emt) (Entered: 09/13/2005)
09/13/2005	12	RETURN OF SERVICE executed upon defendant Henry Haina on 9/6/05 (emt) (Entered: 09/14/2005)
09/13/2005	13	RETURN OF SERVICE executed upon defendant Cynthia Hubbell on 9/6/05 (emt) (Entered: 09/14/2005)
09/13/2005	14	RETURN OF SERVICE executed upon defendant Kaleve Tufono-Iosefa on 9/6/05 (emt) (Entered: 09/14/2005)
09/13/2005	15	RETURN OF SERVICE executed upon State of Hawaii on behalf of defendant Sharon Agnew, Director of the Office of Youth Services on 9/6/05 through Melina Sanchez, Deputy Attorney General (emt) (Entered: 09/14/2005)
09/13/2005	16	RETURN OF SERVICE executed upon defendant Lawrence Alvaro on 9/6/05 (emt) (Entered: 09/14/2005)
09/13/2005	17	RETURN OF SERVICE executed upon defendant Lillian Koller on 9/6/05 (emt) (Entered: 09/14/2005)
09/13/2005	18	RETURN OF SERVICE executed upon defendant Leila Holloway on 9/8/05 (emt) (Entered: 09/14/2005)
09/13/2005	19	RETURN OF SERVICE executed upon defendant Michael Kim on 9/8/05 (emt) (Entered: 09/14/2005)
09/13/2005	20	RETURN OF SERVICE executed upon defendant Sharon Agnew on 9/8/05 (emt) (Entered: 09/14/2005)
09/13/2005	21	RETURN OF SERVICE executed upon State of Hawaii on behalf of defendant Kaleve Tufono-Iosefa, Hawaii Youth Correctional Facility Administrator on 9/6/05 through Melina Sanchez, Deputy Attorney General (acknowledgment not signed) (emt) (Entered: 09/14/2005)

09/13/2005	22	RETURN OF SERVICE executed upon State of Hawaii on behalf of defendant Lillian Koller, Director of Human Services on 9/6/05 through Melina Sanchez, Deputy Attorney General (emt) (Entered: 09/14/2005)
09/13/2005	23	RETURN OF SERVICE executed upon defendant Phyllis Rosete on 9/8/05 (emt) (Entered: 09/14/2005)
09/20/2005	24	RETURN AND ACKNOWLEDGMENT OF SERVICE – service of complaint and summons executed upon defendant Mitch Simao, YCO, in his individual and official capacities; date of service: 9/18/05 (afc) (Entered: 09/22/2005)
09/20/2005	25	RETURN AND ACKNOWLEDGMENT OF SERVICE – service of complaint and summons executed upon defendant Earlene Josiah, YCO, in her individual and official capacities; date of service: 9/15/05 (afc) (Entered: 09/22/2005)
09/23/2005	26	SUBMISSION of original application for admission of Angela L. Padilla to appear pro hac vice, dated September 1, 2005 by plaintiffs [5–2] (emt) (Entered: 09/26/2005)
09/23/2005	27	SUBMISSION of original application for admission of Marilyn D. Martin–Culver to appear pro hac vice, dated September 1, 2005 by plaintiffs [8–2] (emt) (Entered: 09/26/2005)
09/23/2005	28	SUBMISSION of original application for admission of Matthew I. Hall to appear pro hac vice, dated September 1, 2005 by plaintiffs [9–2] (emt) (Entered: 09/26/2005)
09/23/2005	29	SUBMISSION of original application for admission of Ashleigh E. Aitken to appear pro hac vice, dated September 1, 2005 by plaintiffs [7–2] (emt) (Entered: 09/26/2005)
09/29/2005	30	FIRST AMENDED COMPLAINT for damages, declaratory and injunctive relief [1–1]; exhibits A–F; summons (issued) by plaintiffs – [adding defendant Richard Koehler] (emt) (Entered: 09/30/2005)
10/03/2005	31	NOTICE OF MOTION and motion by plaintiffs for preliminary injunction ; memorandum in support of motion; certification of Lois K. Perrin pursuant to rule Local Rule 7.5(e); declaration of Lois K. Perrin, exhibits A–G; declaration of [R. G.], exhibit A [redacted]; declaration of [C. P.], exhibits A–B [redacted]; declaration of [J. D.], exhibits A–B [redacted]; declaration of Robert J. Bidwell, M. D., exhibits A–F [redacted]; declaration of Caitlin C. Ryan, exhibits A–B; sealed declaration of R. G., exhibit A; sealed declaration of C. P., exhibits A–B; sealed declaration of Robert J. Bidwell, M. D., exhibits A–F; certificate of service – set for 10:30 10/31/05 before Judge J. M. Seabright (SEALED) (emt) Modified on 10/11/2005 (Entered: 10/03/2005)
10/03/2005	32	CERTIFICATE of service by plaintiffs (emt) (Entered: 10/04/2005)
10/06/2005	33	ERRATA to plaintiffs' memorandum in support of motion (filed October 3, 2005); certificate of service by plaintiffs [31–1] (emt) (Entered: 10/07/2005)
10/06/2005	34	EO :Continued : [Plaintiff's Motion for Preliminary Injunction] from 11/14/2005 9:45AM to 11/21/2005 9:45 AM before JMS Ms. Perrin to prepare stipulation. [31–1] 9:45 11/21/05 (Ct Rptr :) JUDGE Judge J. M. Seabright (emt) (Entered: 10/07/2005)
10/07/2005	35	RETURN OF SERVICE executed upon defendant Kaleve Tufono–Iosefa on 9/30/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	36	RETURN OF SERVICE executed upon defendant Mitch Simao on 9/30/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	37	RETURN OF SERVICE executed upon defendant Henry Haina on 9/30/05 – as to service of first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	38	RETURN OF SERVICE executed upon defendant Robert Michael Kim on 9/30/05 – as to service of first amended complaint and summons (emt) (Entered: 10/07/2005)

10/07/2005	39	RETURN OF SERVICE executed upon defendant Lawrence Alvaro on 10/5/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	40	RETURN OF SERVICE executed upon defendant Cynthia Hubbell on 10/5/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	41	RETURN OF SERVICE executed upon defendant Sharon Agnew on 10/3/05 – as to service of first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	42	RETURN OF SERVICE executed upon defendant Lillian Koller on 10/4/05 – as to service of first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	43	RETURN OF SERVICE executed upon defendant Phyllis Rosete on 9/30/05 – as to service of first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	44	RETURN OF SERVICE executed upon defendant Earlene Josiah on 9/30/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	45	RETURN OF SERVICE executed upon defendant Leila Holloway on 9/30/05 – as to service of the first amended complaint and summons (emt) (Entered: 10/07/2005)
10/07/2005	46	STIPULATION and ORDER regarding sealing of original filing of plaintiffs' motion for preliminary injunction and associated documents; declaration of Lois K. Perrin; exhibit A; order granted by Judge J. Michael Seabright – REDACTED VERSION of plaintiff's motion for preliminary injunction originally filed 10/3/05 [listed as exhibit A] [31–1] (emt) (Entered: 10/11/2005)
10/11/2005	47	EX PARTE APPLICATION by plaintiffs for temporary restraining order to preserve documents and evidence and order to show cause ; memorandum of law in support of ex parte application and order to show cause; declaration of Lois K. Perrin in support of ex parte application and order to show cause, exhibit A; declaration of Linda Hadley [redacted], exhibit A; declaration of [J. Doe] [redacted]; ORDER [proposed] granting temporary restraining order to preserve documents and evidence and setting hearing on order to show cause; certificate of service – referred to Judge J. M. Seabright (emt) (Entered: 10/11/2005)
10/11/2005	48	EO : Status Conference set for 10/12/2005 10:00AM before JMS. Notified Lois K. Perrin and Lisa Ginoza ; (Ct Rptr :) JUDGE Judge J. M. Seabright (emt) (Entered: 10/12/2005)
10/12/2005	49	STIPULATION to continue hearing on plaintiffs' motion for preliminary injunction, briefing schedule and ORDER by Judge J. M. Seabright – setting hearing on plaintiffs' motion for preliminary injunction [31–1] 9:45 11/21/05 before Judge J. Michael Seabright (emt) (Entered: 10/12/2005)
10/12/2005	50	EX PARTE MOTION by plaintiffs to seal documents disclosing identities of plaintiffs and other HYCF wards and other confidential information; memorandum of law in support of ex parte motion; declaration of Lois K. Perrin; ORDER granting ex parte motion to seal pursuant to Fed. R. Civ. P. 26 (c) by Mag Judge Leslie E. Kobayashi (emt) (Entered: 10/12/2005)
10/12/2005	51	DECLARATION of C. P.; exhibits A–B by plaintiffs [31–1] (SEALED) (emt) (Entered: 10/12/2005)
10/12/2005	52	DECLARATION of J. D.; exhibits A–B [31–1] by plaintiffs (SEALED) (emt) (Entered: 10/12/2005)
10/12/2005	53	DECLARATION of R. G.; exhibit A [31–1] by plaintiffs (SEALED) (emt) (Entered: 10/12/2005)
10/12/2005	54	DECLARATION of Robert J. Bidwell, M.D.; exhibits A–F; [31–1] by plaintiffs (SEALED) (emt) (Entered: 10/12/2005)
10/12/2005	55	CERTIFICATE of service by plaintiffs (emt) (Entered: 10/13/2005)
10/12/2005	56	EP : Status Conference: The Court heard arguments from both parties on the plaintiff's Temporary Restraining Order and took it under advisement. ; [47–1] (Ct Rptr : Debra Chun) JUDGE Judge J. M. Seabright (emt) (Entered: 10/14/2005)

10/14/2005	57	CERTIFICATE of service by plaintiffs (emt) (Entered: 10/17/2005)
10/14/2005	58	EO : Status Conference set for 10/17/2005 02:15 PM before JMS () JUDGE Judge J. M. Seabright (emt) (Entered: 10/17/2005)
10/20/2005	59	SUBMISSION by plaintiffs of Caitlin Conor Ryan's original signature pursuant to Local Rule 10.2(e); exhibit 1; certificate of service [31-1] (emt) (Entered: 10/20/2005)
10/21/2005	60	RETURN OF SERVICE executed on 9/29/05 as to State Attorney General, received by Jocelyn Abanos, Deputy Attorney General (emt) (Entered: 10/21/2005)
10/28/2005	61	EO: Status conference set for 9:00 11/1/05 before Judge J. M. Seabright by Judge J. M. Seabright (gs) (Entered: 10/31/2005)
10/28/2005	62	STIPULATION as to the Ex Parte Application for temporary restraining order to preserve documents and evidence and order to show cause [47-1] filed October 11, 2005 and Order by J. Michael Seabright. (gs) (Entered: 10/31/2005)
11/01/2005	63	EP : Status Conference: Discussion held regarding motion for preliminary injunction, etc. Plaintiff's Motion for Preliminary Injunction continued to January 3, 2006 at 9:00 a.m. Hearing re: Standing scheduled for November 21, 2005 at 1:30 p.m. Further status conference scheduled for Wednesday, November 2, 2005 at 2:30 p.m. [31-1] ; status conference set for 2:30 11/2/05 ; in court hearing set for 1:30 11/21/05 before Judge J. M. Seabright (Ct Rptr : Sharon Ross) JUDGE Judge J. M. Seabright (emt) (Entered: 11/01/2005)
11/01/2005	64	MEMORANDUM by defendants in opposition to plaintiffs' motion for preliminary injunction [31-1]; declaration of Kaleve Tufono-Iosefa; exhibits A through I; declaration of Sharon Agnew; declaration of Earlene Josiah; declaration of Phyllis Rosete; declaration of Cynthia Hubbell; declaration of Leila Holloway; exhibit A; declaration of Henry Haina; declaration of Mitch Simao; declaration of Ricardo Kohler; certificate of service (emt) (Entered: 11/01/2005)
11/02/2005	65	EP : Status Conference: Discussion held regarding dates. Plaintiff's Motion for Preliminary Injunction rescheduled to be heard on December 20, 2005 at 9:00 a.m. [31-1] (Ct Rptr : Sharon Ross) JUDGE Judge J. M. Seabright (emt) (Entered: 11/03/2005)
11/03/2005	66	ANSWER by defendant Cynthia Hubbell to first amended complaint for damages, declaratory and injunctive relief [30-1]; certificate of service (emt) (Entered: 11/04/2005)
11/04/2005	67	ANSWER by defendant Earlene Josiah to first amended complaint for damages, declaratory and injunctive relief filed September 29, 2005 [30-1]; certificate of service (emt) (Entered: 11/07/2005)
11/04/2005	68	ANSWER by defendants Lillian Koller, Sharon Agnew, and Kaleve Tufono-Iosefa, in their official and individual capacities, and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler to plaintiffs' first amended complaint filed on September 29, 2005 [30-1] (emt) (Entered: 11/07/2005)
11/04/2005	69	ANSWER by defendants Lawrence Alvaro, Leila Holloway, Michael Kim, Ricardo (incorrectly named as Richard) Koehler, Phyllis Rosete and Mitch Simao, in their individual capacities to plaintiffs' first amended complaint for damages, declaratory and injunctive relief filed September 29, 2005; certificate of service [30-1] (emt) (Entered: 11/07/2005)
11/08/2005	70	CERTIFICATE of service by plaintiffs (emt) (Entered: 11/09/2005)
11/09/2005	71	DEMAND for jury trial; certificate of service by defendants Lilian Koller, Sharon Agnew and Kaleve Tufono-Iosefa, in their individual capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim and Koehler, in their official capacities (emt) Modified on 11/10/2005 (Entered: 11/10/2005)
11/10/2005	72	REPORT OF MEETING OF THE PARTIES PURSUANT TO FED. R. CIV. P. RULE 26 (f); certificate of service by plaintiffs (emt) (Entered: 11/14/2005)

11/10/2005		ORIGINAL TRANSCRIPT filed (Ct Rptr Sharon Ross) taken on 11/2/05 (emt) (Entered: 11/14/2005)
11/14/2005	73	SEALED SUPPLEMENTAL DECLARATION of Lois K. Perrin in support of plaintiffs' motion for preliminary injunction; exhibit 1 by plaintiffs (SEALED) [31-1] (emt) (Entered: 11/15/2005)
11/14/2005	74	CERTIFICATE of service by plaintiffs (emt) (Entered: 11/15/2005)
11/14/2005	78	MEMORANDUM by defendnts in support of defendants' opposition to plaintiffs' non-hearing motion to exceed word limit for reply memorandum; declaration of John F. Molay in support of defendants' oppositon to plaintiffs' non-hearing motion to exceed word limit for reply memorandum; certificate of service [75-2] (emt) (Entered: 11/15/2005)
11/15/2005	75	NOTICE of non-hearing motion; plaintiffs' motion to exceed word limit for reply memorandum ; declaration of Lois K. Perrin; ORDER by Judge J. Michael Seabright granting plaintiffs' motion to exceed word limit for reply memorandum; certificate of service (emt) (Entered: 11/15/2005)
11/15/2005	76	REPLY MEMORANDUM by plaintiffs in support of motion to exced word limit [75-1], [75-2] (emt) (Entered: 11/15/2005)
11/15/2005	77	REPLY MEMORANDUM in support of plaintiffs' motion for preliminary injunction; certification of word count; declaration of Paul Alston, exs. 1-6; supplemental declaration of Robert J. Bidwell, M.D., ex. 1; declaration of Carolyn J. Brown (fax), exs. 1-3; declaration of Nelson Griffis (fax), ex. 1; declaration of Linda Hadley, ex. 1; declaration of Melvea Hardy, ex. 1; declaration of Shauna Kamaka, ex. 1; declaration of Larry D. Miesner (not original), ex. 1; supplemental declaration of Lois K. Perrin, exs. 1-3; declaration of David Roush (fax), ex. 1; certificate of service [75-2],[31-1] (emt) (Entered: 11/15/2005)
11/17/2005	79	EO : Hearing re: Standing set for November 21, 2005 @1:30 p.m. will now be set for 2:15 p.m. on the same day before Judge Seabright. cc: All Counsel of Record by Fax ; in court hearing set for 2:15 11/21/05 before Judge J. M. Seabright () JUDGE Judge J. M. Seabright (emt) (Entered: 11/18/2005)
11/18/2005	80	ANSWER by defendant Henry Haina to first amended complaint for damages, declaratory and injunctive relief filed on September 29, 2005 [30-1]; demand for jury trial; certificate of service (emt) (Entered: 11/21/2005)
11/18/2005	81	SUPPLEMENTAL REPORT ON MEETING OF THE PARTIES pursuant to Federal Rule of Civil Procedure 26(f); certificate of service by defendant Henry Haina (emt) (Entered: 11/21/2005)
11/18/2005	82	CERTIFICATE of service by plaintiffs (emt) (Entered: 11/21/2005)
11/18/2005	83	SCHEDULING CONFERENCE STATEMENT; certificate of service by defendants Lawrence Alvaro, Leila Holloway, Robert Michael Kim, Richard Koehler, Phyllis Rosete and Mitch Simao (emt) (Entered: 11/21/2005)
11/18/2005	84	STIPULATION and ORDER regarding filing of declaration of Devon Enesa and second supplemental declaration of Lois K. Perrin; exhibits A-B - granted by Judge J. M. Seabright [31-1] (emt) (Entered: 11/21/2005)
11/21/2005	85	INITIAL DISCLOSURE statement of defendant Earlene Josiah in her individual capacity; certificate of service by defendant Earlene Josiah (emt) (Entered: 11/21/2005)
11/21/2005	86	SCHEDULING CONFERENCE STATEMENT; certificate of service by defendant Earlene Josiah (emt) (Entered: 11/21/2005)
11/21/2005	87	INITIAL DISCLOSURES of defendants Lawrence Alvaro, Leila Holloway, Robert Michael Kim, Richardo Koehler, Phyllis Rosete and Mitch Simao, in their individual capacities, pursuant to Fed. R. Civ. P. Rule 26(a)(1); certificate of service (emt) (Entered: 11/21/2005)
11/21/2005	88	INITIAL DISCLOSURES; certificate of service by defendant Henry Haina (emt) (Entered: 11/22/2005)

11/21/2005	89	SCHEDULING CONFERENCE STATEMENT; certificate of service by defendant Henry Haina (emt) (Entered: 11/22/2005)
11/21/2005	90	SCHEDULING CONFERENCE STATEMENT; certificate of service by defendant Cynthia Hubbell (emt) (Entered: 11/22/2005)
11/21/2005	91	INITIAL DISCLOSURES; certificate of service by defendant Cynthia Hubbell (emt) (Entered: 11/22/2005)
11/21/2005	92	INITIAL DISCLOSURES (Fed.R.Civ.P. 26(a)) of defendants Lillian Koller, Sharon Agnew and Kaleve Tufono-Iosefa, in their individual capacities, and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their official capacities; certificate of service (emt) (Entered: 11/22/2005)
11/21/2005	93	SCHEDULING CONFERENCE STATEMENT of defendants Lillian Koller, Sharon Agnew and Kaleve Tufono-Iosefa, in their individual capacities, and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim and Koehler, in their official capacities; certificate of service (emt) (Entered: 11/22/2005)
11/21/2005	94	INITIAL DISCLOSURES pursuant to Fed. R. Civ. P. 26 by plaintiffs (emt) (Entered: 11/22/2005)
11/21/2005	95	CERTIFICATE of service by plaintiffs (emt) (Entered: 11/22/2005)
11/21/2005	96	EP : Hearing Re-Standing- Witness-Devon Enesa-CST Oral Argument held. Court finds that at the time of the filing of the Complaint the Plaintiffs' had standing. The Plaintiffs' Motion for Preliminary Injunctions set for December 20, 2005 before this Court will go forward. Court will prepare a written Order as to this Ruling. Status Conference regarding the hearing procedures as to the Plaintiffs' Motion for Preliminary Injunctions set for December 15, 2005 @ 8:30 a.m. before this Court. Defendant's will be filing a Motion by November 28, 2005 to be heard on December 15, 2005 @8:30 a.m. The Memorandum in Opposition to be filed by December 5, 2005 and Reply Brief to be filed by December 12, 2005. ; status conference set for 8:30 12/15/05 ; In-court hearing held 11/21/05 before Judge J. M. Seabright re [31-1], re [79-2] (Ct Rptr : Sharon Ross) JUDGE Judge J. M. Seabright (emt) (Entered: 11/23/2005)
11/23/2005	97	SUBMISSION by plaintiffs of original signatures of David Roush, Larry D. Miesner, Nelson G. Griffis, and Carolyn Brown pursuant to Local Rule 10.2(e); exhibits 1-4; certificate of service [77-1] (emt) (Entered: 11/25/2005)
11/28/2005	98	EP : Rule 16 Scheduling Conference-Plaintiffs' Counsel Tamar Lange and Matthew Hall participated by Phone. 1. Jury trial on August 29, 2006 at 9:00 a.m. before JMS 2. Final Pretrial Conference on July 18, 2006 at 9:00 a.m. before LEK 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by July 11, 2006 5. File motions to Join/Add Parties/Amend Pleadings by January 27, 2006 6. File other Non-Dispositive Motions by May 31, 2006 7. File Dispositive Motions by March 29, 2006 8a. File Motions in Limine by August 8, 2006 8b. File opposition memo to a Motion in Limine by August 15, 2006 11a. Plaintiff's Expert Witness Disclosures by February 27, 2006 11b. Defendant's Expert Witness Disclosures by March 29, 2006 12. Discovery deadline June 30, 2006 13. Settlement Conference set for May 04, 2006 at 2:00 p.m. before LEK 14. Settlement Conference statements by April 27, 2006 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by August 15, 2006 21. File Final witness list by August 8, 2006 24. Exchange Exhibit and Demonstrative aids by August 1, 2006 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by August 8, 2006 26. File objections to the Exhibits by August 15, 2006 28a. File Deposition Excerpt Designations by August 8, 2006 28b. File Deposition Counter Designations and Objections by August 15, 2006 29. File Trial Brief by August 15, 2006 30. File Findings of Fact & Conclusions of Law by N/A Other Matters: Status Conference set for February 1, 2006 @10:00 a.m. before Judge Kobayashi. Court will set aside Two Hours for this Conference. Court and Counsel discussed Request for Admissions-20 Request for Admissions will be submitted to Defendants from the Plaintiff. Interrogatories-First wave of Interrogatories-15 Questions as to Individual Defendants.. One Set to the Individual Defendants and One Set to the Defendant State of Hawaii. ; Jury Trial set for 9:00 8/29/06 before Judge J. M. Seabright , ; final pretrial conference set for 9:00 7/18/06 ; Discovery ddl set for 6/30/06 ; Motion filing

		ddl set for 3/29/06 ; settlement/status conference set for 2:00 5/4/06 ; rule 16 conference held on 9:00 11/28/05 before Mag Judge Leslie E. Kobayashi , ; in court hearing set for 10:00 2/1/06 before Mag Judge Leslie E. Kobayashi (Ct Rptr : none) JUDGE Mag Judge Leslie E. Kobayashi (emt) (Entered: 12/02/2005)
12/01/2005	99	EO : Status Conference set for 12/05/2005 09:00:00 AM before JMS Louis Perrin to notify all defendants attorneys. () JUDGE Judge J. M. Seabright (emt) (Entered: 12/02/2005)
12/02/2005	100	CERTIFICATE of service by defendants (emt) (Entered: 12/02/2005)
12/02/2005	101	RULE 16 SCHEDULING ORDER: Signed by Judge LESLIE E KOBAYASHI on 12/1/05. (emt,) (Entered: 12/05/2005)
12/05/2005	102	EP: Status Conference: Discussion held regarding witnesses and depositions.before Judge J. MICHAEL SEABRIGHT (Court Reporter Sharon Ross.) (emt,) (Entered: 12/05/2005)
12/07/2005	103	EX PARTE APPLICATION by defendants for shortening of time in which to brief defendants' motion to modify previous ex parte orders allowing permission to proceed using pseudonyms referred to Mag Judge Leslie E. Kobayashi (emt,) (Entered: 12/12/2005)
12/07/2005	104	Plaintiffs' MEMORANDUM in opposition to defendants' ex parte application to shorten time in which to brief defendants' anticipated motion to modify or vacate court orders grating plaintiffs' permission to proceed using pseudonyms and to seal documents disclosing plaintiffs' identities; declaration of Lois K. Perrin; exhibit 1; certificate of service 103 (emt,) (Entered: 12/12/2005)
12/12/2005	105	EO: Discovery Conference set for 12/12/2005 11:30 AM before LEK, by JUDGE LESLIE E KOBAYASHI. (emt,) (Entered: 12/14/2005)
12/12/2005	106	EP: Discovery Conference held. All parties participated by phone. Protective Order, Confidentiality Agreements to be drafted by Plaintiffs. Documents to be produced by 12/13/05.Privilege log to be produced by 12/16/05,held before Judge LESLIE E KOBAYASHI (Court Reporter No record taken.) (emt,) (Entered: 12/14/2005)
12/12/2005	107	EO: Status Conference regarding the hearing procedures as to Plaintiffs Motion for Preliminary Injunction set for 12/15/2005 9:00 AM before JMSOriginal time scheduled for was 8:30 AM.Notified: Lois Perrin and John Molay.by JUDGE J. MICHAEL SEABRIGHT. (emt,) (Entered: 12/14/2005)
12/12/2005	108	Proposed Order for expedited discovery of plaintiffs' legal and medical files and interim protective order by plaintiffs – referred to Mag Judge Leslie E. Kobayashi (emt,) (Entered: 12/14/2005)
12/12/2005	109	CERTIFICATE OF SERVICE by plaintiffs (emt,) (Entered: 12/14/2005)
12/12/2005		Filing fee: \$ 225, receipt number 233032 as to Derik T. Fettig, PHV (emt,) (Entered: 12/14/2005)
12/13/2005		TRANSCRIPT of Proceedings held on 11/21/05 before Judge J. Michael Seabright. Court Reporter: Sharon Ross. (emt,) (Entered: 12/14/2005)
12/13/2005	110	ORDER for expedited discovery of plaintiffs' legal and medical files and interim protective order 108 Signed by Judge LESLIE E KOBAYASHI on 12/13/05. (emt,) (Entered: 12/14/2005)
12/13/2005	111	Plaintiff J. D.'s MOTION in Limine to exclude evidence of or reference to plaintiff J. D.'s psychiatric evaluation of its contents; memorandum of law in support of motion im limine; certificate of service by plaintiffs (emt,) (Entered: 12/16/2005)
12/14/2005	112	APPLICATION of Natalie Naugle to appear pro hac vice; declaration of Natalie Naugle in support of application to appear pro hac vice; consent of Lois K. Perrin; order granting application for admission of Natalie Naugle pro hac vice by plaintiffs – DENIED by Mag Judge Leslie E. Kobayashi (emt,) (Entered: 12/16/2005)
12/14/2005	113	APPLICATION of Derik T. Fettig to appear pro hac vice; declaration of Derik T. Fettig in support of application to appear pro hac vice; consent of Lois K. Perrin;

		order granting application for admission of Derik T. Fettig pro hac vice by plaintiffs – DENIED by Mag Judge LESLIE E KOBAYASHI (emt,) (Entered: 12/16/2005)
12/14/2005	114	EO: COURT ORDER: Order Denying Application of Natalie Naugle to Appear Pro Hac Vice, lodged December 12, 2005, and Application of Derik T. Fettig to Appear Pro Hac Vice, lodged December 12, 2005 Before the Court are two applications for admission to appear pro hac vice on behalf of Plaintiffs R.G., an individual, C.P., an individual by and through her next friend, A.W., and J.D., an individual (collectively "Plaintiffs"): Application of Natalie Naugle to Appear Pro Hac Vice, lodged December 12, 2005, and Application of Derik T. Fettig to Appear Pro Hac Vice, lodged December 12, 2005 (collectively "Applications"). While the applicants appear to be qualified to be admitted to practice before this Court, there are already nine experienced and qualified attorneys appearing on behalf of Plaintiffs and thus the Court is not persuaded that the two applicants are necessary for the prosecution of Plaintiffs' claims. The Court is also concerned that permitting the two applicants to appear in this action, in addition to the five out-of-state attorneys who have already been admitted to appear pro hac vice on behalf of Plaintiffs, will unnecessarily increase the cost of the litigation. For the foregoing reasons, the Court hereby DENIES the Application of Natalie Naugle to Appear Pro Hac Vice, lodged December 12, 2005, and the Application of Derik T. Fettig to Appear Pro Hac Vice, lodged December 12, 2005. IT IS SO ORDERED, by Mag Judge Leslie E. Kobayashi Cc: all counsel 112 113 (emt,) (Entered: 12/16/2005)
12/14/2005	115	Sealed Declaration of Lois K. Perrin in support of plaintiffs' motion in limine to exclude evidence of or reference to plaintiff J. D.'s psychiatric evaluation or its contents; exhibit 1 111 filed by plaintiffs (SEALED)(emt,) (Entered: 12/16/2005)
12/14/2005	116	CERTIFICATE OF SERVICE by Plaintiffs (emt,) (Entered: 12/16/2005)
12/14/2005	117	Defendants RESPONSE to plaintiff J. D.'s motion in limine to exclude evidence of or reference to plaintiff J. D.'s psychiatric evaluation or its contents 111 (emt,) (Entered: 12/16/2005)
12/14/2005	118	Defendants Lillian Koller, Sharon Agnew and Kaleve Tufono-Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their official capacities MOTION IN LIMINE to preclude verbal or written testimony of plaintiff C. P. at evidentiary hearing on plaintiff's motion for preliminary injunction; memorandum in support thereof; certificate of service (emt,) (Entered: 12/16/2005)
12/14/2005	119	Notice of plaintiffs' emergency non-hearing MOTION for Reconsideration of denial of pro hac vice applications of Natalie Naugle and Derik Fettig; memorandum in support of plaintiffs' emergency non-hearing motion for reconsideration of denial of pro hac vice applications of Natalie Naugle and Derik Fettig; certificate of service 112 113 114 referred to Mag Judge Leslie E. Kobayashi (emt,) (Entered: 12/19/2005)
12/15/2005	120	EP: Status Conference regarding the hearing procedures as to Plaintiffs Motion for Preliminary Injunction: Arguments made. Plaintiff's Motion in Limine: The Court ruled that the report may not come into evidence but reserved ruling on whether the government can use the contents of the report for impeachment purposes. If the state wishes to use the report for impeachment during cross-examination, the parties should first approach the bench so that the court can rule on any objections at sidebar. State's motion to exclude testimony from CP: The Court denied the motion without prejudice. CP may testify at the hearing and the state may renew its objection at that time. # for proceedings held before Judge #J. MICHAEL SEABRIGHT : Status Conference held on 12/15/2005, 111 118 (Court Reporter Sharon Ross.) (emt,) (Entered: 12/22/2005)
12/15/2005		Motions Taken Under Advisement: 111 Plaintiff's MOTION in Limine – The Court ruled that the report may not come into evidence but reserved ruling on whether the government can use the contents of the report for impeachment purposes. If the state wishes to use the report for impeachment during cross-examination, the parties should first approach the bench so that the court can rule on any objections at sidebar. (emt,) Modified on 12/22/2005 (emt,). (Entered: 12/22/2005)
12/19/2005	121	EO: Before the Court are Defendants' Ex Parte Application for Shortening of Time in Which to Brief Defendants' Motion to Modify Previous Ex Parte Orders Allowing

		<p>Permission to Proceed Using Pseudonyms, filed December 7, 2005 ("Ex Parte Application"), and Plaintiffs' Memorandum in Opposition to Defendants' Ex Parte Application to Shorten Time in Which to Brief Defendants' Anticipated Motion to Modify or Vacate Court Orders Granting Plaintiffs' Permission to Proceed Using Pseudonyms and to Seal Documents Disclosing Plaintiffs' Identities, filed December 7, 2005 (but which the Court received on December 12, 2005). The Court finds that additional information is necessary. In particular, the Court is interested in Defendants' position regarding Plaintiffs' argument that minority status was not the only basis for permitting the plaintiffs to proceed by pseudonyms, and that privacy concerns, including intrusive media scrutiny and unnecessary embarrassment, require continued use of the pseudonyms. Likewise, the Court is interested in having Plaintiffs specifically articulate the type of harm that is being alleged to justify proceeding by pseudonyms. The general rule is that "the identity of the parties in an action, civil or criminal, should not be concealed." Doe v. Fellows, No. 89-15869, 1991 WL 27453, at *1 (9th Cir. Mar. 1, 1991) (quoting United States v. Doe, 655 F.2d 920, 922 n.1 (9th Cir. 1980)). In Fellows, the court specifically noted that the Federal Rules of Civil Procedure do not explicitly permit suits under fictitious names. See id. (citing Fed. R. Civ. P. 11). Therefore Defendants' Ex Parte Application is hereby DENIED. Defendants may file a supplemental briefing by January 3, 2006, and Plaintiffs may file a supplemental briefing by January 10, 2006. The matter will be taken under advisement and the Court will issue a ruling thereafter. IT IS SO ORDERED. Cc: all counsel 103 (emt,) (Entered: 12/22/2005)</p>
12/19/2005	<u>122</u>	<p>ORDER granting plaintiffs' motion for reconsideration of denial of pro hac vice applications of Natalie Naugle and Derik Fettig, filed December 14, 2005 – Signed by Judge LESLIE E KOBAYASHI on 12/19/05 – Marilyn D. Martin–Culver and Ashleigh E. Aitken's admissions to practice pro hac vice in this district are hereby revoked, and Natalie Naugle and Derik Fettig are admitted to practice pro hac vice. Further, the Court's permission to permit Ms. Naugle and Mr. Fettig to appear pro hac vice in this matter shall be from the date of this Order and does not relate back to any prior orders granting pro hac vice counsel status to any other attorneys. 119 112 113 114 (emt,) (Entered: 12/22/2005)</p>
12/20/2005	<u>127</u>	<p>EP: Plaintiff's Motion for Preliminary Injunction held on 12/20/2005 re 31 Further hearing on Plaintiff's Preliminary Injunction set for 12/21/2005 09:00 AM before JUDGE J. MICHAEL SEABRIGHT. (Court Reporter Stephen Platt.) (Judge J. MICHAEL SEABRIGHT)(gls,) (Entered: 12/30/2005)</p>
12/21/2005	<u>123</u>	<p>EP: Further Hearing on Plaintiff's Motion for Preliminary Injunction held on 12/21/2005 31 , Plaintiffs' Motion for Preliminary Injunction Taken Under Advisement: 31 , Parties to file Proposed Findings of Facts and Conclusions of Law by 1/3/2006. (Court Reporter Stephen Platt.) (Judge J. MICHAEL SEABRIGHT)(emt,) (Entered: 12/29/2005)</p>
12/21/2005	<u>124</u>	<p>Defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities, and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their official capacities DESIGNATION OF EXCERPTS OF DEPOSITION TRANSCRIPT of Ward J. N.; certificate of service (emt,) (Entered: 12/29/2005)</p>
12/21/2005	<u>125</u>	<p>Plaintiffs' DESIGNATION OF EXCERPTS OF DEPOSITION transcript of Ward J. N., plaintiffs' objections to defendants' designation of excerpts of deposition transcript of Ward J. N., and plaintiffs' counter–designation transcript of J. N. and exhibits (emt,) (Entered: 12/29/2005)</p>
12/23/2005	<u>126</u>	<p>EO: ORDER OF ENTRY: Before the Court is Dennis K. Ferm, Esq.'s letter dated December 13, 2005 regarding the proposed Order for Expedited Discovery of Plaintiffs' Legal and Medical Files and Interim Protective Order ("Order") that was prepared by counsel for Plaintiffs. Mr. Ferm states that he and other counsel for the defendants who are being sued in their individual capacity seek "to make clear that our understanding of the Order is correct, i.e., that your intent in issuing this protective order was that it be limited to discovery pending the hearing on the Plaintiffs' Motion for Preliminary Injunction scheduled for December 20, 2005." (Defs.' 12/13/05 Letter at 2.) The Court construes the letter as a request for clarification, and clarifies that the Order is limited as described by counsel. IT IS SO ORDERED. Cc: all counsel (emt,) (Entered: 12/29/2005)</p>

12/29/2005		TRANSCRIPT of Proceedings held on 12/21/05 before Judge J. Michael Seabright. Court Reporter: Stephen B. Platt. (emt,) (Entered: 12/29/2005)
12/29/2005		TRANSCRIPT of Proceedings held on 12/20/05 before Judge J. Michael Seabright. Court Reporter: Stephen B. Platt. (emt,) Modified on 12/29/2005 (emt,). (Entered: 12/29/2005)
12/29/2005	128	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. (gls,) (Entered: 12/31/2005)
12/29/2005	129	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. (gls,) (Entered: 12/31/2005)
12/30/2005	130	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. (gls,) (Entered: 12/31/2005)
01/03/2006	<u>131</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. <i>for Plaintiffs' Findings of Fact and Conclusions of Law on Plaintiffs' Motion for Preliminary Injunction</i> (Hall, Matthew) (Entered: 01/03/2006)
01/03/2006	<u>132</u>	Proposed Findings of Fact by R. G., C. P., J. D.. (Hall, Matthew) (Entered: 01/03/2006)
01/03/2006	<u>133</u>	Defendants' APPLICATION to file declaration of Attorney General Bennett under seal; certificate of service; declaration of John F. Molay in support thereof; [proposed] order allowing filing of declaration of Attorney General Bennett under seal – by defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their official capacities (Attachments: # <u>1</u> Declaration of John F. Molay in Support Thereof# <u>2</u> [Proposed] Order Allowing Filing of Declaration of Attorney General Bennett Under Seal# <u>3</u> Certificate of Service)(emt,) (Entered: 01/04/2006)
01/03/2006	<u>134</u>	LODGING of proposed order denying plaintiffs' motion for preliminary injunction; findings of fact; conclusions of law <u>123</u> , 31 – defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their official capacities (emt,) (Entered: 01/04/2006)
01/03/2006	<u>135</u>	CERTIFICATE OF SERVICE by defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their individual capacities (emt,) (Entered: 01/04/2006)
01/03/2006	<u>136</u>	Defendants' SUPPLEMENTAL briefing re modification of previous ex parte order allowing permission to proceed using pseudonyms; declaration of John F. Molay in support thereof; certificate of length; certificate of service – defendants Lillian Koller, Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim and Koehler, in their official capacities (Attachments: # <u>1</u> Declaration of John F. Molay# <u>2</u> [Proposed] Order Modifying Previous Ex Parte Order Allowing Permission to Proceed Using Pseudonyms# <u>3</u> Exhibit A# <u>4</u> Exhibit B# <u>5</u> Exhibit C# <u>6</u> Certificate of Length# <u>7</u> Certificate of Service)(emt,) (Entered: 01/04/2006)
01/03/2006	<u>137</u>	SUBMISSION of defendants exhibit 330 (redacted version)– by defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim and Koehler, in their official capacities (emt,) (Entered: 01/04/2006)
01/05/2006	<u>138</u>	NOTICE by R. G., C. P., J. D. re <u>123</u> Motion Hearing, Motions Taken Under Advisement,,, 31 Motion for Preliminary Injunction <i>Plaintiffs' Notice of Filing Proposed Injunction</i> (Hall, Matthew) (Entered: 01/05/2006)
01/06/2006	<u>139</u>	EO: Court's Order re: 12/19/2005 minute order (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 01/06/2006)
01/06/2006	<u>140</u>	CERTIFICATE OF SERVICE by plaintiffs (emt,) (Entered: 01/11/2006)

01/13/2006	<u>141</u>	STIPULATION to strike joint exhibit no. 44 from the record for evidentiary hearing on plaintiffs' motion for preliminary injunction and order <u>127</u> , 46 , <u>123</u> , 31 – Signed by Judge J. MICHAEL SEABRIGHT on 1/12/06. (emt,) (Entered: 01/13/2006)
01/13/2006	142	CERTIFICATE OF SERVICE BY CLERK, by Erin Taniguchi, Deputy Clerk – I hereby certify that on the dates and methods of service noted below, a true and correct copy of the document titled STIPULATION TO STRIKE JOINT EXHIBIT NO. 44 FROM THE RECORD FOR EVIDENTIARY HEARING ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND ORDER, was served on the following at his/her last known address of record: Brian P. Aburano, Esq., Derik T. Fettig, Esq., Lisa M. Ginoza, Esq., Blair A. Goto, Esq., Hugh R. Jones, Esq., Tamara Lange, Esq., Cora K. Lum, Esq., John F. Molay, Esq., Kendall J. Moser, Esq., Natalie Naugle, Esq., Angela Padilla, Esq., Heidi M. Rian, Esq., Renee N. C. Schoen, Esq., Russell A. Suzuki, Esq., William J. Wynhoff, Esq. – will be served via first class mail on January 13, 2006; Paul Alston, Esq., Dennis K. Ferm, Esq., Matthew I. Hall, Esq., Mei-Fei Kuo, Esq. – served electronically through CM/ECF <u>141</u> (emt,) (Entered: 01/13/2006)
01/17/2006	143	EO: Status Conference set for 2/1/2006 10:00 AM is moved to 2/1/2006 02:00 PM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 01/17/2006)
01/17/2006	<u>144</u>	MEMORANDUM in Opposition to <i>Defendants' Supplemental Briefing Re Pseudonyms</i> filed by R. G., C. P., J. D.. (Attachments: # <u>1</u> Certificate of Length# <u>2</u> Appendix Appendix of Unpublished Authorities# <u>3</u> Affidavit Declaration of RG [Redacted]# <u>4</u> Affidavit Declaration of CP [Redacted]# <u>5</u> Affidavit Declaration of JD [Redacted]# <u>6</u> Affidavit Declaration of Valli Kalei Kanuha# <u>7</u> Exhibit Exhibit 1 to Kanuha Declaration# <u>8</u> Affidavit Declaration of Lois Perrin# <u>9</u> Exhibit Exhibit 1 to Perrin Declaration# <u>10</u> Exhibit Exhibit 2 to Perrin Declaration# <u>11</u> Exhibit Exhibit 3 to Perrin Declaration# <u>12</u> Exhibit Exhibit 4 to Perrin Declaration# <u>13</u> Exhibit Exhibit 5 to Perrin Declaration# <u>14</u> Exhibit Exhibit 6 to Perrin Declaration# <u>15</u> Exhibit Exhibit 7 to Perrin Declaration)(Perrin, Lois) (Entered: 01/17/2006)
01/17/2006	<u>145</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. for <i>Opposition to Defendants' Supplemental Briefing Re Modification of Previous Ex Parte Order ro Proceed Using Pseudonyms and Related Documents</i> (Perrin, Lois) (Entered: 01/17/2006)
01/26/2006		EO: Status Conference set for 1/27/2006 10:00 AM before JUDGE J. MICHAEL SEABRIGHT. (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 01/26/2006)
01/27/2006	149	EP: Status Conference held on 1/27/2006. The Court stated its inclination to grant the Plaintiffs' Motion for Preliminary Injunction as to their due process claim and stated that it will not reach the plaintiffs' equal protection claim. The Court is inclined to deny the Plaintiffs' access to counsel claim and has not reached a conclusion on the Plaintiffs' establishment clause claim. The Court stated that it will issue an Order announcing its findings in one week. After hearing from Attorney General Mark Bennett, the Court stated that it will delay issuing the injunction in order to give the State time to continue its negotiations with the Department of Justice. The Court instructed the parties to begin negotiating language to be included in the injunction. Ordered that the hearing from 10:20 – 10:35 be SEALED.(Court Reporter Sharon Ross.) (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 01/27/2006)
01/27/2006	<u>150</u>	MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum of Points and Authorities in Support of Motion</i> by R. G., C. P., J. D.. (Attachments: # <u>1</u> Exhibit 1: Redline of FAC and SAC# <u>2</u> Exhibit 2: Decl. of Dr. Kanuha ISO Opposition re Pseudonym# <u>3</u> Exhibit 3: Decl. of R.G. [Redacted] ISO Opposition re Pseudonym# <u>4</u> Exhibit 4: Decl. of JD [Redacted] ISO Opposition re Pseudonym# <u>5</u> Exhibit 5: Decl. of CP [Redacted] ISO Opposition re Pseudonym)(Perrin, Lois) (Entered: 01/27/2006)
01/27/2006	<u>151</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>150</u> MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum of Points and Authorities in Support of Motion and Exhibits 1–5</i> (Perrin, Lois) (Entered: 01/27/2006)
01/27/2006		CAUTION ENTRY. The entry docket number <u>150</u> MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum</i>

		<i>of Points and Authorities in Support of Motion</i> filed by C. P., R. G., J. D., was filed incorrectly in this case. The filing party is cautioned to ensure all parts of a multi-part pleading/entry is articulated individually. The moving papers and memorandum of points and authorities should be individual attachments. Additionally, no Notice of Motion is required. No action is required by the filing party.. (gls,) (Entered: 01/29/2006)
01/31/2006	<u>152</u>	EO: Set Deadlines/Hearing as to <u>150</u> MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum of Points and Authorities in Support of Motion</i> .. Motion Hearing set for 3/6/2006 10:00 AM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 01/31/2006)
01/31/2006	<u>153</u>	TRANSCRIPT of Proceedings <u>127</u> Motion Hearing, Set Motion and RRDeadlines/Hearings, held on 12/20/2005 before Judge J. Michael Seabright. Court Reporter: Steve Platt. (sp@hid.uscourts.gov) (Entered: 01/31/2006)
01/31/2006	<u>154</u>	CERTIFICATE OF SERVICE by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono-Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah (emt,) (Entered: 02/01/2006)
02/01/2006	<u>155</u>	EP: Status Conference held on 2/1/2006. (Court Reporter Courtroom 7-No Record) (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/02/2006)
02/01/2006	<u>156</u>	EO: New trial date and deadlines given on 2/1/2006. Jury Selection/Trial set for 09:00 AM on 2/27/2007 before JUDGE J. MICHAEL SEABRIGHT. Final Pretrial Conference set for 1/16/2007 09:00 AM before JUDGE LESLIE E KOBAYASHI. Settlement Conference as set for 5/4/2006 02:00 PM before JUDGE LESLIE E KOBAYASHI. Further Status Conference set for 4/18/2006 09:30 AM before JUDGE LESLIE E KOBAYASHI. Motions due by 9/27/2006. Discovery due by 12/29/2006. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/02/2006)
02/02/2006	<u>157</u>	TRANSCRIPT of Proceedings (Status Conference) held on January 27, 2006 before Judge J. Michael Seabright. Court Reporter: Sharon Ross. (sr@hid.uscourts.gov) (Entered: 02/02/2006)
02/03/2006	<u>161</u>	AMENDED RULE 16 SCHEDULING ORDER – Signed by Judge LESLIE E KOBAYASHI on 2/3/06. (emt,) (Entered: 02/03/2006)
02/03/2006		COURT'S CERTIFICATE of Service – a copy of <u>161</u> "Amended Rule 16 Scheduling Order", filed February 3, 2006 has been served by First Class Mail to the addresses of record on February 3, 2006 to: Brian P. Aburano, Esq., Derik T. Fettig, Esq., Lisa M. Ginoza, Esq., Blair A. Goto, Esq., Hugh R. Jones, Esq., Tamara Lange, Esq., Cora K. Lum, Esq., John F. Molay, Esq., Kendall J. Moser, Esq., Natalie Naugle, Esq., Angela Padilla, Esq., Heidi M. Rian, Esq., Renee N. C. Schoen, Esq., Russell A. Suzuki, Esq., William J. Wynhoff, Esq. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 02/03/2006)
02/07/2006	<u>162</u>	ORDER Granting In Part and Denying In Part Plaintiffs' Motion for Preliminary Injunction 31 – Signed by Judge J. MICHAEL SEABRIGHT on 2/7/06. (emt,) (Entered: 02/07/2006)
02/07/2006		COURT'S CERTIFICATE of Service – a copy of <u>162</u> "ORDER Granting in Part and Denying in Part Plaintiff's Motion for Preliminary Injunction", filed February 7, 2006, has been served by First Class Mail to the addresses of record on February 7, 2006 to: Brian P. Aburano, Esq., Derik T. Fettig, Esq., Lisa M. Ginoza, Esq., Blair A. Goto, Esq., Hugh R. Jones, Esq., Tamara Lange, Esq., Cora K. Lum, Esq., John F. Molay, Esq., Kendall J. Moser, Esq., Natalie Naugle, Esq., Angela Padilla, Esq., Heidi M. Rian, Esq., Renee N. C. Schoen, Esq., Russell A. Suzuki, Esq., William J. Wynhoff, Eq. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 02/07/2006)
02/07/2006	<u>164</u>	ORDER Regarding Defendants' Application to File Declaration of Attorney General Bennett Under Seal – Signed by Judge J. MICHAEL SEABRIGHT on 2/7/06 <u>133</u>

		(emt,) (Entered: 02/07/2006)
02/07/2006		COURT'S CERTIFICATE of Service – a copy of <u>164</u> "Order Regarding Defendant's Application to File Declaration of Attorney General Bennett Under Seal", filed February 7, 2006 has been served by First Class Mail to the addresses of record on February 7, 2006 to: Brian P. Aburano, Esq., Derik T. Fettig, Esq., Lisa M. Ginoza, Esq., Blair A. Goto, Esq., Hugh R. Jones, Esq., Tamara Lange, Esq., Cora K. Lum, Esq., John F. Molay, Esq., Kendall J. Moser, Esq., Natalie Naugle, Esq., Angela Padilla Esq., Heidi M. Rian, Esq., Renee N. C. Schoen, Esq., Russell A. Suzuki, Esq., William J. Wynhoff, Esq. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 02/07/2006)
02/08/2006	165	EO: . Status Conference set for 2/13/2006 01:30 PM before JUDGE J. MICHAEL SEABRIGHT. (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 02/08/2006)
02/09/2006	166	EO: Motions for Protective Order are now due 2/13/2006. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/09/2006)
02/09/2006	167	EO: Set Deadlines/Hearing as to <u>150</u> MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Motion Hearing set for 3/6/2006 at 10:00 AM is continued to 3/7/2006 at 10:00 AM before JUDGE LESLIE E KOBAYASHI. Motions for Protective Order set for 3/6/2006 at 10:00 AM are continued to 3/7/2006 at 10:00 AM before JUDGE LESLIE E. KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/09/2006)</i>
02/10/2006	<u>169</u>	REQUEST Plaintiffs' Submission of [Proposed] Preliminary Injunction Order by R. G., C. P., J. D.. (Attachments: # <u>1</u> Exhibit 1: Plaintiffs' [Proposed] Injunction)(Perrin, Lois) (Entered: 02/10/2006)
02/10/2006	<u>170</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>169</u> Request <i>Plaintiffs' Submission of [Proposed] Preliminary Injunction Order</i> (Perrin, Lois) (Entered: 02/10/2006)
02/13/2006	<u>172</u>	MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> by R. G., C. P., J. D.. (Attachments: # <u>1</u> Memorandum In Support of Motion for Protective Order# <u>2</u> Exhibit 1: Privilege Log)(Hall, Matthew) (Entered: 02/13/2006)
02/13/2006	<u>173</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>172</u> MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> (Hall, Matthew) (Entered: 02/13/2006)
02/13/2006	<u>174</u>	CERTIFICATE OF SERVICE by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah (emt,) (Entered: 02/14/2006)
02/13/2006	<u>177</u>	Notice of hearing (not signed); defendant Lillian Koller, Sharon Agnew and Kaleve Tufono–Iosefa, in their individual and official capacities and defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim and Koehler, in their official capacities' MOTION for protective order; memorandum in support of motion; exhibit A; declaration of John F. Molay; declaration of Etene Taimalelagi; certificate of service – by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah. – set for 3/7/06, 10:00 AM before Magistrate Judge Leslie E. Kobayashi (Attachments: # <u>1</u> Memorandum in Support of Motion# <u>2</u> Certificate of Compliance# <u>3</u> Exhibit A# <u>4</u> Declaration of John F. Molay# <u>5</u> Declaration of Etene Taimalelagi)(emt,) (Entered: 02/14/2006)
02/14/2006	175	EO: Set Deadlines/Hearing as to <u>172</u> MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> : Motion Hearing set for 3/7/2006 10:00 AM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/14/2006)
02/14/2006	176	EP: Status Conference held on 2/13/2006. Lois Perrin present for plaintiff. Matthew Hall via conference call.Mark Bennett, Lisa Ginoza, Blair Goto, John Molay, Kendall Moser, Renee Schoen, William Wynhoff, Dennis Ferm, Brian Aburano present for

		defendant.Discussion held regarding language for the injunction. The parties will submit proposed injunction language and a list of possible experts, with their resumes by February 21, 2006. If the parties cannot agree on injunction language, they will submit objections by February 23, 2006. On or before March 15, 2006, the parties will jointly file proposed procedures for handling the remaining plaintiff, J.D., should he be returned to HYCF. (Court Reporter Debra Chun.) (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 02/14/2006)
02/14/2006	178	EO: Set Deadlines/Hearing as to <u>177</u> Defendants' MOTION for Protective Order: Motion Hearing set for 3/7/2006 10:00 AM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/14/2006)
02/14/2006	<u>180</u>	CERTIFICATE OF SERVICE by Cynthia Hubbell (emt,) (Entered: 02/15/2006)
02/14/2006	<u>181</u>	CERTIFICATE OF SERVICE by Cynthia Hubbell (emt,) (Entered: 02/15/2006)
02/14/2006	<u>182</u>	CERTIFICATE OF SERVICE by Cynthia Hubbell (emt,) (Entered: 02/15/2006)
02/14/2006	<u>183</u>	RESPONSE by defendant Cynthia Hubbell to <u>150</u> plaintiff's motion for leave to file a second amended complaint; certificate of service – filed by Cynthia Hubbell. (emt,) (Entered: 02/15/2006)
02/15/2006	<u>185</u>	CERTIFICATE OF SERVICE by Leila Holloway, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Phyllis Rosete (emt,) (Entered: 02/17/2006)
02/15/2006	<u>186</u>	CERTIFICATE OF SERVICE by Leila Holloway, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Phyllis Rosete, Earlene Josiah (emt,) (Entered: 02/17/2006)
02/15/2006	<u>187</u>	CERTIFICATE OF SERVICE by Earlene Josiah (emt,) (Entered: 02/17/2006)
02/16/2006	<u>184</u>	TRANSCRIPT of Proceedings Status Conference held on 2/13/2006 before Judge J. Michael Seabright. Court Reporter: Debra Chun. (dc@hid.uscourts.gov) (Entered: 02/16/2006)
02/16/2006	<u>188</u>	STATEMENT of No Opposition to <u>150</u> Plaintiff's Motion for Leave to File a Second Amended Complaint Submitted on January 27, 2006; Certificate of Service – by defendants Lawrence Alvaro, Leila Holloway, R. Michael Kim, Richardo Phyllis Rosete and Mitch Simao, in their individual capacities (emt,) (Entered: 02/17/2006)
02/16/2006	<u>189</u>	STATEMENT of No Position as to <u>150</u> Plaintiff's Motion for Leave to File Second Amended Complaint; Certificate of Service – filed by Earlene Josiah. (emt,) (Entered: 02/17/2006)
02/16/2006	<u>190</u>	AMENDED NOTICE of Hearing on Defendants Lillian Koller, Sharon Agnew and Kaleve Tufono–Josefa, in their Individual and Official Capacities and Defendants Hubbell, Rosete, Josiah, Holloway, Haina, Simao, Alvaro, Kim, and Koehler, in their Official Capacities' <u>177</u> MOTION for a Protective Order; certificate of service – Motion Hearing set for 3/7/2006 10:00 AM before JUDGE LESLIE E KOBAYASHI. (emt,) (Entered: 02/17/2006)
02/16/2006	<u>191</u>	Defendants' MEMORANDUM in Opposition to <u>150</u> Plaintiffs' Motion for Leave to File a Second Amended Complaint; Certificate of Service – filed by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Josefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah. (emt,) (Entered: 02/17/2006)
02/16/2006	<u>192</u>	STIPULATION AND ORDER Re: February 1, 2006 Status Conference – Signed by Judge LESLIE E KOBAYASHI on 2/16/06. (emt,) (Entered: 02/17/2006)
02/16/2006	<u>193</u>	Defendant Henry Haina's MEMORANDUM in Opposition to <u>150</u> MOTION for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action; [Certificate of Service attached]– filed by Henry Haina. (emt,) (Entered: 02/17/2006)
02/17/2006	<u>194</u>	CERTIFICATE OF SERVICE by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Josefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah (emt,) (Entered: 02/21/2006)

02/21/2006	<u>195</u>	SUBMISSION of Proposed Order to Judge J. MICHAEL SEABRIGHT <i>Plaintiffs' Submission of Proposed Preliminary Injunction</i> . (Attachments: # <u>1</u> Exhibit Plaintiffs' Revised Proposed Injunction)(Perrin, Lois) (Entered: 02/21/2006)
02/21/2006	<u>196</u>	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. re <u>195</u> Submission of Proposed Order (Perrin, Lois) (Entered: 02/21/2006)
02/21/2006		CORRECTIVE ENTRY. The entry docket number <u>195</u> Submission of Proposed Order was filed incorrectly in this case, image was incorrectly scanned. The filing party shall re-submit a corrected filing.. (emt,) (Entered: 02/21/2006)
02/21/2006	<u>197</u>	SUBMISSION of Proposed Order to Judge J. MICHAEL SEABRIGHT. (Attachments: # <u>1</u> Exhibit Plaintiffs' Revised Proposed Injunction)(Perrin, Lois) (Entered: 02/21/2006)
02/22/2006	<u>199</u>	Defendants' Phyllis Rosete, Lawrence Alvaro, Leila Holloway, R. Michael Kim, Ricardo Koehler, and Mitch Simao, in their individual capacities, MEMORANDUM in Opposition to <u>172</u> Plaintiffs' MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> filed February 13, 2006; Exhibit A–B; Declaration of Dennis K. Ferm; Certificate of Service – filed by Leila Holloway, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Phyllis Rosete. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Declaration of Dennis K. Ferm)(emt,) (Entered: 02/23/2006)
02/23/2006	<u>200</u>	Defendants' MEMORANDUM in Opposition to <u>172</u> Plaintiffs' MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> ; Certificate of Service – filed by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah. (emt,) (Entered: 02/23/2006)
02/23/2006	<u>201</u>	Cynthia Hubbell's MEMORANDUM in Opposition to <u>172</u> Plaintiff's MOTION for Protective Order filed February 13, 2006; Certificate of Service – filed by Cynthia Hubbell. (emt,) (Entered: 02/23/2006)
02/23/2006	<u>202</u>	REQUEST Plaintiffs' Submission of Proposed Experts by R. G., C. P., J. D.. (Attachments: # <u>1</u> Exhibit 1: C.V. of De Muro# <u>2</u> Exhibit 2: C.V. of Beyer# <u>3</u> Exhibit 3: C.V. of Schaefer)(Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>203</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>202</u> Request <i>Plaintiffs' Submission of Proposed Experts, Exs. 1–3</i> (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>204</u>	REPLY <i>Memorandum In Support of Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action</i> filed by R. G., C. P., J. D.. (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>205</u>	OBJECTION <i>To Defendants' Proposed Injunction</i> filed by A. W., R. G., C. P., J. D.. (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>206</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>204</u> Reply <i>Memorandum in Support of Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action</i> (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>207</u>	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. re <u>205</u> Objection <i>to Defendants' Proposed Injunction</i> (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>208</u>	MEMORANDUM in Opposition to <i>Defendants' Motion for Protective Order</i> filed by R. G., C. P., J. D.. (Attachments: # <u>1</u> Affidavit Declaration of Lois K. Perrin in support of Plaintiffs' Memorandum in Opposition to Defendants' Motion for Protective Order# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2)(Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>209</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>208</u> Memorandum in Opposition to Motion, <i>for Protective Order</i> (Perrin, Lois) (Entered: 02/23/2006)
02/23/2006	<u>210</u>	Defendant Henry Haina's MEMORANDUM in Opposition to <u>172</u> Plaintiffs' MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> ; Declaration of Brian Aburano; Exhibit A; Certificate of Service – filed by Henry Haina. (Attachments: # <u>1</u> Declaration of Brian Aburano# <u>2</u> Exhibit A)(emt,) (Entered: 02/24/2006)

02/23/2006	<u>211</u>	Defendant Earlene Josiah's Joinder to Defendants' Memorandum in Opposition to <u>172</u> Plaintiff's MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> filed February 13, 2006, filed February 22, 2006; Certificate of Service – filed by Earlene Josiah. (emt,) (Entered: 02/24/2006)
02/27/2006	<u>213</u>	STIPULATED CONFIDENTIALITY AGREEMENT AND ORDER – . Signed by Judge LESLIE E KOBAYASHI on 2/27/06. (emt,) (Entered: 02/27/2006)
02/27/2006	214	EO: Settlement Conference set for 5/4/2006 at 02:00 PM is moved up to 3/28/2006 at 10:30 AM before JUDGE LESLIE E KOBAYASHI. Settlement Conference will be with Counsel Only. Confidential Settlement Conference Statements are now due 3/21/06. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 02/27/2006)
03/01/2006	<u>215</u>	PRELIMINARY INJUNCTION ORDER <u>162</u> 31 – Signed by Judge J. MICHAEL SEABRIGHT on 3/1/06. (emt,) (Entered: 03/01/2006)
03/01/2006		COURT'S CERTIFICATE of Service – a copy of <u>215</u> "Preliminary Injunction Order" has been served by First Class Mail to the addresses of record on March 1, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/01/2006)
03/07/2006	<u>220</u>	EP: Motion Hearing held on 3/7/2006 re <u>172</u> MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> filed by C. P., R. G., J. D., <u>177</u> MOTION for Protective Order filed by Lillian Koller,, Kaleve Tufono–Iosefa,, Cynthia Hubbell,, Phyllis Rosete,, Leila Holloway,, Henry Haina,, Earlene Josiah,, Lawrence Alvaro,, Sharon Agnew,, Richard Koehler,, Robert Michael Kim,, Mitch Simao,, <u>150</u> MOTION for Leave to File <i>Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum of Points and Authorities in Support of Motion</i> filed by C. P., R. G., J. D., (Court Reporter FTR–Courtroom 7) (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 03/07/2006)
03/14/2006	<u>221</u>	ORDER Appointing Consultant <u>215</u> – Signed by Judge J. MICHAEL SEABRIGHT on 3/14/06. (emt,) (Entered: 03/14/2006)
03/14/2006		COURT'S CERTIFICATE of Service – a copy of <u>221</u> " Order Appointing Consultant" has been served by First Class Mail to the addresses of record on March 14, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/14/2006)
03/16/2006	<u>226</u>	ORDER Denying Plaintiff's <u>150</u> Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action – Signed by Judge LESLIE E KOBAYASHI on 3/15/06 [Pursuant to FRCP 21, however, the Court will permit Plaintiffs to file a second amended complaint to: eliminate the allegations against Defendant Rosete in her individual capacity; elimiate all claims against Defendant Alvaro, Defendant Koehler, and Defendant "Puna"; and allow Plaintiff C. P. to pursue this action in her own right because she has attained the age of majority, and Plaintiff's shall do so by March 31, 2006.] (emt,) (Entered: 03/16/2006)
03/16/2006		COURT'S CERTIFICATE of Service – a copy of <u>226</u> "Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action", has been served by First Class Mail to the addresses of record on March 16, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/16/2006)
03/21/2006	<u>230</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by R. G., C. P., J. D. re <u>226</u> Order on Motion for Leave to File,, (Attachments: # <u>1</u> Supplement Plaintiffs' Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action# <u>2</u> Memorandum Memorandum in Support of Plaintiffs' Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action)(Hall, Matthew) (Entered: 03/21/2006)

03/21/2006	<u>231</u>	CERTIFICATE OF SERVICE by R. G., C. P., J. D. re <u>230</u> Appeal of Magistrate Judge Decision to District Court., <i>Notice of Objections; Plaintiffs' Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action; Memorandum in Support of Plaintiffs' Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action</i> (Hall, Matthew) (Entered: 03/21/2006)
03/22/2006	<u>232</u>	ORDER Regarding Appointment of Consultant <u>221</u> – Signed by Judge J. MICHAEL SEABRIGHT on 3/22/06. (emt,) (Entered: 03/22/2006)
03/22/2006		COURT'S CERTIFICATE of Service – a copy of <u>232</u> "Order Regarding Appointment of Consultant" has been served by First Class Mail to the addresses of record on March 22, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/22/2006)
03/22/2006	<u>233</u>	SUBMISSION of Proposed Order to Judge J. MICHAEL SEABRIGHT <i>Regarding Protocol for J.D.</i> . (Attachments: # <u>1</u> Exhibit 1)(Perrin, Lois) (Entered: 03/22/2006)
03/22/2006	<u>234</u>	CERTIFICATE OF SERVICE by A. W., R. G., C. P., J. D. re <u>233</u> Submission of Proposed Order <i>Regarding Protocol for J.D.</i> (Perrin, Lois) (Entered: 03/22/2006)
03/28/2006	<u>238</u>	EP: Settlement Conference [with counsel only] held on 3/28/2006. (Court Reporter Courtroom 7–No Record) (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 03/28/2006)
03/29/2006	<u>241</u>	AMENDED ORDER APPOINTING CONSULTANT <u>232</u> – Signed by Judge J. MICHAEL SEABRIGHT on 3/29/06. (emt,) (Entered: 03/29/2006)
03/29/2006		COURT'S CERTIFICATE of Service – a copy of <u>241</u> "Amended Order Appointing Consultant" has been served by First Class Mail to the addresses of record on March 29, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/29/2006)
03/29/2006	<u>242</u>	ORDER Regarding Protocol for Plaintiff J. D. – Signed by Judge J. MICHAEL SEABRIGHT on 3/29/06. (emt,) (Entered: 03/29/2006)
03/29/2006		COURT'S CERTIFICATE of Service – a copy of <u>242</u> "ORDER Regarding Protocol for Plaintiff J. D." has been served by First Class Mail to the addresses of record on March 29, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 03/29/2006)
03/30/2006	<u>243</u>	Cynthia Hubbell's RESPONSE to <u>230</u> Plaintiff's Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action; Certificate of Service – filed by Cynthia Hubbell. (emt,) (Entered: 03/31/2006)
03/31/2006	244	EO: Further Settlement Conference [with Counsel Lois K. Perrin, Paul Alston, Mark J. Bennet and Lisa M. Ginoza only] set for 4/3/2006 at 12:00 PM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 03/31/2006)
03/31/2006	<u>245</u>	Defendants' RESPONSE to <u>230</u> Plaintiffs' Objections to Judge Kobayashi's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action – filed by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah. (emt,) (Entered: 04/03/2006)
03/31/2006	<u>246</u>	CERTIFICATE OF SERVICE [RE: Defendants' Response to Plaintiffs' Objections to Judge Kobayashi's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action] – by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah <u>245</u> (emt,) (Entered: 04/03/2006)

03/31/2006	<u>247</u>	Defendant Henry Haina's Memorandum in Opposition to <u>230</u> Plaintiffs' Objections to Magistrate Judge's Order Denying Plaintiffs' Motion for Leave to File a Second Amended Complaint to Permit Maintenance as a Class Action, filed on March 21, 2006 – filed by Henry Haina. (emt,) (Entered: 04/03/2006)
04/03/2006	<u>248</u>	EP: Further Settlement Conference held on 4/3/2006. (Court Reporter In Chambers–No Record) (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 04/04/2006)
04/03/2006	<u>249</u>	STIPULATION for the Dismissal of the FIRST AMENDED COMPLAINT filed on September 29, 2005, Against Defendants Lawrence Alvaro, Ricardo Koehler and "Puna", in their Official and Individual Capacities, and Phyllis Rosete, in her Individual Capacity; and to Dismiss A. W., as Next Friend of C. P., and to Allow C. P. to Pursue Action in Her Own Right; ORDER – signed by Judge J. Michael Seabright. [Note: Defendant "Puna" not captioned on First Amended Complaint, filed 9/29/05, but is named in the body of this document] (emt,) (Entered: 04/04/2006)
04/04/2006	250	EO: Further Settlement Conference [with Counsel Lois K. Perrin, Paul Alston, Mark J. Bennett, Lisa M. Ginoza, John F. Molay and Kendall J. Moser] set for 4/13/2006 at 01:30 PM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 04/04/2006)
04/06/2006	<u>251</u>	SECOND AMENDED ORDER APPOINTING CONSULTANT <u>241 221</u> – Signed by Judge J. MICHAEL SEABRIGHT on 4/6/06. (emt,) (Entered: 04/06/2006)
04/06/2006		COURT'S CERTIFICATE of Service – a copy of <u>251</u> "SECOND AMENDED ORDER APPOINTING CONSULTANT" has been served by First Class Mail to the addresses of record on April 6, 2006. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 04/06/2006)
04/13/2006	<u>256</u>	EP: Further Settlement Conference held on 4/13/2006. Further Settlement Conference set for 4/18/2006 at 09:30 AM before JUDGE LESLIE E KOBAYASHI. (Court Reporter In Chambers–No Record) (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 04/13/2006)
04/13/2006	257	EO: Further Status Conference set for 4/18/2006 at 09:30 AM before Judge Leslie E. Kobayashi (with all counsel) in Courtroom 7 is Vacated. (Judge LESLIE E KOBAYASHI)(wnn) Modified on 4/13/2006 (wnn,). (Entered: 04/13/2006)
04/18/2006	258	EO: Further Settlement Conference set for 4/18/2006 at 09:30 AM is continued to 4/19/2006 at 03:30 PM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn) (Entered: 04/18/2006)
04/19/2006	<u>259</u>	EP: Further Settlement Conference held on 4/19/2006. Status Conference set for 5/8/2006 at 10:30 AM before JUDGE LESLIE E KOBAYASHI. (Court Reporter In Chambers–No Record) (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 04/20/2006)
04/25/2006	260	EO: Status Conference set for 5/8/2006 at 10:30 AM is continued to 5/16/2006 at 02:00 PM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 04/25/2006)
05/01/2006	<u>262</u>	MOTION to Withdraw <i>Defendants' Motion to Modify Previous Ex Parte Orders Allowing Permission to proceed Using Pseudonyms</i> by Lillian Koller. (Molay, John) (Entered: 05/01/2006)
05/08/2006	<u>263</u>	NOTICE of Change of Address by Matthew I. Hall (Hall, Matthew) (Entered: 05/08/2006)
05/09/2006		CORRECTIVE ENTRY. The entry docket number <u>263</u> Notice of Change of Address filed by C. P., R. G., J. D., A. W., was filed incorrectly in this case. Since the User's Login and Password constitutes their electronic signature, the filer should not make entries signed by another attorney. Ms. Lange may obtain a login and password by contacting our office so that she can enter pleadings and electronically associate herself to the case, and, update her own information. The change of address will be noted. The filing party is cautioned to make entries correctly in future filings. (emt,) (Entered: 05/09/2006)

05/15/2006	264	EO: Status Conference Re: Settlement set for 5/16/2006 at 02:00 PM is moved to 5/16/2006 at 01:00 PM; Also, Further Settlement Conference set for 5/16/2006 at 01:00 PM before JUDGE LESLIE E KOBAYASHI to be held In Chambers. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 05/15/2006)
05/16/2006	<u>265</u>	EP: Further Settlement Conference held on 5/16/2006. (Court Reporter Courtroom 7-No Record) (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 05/17/2006)
06/02/2006	<u>267</u>	EO:Further Settlement Conference set for 6/7/2006 03:30 PM before JUDGE LESLIE E KOBAYASHI. The State of Hawaii, its Counsel and Client Phyllis Rosette must all be present at this Conference. (Judge LESLIE E KOBAYASHI)(lls,) (Entered: 06/02/2006)
06/05/2006	268	EO: Further Settlement Conference with Defendants' Counsel only set for 6/7/2006 at 3:30 PM is continued to 6/19/2006 at 10:30 AM before JUDGE LESLIE E KOBAYASHI. Client Phyllis Rosette must be physically present at this conference.(Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 06/05/2006)
06/06/2006	<u>270</u>	Defendants' Submittal of Certificate of Service of Minute Order Setting Further Settlement Conference dated June 2, 2006; Exhibit A; Certificate of Service – by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah <u>267</u> (Attachments: # <u>1</u> Exhibit A)(emt,) (Entered: 06/07/2006)
06/09/2006	<u>271</u>	Declaration of Gladys Wong Re: <u>267</u> Minute Order Setting Further Settlement Conference dated June 2, 2006; Certificate of Service (emt,) (Entered: 06/13/2006)
06/14/2006	272	EO: Further Settlement Conference with Defendants' Counsel only [client Phyllis Rosette physically present] set for 6/19/2006 at 10:30 AM before Judge Leslie E. Kobayashi is Vacated. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 06/14/2006)
06/26/2006	<u>274</u>	First MOTION Determination of Good Faith Settlement by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah. (Attachments: # <u>1</u> Memorandum Defendants' Memorandum in Support of Joint Petition for a Determination of Good Faith Settlement of Plaintffs' Claims Against All Defendants# <u>2</u> Declaration Declaration of John F. Molay# <u>3</u> Exhibit Exhibit "A"# <u>4</u> Main Document Joint Petition for Determination of a Good Faith Settlement of Plaintiffs' Claims Against All Defendants)(Molay, John) (Entered: 06/26/2006)
06/26/2006	<u>275</u>	Notice of hearing on Joint Petition for Determination of a Good Faith Settlement of Plaintiffs' Claims Against All Defendants by Leila Holloway, Henry Haina, Mitch Simao, Lawrence Alvaro, Richard Koehler, Robert Michael Kim, Lillian Koller, Sharon Agnew, Kaleve Tufono–Iosefa, Cynthia Hubbell, Phyllis Rosete, Earlene Josiah re <u>274</u> First MOTION Determination of Good Faith Settlement (Molay, John) Modified on 6/27/2006 to amend caption(emt,). (Entered: 06/26/2006)
06/26/2006		ADVISORY ENTRY. The entry docket number <u>274</u> First MOTION Determination of Good Faith Settlement filed by Lillian Koller, et al. and <u>275</u> Certificate of Service, filed by Lillian Koller, et al. were filed incorrectly in this case. Counsel has been advised to note counsel identification and articulate all supporting documents in the case caption. Counsel has been further advised that a notice of hearing is no longer necessary in the filing of motions. NOTE: Entry <u>275</u> originally docketed as "Certificate of Service" has been renamed to reflect the correct case caption – counsel has been notified of the change. Counsel to file a certificate of service to <u>274</u> . No further action required on entries <u>274</u> and <u>275</u> . (emt,) (Entered: 06/27/2006)
06/29/2006	276	NOTICE of Hearing on Motion <u>274</u> First MOTION Determination of Good Faith Settlement: Motion Hearing set for 8/1/2006 at 09:00 AM before JUDGE LESLIE E KOBAYASHI. (wnn,) (Entered: 06/29/2006)
07/31/2006	<u>277</u>	EO: Court's Inclination re <u>274</u> First MOTION Determination of Good Faith Settlement. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 07/31/2006)
08/01/2006	<u>278</u>	EP: Motion Hearing held on 8/1/2006 re <u>274</u> First MOTION Determination of Good Faith Settlement filed by Lillian Koller,, Kaleve Tufono–Iosefa,, Cynthia Hubbell,, Phyllis Rosete,, Leila Holloway,, Henry Haina,, Earlene Josiah,, Lawrence Alvaro,,

		Sharon Agnew,, Richard Koehler,, Robert Michael Kim,, Mitch Simao,. Status Conference Re: Dismissal set for 9/15/2006 at 09:30 AM before JUDGE LESLIE E KOBAYASHI. (Court Reporter FTR–Courtroom 7) (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 08/01/2006)
08/01/2006	279	EO: Motions terminated: <u>150</u> Motion for Leave to File Second Amended Complaint to Permit Maintenance as a Class Action; <u>172</u> MOTION for Protective Order <i>Regarding Plaintiffs' Medical, Psychological, and Other Private and Irrelevant Records</i> filed by C. P., R. G., J. D., <u>177</u> MOTION for Protective Order filed by Lillian Koller,, Kaleve Tufono–Iosefa,, Cynthia Hubbell,, Phyllis Rosete,, Leila Holloway,, Henry Haina,, Earlene Josiah,, Lawrence Alvaro,, Sharon Agnew,, Richard Koehler,, Robert Michael Kim,, Mitch Simao,. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 08/01/2006)
08/07/2006	280	EO: Motions terminated: <u>274</u> First MOTION Determination of Good Faith Settlement filed by Lillian Koller,, Kaleve Tufono–Iosefa,, Cynthia Hubbell,, Phyllis Rosete,, Leila Holloway,, Henry Haina,, Earlene Josiah,, Lawrence Alvaro,, Sharon Agnew,, Richard Koehler,, Robert Michael Kim,, Mitch Simao,. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 08/07/2006)
08/08/2006	<u>281</u>	EO: Clarification re <u>278</u> Motion Hearing. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 08/08/2006)
08/09/2006	282	EO: Motion Terminated: re <u>230</u> Appeal of Magistrate Judge Decision to District Court. (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 08/09/2006)
08/09/2006	<u>283</u>	ORDER Granting Joint Petition for Determination of a Good Faith Settlement of Plaintiffs' Claims Against All Defendants <u>274</u> – Signed by Judge LESLIE E KOBAYASHI on 8/8/06. (emt,) (Entered: 08/10/2006)
08/25/2006	284	EO: Motion terminated: 111 MOTION in Limine filed by Plaintiff J.D.'s Motion in Limine to Exclude Evidence of or Reference to Plaintiff JD's Psychiatric Evaluation of Its Content; Memorandum of Law in Support of Motion in Limine. (Judge J. MICHAEL SEABRIGHT)(edm,) (Entered: 08/25/2006)
09/01/2006	285	EO: Status Conference Re: Dismissal set for 9/15/2006 at 09:30 AM before Judge Leslie E. Kobayashi is Vacated. Proposed Stipulation for Dismissal has been submitted to Judge J. Michael Seabright for his consideration. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 09/01/2006)
09/06/2006	<u>286</u>	STIPULATION for Dismissal With Prejudice Pursuant to Fed. R. Civ. P. 41 and ORDER – signed by Judge J. Michael Seabright on 9/5/06 – <i>Pursuant to Rule 41(a)(1)(ii) and 41(a)(2) of the Federal Rules of Civil Procedure, this action and all claims asserted herein by Plaintiffs against any and all Defendants, be and is hereby dismissed with prejudice, each party to bear any remaining costs and attorneys' fees other than the amounts already paid pursuant to the Settlement Agreement and Mutual Release ("Settlement Agreement"). The Court will retain jurisdiction for the purposes of enforcing the Settlement Agreement.</i> (emt,) (Entered: 09/06/2006)