

UNITED STATES DISTRICT COURT SOUTHERN INDIANA

W.C. -VS- AIKEN, JAMES

IP90-C-0040 -B/G

FILED	CLOSED	NATR SUIT	JURY?	DEMAND (\$1000)	JUDGE	MAGISTRATE
01/16/1990	12/20/1991	440	N	0	BARKER	GODICH

CAUSE: CIVIL RIGHTS; Other Civil RightsW.C.
plaintiff**KENNETH J FALK**
INDIANA CIVIL LIBERTIES UNION
1031 E WASHINGTON ST
INDIANAPOLIS, IN 46202
(317)635-4059**V.**
AIKEN, JAMES
defendant**WAYNE E UHL (O1)**
INDIANA STATE ATTORNEY GENERAL
FIFTH FLOOR IGC SOUTH
402 WEST WASHINGTON STREET
INDIANAPOLIS, IN 46204
(317)232-6333RENIHAN, MICHAEL
defendant**WAYNE E UHL (O1)**
INDIANA STATE ATTORNEY GENERAL
FIFTH FLOOR IGC SOUTH
402 WEST WASHINGTON STREET
INDIANAPOLIS, IN 46204
(317)232-6333

DATE	NR.	PROCEEDINGS
01/02/1991	1	* * * CONTINUED FROM PAPER DOCKET * * *
01/08/1991	2	PLTFS:Motion to amend complaint. c/s
01/15/1991	3	WITNESS LIST,c/s DEFTS
01/15/1991	4	ORDER GRANTS pltfs motion to amend complaint. c/s eod 1/16/91 SEB
01/17/1991	5	ANSWER to amendment to comp, c/s DEFT JAMES AIKEN
02/01/1991	6	SUPPLEMENTAL MOTION TO AMEND COMPLAINT, C/S PLTF
02/01/1991	7	EXHIBITS AND STATEMENT OF CONTENTIONS, C/S PLTF

02/06/1991 8 ORDERED Paragraph 63 of the Complaint be AMENDED. S.O. SEB cm eod 2/6/91

02/13/1991 9 ANSWER to second amendment to complaint, c/s DEFTS

02/15/1991 10 CONTENTIONS, c/s

02/19/1991 11 NOTICE OF FINAL P T CONF on 3/27/91 at 11:45a.m. JPG cm eod 2/22/91

02/28/1991 12 STATUS REPORT CONCERNING SETTLEMENT/MOTION FOR settlement conference, c/s PLTF

03/25/1991 13 VERIFIED MOTION for continuance of trial set for April 8,1991 c/s DEFTS

04/02/1991 14 ORDER granting motion for continuance - trial now set for April 8, 1991. SEB cm eod 4/3/92

05/07/1991 15 MOTION for P T Conf and req that deft attend, c/s PLTF

05/10/1991 16 ORDER that matter is set for a P T Conf on June 12, 1991 at 11:45a.m. in Rm 230 JPG cm eod 5/13/91

09/13/1991 17 MOTION for status conference before Judge Barker, c/s PLTF

09/20/1991 18 ORDER grants mot for status conf; ORDERED status conf be held Sept 29, 1991 at 10:30 in Rm 210 SEB cm eod 9/20/91

09/26/1991 19 MOTION to cancel status conference, c/s DEFTS

09/26/1991 20 STIPULATION to enter consent decree following notice to the class JOINT

09/26/1991 21 ORDER to provide class notice. SEB cmeod 9/26/91

09/26/1991 22 ENTRY granting Motion to cancel status conference for 9/27/91 due to stip to enter consent decree.SEB cm eod 9/26/91

12/02/1991 23 MOTION for ext of time to file their report to the court.c/s-PLTFS

12/04/1991 24 ORDER granting pltfs to and incl Dec 9, 1991 to file Report to the Court. SEB cm eod 12/5/91

12/09/1991 25 MOTION for further ext of time for pltfs to file report to the court, c/s PLTF

12/10/1991 26 ORDER grants mot for ext of time to file Report to the court to and incl Dec 16, 1991. SEB cm

12/16/1991 27 REPORT to the Court and Req tothe court to approve Stip of Sept 26, 1991, c/s PLTFS' Counsel

12/20/1991 28 CLOSED Judgment to all issues except attys' fees and costs SEB cm eod 12/23/91 OBV 37 PAGE 903

03/16/1992 501 MOTION FOR TIME TO req attys fees and costs for an add'l 30 days, c/s PLTFS

03/17/1992 502 ORDER that pltfs shall have to/incl 4/20/92 to file their Pet for Attys' Fees and Costs. cm SEB eod 3/18/92

04/20/1992 503 NOTIFICATION to court concerning costs and attys' fees cs PLTF

04/29/1992 504 NOTICE: Further notification to court re Costs and Atty Fees PLTF cs

05/19/1993 505 APPEARANCE of Seth M. Lahn DAG - DEFTS

05/19/1993 506 MOTION requesting status conference cs DEFTS

05/20/1993 507 APPEARANCE of Tracy T. Pappas, Atty cs PLTFS

05/20/1993 508 NOTICE: to the court pursuant to paragraph 51 of the consent decree cs PLTFS

05/20/1993 509 VERIFIED MOTION for order stopping Boys School from instituting half-day of education pending hearing cs PLTFS-INTEREVENORS

05/20/1993 510 VERIFIED PETITION to hold defts in contempt for violation of consent decree cs PLTFS INTERVENORS

05/20/1993 511 Sealed MOTION

05/21/1993 512 Sealed ORDER eod 5/28/93

05/21/1993 513 ENTRY ASSIGNS Hearing for 06/16/93 at 10:00AM Room 469 (JPG) c/m (Heard on paragraph 51 of consent decree) eod 6/ 1/93

05/21/1993 = ENTRY ASSIGNS Hearing for 07/20/93 at 10:00AM Room 469 (JPG) c/m (Heard on paragraphs 5 & 6) eod 6/ 1/93

06/01/1993 514 NOTICE ASSIGNS P/T for 06/07/93 at 10:00AM Room 463 (JPG) c/m STATUS CONF eod 6/ 1/93

06/04/1993 515 APPL for permission to photograph record or broadcast from the courtroom - Steve Sweitzer WISH-TV

06/09/1993 516 MOTION FOR CONT OF SCHEDULED evidentiary hearings - JOINT

06/10/1993 517 ORDER CONTINUES HEARING for 11/08/93 at 10:00AM Room 216 (SEB) c/m Hrg on pltfs' verified petn to hold defts in contempt - eod 6/10/93

07/15/1993 518 NOTICE ASSIGNS P/T for 08/31/93 at 11:45AM Room 468 (JPG) c/m crd eod 7/15/93

07/29/1993 519 STATUS report. c/s-PLTFS

07/30/1993 520 ORDER - APPROVES pltfs' Status Report - cm SEB eod 8/ 2/93

08/10/1993 521 MOTION FOR TIME TO resp to pltf's Req for Adms and Req for Prod od Docs cs DEFTS

08/11/1993 522 ORDER - GRANTS time to resp to Pltfs' Req for Adms and Req for Prod to/incl 8/18/93 cm JPG eod 08/12/93

08/18/1993 523 RESPONSE to req for adms cs DEFTS

09/30/1993 524 MOTION FOR TIME TO disclose expert report cs PLTFS

10/01/1993 525 WITNESS LIST ,

10/01/1993 = EXHIBIT LIST .c/s-PLTFS

10/08/1993 526 WITNESS LIST - SUPP cs PLTF

10/26/1993 527 ENTRY CONTINUES HEARING for 11/25/93 at 10:00AM Room 216 (SEB) c/m eod 10/26/93

11/02/1993 528 REQUEST FOR Status/

11/02/1993 = Settlement Conf w/ Mag cs PLTFS

11/03/1993 529 ORDER ASSIGNS CONF for 11/18/93 at 02:00PM Room 468 (JPG) c/m STATUS/SETTLEMENT CONF eod 11/08/93

11/12/1993 530 ORDER VACATES CONF for 11/18/93 at 2:00PM Room 468 (JPG) c/m , eod 11/15/93

11/10/1993 = NOTICE ASSIGNS CONF for 11/30/93 at 02:00PM Room 468 (JPG) c/m STATUS/SETTLEMENT CONF eod 11/15/93

11/19/1993 531 MOTION FOR CONT OF SCHEDULED contempt hearing cs PLTFS

11/22/1993 532 ORDER that thge 11/23/93 hearing is CONTINUED and will not be reset unless requested by parties cm SEB eod 11/23/93

12/27/1993 533 MOTION (joint) to approve form of notice - PARTIES

12/30/1993 534 ORDER GRANTS time to approve form of notice - S O cm SEB eod 01/04/94

01/24/1994 535 MOTION to modify timing of notice to the class cs PLTFS

01/24/1994 536 MEMORANDUM of law in supp of mot for class cert cs PLTF

01/25/1994 537 ORDER re Mot to modify timing of Notice to the Class - S O cm SEB eod 01/27/94

02/28/1994 538 FILING of docs pursuant to parties stipulation cs DEFTS

03/09/1994 539 NOTICE to the court following notice to the class/request for court to approve parties Stip of 12/27/93 cs PLTF

03/11/1994 540 ORDER approving parties stip to W/D contempt pldg and stip to amend settlement cm SEB eod 03/14/94

05/25/1994 541 NOTICE to the court pursuant to Paragraph 51 of consent decree cs PLTFS eod 05/26/94

05/25/1994 542 VERIFIED PETITION to hold defts in contempt for violation of consent decree cs PLTFS

06/03/1994 543 ENTRY ASSIGNS HEARING to 06/29/94 at 10:00AM Room 216 (SEB) c/m eod 06/07/94

06/07/1994 544 NOTICE ASSIGNS P/T to 06/21/94 at 11:00AM Room 468 (JPG) c/m crd eod 06/08/94

06/20/1994 545 APPEARANCE of Julie E Bennett Atty cs PLTF

06/20/1994 546 SUPPLEMENT to verified petition to hold defts in contempt cs PLTFS

06/23/1994 547 STIPULATION of 12/27/93 - JOINT

06/23/1994 548 ENTRY - APPROVES P T Entry for 6/21/94 cm JPG eod 06/27/94

06/27/1994 549 NOTICE of tendering of Proposed Orders cs PLTFS

06/27/1994 550 MEMORANDUM in supp of contempt motion cs PLTFS

06/27/1994 551 NOTICE: of tendering of deposition of H Christians DeBruyn cs PLTF

06/27/1994 552 MEMORANDUM in oppos to mot for contempt cs DEFTS

06/28/1994 553 ENTRY VACATES HEARING to 06/29/94 at 10:00AM Room 216 (SEB) c/m ; AND eod 06/28/94

06/28/1994 = ENTRY CONTINUES HEARING to 07/05/94 at 02:00PM Room 216 (SEB) c/m eod 06/28/94

07/05/1994 554 APPLICATION for permission to photograph record or broadcast fro the courtroom-WISH-TV NEWS 8

07/06/1994 555 ORDER grant application for permission to photograph. c/m SEB eod 07/07/94

07/06/1994 556 ORDER hrg on pltf's petition for contempt (S.O) c/m SEB eod 07/07/94

07/06/1994 557 COURTROOM MINUTES Court is called into session on pltf's petition for contempt. Opening stmts by pltf and defts. Pltf presents evidence. Pltf rests. Defts begins evidence. Defts present evidence. Final arguments by pltf and defts. Court adjourned (SEB) eod 07/14/94

07/19/1994 558 MOTION FOR ATTNY'S FEES c/s PLTFS

11/03/1994 559 MOTION FOR ATTNY'S FEES (SUPPLEMENTAL) cs PLTFS

12/09/1994 560 MOTION FOR ATTNY'S FEES c/s - PLTFS W.C. et al

12/14/1994 561 ORDER to deft's to respond to pltf's motion for award of attys fees and their supplemental motion for attys fee on or before 12/30/94 cm SEB eod 12/16/94

12/30/1994 562 RESPONSE in opposition to pltf's motion and suppl motion for atty's fees c/s - ALL DEFTS

01/09/1995 563 MOTION FOR ATTNY'S FEES (Additional) c/s - ALL PLTFS

01/09/1995 564 MEMORANDUM in support of motion for additional atty's fees c/s - ALL PLTFS

02/22/1995 565 ENTRY awards atty fees in the total amount of \$4135.00 in pltf's favor and against the defts (S.E.) cm SEB eod 02/24/95

07/11/1995 566 REPORT (Joint status report); and

07/11/1995 = MOTION for status conference - PARTIES

07/18/1995 567 MOTION to revise/substitute appearance for defts c/s DEFTS

07/18/1995 568 MOTION for temp permission to exceed population cap pending further proceedings (EMERGENCY) c/s DEFTS

07/19/1995 569 ENTRY GRANTING MOT. TO REVISE/SUBSTITUTE APPEAR. FOR DEFTS. W. Uhl & D. Arthur are counsel and all others are stricken. cm SEB eod 07/19/95

07/19/1995 570 OBJECTION to defts' emergency motion for temporary permission to exceed population cap c/s - PLTFS

07/21/1995 571 ORDER GRANTS parties' joint motion for status conference (S.E.) cm SEB eod 07/24/95

07/21/1995 = ORDER ASSIGNS CONF to 09/07/95 at 10:00AM Room 210 (SEB) c/m (Status Conf) eod 07/24/95

07/21/1995 = ORDER STAYS ruling on defts' emergency motion for temp permission to exceed population cap pending further proceedings and pltf's response (S.E.) cm SEB eod 07/24/95

07/21/1995 = ORDER TO SHOW CAUSE to deft DeBruyn to show on or before 8/14/95 why he should not be held in contempt of the court's prior orders for allowing population to exceed the caps established (S.E.) cm SEB eod 07/24/95

08/14/1995 572 RESPONSE to order to show cause c/s - DEFT DeBruyn

08/14/1995 573 DECLARATION of Evelyn I. Ridley-Turner (exhibits attached) c/s - DEFT DeBruyn

08/29/1995 574 MEMORANDUM concerning deft's DeBruyn's response to order to Show Cause cs PLTF

09/07/1995 575 ENTRY from Status Conf; parties appear by counsel. Court called into session and parties are heard. Court rules that Order to Show Cause has been satisfied and withholds sanctions to DeBruyn. Court STAYS ruling on deft's motion to exceed population cap pending further evidence by parties (S.E.) cm SEB eod 09/07/95

09/07/1995 = ENTRY ASSIGNS HEARING to 12/05/95 at 10:00AM Room 216 (SEB) c/m (hearing on modification of consent decree) eod 09/07/95

09/07/1995 = ENTRY DIRECTS parties to submit any written materials no later than 11/30/95 and encourages parties to submit a summary in advance of hearing of the anticipated evidence to be presented cm SEB eod 09/07/95

11/22/1995 576 CT REPORTER'S TRANSCRIPT of Status Conference on 9/7/95 - One Volume

11/28/1995 577 MOTION FOR CONT OF SCHEDULED Hearing of 12/5/95 c/s - PLTFS

11/28/1995 578 ENTRY DENIES pltf's motion for continuance of Hearing set for 12/5/95 (see marginal notation on doc #577) cm SEB eod 11/29/95

12/01/1995 579 STIPULATION to amend settlement (second) PARTIES

12/01/1995 580 MEMORANDUM prior to 12/5/95 hearing c/s PLTFS

12/01/1995 581 MOTION TO MODIFY consent decree c/s DEFTS

12/05/1995 582 MOTION TO AMEND Parties Second Stipulation to Amend Settlement - JOINT Parties

12/05/1995 583 ORDER GRANTS parties motion to amend Second Stipulation to Amend Settlement; paragraph 10 of the Stipulation is amended to provide that the psychotropic medication review will be completed by March 1, 1996 cm SEB eod 12/06/95

12/05/1995 584 ORDER APPROVES notice to the class (S.O.) cm SEB eod 12/06/95

12/05/1995 585 COURTROOM MINUTES - come now the parties by counsel for hearing on the proposed modification of the consent decree. Counsel and deft Debruyn are heard. The Court approves the parties' second stipulation to amend settlement, pending notification to the plaintiff class. The population cap at the institution shall remain at 305 pending the implementation of the anticipated final population cap of 286. Counsel are directed to submit a progress report w/i 60 days. cm SEB eod 12/06/95

12/12/1995 586 CT REPORTER'S TRANSCRIPT of Hearing on 12/5/95 - One Volume

01/02/1996 587 STIPULATION (Submission of Revised Second) to Amend Settlement - JOINT Parties

01/02/1996 588 STIPULATION (Revised Second) to Amend Settlement - JOINT Parties

01/05/1996 589 ENTRY APPROVES parties' submission of revised second stipulation to amend settlement (see marginal notation doc#587) cm SEB eod 01/05/96

02/05/1996 590 MOTION FOR TIME TO file Status Report c/s - PLTFS

02/05/1996 591 ORDER GRANTS pltfs motion for time to file status report to 2/9/96 cm SEB eod 02/06/96

02/09/1996 592 REPORT Concerning Notice to the Class c/s - PLTFS

02/09/1996 = MOTION for Court to approve revised second stipulation to amend settlement c/s - PLTFS

02/09/1996 593 REPORT (Progress) to the Court concerning stipulation - JOINT Parties

02/09/1996 594 ORDER APPROVES revised second stipulation to amend settlement cm SEB eod 02/12/96

06/25/1996 595 APPEARANCE of Hamid R. Kashani as co-counsel for plaintiffs c/s - PLTFS eod 06/25/96 [MAC]

07/02/1996 596 MOTION TO WITHDRAW appearance of Legal Services Organization of Indiana, Inc., effective 7/31/96 on behalf of pltfs c/s - PLTFS eod 07/02/96 [MAC]

07/03/1996 597 ORDER GRANTS Motion to Withdraw Appearance of Legal Services Organization of Indiana, Inc. on behalf of pltfs as of 7/31/96 cm SEB eod 07/03/96 [MAC]

- 09/04/1996 598 MOTION FOR TIME TO file parties' report on the Intensive Treatment Unit of the Plainfield Juvenile Correctional Facility c/s - DEFTS eod 09/05/96 [MAC]
- 09/05/1996 599 ENTRY GRANTS defts motion for time to file parties' report on the Intensive Treatment Unit of the Plainfield Juvenile Correctional Facility to 9/16/96 cm SEB eod 09/05/96 [MAC]
- 09/12/1996 600 APPEARANCE of Kenneth J. Falk of the Indiana Civil Liberties Union on behalf of pltfs c/s - PLTFS eod 09/12/96 [MAC]
- 09/16/1996 601 MOTION FOR TIME TO file their report on the Intensive Treatment Unit of the Plainfield Juvenile Correctional Facility c/s - PLTFS eod 09/16/96 [MAC]
- 09/16/1996 602 ORDER GRANTS pltfs' motion for time to file their report on the Intensive Treatment Unit of the Plainfield Juvenile Correctional Facility to 9/30/96 cm SEB eod 09/16/96 [MAC]
- 09/25/1996 603 MOTION FOR TIME TO file Joint Report concerning Intensive Treatment Unit c/s - PLTFS eod 09/25/96 [MAC]
- 09/25/1996 604 ORDER GRANTS pltfs motion for time to file Joint Report concerning Intensive Treatment Unit to 10/30/96 cm SEB eod 09/26/96 [MAC]
- 10/29/1996 605 MOTION FOR TIME TO file Joint Report concerning Intensive Treatment Unit c/s - PLTFS eod 10/29/96 [MAC]
- 10/30/1996 606 ORDER GRANTS pltfs motion for time to file Joint Report concerning Intensive Treatment Unit to 11/22/96 cm SEB eod 10/31/96 [MAC]
- 11/22/1996 607 MOTION FOR TIME TO submit report on Intensive Treatment Unit c/s - PLTFS eod 11/22/96 [MAC]
- 11/22/1996 608 ORDER GRANTS pltfs' motion for time to submit report on Intensive Treatment Unit to 12/6/96 cm SEB eod 11/25/96 [MAC]
- 12/06/1996 609 REPORT as to Intensive Treatment Program - JOINT Parties eod 12/09/96 [MAC]
- 10/01/1999 610 MOTION TO WITHDRAW Appearance by Hamid R. Kashani on behalf of pltfs c/s - PLTFS eod 10/04/99 [MAC]
- 10/04/1999 611 ORDER GRANTS Motion to W/D Appearance by Hamid R. Kashani on behalf of pltfs. cm SEB eod 10/04/99 [MAC]
- 04/15/2005 612 MOTION to Terminate Prospective Relief c/s - DEFTS eod 04/15/05 [MAC]
- 04/15/2005 613 NOTICE of Substitution of Appearance by David A. Arther for that of Wayne E. Uhl on behalf of defts - DEFTS eod 04/15/05 [MAC]
- 05/02/2005 614 MOTION FOR TIME TO respond to defts' Motion to Terminate Prospective Relief c/s - PLTFS eod 05/02/05 [MAC]
- 05/02/2005 615 ORDER GRANTS pltfs' motion for time to respond to defts' Motion to Terminate Prospective Relief to 6/2/05. cm SEB eod 05/03/05 [MAC]

- 05/27/2005 616 MOTION to Approve Form of Notice to the Class and Preliminary Response to depts' Motion to Terminate Prospective Relief c/s - PLTFS eod 05/27/05 [MAC]
- 06/03/2005 617 ORDER APPROVES pltf's Motion to Approve Form of Notice to Class. Pltfs' Counsel to file report with the Court, and final response to depts' Motion to Terminate Prospective Relief, no earlier than 30 days and no later than 45 days following the posting of the notice. cm SEB eod 06/03/05 [MAC]
- 07/26/2005 618 REPORT to the court and MOTION to extend time to file final response to depts' motion to terminate prospective relief. PLTFS c/s eod 07/26/05 [LSC]
- 07/26/2005 619 ORDER GRANTS PLTFS time, thru 8/24/05, to file final response to depts' motion to terminate prospective relief. c/m SEB eod 07/27/05 [TMA]
- 08/24/2005 620 MOTION FOR TIME TO file Final Response to depts' Motion to Terminate Prospective Relief c/s - PLTFS eod 08/24/05 [MAC]
- 08/24/2005 621 ORDER GRANTS pltfs' motion for time to file Final Response to depts' Motion to Terminate Prospective Relief to 8/31/05. cm SEB eod 08/25/05 [MAC]
- 08/29/2005 622 RESPONSE to depts' Motion to Terminate Prospective Relief c/s - PLTFS eod 08/29/05 [MAC]
- 08/31/2005 623 ORDER Terminating Prospective Relief. (S.O.) cm SEB eod 09/01/05 [MAC]

USDC Southern Indiana -JAMS data-

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