

TERMED

**U.S. District Court
Eastern District of Kentucky (Covington)
CIVIL DOCKET FOR CASE #: 2:91-cv-00187-WOB**

Doe(s), et al v. Knauf, et al
Assigned to: Judge Wm. O. Bertelsman
Referred to: Mag Judge J. Gregory Wehrman
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 11/21/1991
Jury Demand: Defendant
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff

John Doe(s)
*a minor on behalf of himself and all
others similarly situated*
Next Friend
Mary Doe(s)

represented by **C. McGehee Isaacs**
Children's Law Center, Inc.
104 E. Seventh Street
Second Floor
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859-431-3313
TERMINATED: 07/13/1995
LEAD ATTORNEY
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Plaintiff

Jean Doe(s)
a minor on behalf of herself and all
others similarly situated
Next Friend
Barbara Doe(s)

represented by **C. McGehee Isaacs**
(See above for address)
TERMINATED: 07/13/1995
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James Bell
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V.

Defendant

Kenton County Fiscal Court
TERMINATED: 04/17/1992

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Defendant

John T. Wigginton
Secretary of Corrections,
Commonwealth of Kentucky
TERMINATED: 05/01/1992

represented by **Suzanne D. Cordery**
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Defendant

Dr. Harry J. Cowherd
Secretary of the Cabinet for Human
Resources of the Commonwealth of
Kentucky
TERMINATED: 04/17/1992

represented by **Maria T. Geisler**
Cabinet for Human Resources - Dept.
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502-564-7900
TERMINATED: 04/17/1992
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Defendant

Steven R. Jaeger
Chief Judge, Kenton District Court
TERMINATED: 04/17/1992

represented by **Thomas J. Hellmann**
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Defendant

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Commonwealth of
Jack Lewis, Secretary

represented by **Barbara W. Jones**
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Defendant

**Covington Independent Public
Schools**

represented by **John Jay Fossett**
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ATTORNEY TO BE NOTICED

Official Defendant

James Knauf
*in his official capacity as jailor of the
Kenton County Detention Center*

represented by **C. Thomas Hectus**
(See above for address)
TERMINATED: 11/16/1994
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W. Kenneth Nevitt

(See above for address)
TERMINATED: 11/16/1994
LEAD ATTORNEY
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Official Defendant**Clyde Middleton**

*County Judge Executive, in his official
capacity*

represented by

C. Thomas Hectus

(See above for address)
TERMINATED: 11/16/1994
LEAD ATTORNEY
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Garry L. Edmondson

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James M. Burd

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TERMINATED: 08/06/1998
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W. Kenneth Nevitt
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TERMINATED: 11/16/1994
LEAD ATTORNEY
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Official Defendant

Richard Howard
Interim Superintendent in his official capacity

represented by **John Jay Fossett**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph U. Meyer
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Official Defendant

Viola Miller
Secretary, Cabinet for Families and Children, Commonwealth of Kentucky, in her official capacity

represented by **E. D. Klatte**
Cabinet for Human Resources - Dept. of Law
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502-564-7900
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Official Defendant

Wilmer Cody
Commissioner, Department of Education, Commonwealth of Kentucky, in his official capacity

represented by **Barbara D. Bonar**
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Official Defendant

Paul Patton
Governor, Commonwealth of Kentucky,
in his official capacity

represented by **Barbara W. Jones**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Keith D. Hardison
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James Knauf
Individually
TERMINATED: 04/17/1992

represented by **C. Thomas Hectus**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

W. Kenneth Nevitt
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Clyde Middleton
Individually
TERMINATED: 04/17/1992

represented by **C. Thomas Hectus**
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LEAD ATTORNEY
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W. Kenneth Nevitt
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LEAD ATTORNEY
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Defendant

Charles Summe
Individually
TERMINATED: 04/17/1993

represented by **C. Thomas Hectus**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

W. Kenneth Nevitt
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bernard Moorman*Individually**TERMINATED: 04/17/1993*represented by **C. Thomas Hectus**
(See above for address)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***W. Kenneth Nevitt**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Richard Combs***Individually**TERMINATED: 04/17/1993*represented by **C. Thomas Hectus**
(See above for address)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***W. Kenneth Nevitt**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Official Defendant****Charles Summe***Commissioner, in his official capacity**TERMINATED: 04/17/1992*represented by **C. Thomas Hectus**
(See above for address)*TERMINATED: 04/17/1992**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***W. Kenneth Nevitt**

(See above for address)

*TERMINATED: 04/17/1992**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Official Defendant****Bernard Moorman***Commissioner, in his official capacity**TERMINATED: 04/17/1992*represented by **C. Thomas Hectus**
(See above for address)*TERMINATED: 04/17/1992**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***W. Kenneth Nevitt**

(See above for address)

*TERMINATED: 04/17/1992**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Official Defendant****Richard Combs***Commissioner, in his official capacity*represented by **C. Thomas Hectus**
(See above for address)

TERMINATED: 04/17/1992

TERMINATED: 04/17/1992
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

W. Kenneth Nevitt
(See above for address)
TERMINATED: 04/17/1992
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/21/1991	1	COMPLAINT (8 summons(es) issued) with copies, Fee Paid \$ 120.00, Receipt No. 043306 (Entered: 09/01/1993)
01/09/1992	17	MOTION w/attached Memorandum in Support by defendant Steven R. Jaeger to dismiss Modified on 12/08/1995 (Entered: 09/01/1993)
01/23/1992	21	ANSWER by defendant John T. Wigginton to [1-1] Plaintiff's Complaint (Entered: 09/01/1993)
01/28/1992	23	ANSWER by defendant James Knauf, defendant Kenton Cty Fiscal, defendant Clyde Middleton, defendant Charles Summe, defendant Bernard Moorman, defendant Richard Combs to [1-1] Plaintiff's Complaint; jury demand (Entered: 09/01/1993)
04/17/1992	32	ORDER by Chief Judge Wm. O. Bertelsman dismissing party Harry J. Cowherd granting motion to dismiss [17-1], dismissing party Steven R. Jaeger , dismissing party Kenton County Fiscal , dismissing party Richard Combs, party Bernard Moorman, party Charles Summe (cc: all counsel) (Entered: 09/01/1993)
05/01/1992	34	AMENDED COMPLAINT [1-1] by plaintiff John Doe(s), plaintiff Jean Doe(s) terminating defendant John T. Wigginton; adding Corrections Cab KY, Jack Lewis, Secretary (Entered: 09/01/1993)
05/14/1992	35	ANSWER by defendant Corrections Cabinet of KY, Jack Lewis to [34-1], Plaintiff's Amended Complaint (Entered: 09/01/1993)
05/18/1992	37	ANSWER by defendant James Knauf, defendant Clyde Middleton to [34-1] Plaintiff's First Amended Complaint (Entered: 09/01/1993)
08/26/1992	53	ORDER by Chief Judge Wm. O. Bertelsman Case referred to Mag Judge J. G. Wehrman to supervise discovery and pretrial proceedings, up to and including setting final pretrial conference and trial dates (cc: all counsel) (Entered: 09/01/1993)
08/26/1992		COMMENT - RF/MAG 636A (Entered: 09/01/1993)
04/14/1993	131	NOTICE OF APPEAL by defendant Corrections Cab KY from Dist. Court decision of Order of 3/19/93 (cc: all counsel) (Entered: 09/01/1993)
04/14/1993		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [131-1] (cc: all counsel) (Entered: 12/01/1993)

04/14/1993		COMMENT - IPP/4/14/93 (Entered: 12/01/1993)
04/20/1993		TRANSMISSION FORM - Copy of docket sheets, Judge's Order of 3/19/93; Notice of Appeal of 4/14/93 mailed to: 6thCCA, Kimberly A. Brooks/C. McGehee Isaacs, Mr. James Bell, Suzanne D. Cordery, C. Thomas Hectus/W. Kenneth Nevitt and John Elfers. (Entered: 09/01/1993)
04/20/1993	132	TRANSCRIPT filed of Hearing before Wm. O. Bertelsman, Chief Judge Date(s) of transcript 3/1/93 at 9:00 a.m. (Entered: 09/02/1993)
04/21/1993	133	ORDER OF REFERENCE by Chief Judge Wm. O. Bertelsman, reaching the conclusion that judicial economy and efficiency would be best served by referring the motions for leave to take additional depositions to Hon. J. Gregory Wehrman pursuant to 28 U.S.C. 636(b)(1)(A) (cc: all counsel) (Entered: 09/02/1993)
04/28/1993	136	NOTIFICATION by 6CCA of Appellate Docket Number 93-5556 (Entered: 09/02/1993)
08/24/1993	157	ORDER by Chief Judge Wm. O. Bertelsman status hearing (status conference) set for 3:00 10/8/93 (cc: all counsel) (Entered: 09/02/1993)
08/30/1993	158	MOTION by plaintiff John Doe(s), plaintiff Jean Doe(s) for leave to take additional depositions (Entered: 09/02/1993)
08/30/1993	159	MEMORANDUM OF POINTS AND AUTHORITIES by plaintiff John Doe(s), plaintiff Jean Doe(s) in support of motion for leave to take additional depositions [158-1] (Entered: 09/02/1993)
09/10/1993	160	RESPONSE by defendant Corrections Cabinet of KY, Jack Lewis, Commissioner, to motion for leave to take additional depositions [158-1] (Entered: 09/10/1993)
09/13/1993	161	RESPONSE by defendant James Knauf, defendant Clyde Middleton to motion for leave to take additional depositions [158-1] by Plaitniffs' John and Jean Doe (Entered: 09/13/1993)
09/14/1993	162	ORDER by Mag Judge J. G. Wehrman telephone onference set for 10:00 9/22/93 on pending motion (cc: all counsel) (Entered: 09/15/1993)

09/22/1993	163	ORDER by Mag Judge J. G. Wehrman pretrial conference held 9/22/93 denying motion for leave to take additional depositions [158-1] (cc: all counsel) (Entered: 09/22/1993)
09/28/1993	164	TRANSCRIPT filed of Hearing before Chief Judge Wm. O. Bertelsman Date(s) of transcript 8/20/93 at 1:30p.m. (Entered: 09/28/1993)
10/04/1993	165	MOTION by James Bell, counsel for plaintiff John Doe(s), and plaintiff Jean Doe(s) for appearance by Telephone (Entered: 10/04/1993)
10/04/1993		SUBMITTED re motion for appearance by Telephone [165-1] is submitted (Entered: 10/04/1993)
10/05/1993	166	ORDER by Chief Judge Wm. O. Bertelsman granting motion for appearance by Telephone [165-1] (cc: all counsel) (Entered: 10/05/1993)
10/06/1993	167	RESPONSE by defendant, Jack Lewis, Corrections Cabinet of KY to Motion of Plaintiff's Coounsel, James Bell to appear by telephone (Entered: 10/06/1993)
10/08/1993	168	MOTION by Official Defendant James Knauf, Official Defendant Clyde Middleton to compel production of documents from U.S. Marshal's Service. (Entered: 10/08/1993)
10/08/1993		SUBMITTED re motion to compel production of documents from U.S. Marshal's Service. [168-1] is submitted (Entered: 10/08/1993)
10/12/1993	169	ORDER by Chief Judge Wm. O. Bertelsman denying motion to compel production of documents from U.S. Marshal's Service. [168-1]; Parties are to submit to the undersigned a Consent Decree, properly executed and approved, on or before November 15, 1993. (cc: all counsel) (Entered: 10/12/1993)
10/20/1993	170	NOTICE TO THE COURT FOR PURPOSES OF CLARIFICATION IN CONNECTION WITH COURT'S ORDERS ENTERED JULY 28, 1993, AUGUST 24, L993 and OCTOBER 12, L993 by defendant Corrections Cab KY (Entered: 10/21/1993)
11/15/1993		REMARK - Kim Brooks advised Judge's Secretary that parties need until Thursday, November 18th to submit Consent Decree (Entered: 11/15/1993)

11/16/1993	171	TRANSCRIPT filed of Status Conference before Wm. O. Bertelsman, Chief Judge Date(s) of transcript 10/8/93 at 3:00 p.m. (Entered: 11/16/1993)
11/19/1993	172	STIPULATION and ORDER of Parties by Chief Judge Wm. O. Bertelsman : The Notice of Class Action lawsuit to Plaintiffs will be removed from the Courthouse Building dismissing case (cc: all counsel) (Entered: 11/22/1993)
12/09/1993	173	CERTIFIED COPY of 6CCA Order: (cc: all counsel) dismissing the appeal [131-1] (Entered: 12/09/1993)
12/14/1993	174	ATTORNEY APPEARANCE for defendant Corrections Cab KY by Mark A. Sipek (Entered: 12/14/1993)
12/20/1993	175	MOTION by plaintiff John Doe(s), plaintiff Jean Doe(s) for attorney fees before Mag Judge J. G. Wehrman (Entered: 12/20/1993)
12/20/1993	176	MEMORANDUM by plaintiff John Doe(s), plaintiff Jean Doe(s) in support of motion for attorney fees before Mag Judge J. G. Wehrman [175-1] (Entered: 12/20/1993)
01/07/1994	177	STIPULATION re [175-1] that parties by counsel stipulate that both County and State Defendants have until January 24, 1994 to respond to plaintiff's Motion for Attorneys Fees. (Entered: 01/07/1994)
01/07/1994	178	MOTION by plaintiff John Doe(s), plaintiff Jean Doe(s) to supplement Motion for Attorney Fees (Entered: 01/07/1994)
01/07/1994	179	AFFIDAVIT of MICHAEL O'HARA re [175-1] (Entered: 01/07/1994)
01/07/1994		SUBMITTED re motion to supplement Motion for Attorney Fees [178-1], re motion for attorney fees before Mag Judge J. G. Wehrman [175-1] is submitted (Entered: 01/07/1994)
01/24/1994	180	AMENDED STIPULATION Pursuant to LR 6(b)(1)(A) by counsel for parties that because of inclement weather conditions, both county and state defendants have up to and including Friday, 1/28/94 in which to respond to plf's motion for attorneys' fees, memorandum in support with appendix. (Entered: 01/24/1994)

01/28/1994	181	RESPONSE by defendant James Knauf and defendant Clyde Middleton to Plaintiffs' motion for attorney fees before Mag Judge J. G. Wehrman [175-1] (Attached in separate envelope). Modified on 01/31/1994 (Entered: 01/31/1994)
01/31/1994	182	RESPONSE by defendant Jack Lewis, Commissioner, Corrections Cab KY to Plaintiffs' motion for attorney fees before Mag Judge J. G. Wehrman [175-1] (Attached in separate envelope). (Entered: 01/31/1994)
02/08/1994	183	ORDER by Chief Judge Wm. O. Bertelsman granting motion to supplement Motion for Attorney Fees [178-1] referring to Mag Judge J. G. Wehrman the motion for attorney fees before Mag Judge J. G. Wehrman [175-1] pursuant to 28 U.S.C. Section 636(b). (cc: all counsel) (Entered: 02/09/1994)
02/08/1994	184	MOTION by plaintiff John Doe(s), plaintiff Jean Doe(s) to extend time before Mag Judge J. G. Wehrman (Entered: 02/09/1994)
02/09/1994		SUBMITTED re motion to extend time before Mag Judge J. G. Wehrman [184-1], re motion for attorney fees before Mag Judge J. G. Wehrman [175-1] is submitted (Entered: 02/09/1994)
02/10/1994	185	ORDER by Mag Judge J. G. Wehrman granting motion to extend time before Mag Judge J. G. Wehrman [184-1]. Plaintiff's reply / brief is due on or before 2/16/94. (cc: all counsel) (Entered: 02/10/1994)
02/16/1994		----- V O L U M E 6 ----- ----- (Entered: 02/16/1994)
02/16/1994	186	REPLY MEMORANDUM IN SUPPORT OF PLAINTIFFS' FEE APPLICATION by plaintiff John Doe(s) and plaintiff Jean Doe(s) re [175-1], Plaintiff's Motion for Attorney Fees. (Entered: 02/16/1994)
02/25/1994	187	ORDER by Mag Judge J. G. Wehrman setting motion for attorney fees before Mag Judge J. G. Wehrman [175-1] by oral argument on March 25, 1994 at 9:30 a.m.; (cc: all counsel) (Entered: 02/25/1994)
03/22/1994	188	ORDER by Mag Judge J. G. Wehrman: Oral argument on motion for attorney fees before Mag Judge J. G. Wehrman [175-1] set for March 25, 1994 at 9:30 a.m. is VACATED and a telephonic status conference is set for 11:30 3/25/94 . (cc: all counsel) Modified on 03/22/1994 (Entered: 03/22/1994)
03/24/1994	189	ATTORNEY SUBSTITUTION: terminating attorney Suzanne D. Cordery for Corrections Cab KY (Jack Lewis, Commissioner) and substituting attorney Barbara W. Jones (Entered: 03/24/1994)

03/25/1994	190	ORDER by Mag Judge J. G. Wehrman: In lieu of oral argument scheduled--telephonic status hearing held 3/25/94 . (1) Parties to submit briefs on the legislataion passed, if any, regarding the requirements of the Juvenile Justice and Delinquency Prevention Act (JJDPa), including appropriate funding allocations-- reply / brief due 4/15/94 , and (2) Oral Arguments in-court hearing set for 9:30 5/12/94 to be held on the General Assembly legislative enactments, if necessary, and plaintiffs' request for attorney fees. (cc: all counsel) (Entered: 03/28/1994)
04/04/1994	191	ORDER by Mag Judge J. G. Wehrman; An impromptu telephone status conference was held on April 4, 1994. Counsel advised that the Kentucky General Assembly passed no legislation concerning juvenile facilities as contemplated in the tentative settlement agreement in this litigation; (1) A follow-up status hearing is set for 3:30 4/18/94; (2) paragraph 1 of the order filed March 25, 1994 regarding submission of briefs is VACATED. (cc: all counsel) (Entered: 04/04/1994)
04/18/1994	192	ORDER by Mag Judge J. G. Wehrman (A telephonic status hearing held 4/18/94 , and (1) Plainiff's (legal Memorandum) response / brief due 5/9/94; Defendant's (reply memoranda) reply / brief due 5/31/94 , and (2) (Oral argument) in-court hearing is VACATED on 4/18/94; (3) Counsel for the Corrections Cabinet is to advise the Court whether juvenile facility funding was passed in the Special Session of the Ky General Assembly. (cc: all counsel) (Entered: 04/19/1994)
05/09/1994	193	BRIEF FILED (MEMORANDA) by plaintiff John Doe(s) and plaintiff Jean Doe(s) regarding [192-1] (Entered: 05/09/1994)
05/25/1994	194	MOTION by defendant Corrections Cab KY (Jack Lewis) for leave to hold in abeyance the briefing schedule before Mag Judge J. G. Wehrman (Entered: 05/25/1994)
05/25/1994		SUBMITTED re motion for leave to hold in abeyance the briefing schedule before Mag Judge J. G. Wehrman [194-1] is submitted (Entered: 05/25/1994)
05/27/1994	195	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion for leave to hold in abeyance the briefing schedule before Mag Judge J. G. Wehrman [194-1] (Entered: 05/31/1994)
06/02/1994	196	ORDER by Mag Judge J. G. Wehrman (1) granting motion for leave to hold in abeyance the briefing schedule, or more specifically to delay the filing of its brief before Mag Judge J. G. Wehrman [194-1]; (2) Within (ten(10) days after conclusion of the special session of the Kentucky General Assembly, counsel shall submit to court and parties a copy of juvenile funding, if any; (3) in the event the Kentucky General Assembly passes juvenile legislation, the court will convene a telephone conference; (4) In the event the Kentucky General Assembly fails to pass juvenile legislation, the Corrections Cabinet shall submit its legal memorandum within ten (10) days of the closing of the special legislative session. (cc: all counsel) (Entered: 06/02/1994)

06/02/1994		REMARK - Phone call today with Kim Brooks and Mark Sipek re: phone conference between Kim Brooks and Barbara Jones. Special legislative session to start June 6, 1994, previous order of 6/1/94 to stand. (Entered: 06/02/1994)
06/03/1994	197	NOTICE Of Special Session Call by defendant Corrections Cabinet KY of the Governor's call for the special session scheduled to begin June 6, 1994. (Entered: 06/03/1994)
07/05/1994	198	JOINT RESPONSE by defendant Corrections Cab KY and Official Defendant Clyde Middleton to [192-4] and [196], Court's Orders of April 18, 1994 and June 2, 1994. (Entered: 07/06/1994)

07/13/1994	199	ORDER by Mag Judge J. G. Wehrman; response / brief satisfied 7/5/94; reply / brief satisfied 7/5/94 , and ; status hearing (oral argument) is set for 9:30 7/22/94 (cc: all counsel) (Entered: 07/13/1994)
07/27/1994	200	REPORT AND RECOMMENDATION concerning motion for attorney fees before Mag Judge J. G. Wehrman [175-1] by Mag Judge J. G. Wehrman; responses to the R R due within 10 days of service or further appeal is waived (cc: all counsel) (Entered: 07/28/1994)
08/08/1994	201	STATUS REPORT (letter form) by plaintiff Jean Doe(s), plaintiff John Doe(s) (Entered: 08/09/1994)
08/09/1994		SUBMITTED re motion REPORT AND RECOMMENDATION [200-1], re motion for attorney fees before Mag Judge J. G. Wehrman [175-1] is submitted (Entered: 08/09/1994)
08/23/1994	202	ORDER by Chief Judge Wm. O. Bertelsman; (1) Case reopened for statistical purposes; status hearing was rescheduled 8/23/94; (2) adopting REPORT AND RECOMMENDATION [200-1] as the findings of fact and conclusions of law of this court; (3) denying as moot motion for attorney before Mag Judge J. G. Wehrman [175-1]; (4) That the plaintiffs' claims under the Juvenile Justice and Delinquency Prevent Act be, and they are, dismissed sua sponte; and (5) that a status conference hearing is hereby set for Thursday, 2:00 9/1/94. (cc: all counsel) (Entered: 08/24/1994)
08/29/1994	203	ORDER by Chief Judge Wm. O. Bertelsman; counsel having a conflict with regard to the status conference set on 9/1/94 at 2:00; the status hearing (conference) is now set for Thursday, 1:00 9/8/94. (cc: all counsel) (Entered: 08/29/1994)
09/12/1994	204	ORDER by Chief Judge Wm. O. Bertelsman ; status hearing held 9/8/94 , and (1) Plaintiffs shall file a response / brief (preliminary brief) on or before 10/21/94; Defendant's reply / brief is due on or before 11/21/94; (2) All discovery shall be completed on or before 10/31/94; (3) All tours of the detention facility must be completed by 11/15/94; (4) All expert reports shall be exchanged by 12/15/94; (5) All counsel must file a detailed status report regarding settlement negotiations on or before February 1, 1995; (6) That all parties and their counsel must make a good faith effort to obtain a Consent Decree. (cc: all counsel) (Entered: 09/13/1994)
09/19/1994	205	ATTORNEY SUBSTITUTION: terminating attorney Mark A. Sipek for Corrections Cab KY and substituting attorney Keith D. Hardison (Entered: 09/19/1994)
10/03/1994	206	NOTICE OF COMPLIANCE by defendant Corrections Cab KY, Jack C. Lewis in accordance with the agreement of parties at the 9/8/94 pretrial conference hereby files their updated documents. (Entered: 10/03/1994)
10/21/1994	207	BRIEF (PRELIMINARY MEMORANDUM) FILED by plaintiff Jean Doe(s) and plaintiff John Doe(s) (Entered: 10/21/1994)

10/26/1994	208	TRANSCRIPT filed of Hearing held before William O. Bertelsman Date (s) of transcript 9/8/94 (LMB) (Entered: 10/26/1994)
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10/31/1994	209	RESPONSE by Official Defendant Clyde Middleton to Plaintiffs' Updated Discovery Requests. (Entered: 11/02/1994)
11/10/1994	210	LETTER to all Counsel by Chief Judge, William O. Bertelsman with a copy of a letter that was received from Janie Nordloh of Exodus, A Jail Ministry, w/attached Article from the Kentucky Post. (Entered: 11/10/1994)
11/14/1994	211	ORDER by Chief Judge Wm. O. Bertelsman; On November 10, 1994, an unscheduled status conference was held in this matter. It Is Ordered (1) That plfs are permitted up to and including November 21, 1994 in which to amend their complaint; (2) That the parties are to only ask about brief factual questions that don't call for a statement of opinion of people in their area of knowledge while touring the facilities. (cc: all counsel) (Entered: 11/15/1994)
11/16/1994	212	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) to amend original complaint and add additional defendants. (Entered: 11/16/1994)
11/16/1994	213	SECOND AMENDED COMPLAINT [1-1], [34-1] by plaintiff Jean Doe (s), plaintiff John Doe(s); adding Covington Independent Pubic Schools and Richard Howard, Interim Superintendent in his official capacity. (Entered: 11/16/1994)
11/17/1994		SUMMONS issued as to defendant Covington Independent Pubic Schools and Richard Howard, Superintendant Covington, Independent Public Schools. (Entered: 11/17/1994)
11/17/1994		----- V O L U M E 7 ----- ----- (Entered: 11/22/1994)
11/18/1994	214	RETURN OF SERVICE executed upon Official Defendant Richard . Howard on 11/18/94 (Entered: 11/21/1994)
11/21/1994	215	RESPONSE by Official Defendant Clyde Middleton and Official Defendant James Knauf to [207-1] Plaintiffs' Preliminary Memorandum. (Entered: 11/22/1994)
11/22/1994	216	RESPONSE by defendant, Jack Lewis, Commissioner of the Corrections Cab KY to [207-1] Plaintiffs' Preliminary Memorandum. (Entered: 11/22/1994)
11/23/1994	217	ORDER by Chief Judge Wm. O. Bertelsman denying motion to amend original complaint and add additional defendants. [212-1] (cc: all counsel) (Entered: 11/23/1994)

11/30/1994	218	NOTICE (RE-CERTIFICATION) by defendant Corrections Cab KY of remailing Def's Response to Plfs' Preliminary Memorandum due to insufficient address. (Entered: 11/30/1994)
12/05/1994	219	ANSWER by Official Defendant Clyde Middleton and Official Defendant James Knauf to [213-1] Plaintiff's Second Amended Complaint; jury demand (Entered: 12/05/1994)
12/05/1994	220	AGREED ORDER by Chief Judge Wm. O. Bertelsman and by agreement of parties, by counsel: (1) Plfs be allowed to depose no more than (5) jail staff personnel so that experts may complete their reports; (2) That all experts reports shall be exchanged by January 23, 1995; (3) Counsel must confer in an attempt to enter into a Consent Decree and file a reply / brief (status report) on or before 2/15/95 and (4) That all parties and their counsel must make a good faith effort to obtain a Consent Decree. (cc: all counsel) (Entered: 12/05/1994)
02/03/1995	221	DEPOSITION of Sue Tolle taken on the following date(s): December 15, 1994 by: Plaintiffs (SEP. VOL.) (Entered: 02/03/1995)
02/03/1995	222	DEPOSITION of Wilma Jones taken on the following date(s): December 15, 1994 by: Plaintiffs (SEP. VOL.) (Entered: 02/03/1995)
02/03/1995	223	DEPOSITION of Clara Fister taken on the following date(s): January 5, 1995 by: Plaintiffs (SEP. VOL.) (Entered: 02/03/1995)
02/03/1995	224	DEPOSITION of Gary V. Sinclair taken on the following date(s): January 6, 1995 by: Plaintiffs (SEP. VOL.) (Entered: 02/03/1995)
02/03/1995	225	ANSWER by defendant Covington Indendent Public Schools and Official Defendant Richard Howard to [213-1] Plaintiffs' Second Amended Complaint; jury demand (Entered: 02/03/1995)
02/15/1995	226	STATUS REPORT (PLAN FOR SETTLEMENT) by plaintiff Jean Doe (s) and plaintiff John Doe(s) (Entered: 02/15/1995)
02/15/1995	227	STATUS REPORT by defendant Covington Independent Public Schools and Official Defendant Richard Howard (Entered: 02/15/1995)
02/15/1995	228	STATUS REPORT by Official Defendant Clyde Middleton and Official Defendant James Knauf (Entered: 02/16/1995)

02/21/1995	229	STATUS REPORT by defendant Corrections Cab KY - Jack C. Lewis (Entered: 02/21/1995)
02/23/1995	230	ORDER by Chief Judge Wm. O. Bertelsman: Matter is before the court on teh status reports of the parties, It Is Ordered that a status and settlement conference is hereby set for 10:00 3/31/95. Counsel for plfs are ordered to have full authorization to settle this matter, or have the appropriate official present at such conference with full authority to settle; and counsel for defs are ordered to have an official, fully authorized to negotiate a settlement; Disobedience to this Order will result in severe sanctions. No exceptions to attendance shall be made without the express approval of the court. (cc: all counsel) (Entered: 02/23/1995)
03/10/1995	231	FINAL STATUS REPORT by defendant Corrections Cab KY - Jack Lewis. (Entered: 03/10/1995)
03/20/1995	232	MOTION by plaintiff Jean Doe(s) and plaintiff John Doe(s) for attorney Mark I. Soler to appear pro hac vice with attached Affidavit. (Entered: 03/20/1995)
03/30/1995	233	UPDATED STATUS REPORT by Official Defendant Clyde Middleton and Official Defendant James Knauf (Entered: 03/30/1995)
03/30/1995	234	ORDER by Chief Judge Wm. O. Bertelsman granting motion for attorney Mark I. Soler to appear pro hac vice with attached Affidavit [232-1] for plaintiff Jean Doe(s) and plaintiff John Doe(s) (cc: all counsel) (Entered: 03/30/1995)
03/31/1995	235	ORDER by Chief Judge Wm. O. Bertelsman: A settlement conference was held on 3/31/95; It Is Ordered that a further settlement conference is hereby set for 10:00 5/26/95. Counsel for plfs are ordered to have full authorization to settle this matter, or to have the appropriate official present at such conference, with full authority to negotiate a settlement. Disobedience to this Order will result in severe sanctions. No exceptions to attendance shall be made without the express approval of the court. (cc: all counsel) (Entered: 03/31/1995)
04/14/1995	236	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for temporary restraining order (Entered: 04/14/1995)
04/14/1995	237	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of motion for temporary restraining order [236-1] with attached Affidavits and Exhibits. (Entered: 04/14/1995)
04/17/1995	238	ORDER by Chief Judge Wm. O. Bertelsman: (1) Defendants are to file a responsive pleading to Plaintiff's motion for a temporary restraining order by close of business, Monday, April 17, 1995; (2) That the parties shall stipulate to as may facts as possible; (3) setting hearing on motion for temporary restraining order [236-1] 9:30 4/19/95. (cc: all counsel) (Entered: 04/17/1995)

04/17/1995	239	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion for temporary restraining order [236-1] (Entered: 04/18/1995)
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04/18/1995	240	RETURN OF SERVICE by plaintiff Jean Doe(s), plaintiff John Doe(s) of subpoena served upon Gary Taylor, executed on 4/18/95. (Entered: 04/18/1995)
04/18/1995	241	AFFIDAVIT of Mark Modlin (Entered: 04/18/1995)
04/19/1995	242	EXHIBIT and WITNESS list of TRO Hearing of 4/19/95. (Entered: 04/19/1995)
04/20/1995	243	PRELIMINARY INJUNCTION by Chief Judge Wm. O. Bertelsman (1) For the reasons stated, the court advised, the defs are hereby restrained and enjoined from accepting inmates into the Juvenile Detention Center after May 15, 1995, unless 501 KAR 9:090 is strictly complied with; (2) Parties are encouraged to implement portions of the regulation....without further delay; (3) parties shall confer and attempt to reach an agreement on disputed aspect of regulation. If parties disagree concerning meaning of regulation, they may file motions for clarification not later than May 8, 1995. (cc: all counsel) (Entered: 04/20/1995)
05/01/1995	244	MOTION by Official Defendant Clyde Middleton, Official Defendant James Knauf to alter or amend preliminary injunction. (Entered: 05/02/1995)
05/01/1995	245	MEMORANDUM by Official Defendant Clyde Middleton, Official Defendant James Knauf in support of motion to alter or amend preliminary injunction. [244-1] (Entered: 05/02/1995)
05/09/1995	246	MOTION by plaintiff Jean Doe(s) and plaintiff John Doe(s) to clarify preliminary injunction. (Entered: 05/09/1995)
05/09/1995	247	MEMORANDUM OF POINTS AND AUTHORITIES by plaintiff Jean Doe(s) and plaintiff John Doe(s) in support of motion to clarify preliminary injunction. [246-1] (Entered: 05/09/1995)
05/09/1995		----- V O L U M E 8 ----- ----- (Entered: 05/09/1995)
05/11/1995	248	ORDER by Chief Judge Wm. O. Bertelsman setting hearing on motion to clarify preliminary injunction [246-1] at 9:00 on 5/16/95. (cc: all counsel) (Entered: 05/11/1995)
05/15/1995	249	RESPONSE by Official Defendant Clyde Middleton and Official Defendant James Knauf to motion to clarify preliminary injunction. [246-1] (Entered: 05/16/1995)

05/16/1995	250	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to alter or amend preliminary injunction. [244-1] (Entered: 05/16/1995)
05/18/1995		SUBMITTED re motion to alter or amend preliminary injunction. [244-1] is submitted (Entered: 05/18/1995)
05/24/1995	251	OPINION AND ORDER: by Chief Judge Wm. O. Bertelsman granting motion to clarify preliminary injunction. [246-1] (cc: all counsel) (Entered: 05/24/1995)
05/25/1995	252	STATUS REPORT by defendant Corrections Cab KY - Jack Lewis. (Entered: 05/25/1995)
05/26/1995	253	SUPPLEMENT by defendant Corrections Cab KY Jack Lewis re status report [252-1] (Entered: 05/26/1995)
05/26/1995	254	ORDER by Chief Judge Wm. O. Bertelsman: The settlement conference was held on 5/26/95; (1) a non-jury court trial is set for 9:00 10/16/95, each side will be given two (2) days in which to present its case; (2) That in the interest of saving time, the direct examination of expert witnesses shall consist of each witness giving a narrative summary of his report (not to exceed 15 minutes); (3) That any dispositive motions shall be filed by 9/1/95; Any response / briefs shall be filed on 9/16/95; Any reply / briefs are due 9/26/95; (4) discovery ddl shall be completed by 8/15/95 and (5) Either side may file pretrial filings (memos) addressing new case law on or before 10/1/95. (cc: all counsel) (Entered: 05/26/1995)
06/09/1995	255	ORDER by Chief Judge Wm. O. Bertelsman denying motion to alter or amend preliminary injunction. [244-1] (cc: all counsel) (Entered: 06/09/1995)
06/12/1995	256	TRANSCRIPT filed of Hearing before Chief Judge, Wm. O. Bertelsman Date(s) of transcript April 19, 1995 (Entered: 06/12/1995)
06/16/1995	257	MOTION by defendant Covington Independent Public Schools, and Official Defendant Richard Howard to dismiss , or in the alternative for summary judgment with Memorandum in Support and Affidavit of Richard Howard. Modified on 06/19/1995 (Entered: 06/19/1995)
07/05/1995		SUBMITTED re motion to dismiss [257-1], re motion for summary judgment [257-2] is submitted (Entered: 07/05/1995)
07/05/1995	258	RESPONSE by Official Defendant Clyde Middleton and Official Defendant James Knauf to motion to dismiss [257-1], to motion for summary judgment [257-2] (Entered: 07/07/1995)

07/05/1995	258	MOTION by Official Defendant Clyde Middleton and Official Defendant James Knauf to dismiss education claims. (Entered: 07/07/1995)
07/05/1995	259	MEMORANDUM by Official Defendant Clyde Middleton, Official Defendant James Knauf in support of motion response [258-1], of motion to dismiss education claims. [258-1] (Entered: 07/07/1995)
07/10/1995	260	STIPULATION and ORDER by Chief Judge Wm. O. Bertelsman: and by agreement of the parties, Plaintiff's time for filing response to defendant's Howard's Motion to Dismiss has been extended until July 28, 1995. (cc: all counsel) (Entered: 07/11/1995)
07/11/1995	261	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for leave to inspect the Kenton Co. Detention Center facility. (Entered: 07/11/1995)
07/19/1995	262	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) to exceed request for admission. Modified on 09/13/1995 (Entered: 07/19/1995)
07/19/1995	263	MOTION by plaintiff Jean Doe(s) and plaintiff John Doe(s) to extend time to complete expert disclosure requirements. (Entered: 07/19/1995)
07/19/1995	264	DISCLOSURE OF EXPERT TESTIMONY by plaintiff Jean Doe(s), and plaintiff John Doe(s) with Attached Reports of Expert Witnesses (attached in Record Separately). Modified on 07/19/1995 (Entered: 07/19/1995)
07/24/1995		SUBMITTED re motion to dismiss education claims. [258-1] is submitted (Entered: 07/24/1995)
07/24/1995	265	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion for leave to inspect the Kenton Co. Detention Center facility. [261-1] (Entered: 07/24/1995)
07/24/1995	266	RESPONSE and Objection by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion to extend time to complete expert disclosure requirements. [263-1] (Entered: 07/24/1995)
07/27/1995		SUBMITTED re motion to extend time to complete expert disclosure requirements. [263-1] is submitted (Entered: 07/27/1995)

07/28/1995	267	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to dismiss or in the alternative motion for summary judgment [257-1], to motion to dismiss education claims. [258-1] (attached in record separately). (Entered: 07/31/1995)
07/31/1995	268	RESPONSE by Official Defendant James Knauf, Official Defendant Clyde Middleton to motion to exceed page limitation [262-1] (Entered: 07/31/1995)
07/31/1995		SUBMITTED re motion for leave to inspect the Kenton Co. Detention Center facility. [261-1] is submitted (Entered: 07/31/1995)
08/01/1995	269	RESPONSE by Official Defendant James Knauf, Official Defendant Clyde Middleton to Plaintiffs' Request for Admission (Set No. 1). (Entered: 08/01/1995)
08/11/1995	270	RESPONSE AND OBJECTION by Official Defendant James Knauf, official Defendant Clyde Middleton TO PLAINTIFF'S REQUEST FOR ADMISSIONS (SET NO. 2) (Entered: 08/13/1995)
08/14/1995		SUBMITTED re motion to exceed page limitation [262-1] is submitted (Entered: 08/14/1995)
08/15/1995	271	REPLY by Official Defendant Clyde Middleton and Official Defendant James Knauf to response to motion to dismiss [257-1], motion to dismiss education claims. [258-1] (Entered: 08/15/1995)
08/15/1995	272	STIPULATION and ORDER by Chief Judge Wm. O. Bertelsman and by agreement of parties: extending defendants, Covington Independent Public Schools and Richard Howards's time to reply to Plaintiffs' Response up to and including 8/21/95. (cc: all counsel) (Entered: 08/15/1995)
08/15/1995	273	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) to compel plaintiffs' request for entry onto premises. (Entered: 08/15/1995)
08/15/1995	274	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of motion to compel plaintiffs' request for entry onto premises. [273-1] (Entered: 08/15/1995)
08/15/1995	275	DISCLOSURE Of Exhibits to be used by Experts by plaintiff Jean Doe (s) and plaintiff John Doe(s) (Entered: 08/15/1995)

08/15/1995	276	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) to compel production of documents. (Entered: 08/15/1995)
08/15/1995	277	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of motion to compel production of documents. [276-1] (Entered: 08/15/1995)
08/15/1995	278	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for leave to deem matter admitted or compel further responses to requests for admission. (Entered: 08/15/1995)
08/15/1995	279	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1] (Entered: 08/15/1995)
08/15/1995	280	PRETRIAL DISCLOSURE NUMBER 1 by Official Defendant Clyde Middleton and Official Defendant James Knauf (Entered: 08/17/1995)
08/15/1995	281	DISCLOSURE (AMENDED DESIGNATION OF EXPERT WITNESSES) by Official Defendant Clyde Middleton, Official Defendant James Knauf (Entered: 08/17/1995)
08/18/1995	282	RESPONSE to Plaintiffs' Second Request for Admissions by defendant Corrections Cab KY - Jack Lewis, Commissioner. (Entered: 08/18/1995)
08/21/1995	283	REPLY by defendant Covington Independent Public Schools and Official Defendant Richard Howard re [267-1] Plaintiff's Response to defendant's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment. (Entered: 08/22/1995)
09/01/1995	284	MOTION by Official Defendant Clyde Middleton, Official Defendant James Knauf for summary judgment (attached Separately in Record). Modified on 09/07/1995 (Entered: 09/05/1995)
09/01/1995	285	MEMORANDUM by Official Defendant Clyde Middleton, Official Defendant James Knauf in support of motion for summary judgment [284-1] (attached in Record Separately). Modified on 09/07/1995 (Entered: 09/05/1995)
09/01/1995	286	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion to compel plaintiffs' request for entry onto premises. [273-1] Modified on 09/07/1995 (Entered: 09/05/1995)

09/01/1995	287	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1] Modified on 09/07/1995 (Entered: 09/05/1995)
09/01/1995	288	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion to compel production of documents. [276-1] Modified on 09/07/1995 (Entered: 09/05/1995)
09/01/1995	289	MOTION by defendant Corrections Cab KY - (Jack Lewis) to dismiss , or in the alternative for summary judgment. Modified on 09/07/1995 (Entered: 09/05/1995)
09/05/1995		SUBMITTED re motion to compel plaintiffs' request for entry onto premises. [273-1] is submitted (Entered: 09/06/1995)
09/05/1995		SUBMITTED re motion to compel production of documents. [276-1], re motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1] is submitted (Entered: 09/06/1995)
09/06/1995	290	RESPONSE by defendant Corrections Cab KY (Jack Lewis) to motion to compel production of documents. [276-1] (Entered: 09/06/1995)
09/08/1995	291	ORDER by Chief Judge Wm. O. Bertelsman granting motion to exceed page limitation [262-1] setting hearing on motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1] 1:00 9/26/95, setting hearing on motion to compel production of documents. [276-1] 1:00 9/26/95, setting hearing on motion to compel plaintiffs' request for entry onto premises. [273-1] 1:00 9/26/95, setting hearing on motion to extend time to complete expert disclosure requirements. [263-1] 1:00 9/26/95, setting hearing on motion for leave to inspect the Kenton Co. Detention Center facility. [261-1] 1:00 9/26/95, setting hearing on motion to dismiss education claims. [258-1] 1:00 9/26/95, setting hearing on motion to dismiss [257-1] 1:00 9/26/95, setting hearing on motion for summary judgment [257-2] 1:00 9/26/95 (cc: all counsel) (Entered: 09/11/1995)
09/11/1995	292	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1] (Entered: 09/11/1995)
09/11/1995	293	NOTICE of Receipt of Requested Documents from County Defendants by plaintiff Jean Doe(s), plaintiff John Doe(s) (Entered: 09/11/1995)
09/11/1995		----- V O L U M E 9 ----- ----- (Entered: 09/13/1995)
09/12/1995	294	PROTECTIVE ORDER by Chief Judge Wm. O. Bertelsman : Thomas W. Jaeger shall not disclose to any other person or entity, the eighth floor smoke evacuation plan of the Kenton County Detention Center... (cc: all counsel) (Entered: 09/13/1995)

09/13/1995	295	PROTECTIVE ORDER by Chief Judge Wm. O. Bertelsman: Plaintiffs shall not disclose to any other person or entity the drawing of the eighth floor smoke evacuation plan of the Kenton County Detention Center or the eighth floor HVAC plan of the Kenton County Detention Center.... (cc: all counsel) (Entered: 09/13/1995)
09/13/1995	296	DEPOSITION of Richard Stephens taken on the following date(s): August 1, 1995 at 10:00 a.m. by: Plaintiff (SEP. VOL.) Modified on 09/13/1995 (Entered: 09/13/1995)
09/13/1995	297	DEPOSITION of Roger McMaster taken on the following date(s): August 1, 1995 at 10:30 a.m. by: Plaintiff (SEP. VOL.) (Entered: 09/13/1995)
09/15/1995	298	DISCLOSURE NO. 2 by Official Defendant James Knauf, and Official Defendant Clyde Middleton (Entered: 09/18/1995)
09/15/1995	299	ORDER by Chief Judge Wm. O. Bertelsman: The court noting an error in its Order, filed 9/8/95, It Is Ordered that the motion of plaintiffs to propound requests for admission in excess of thirty (doc. #262) is hereby granted. (cc: all counsel) (Entered: 09/18/1995)
09/18/1995	300	DISCLOSURE Of Witnesses pursuant to Rule 26 ADO #3 by plaintiff Jean Doe(s) and plaintiff John Doe(s) (Entered: 09/18/1995)
09/18/1995	300	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for protective order regarding witnesses. (Entered: 09/18/1995)
09/19/1995	301	ORDER by Chief Judge Wm. O. Bertelsman granting motion for protective order regarding witnesses [300-1]; It is ordered that consistent with the Kentucky Unified Juvenile Code, Sections 610.070, .320 and .340, the names of the juvenile witnesses, in the above referenced case shall not be part of the public record and these names sealed from the public record. The names in Plaintiffs Disclosure of Witnesses list, involving minor children shall be protected from public disclosure, and sealed of record. (cc: all counsel) (Entered: 09/19/1995)
09/19/1995		SUBMITTED re motion for summary judgment [284-1], re motion to dismiss [289-1] is submitted (Entered: 09/19/1995)
09/20/1995	302	MOTION by plaintiff Jean Doe(s) and plaintiff John Doe(s) for protective order (Entered: 09/20/1995)
09/20/1995	304	RESPONSE (OPPOSITION) by plaintiff Jean Doe(s) and plaintiff John Doe(s) to motion for summary judgment [284-1] of Kenton County - Official Defendant Clyde Middleton, Official Defendant James Knauf (attached in Record Separately). (Entered: 09/20/1995)

09/20/1995	303	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to dismiss [289-1], to motion for summary judgment. [289-2] of Jack Lewis (Commonwealth of KY) - (attached in Record Separately). (Entered: 10/02/1995)
09/26/1995	305	JOINT MOTION by defendant Corrections Cab KY (Jack Lewis), Official Defendant Clyde Middleton, Official Defendant James Knauf, defendant Covington Independent Public Schools, Official Defendant Richard Howard for leave to conduct trial by brief. (Entered: 09/26/1995)
09/26/1995	306	AGREED STIPULATION and ORDER by Chief Judge Wm. O. Bertelsman and by agreement of counsel for parties: ; Def. Kenton Co. KY's reply / brief to Plfs' Response to Def's Motion for Summary Judgment is now due on 10/6/95 (cc: all counsel) (Entered: 09/26/1995)
09/29/1995	307	ORDER by Chief Judge Wm. O. Bertelsman satisfying hearing on motion for leave to inspect the Kenton Co. Detention Center facility. [261-1]; satisfying hearing on motion to extend time to complete expert disclosure requirements. [263-1]; satisfying hearing on motion to plaintiffs' request for entry onto premises. [273-1]; satisfying hearing on motion to compel production of documents. [276-1]; satisfying hearing on motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1]; satisfying hearing on motion to dismiss [257-1]; satisfying hearing on motion for summary judgment [257-2]; satisfying hearing motion for leave to conduct trial by brief [305-1]; (1) granting plfs' motion for leave to inspect the Kenton Co. Detention Center facility. [261-1]; The court accompanied by counsel will inspect the facility on Monday, 10/16/95 at 1:00 p.m.; (2) denying as moot plfs' motion to extend time to complete expert disclosure requirements. [263-1], (3) granting plfs' motion to compel plaintiffs' request for entry onto premises. [273-1], (4) granting in part and denying in part plfs' motion to compel production of documents. (5) denying plfs' motion for leave to deem matter admitted or compel further responses to requests for admission. [278-1], The County defs are ordered to respond by 10/15/95 to outstanding requests for admission...(6) denying defs' motion to dismiss [257-1], denying defs' motion for summary judgment [257-2]; School defs are ordered to draft certification and submit to the court by 10/11/95; (8) denying defs' joint motion for leave to conduct trial by brief. [305-1] ;(7) Defs shall file a response / brief addressing issues by 10/29/95; Plfs may respond within (15) days the same being due on 11/13/95; court trial is reset for 10:00 4/15/96. Each side will have 2 days to present their case.....(cc: all counsel) (Entered: 09/29/1995)
10/10/1995	308	TRANSCRIPT filed of Hearing before Chief Judge, Wm. O. Bertelsman Date(s) of transcript May 15, 1995 at 9:00 a.m. (Entered: 10/10/1995)
10/10/1995		SUBMITTED re motion for protective order [302-1] before Mag. Judge J. Gregory Wehrman is submitted (Entered: 10/11/1995)
10/11/1995	309	REPLY by Official Defendant Clyde Middleton, Official Defendant James Knauf to response to motion for summary judgment [284-1]

		(Entered: 10/11/1995)
10/11/1995	310	MOTION by defendant Covington Ind Pub, Official Defendant Richard Howard to certify issue to the Supreme Court of Kentucky. (Entered: 10/12/1995)
10/12/1995	311	TRANSCRIPT filed of Hearing before Chief Judge, Wm. O. Bertelsman Date(s) of transcript April 19, 1995 (Entered: 10/12/1995)
10/16/1995	312	AGREED ORDER by Chief Judge Wm. O. Bertelsman and by agreement of party; Defendant, Kenton County's reply / brief (Responses to Request for Admissions, Set No. 1 and No. 2) is due 11/1/95 (cc: all counsel) (Entered: 10/16/1995)
10/16/1995	313	PROTECTIVE ORDER by Chief Judge Wm. O. Bertelsman: Rgarding Photographs of the Kenton County Detention Center or the Kenton County Juvenile Holding Facility or both....Neither Plfs, nor Plfs' expert , Thomas W. Jaeger, nor Plfs' counsel nor photographer, Dave Brown shall disclose to any other person....any photographs or drawings of the Kenton Co. Detention Center of the Kenton County Juvenile Holding Facility or both. (cc: all counsel) (Entered: 10/16/1995)

10/17/1995	314	ORDER by Mag Judge J. G. Wehrman: granting plaintiff's motion for protective order [302-1] - The identities of all minor children involved with the case, including but not limited to those minor children mentioned in plaintiffs' summary judgment response and those who may be witnesses to this action shall be protected from public disclosure. (cc: all counsel) (Entered: 10/17/1995)
10/30/1995	315	REPLY BRIEF by Official Defendant James Knauf and Official Defendant Clyde Middleton regarding claim of inadequate special education under idea. (Entered: 10/30/1995)
10/30/1995	316	NOTICE To Court Re: Education Issues by defendant Corrections Cab KY (Jack Lewis). (Entered: 10/30/1995)
10/30/1995	317	SUPPLEMENTAL MEMORANDUM by defendant Covington Independent Public Schools and Official Defendant Richard Howard Addressing Special Education Issues Raised by Plaintiffs - (attached Separately in Record). (Entered: 10/31/1995)
10/31/1995		SUBMITTED re motion to certify issue to the Supreme Court of Kentucky. [310-1] is submitted (Entered: 10/31/1995)
11/01/1995	318	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to certify issue to the Supreme Court of Kentucky. [310-1] (Entered: 11/01/1995)
11/01/1995	319	RESPONSE by Official Defendant James Knauf and Official Defendant Clyde Middleton to Plaintiffs' Request for Admissions (Set No. 1). Modified on 11/02/1995 (Entered: 11/02/1995)
11/01/1995	320	RESPONSE by Official Defendant James Knauf and Official Defendant Clyde Middleton to Plaintiffs' Request for Admissions (Set No. 2). (Entered: 11/02/1995)
11/07/1995	321	PROTECTIVE ORDER by Chief Judge Wm. O. Bertelsman and upon agreement of Plaintiffs and Defendant Kenton County, Kentucky: It Is Hereby Ordered that: (1) Elder Photographic hereafter referred to as the LAB will process film from job no. 7696 and make prints exclusively for Dave Brown Commercial Photography.....(2) All negatives, test prints...associated with said job will kept separate in a sealed envelope or box...(3) The LAB will make only straight prints directly from negatives associated with Photographer's job no. 7696...(4) The LAB will not discuss the content or subject matter of said job.....(5) Any and all LAB personnel who come into contact with any of the images associated with the Photographer's job no. 7696 shall adhere to this Order. (cc: all counsel) Modified on 11/13/1995 (Entered: 11/07/1995)
11/09/1995	322	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to Plaintiffs' Motion to Compel. (Entered: 11/09/1995)
11/14/1995	323	TRANSCRIPT filed of Hearing before Chief Judge, Wm. O. Bertelsman Date(s) of transcript September 26, 1995 at 1:00 p.m. (Entered: 11/14/1995)

		11/14/1995)	
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12/08/1995	324	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for order to deem matters admitted , or to compel further responses to requests for admission (attached in record separately). Modified on 12/08/1995 (Entered: 12/08/1995)
12/27/1995	325	ORDER by Chief Judge Wm. O. Bertelsman: It Is Ordered that the plaintiffs shall have twenty (20) days the same being (1/16/96) in which to file a further Amended Complaint naming official capacities of the Commissioner of Corrections, other officials of that department and also the Governor of the Commonwealth in his official capacity.... (cc: all counsel) (Entered: 12/27/1995)
12/27/1995	326	AGREED ORDER by Chief Judge Wm. O. Bertelsman and by agreement of parties: It Is Ordered that defendant's response / brief to Plaintiffs' Motion to Deem Matters Admitted or to Compel Further Responses to Request for Admission is due 1/12/96. (cc: all counsel) (Entered: 12/27/1995)
12/27/1995	327	ORDER by Chief Judge Wm. O. Bertelsman denying motion for summary judgment [284-1] of official defendant Clyde Middleton and official defendant James Knauf. (cc: all counsel) (Entered: 12/27/1995)
12/27/1995	328	ORDER by Chief Judge Wm. O. Bertelsman denying defendant's motion to dismiss [289-1], denying defendant's motion for summary judgment. [289-2] (cc: all counsel) (Entered: 12/27/1995)
12/27/1995	329	ORDER by Chief Judge Wm. O. Bertelsman denying defendants' motion to certify issue to the Supreme Court of Kentucky. [310-1] all counsel) (Entered: 12/27/1995)
12/28/1995	330	ORDER by Chief Judge Wm. O. Bertelsman denying official defendants' motion to dismiss education claims. [258-1] (cc: all counsel) (Entered: 12/28/1995)
01/02/1996		----- V O L U M E 10 ----- ----- (Entered: 01/23/1996)
01/03/1996	331	AMENDED ORDER by Chief Judge Wm. O. Bertelsman: Plaintiffs with 20 days of the date of this order-- due 1/23/96 file a further Amended Complaint, naming in their official capacities the Commissioner of EDUCATION, and any other officials of that department as may be appropriate in their official capacities, and also the Governor of the Commonwealth, in his official capacity, to whom the Court shall look to resolve any conflicts between the defendants. Court again reiterates that it will not entertain conflicting positions on the part of the departments, but will look to the Governor to speak with one voice for the Commonwealth where there is such a conflict. (cc: all counsel) (Entered: 01/09/1996)
01/12/1996	332	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to motion for order to deem matters admitted [324-1], to motion to compel further responses to requests for admission (attached in record separately). [324-2] (Entered: 01/12/1996)

01/12/1996	SUBMITTED re motion for order to deem matters admitted [324-1], re motion to compel further responses to requests for admission (attached in record separately). [324-2] is submitted (Entered: 01/12/1996)
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01/23/1996	333	THIRD AMENDED COMPLAINT [1-1] by plaintiff Jean Doe(s), and plaintiff John Doe(s); adding Viola Miller, Wilmer . Cody and Paul Patton. Modified on 01/23/1996 (Entered: 01/23/1996)
01/23/1996		SUMMONS issued as to Official Defendant Viola Miller, Official Defendant Wilmer . Cody and Official Defendant Paul Patton (Entered: 01/23/1996)
01/31/1996	334	RETURN OF SERVICE executed upon Official Defendant Viola Miller, Official Defendant Wilmer Cody and Official Defendant Paul Patton on 1/24/96 (Entered: 01/31/1996)
02/02/1996	335	FINAL PRETRIAL CONFERENCE ORDER by Chief Judge Wm. O. Bertelsman ;response / brief satisfied 1/12/96 ;reply / brief satisfied 1/23/96 ; pretrial filings (Pre trial memos) are due 3/8/96 ; The final pretrial conference is set for 2:30 3/22/96; The trial is scheduled for Monday, 4/15/96 at 10:00 a.m. FORMAT FOR FILING PRETRIAL MEMORANDUM IS ATTACHED. (cc: all counsel) (Entered: 02/02/1996)
02/06/1996	336	ANSWER by Official Defendant James Knauf and Official Defendant Clyde Middleton to [333-1] Plaintiffs' Third Amended Complaint. (Entered: 02/06/1996)
02/07/1996	337	NOTICE by plaintiff Jean Doe(s), plaintiff John Doe(s) of taking deposition of Mark Kroger on February 29, 1996 beginning at 9:00 a.m. (Entered: 02/07/1996)
02/07/1996	338	NOTICE by plaintiff Jean Doe(s), plaintiff John Doe(s) of taking deposition of Hal Hayden on March 1, 1996 beginning at 9:00 a.m. (Entered: 02/07/1996)
02/13/1996	339	AGREED ORDER by Chief Judge Wm. O. Bertelsman; Defendant, Wilmer Cody's response / brief (answer to Plf's Third Amended Complaint) is due 2/19/96. all counsel) (Entered: 02/13/1996)
02/13/1996	340	ANSWER by defendant Covington Independent Public Schools and Official Defendant Richard Howard (Larry Rodenberger, superintendent) to [333-1] Plaintiff's Third Amended Complaint. (Entered: 02/13/1996)
02/13/1996	341	RETURN OF SERVICE of Subpoena served upon Mark Kroger - executed on 2-7-96. (Entered: 02/14/1996)
02/13/1996	342	ANSWER by Official Defendant Viola Miller to [333-1] Plaintiffs' Third Amended Complaint. (Entered: 02/14/1996)

02/14/1996	343	ANSWER by defendant Corrections Cabinet of KY and Official Defendant Paul Patton to [333-1] Plaintiff's Third Amended Complaint. (Entered: 02/15/1996)
02/20/1996	344	ANSWER by Official Defendant Wilmer Cody to [333-1] Plaintiffs' Third Amended Complaint. (Entered: 02/21/1996)
02/21/1996	345	PRODUCTION OF WITNESS LISTS and EXPERT REPORTS submitted by plaintiff Jean Doe(s) and plaintiff John Doe(s) - (Attached In Record Separately). (Entered: 02/21/1996)
02/21/1996	346	MOTION by Official Defendant Wilmer Cody to continue the trial date , and for relief from the Pretrial Conference Order of 2/2/96. (Entered: 02/21/1996)
02/21/1996	347	MEMORANDUM by Official Defendant Wilmer . Cody in support of motion to continue the trial date [346-1], of motion for relief from the Pretrial Conference Order of 2/2/96. [346-2] (Entered: 02/21/1996)
02/21/1996	348	PRETRIAL DISCLOSURES by Official Defendant Viola Miller (Entered: 02/22/1996)
02/22/1996	349	MOTION by Official Defendant Paul Patton and defendant Jack C. Lewis of the Corrections Cab KY for relief from the final pretrial conference order. (Entered: 02/22/1996)
02/22/1996	350	MOTION by Official Defendant Paul Patton and defendant Jack C. Lewis of the Corrections Cab KY for consideration regarding defs. not producing expert testimony and having no witnesses to present at trial. (Entered: 02/22/1996)
02/22/1996	351	DEPOSITION of Wilma Jones taken on the following date(s): March 3, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	352	DEPOSITION of Clara Fister taken on the following date(s): January 5, 1995 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	353	DEPOSITION of Clara Fister taken on the following date(s): March 2, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)

02/22/1996	354	DEPOSITION of Michael G. Borchers taken on the following date(s): March 8, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	358	DEPOSITION of Roger McMaster taken on the following date(s): June 10, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). Modified on 02/22/1996 (Entered: 02/22/1996)
02/22/1996	355	DEPOSITION of Sue Toll taken on the following date(s): March 1, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	356	DEPOSITION of Wilma Jones taken on the following date(s): December 15, 1994 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	357	DEPOSITION of Gary V. Sinclair taken on the following date(s): January 6, 1995 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	359	DEPOSITION of Mark A. Modlin taken on the following date(s): March 25, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	360	DEPOSITION of Jack Lewis taken on the following date(s): March 2, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	361	DEPOSITION of Richard Stephens taken on the following date(s): June 11, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	362	DEPOSITION of Richard Stephens taken on the following date(s): August 1, 1995 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	363	DEPOSITION of Robert Powell taken on the following date(s): June 10, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	364	DEPOSITION of Sue Tolle taken on the following date(s): December 15, 1994 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)

02/22/1996	365	DEPOSITION of Peggy M. Wallace taken on the following date(s): March 4, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	366	DEPOSITION of Gary L. Webster taken on the following date(s): March 26, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	367	DEPOSITION of Freida Younger taken on the following date(s): March 1, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	368	DEPOSITION of Marlene St. Clair taken on the following date(s): March 8, 1993 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	369	DEPOSITION of Roger McMaster taken on the following date(s): August 1, 1995 by: Plaintiffs (SEP. VOL.) (COPY ONLY - NOT SIGNED BY COURT REPORTER). (Entered: 02/22/1996)
02/22/1996	370	DISCLOSURE (COMPLIANCE WITH FINAL PRETRIAL CONFERENCE ORDER) by Official Defendant James Knauf and Official Defendant Clyde Middleton (Entered: 02/23/1996)
02/23/1996	371	WITNESS list submitted by defendant Covington Independent Public Schools and Official Defendant Richard Howard (Larry Rodenberger). (Entered: 02/23/1996)
03/01/1996	372	PRETRIAL MEMORANDUM by defendant Covington Independent Public Schools and Official Defendant Richard Howard (Larry Rodenberger) (Entered: 03/04/1996)
03/04/1996	373	PROPOSED FINDINGS OF FACT and CONCLUSIONS OF LAW Submitted by Official Defendant Viola Miller (Entered: 03/04/1996)
03/04/1996	374	PROPOSED FINDINGS OF FACT Submitted by defendant Covington Independent Public Schools and Official Defendant Richard Howard (Larry Rodenberger) (Entered: 03/04/1996)
03/05/1996	375	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to continue the trial date [346-1] (Entered: 03/05/1996)

03/05/1996		SUBMITTED re motion to continue the trial date [346-1] is submitted (Entered: 03/05/1996)
03/07/1996	376	DEPOSITION of Harold Hayden taken on the following date(s): March 1, 1996 at 9:00 a.m. by: Plaintiff (SEP. VOL.) (Entered: 03/07/1996)
03/07/1996	377	DEPOSITION of Cheryl Roberts taken on the following date(s): Marcy 1, 1996 at 11:00 a.m. by: Plaintiff (SEP. VOL.) (Entered: 03/07/1996)
03/08/1996	378	PRETRIAL MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s)- (Attached in Record Separately). Modified on 03/08/1996 (Entered: 03/08/1996)
03/08/1996	379	PROPOSED FINDINGS OF FACT Submitted by plaintiff Jean Doe(s), plaintiff John Doe(s) (Entered: 03/08/1996)
03/08/1996	380	PROPOSED CONCLUSIONS OF LAW by plaintiff Jean Doe(s), plaintiff John Doe(s) (Entered: 03/08/1996)
03/08/1996	381	STIPULATIONS AND UNCONTESTED facts by plaintiff Jean Doe(s), plaintiff John Doe(s) (Entered: 03/08/1996)
03/08/1996	382	PRETRIAL MEMORANDUM by Official Defendant Viola Miller (Entered: 03/11/1996)
03/08/1996	383	PRETRIAL MEMORANDUM by Official Defendant James Knauf, (Don Younger) and Official Defendant Clyde Middleton - (Attached In Record Separately). (Entered: 03/11/1996)
03/11/1996	384	PRETRIAL MEMORANDUM by Official Defendant Paul Patton and defendant Corrections Cab KY (Jack Lewis, Commissioner) (Entered: 03/11/1996)
03/11/1996		SUBMITTED re motion for relief from the final pretrial conference order. [349-1], re motion for consideration regarding defs. not producing expert testimony and having no witnesses to present at trial. [350-1] is submitted (Entered: 03/11/1996)

03/12/1996	385	DEPOSITION of William Von Strohe, Jr. taken on the following date(s): February 29, 1996 by: Plaintiffs. (SEP. VOL.) (Entered: 03/12/1996)
03/12/1996	386	DEPOSITION of Mark D. Kroger, M.S. taken on the following date(s): February 29, 1996 by: Plaintiffs (SEP. VOL.) (Entered: 03/12/1996)
03/13/1996	387	MOTION by Official Defendant James Knauf, Official Defendant Clyde Middleton for order compelling production of Commonwealth of Kentucky, Cabinet for Families and Children, Department for Social Services Records before Mag Judge J. G. Wehrman. (Entered: 03/13/1996)
03/13/1996	388	REPLY by Official Defendant Wilmer Cody re [375-1] Plaintiffs' Response to Defendants' Motion for Continuance and Motion for Relief from Pretrial Order. (Entered: 03/13/1996)
03/18/1996	389	AMENDED STIPULATIONS AND UNCONTESTED FACTS by defendant Corrections Cab KY (Jack Lewis) and Official Defendant Paul Patton in support of [381-1] (Entered: 03/18/1996)
03/18/1996	390	ORDER by Chief Judge Wm. O. Bertelsman granting motion for relief from the final pretrial conference order. [349-1] (cc: all counsel) (Entered: 03/18/1996)
03/18/1996	391	ORDER by Chief Judge Wm. O. Bertelsman granting motion for order compelling production of Commonwealth of Kentucky, Cabinet for Families and Children, Department for Social Services Records before Mag Judge J. G. Wehrman. [387-1] (cc: all counsel) (Entered: 03/18/1996)
03/20/1996	392	ORDER by Chief Judge Wm. O. Bertelsman: setting aside order [391-1] reinstating motion for order compelling production of Commonwealth of Kentucky, Cabinet for Families and Children, Department for Social Services Records before Mag Judge J. G. Wehrman. [387-1] (cc: all counsel) (Entered: 03/21/1996)
03/22/1996	393	MOTION by defendant Kenton Cty for order excusing C. Thomas Hectus, Co-counsel from Final PreTrial Conference (Entered: 03/22/1996)
03/22/1996	394	ORDER by Chief Judge Wm. O. Bertelsman: Granting motion excusing C. Thomas Hectus, Co-counsel from Final PreTrial Conference [393-1]. (cc: all counsel) (Entered: 03/22/1996)
03/26/1996	395	ORDER by Chief Judge Wm. O. Bertelsman: The final pretrial conference was held on 3/22/96 , (1) granting defendant's motion to continue the trial date [346-1], The education issues only shall be tried separately, said trial to commence on Monday, July 22, 1996 at 10:00 a.m.; (2) granting defendant's motion for relief from Pretrial Conference Order of 2/2/96 [346-2]; All discovery regarding the education issues shall be completed by 6/1/96; (3) denying plaintiffs' motion for order to deem matters admitted [324-1], denying plaintiffs' motion to compel

further responses to requests for admission (attached in record separately). [324-2]; (4) denying defendant's motion for order compelling production of Commonwealth of Kentucky, Cabinet for Families and Children, Department for Social Services Records before Mag Judge J. G. Wehrman. [387-1]; (5) The trial excluding education issues shall commence on Monday, April 15, 1996 at 9:30 a.m. and continue on Tues, 4/16/96 and Fri. 4/19/96; (6) The plfs. shall have 15 minutes for direct examination and defs. shall have 45 minutes to cross-examine each expert witness; (7) The court orders that defs shall not obtain individual class members' juvenile court records; (8) Plfs are ordered to provide defs by Monday, 4/8/96 summaries of the testimony of detention center employees and the parents of juveniles scheduled to testify at trial. (cc: all counsel) (Entered: 03/26/1996)

03/26/1996	396	RESPONSE IN OPPOSITION by plaintiff Jean Doe(s) and plaintiff John Doe(s) to [387-1] Defendant's Motion for Order Compelling Production of Commonwealth of Kentucky, Cabinet for Families and Children, Department for Social Services Records. (Entered: 03/26/1996)
03/28/1996	397	MOTION by Official Defendant James Knauf (Don Younger) and Official Defendant Clyde Middleton to supplement [385-1] William Von Strohe's Deposition of February 29, 1996. (Entered: 03/28/1996)
03/29/1996	398	TRANSCRIPT filed of In Chambers Conference before Chief Judge, Wm. O. Bertelsman Date(s) of transcript March 22, 1996. (Entered: 03/29/1996)
04/12/1996	399	RETURN OF SERVICE of Subpoenas served upon Chris Brown, Sharon Brown and Nicole Hamilton to appear on April 15, 1996 at 10:30 a.m. - executed on 4/11/96. (Entered: 04/12/1996)
04/12/1996	400	RETURN OF SERVICE of Subpoena served upon Kim Nichols to appear on April 15, 1996 at 10:30 a.m. - executed on 4/12/96. (Entered: 04/12/1996)
04/15/1996	401	RETURN OF SERVICE of Supoena served upon Matt Levalley - executed on April 14, 1996. (Entered: 04/15/1996)
04/15/1996		SUBMITTED re motion to supplement [385-1] William Von Strohe's Deposition of February 29, 1996. [397-1] is submitted (Entered: 04/15/1996)
04/15/1996	402	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) to exclude expert testimony. (Entered: 04/15/1996)
04/15/1996	403	ORDER by Chief Judge Wm. O. Bertelsman: By letter dated 4/8/96, plfs. objected to defs. late designation of Mark Kroger as an expert witness for trial. The court will treat this letter as a motion to be filed in the record as of the date of this Order; On 4/15/96 the court heard oral argument from the parties on this motion; It Is Ordered granting motion to exclude expert testimony [402-1]; The testimony of Mark Kroger shall be limited to that of a lay witness. (cc: all counsel) (Entered: 04/15/1996)
04/15/1996	404	CIVIL TRIAL MINUTES: before Chief Judge, Wm. O. Bertelsman Date (s) April 15, 1996 Court Reporter McCarthy/Wesley/Blosser Opening Statement by parties; Introduction of evidence for plaintiff begun not concluded; Case continued until Tuesday, April 16, 1996 at 9:00 a.m. (cc: all counsel) (Entered: 04/16/1996)
04/16/1996	405	TRANSCRIPT filed of Civil Trial before Chief Judge, Wm. O. Bertelsman Date(s) of transcript April 15, 1996 Modified on 04/16/1996 (Entered: 04/16/1996)

04/16/1996	406	CIVIL TRIAL MINUTES: before Chief Judge, Wm. O. Bertelsmma Date(s) April 16, 1996 Court Reporter Wesley & Blosser Introduction of evidence for plaintiff begun and concluded; Plaintiff rests; Oral motion on behalf of Kenton County Defendants to reserve their motion for directed verdict --GRANTED; Case continued until Friday, April 19, 1996 at 10:00 a.m. (cc: all counsel) (Entered: 04/16/1996)
04/17/1996	407	TRANSCRIPT filed of Civil Court Trial before Chief Judge, Wm. O. Bertelsman Date(s) of transcript April 16, 1996 (Entered: 04/17/1996)
04/19/1996	408	MOTION by defendant Covington Independent Public Schools and Official Defendant Richard Howard to dismiss plaintiffs' claim against the school defendants as moot with attached Memorandum in Support with attached Affidavit of Joseph U. Meyer. (Entered: 04/19/1996)
04/22/1996	409	CIVIL TRIAL MINUTES: before Chief Judge, Wm. O. Bertelsman Date (s) April 19, 1996 Court Reporter McCarthy & Wesley Introduction of evidence for defendant begun and concluded; Defense rests; Renewed oral motion on behalf of Kenton County Defendants to reserve their motion for directed verdict--Granted; Kenton County defendants granted leave of Court to remove exhibits 1 a-j for the purpose of duplication; Briefing schedule to be set by separate order of the Court. (cc: all counsel) (Entered: 04/22/1996)
04/22/1996	410	COURT TRIAL EXHIBIT and WITNESS list (Entered: 04/22/1996)
04/24/1996	411	TRANSCRIPT filed of Civil Court Trial before Chief Judge, Wm. O. Bertelsman Date(s) of transcript April 19, 1996 Modified on 02/27/1997 (Entered: 04/24/1996)
04/24/1996	412	ORDER by Chief Judge Wm. O. Bertelsman ; court trial held 4/15/96, 4/16/96 and 4/19/96 ; (1) Plaintiffs shall submit their response /post-trial brief by 5/6/96; Defendants shall submit their reply /post-trial brief by 5/20/96. (2) Plfs shall by 5/3/96 designate a facility located within 125 miles of this court which they feel illustrates an acceptable juvenile holding facility; (3) Defs' oral motion for access to the commitment orders of juveniles is granted for purpose of enabling defs to respond to statistics prepared by plfs during trial... (4) Defs' oral motion to adopt the exhibits attached to their motions for summary judgment for use in conjunction with their post-trial briefs is GRANTED. (cc: all counsel) (Entered: 04/24/1996)
05/02/1996	413	AGREED ORDER by Mag Judge J. G. Wehrman: It Is Hereby Ordered that on Thursday, 5/2/96 at 2:00 p.m., Assistant Kenton County Attorney, Ken Rylee will review the juvenile court record of the nine juveniles listed in Plaintiff's Exhibit 49... Such information on all juveniles shall remain confidential for purposes of these proceedings... (cc: all counsel) (Entered: 05/02/1996)
05/03/1996	414	Designation of Juvenile Facility to be visited by the court by plaintiff Jean Doe(s) and plaintiff John Doe(s) in support of [412-3] Judges' Order of 4/24/96 (Attached in Record Separately). Modified on 05/06/1996

		(Entered: 05/06/1996)
05/06/1996		----- V O L U M E 11 ----- ----- (Entered: 05/06/1996)
05/06/1996	415	POST-TRIAL BRIEF FILED by plaintiff Jean Doe(s), plaintiff John Doe (s) regarding [412-3] Order of 4/24/96. (Entered: 05/06/1996)

05/07/1996		SUBMITTED re motion to dismiss plaintiffs' claim against the school defendants as moot [408-1] is submitted (Entered: 05/07/1996)
05/07/1996	416	AGREED ORDER by Chief Judge Wm. O. Bertelsman by agreement of the parties; Plaintiff's response / brief to defendant's Motion for Summary Judgment is due 5/13/96. (cc: all counsel) (Entered: 05/07/1996)
05/10/1996	417	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to dismiss plaintiffs' claim against the school defendants as moot [408-1] (Entered: 05/10/1996)
05/14/1996	418	POST-TRIAL BRIEF FILED by Official Defendant Viola Miller regarding [412-3] Order of 4/24/96. (Entered: 05/14/1996)
05/14/1996	421	MOTION by Official Defendant Viola Miller to dismiss education claims. (Entered: 05/17/1996)
05/16/1996	419	POST-TRIAL BRIEF FILED by defendant Corrections Cab KY (Jack Lewis) and Official Defendant Paul Patton (Entered: 05/16/1996)
05/16/1996	420	AGREED ORDER by Mag Judge J. G. Wehrman and by agreement of counsel for the parties; response / brief satisfied 5/10/96 ; Defendant Don Younger's reply / brief (Post Trial Brief) is due 5/28/96. (cc: counsel) (Entered: 05/16/1996)
05/17/1996	422	AGREED ORDER Extending Defendant's time for filing reply to Plaintiff's Response to its Motion to Dismiss claims as moot by Mag Judge J. G. Wehrman; Defendants, Covington Independent Public Schools and Larry Rodenberger's response / brief is due 5/24/96. (cc: all counsel) (Entered: 05/20/1996)
05/24/1996	423	REPLY by defendant Covington Independent Public Schools to response to motion to dismiss plaintiffs' claim against the school defendants as moot [408-1] (Entered: 05/28/1996)
05/28/1996	424	AGREED ORDER by Chief Judge Wm. O. Bertelsman: By agreement of counsel for Plffs. and counsel for defendant, Viola P. Miller Plaintiffs' response due 6/7/96 to Motion to Dismiss Education Claims [D.E. #421]. (cc: all counsel) (Entered: 05/29/1996)
05/28/1996	425	OBJECTIONS by defendants, Kenton County, Clyde Middleton, in his official capacity as Kenton County Judge Executive and Don Younger, in his official capacity as Kenton County Jailer to Plaintiffs Designation of Juvenile Facility to be Visited by the Court [414] (Entered: 05/29/1996)

05/28/1996	426	MOTION by Defendant Kenton County, Ky., Clyde Middleton in his Official capacity as Kenton County Judge Executive and Don Younger, in his official capacity as Kenton County Jail for judgment as a Matter of Law (Entered: 05/29/1996)
05/28/1996	427	DEFENDANTS POST TRIAL BRIEFS FILED regarding [412-1] (PLEADING PLACED IN SEPARATE ENVELOPE) Modified on 05/29/1996 (Entered: 05/29/1996)
05/31/1996	428	MOTION by Official Defendant Wilmer . Cody (Kentucky Department of Education) to dismiss plaintiff's claims as moot. (Entered: 05/31/1996)
05/31/1996	429	MEMORANDUM by Official Defendant Wilmer . Cody in support of motion to dismiss plaintiff's claims as moot. [428-1] (Entered: 05/31/1996)
06/07/1996	430	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to dismiss education claims. [421-1] (Entered: 06/07/1996)
06/07/1996		SUBMITTED re motion to dismiss education claims. [421-1] is submitted (Entered: 06/07/1996)
06/12/1996	431	MOTION by Official Defendant Clyde Middleton for summary judgment on plaintiffs' education claims. (Entered: 06/12/1996)
06/12/1996	432	MEMORANDUM by Official Defendant Clyde Middleton in support of motion for summary judgment on plaintiffs' education claims. [431-1] (Entered: 06/12/1996)
06/13/1996	433	MOTION by Official Defendant Clyde Middleton to supplement record based on enactment of the Prison Litigation Reform Act of 1995 with attached Affidavit of A. Bailey Taylor and Michael Collins. (Entered: 06/13/1996)
06/13/1996	434	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to dismiss plaintiff's claims as moot [428-1] of Defendant - Kentucky Department of Education. (Entered: 06/13/1996)
06/13/1996		SUBMITTED re motion to dismiss plaintiff's claims as moot. [428-1] is submitted (Entered: 06/13/1996)

06/20/1996	435	REPLY by Official Defendant Viola Miller re [434-1] to Plaintiff's Response to defendant's motion to dismiss education claims. (Entered: 06/20/1996)
06/24/1996	436	WITNESS and Exhibit list submitted by Official Defendant Wilmer Cody - Kentucky Department of Education (Entered: 06/24/1996)
06/25/1996	437	RESPONSE by plaintiff Jean Doe(s) and plaintiff John Doe(s) to motion for summary judgment on plaintiffs' education [431-1] (Entered: 06/25/1996)
06/25/1996		SUBMITTED re motion for summary judgment on plaintiffs' education claims. [431-1] is submitted (Entered: 06/25/1996)
06/26/1996	438	REPLY by Official Defendant Wilmer Cody (Kentucky Department of Education) re [434-1] to plaintiff's Motion to Dismiss educations claims. (Entered: 06/26/1996)
06/27/1996	439	RESPONSE by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to supplement record based on enactment of the Prison Litigation Reform Act of 1995 [433-1] (Entered: 06/27/1996)
06/27/1996		SUBMITTED re motion to supplement record based on enactment of the Prison Litigation Reform Act of 1995 [433-1] is submitted (Entered: 06/27/1996)
06/28/1996	440	MOTION by Official Defendant Wilmer Cody (Kentucky Department of Education) for leave to take deposition. (Entered: 06/28/1996)
06/28/1996	441	MEMORANDUM by Official Defendant Wilmer Cody in support of motion for leave to take deposition. [440-1] (Entered: 06/28/1996)
07/01/1996	442	ORDER by Chief Judge Wm. O. Bertelsman: It has been brought to the attention of the court that certain legislation has been passed by the General Assembly of the Commonwealth of Kentucky; It Is Ordered (1) That the trial of the education issues in this case now set on 7/22/96 is hereby continued until further order of the court; (2) the pending motions of defendnts (Doc. #408, #421, #428, and #431) will be heard at the time the trial was scheduled on Monday July 22, 1996 at 10:00 a.m.; (3) At hearing, the Commonwealth shall be prepared to speak with one voice as to its interpretation of the Act... (4) granting defendant's motion to supplement [385-1] William Von Strohe's Deposition of February 29, 1996. [397-1] (cc: all counsel) (Entered: 07/01/1996)
07/01/1996	443	MOTION by Official Defendant Viola Miller to stay CFC's obligations with regard to the education issues. (Entered: 07/01/1996)

07/16/1996		SUBMITTED re motion for leave to take deposition. [440-1] is submitted (Entered: 07/16/1996)
07/19/1996		SUBMITTED re motion to stay CFC's obligations with regard to the education issues. [443-1] is submitted (Entered: 07/19/1996)
07/19/1996	444	AFFIDAVIT of Dr. Johnnie Grissom (Entered: 07/19/1996)
07/22/1996	445	ORDER by Chief Judge Wm. O. Bertelsman granting motion to dismiss plaintiffs' claim against the school defendants as moot [408-1], denying motion to dismiss education claims. [421-1], denying motion to dismiss plaintiff's claims as moot. [428-1], denying motion for summary judgment on plaintiffs' education claims. [431-1], denying as moot motion for leave to take deposition. [440-1], granting motion to stay CFC's obligations with regard to the education issues [443-1]; The court further orders that the education claims be stayed until further notice; The Commonwealth's reply / brief (status report); describing the progress made on the promulgation of regulations is due 8/15/96. (cc: all counsel) (Entered: 07/22/1996)
07/24/1996	446	NOTICE by Official Defendant Clyde Middleton for Kenton County, Kentucky of filing of additional affidavit in support of motion to supplement the record - affidavit of Martin J. Sheehan - attached. (Entered: 07/24/1996)
07/25/1996		----- V O L U M E 12 ----- ----- (Entered: 08/28/1996)
07/26/1996	447	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: by Chief Judge Wm. O. Bertelsman: (2) denying def's motion for judgment as a Matter of Law [426-1], (3) granting motion to supplement record based on enactment of the Prison Litigation Reform Act of 1995 [433-1].... (cc: all counsel) (Entered: 07/26/1996)
07/26/1996	448	JUDGMENT: by Chief Judge Wm. O. Bertelsman: Pursuant to the findings of fact, conclusions of law and Order entered concurrently, It Is Ordered and Adjudged: (1) That effective 8/15/96, no juvenile indicted for or convicted of a crime as an adult shall be held in the present Kenton Co. Detention Center for more than fifteen (15) days; (2) Effective 8/1/96, the Kenton County Detention Center shall have on duty a minimum of two (2) guards - one male and one female at all times; (3) Effective 8/1/96 the Kenton Co. Detention Center shall ensure that both male and female juvenile residents are provided an opportunity for recreation and physical exercise...for one (1) hour a day, seven (7) days a week. (cc: all counsel) (Entered: 07/26/1996)
07/26/1996	449	AMENDED JUDGMENT: by Chief Judge Wm. O. Bertelsman: Paragraph (1) one has been amended to state: (1) That effective, 8/15/96, no juvenile not indicted for or convicted of a crime as an adult shall be held in the present Kenton County Detention Center for more than fifteen (15) days... (cc: all counsel) (Entered: 07/26/1996)

08/09/1996	450	MOTION by Defendants to alter judgment [449-1], judgment [448-1] , and to amend or Findings of Fact, Conclusions of Law and Order (Entered: 08/12/1996)
08/09/1996	459	MOTION by Official Defendant Paul Patton to alter or amend judgment [449-1], judgment [448-1] (Entered: 08/28/1996)

08/15/1996	451	AFFIDAVIT of Ken Easterling (Entered: 08/15/1996)
08/15/1996	452	AFFIDAVIT of Don Younger (Entered: 08/15/1996)
08/15/1996	453	STATUS REPORT by Official Defendant Wilmer Cody and Official Defendant Paul Patton (Entered: 08/15/1996)
08/15/1996	454	JOINT MOTION by Official Defendant Clyde Middleton, defendant Corrections Cab KY and plaintiff Jean Doe(s), and plaintiff John Doe(s) to extend time to comply with the Court's Findings of Fact, Conclusions of Law and Order. (Entered: 08/15/1996)
08/16/1996	455	ORDER by Chief Judge Wm. O. Bertelsman granting motion to extend time to comply with the Court's Findings of Fact, Conclusions of Law and Order [454-1]; Parties have up to and including Friday, August 30, 1996 in which to attempt to agree on a fire expert not previously involved in this case and submit his or her name to the Court for appointment. (cc: all counsel) (Entered: 08/16/1996)
08/23/1996	456	STIPULATED MOTION by plaintiff Jean Doe(s) and plaintiff John Doe (s) to extend time to file attorney fee's petition. (Entered: 08/23/1996)
08/23/1996	457	RESPONSE (MEMORANDUM OF LAW IN OPPOSITION) by plaintiff Jean Doe(s), plaintiff John Doe(s) to motion to alter judgment [449-1], judgment [448-1] [450-1], to motion to amend or Findings of Fact, Conclusions of Law and Order [450-2] and Motion for Stay of Execution of Judgment. (Entered: 08/23/1996)
08/27/1996		SUBMITTED re motion to alter judgment [449-1], judgment [448-1] [450-1], re motion to amend or Findings of Fact, Conclusions of Law and Order [450-2] is submitted (Entered: 08/27/1996)
08/27/1996	458	RESPONSE by Official Defendant Clyde Middleton to motion to alter judgment [449-1], judgment [448-1] [450-1], to motion to amend or Findings of Fact, Conclusions of Law and Order [450-2] (Entered: 08/27/1996)
08/28/1996		SUBMITTED re motion to alter or amend judgment [449-1], judgment [448-1] [459-1] is submitted (Entered: 08/28/1996)
08/29/1996	460	REPLY by Official Defendant Don Younger, Jailer re [457-1] Plaintiffs' Response to Defendants Motion to Alter, Amend and Vacate Judgemnt and Motion for Stay of Execution of Judgment. (Entered: 08/29/1996)

08/29/1996	461	RESPONSE by plaintiff Jean Doe(s) and plaintiff John Doe(s) to [453-1] Defendants' Status Report on Education. (Entered: 08/29/1996)
09/03/1996		SUBMITTED re motion to extend time to file attorney fee's petition. [456-1] is submitted (Entered: 09/03/1996)
09/04/1996	462	OPINION AND ORDER: by Chief Judge Wm. O. Bertelsman granting motion to alter judgment [449-1], judgment [448-1] [450-1], denying motion to amend or Findings of Fact, Conclusions of Law and Order [450-2], denying motion to alter or amend judgment [449-1], judgment [448-1] [459-1], granting motion to extend time to file attorney fee's petition. [456-1] ;Plaintiff shall file a (petition for attorneys' fees) response / brief by 10/15/96. (cc: all counsel) (Entered: 09/04/1996)
09/05/1996	463	ORDER by Chief Judge Wm. O. Bertelsman: Parties shall file a further (status report) reply / brief on or before 3/5/97. (cc: all counsel) (Entered: 09/05/1996)
09/09/1996	464	TRANSCRIPT filed of Hearing on Motions before Chief Judge, Wm. O. Bertelsman Date(s) of transcript July 22, 1996 (Entered: 09/10/1996)
09/18/1996	465	ORDER by Chief Judge Wm. O. Bertelsman: It Is Ordered that Carl L. Duncan adn Thomas J. Klem are hereby appointed as court appointed experts to make an examination into said issues...The experts shall file a joint report to the Court no later than 12/2/96 which shall focus on the safety with regard to fire of juveniles...The experts shall submit their fee for their services to the court... (cc: all counsel) (Entered: 09/18/1996)
10/04/1996	466	NOTICE OF APPEAL by Official Defendant James Knauf, Official Defendant Clyde Middleton from Dist. Court decision [447-1] (cc: all counsel) (Entered: 10/04/1996)
10/04/1996	467	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [466-1]; Copy of Findings of Fact Conclusions of Law of 7/26/96; Judgment and Amended Judgment of 7/26/96 and Opinion and Order of 9/4/96. (cc: all counsel) (Entered: 10/04/1996)
10/11/1996	468	JOINT MOTION to extension of time to 11/1/96 for Plaintiffs to file Petition for Attorney Fees (Entered: 10/11/1996)
10/15/1996	469	ORDER by Chief Judge Wm. O. Bertelsman ; Plaintiffs' counsel's response / brief to file their Petition for Attorneys Fees is due 11/1/96. (cc: all counsel) (Entered: 10/15/1996)
10/16/1996	470	NOTICE OF APPEAL by plaintiff Jean Doe(s) and plaintiff John Doe(s) from Dist. Court decision [447-1] (cc: all counsel) (Entered: 10/16/1996)

10/17/1996	471	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Findings of Fact Conclusions of Law of 7/25/96; Judgment and Amended Judgment of 7/26/96; Opinion and Order of 9/4/96; Copy of Docket Sheet to Parties; [470-1] (cc: all counsel) (Entered: 10/17/1996)
10/21/1996	472	NOTIFICATION by 6CCA of Appellate Docket Number 96-6357 as to Defts. Don Younger, in his official capacity, As Jailer and Clyde Middleton, in his official capacity (Entered: 10/21/1996)
10/31/1996	473	TRANSCRIPT DESIGNATION and Ordering Form for dates: 8/29/96 by Appellant, James Knauf and Clyde Middleton Modified on 10/31/1996 (Entered: 10/31/1996)
10/31/1996	474	MOTION by plaintiff Jean Doe(s), plaintiff John Doe(s) for attorney fees and costs. (Entered: 10/31/1996)
10/31/1996	475	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of motion for attorney fees and costs [474-1] (attached in Record Separately). (Entered: 10/31/1996)
11/04/1996	476	NOTIFICATION by 6CCA of Appellate Docket Number 96-6389 assigned to Notice of Appeal filed Plaintiffs Jean and John Doe(s) (Entered: 11/04/1996)
11/12/1996		FEE PAID \$ 105.00, Receipt No. 062753 - Notice of Appeal Fee for Case No. 96-6357. (Entered: 11/12/1996)
11/14/1996	477	(STIPULATION) MOTION by Official Defendant Clyde Middleton and Official Defendant James Knauf to extend time for filing response to plaintiffs' fee petition. (Entered: 11/14/1996)
11/25/1996		SUBMITTED re motion to extend time for filing response to plaintiffs' fee petition. [477-1] is submitted (Entered: 11/25/1996)
11/26/1996	478	ORDER by Chief Judge Wm. O. Bertelsman granting motion to extend time for filing response to plaintiffs' fee petition. [477-1] ;Defendant's response / brief is due 1/17/97. (cc: all counsel) (Entered: 11/27/1996)
12/02/1996	479	ORDER by Chief Judge Wm. O. Bertelsman: Matter before the court on the report of Carl L. Duncan, Fire Expert, which is attached hereto and incorporated herein by reference. (1) Any party may take the deposition of said Carl L. Duncan, who is the designated deponent by agreement of Mr. Duncan and Thomas Klem, on or before 1/2/97; (2) Motions requesting additional relief shall be filed herein on or before January 17, 1997; any response thereto shall be filed on or before February 3, 1997. (cc: all counsel) (Entered: 12/02/1996)

12/05/1996	480	MOTION by defendants to Hold Attorney Fee Issue in Abeyance (Entered: 12/09/1996)
12/13/1996	481	MOTION by defendant Kenton Cty Fiscal, Official Defendant Paul Patton and Doug Sapp to clarify i and to extend time within which to depose the Court appointed fire safety experts. (RSB) (Entered: 12/16/1996)
12/23/1996	482	RESPONSE by plaintiff to Defendant's motion to Hold Attorney Fee Issue in Abeyance [480-1] (RSB) (Entered: 12/23/1996)
12/23/1996	483	ORDER by Chief Judge Wm. O. Bertelsman: 1.Plaintiff's motion for Attorney fees (474-1] is denied without prejudice. Plaintiffs may refile their motion for attorneys' fees and costs once this case has been resolved on the merits, including the resolution of any appeals; 2. Defendants' motion to hold attorneys fees in abeyance [480] is granted; 3. Defendants motion for clarification [481] is granted in part and denied in part. Court will contact Carl L. Duncan, Thomas Klem, Edwin E. Smith and David P. Demers and request that each provide to the Cort the information referenced in Federal Rule of Civil Procedure 26(a)(2)(B). 5. Parties must depose Carl L. Duncan, if at all, no later than fifteen days after receipt of Mr. Duncan's Rule 26 information; 5. Parties must file status report or a request for a conference call no later than 10 days after Mr. Duncan's deposition. Court encourages the parties to submit the fire safety issue to the court on briefs, deposition and trial transcripts. (cc: all counsel) (RSB) Modified on 12/26/1996 (Entered: 12/24/1996)
01/08/1997	484	TRANSCRIPT filed of oral argument before Judge Bertelsman Date(s) of transcript August 29, 1996 (by phone). (RSB) (Entered: 01/08/1997)
01/17/1997	485	ORDER by Chief Judge Wm. O. Bertelsman: Pursuant to Court's order of 1/23/96, fire experts having forwarded pertinent information, it is ordered that Rule 26(a)2(b) information is entered into the record and Clerk is directed to forward such information to all counsel. Parties are reminded that deposition of Mr. Duncan must be taken by 2/7/97. ;reply / brief due 2/7/97 (cc: all counsel) (RSB) (Entered: 01/17/1997)
01/22/1997	486	ORDER by Chief Judge Wm. O. Bertelsman: Pursuant to status conference, Defendants shall file a status report ((; response/brief) due 1/31/97; Thirty days after said filing of status report plaintiffs shall take whatever depositions are necessary. No later than 3/7/97 (reply / brief) status report due or motion for additional relief due 3/7/97 (cc: all counsel) (RSB) (Entered: 01/23/1997)
01/30/1997	487	NOTICE by defendant Corrections Cab KY, Official Defendant Paul Patton of change of address of Barbara Jones, General Counsel, Justice Cabinet, 403 Wapping Street, 2nd Floor, Bush Building, Frankfort, Kentucky 40601. (RSB) (Entered: 01/30/1997)
01/31/1997	488	STATUS REPORT by defendant Corrections Cab KY, Official Defendant Wilmer Cody, Official Defendant Paul Patton. (RSB) (Entered: 02/03/1997)

02/10/1997	489	PLAINTIFF'S motion for admit expert reports into record and for a ruling on the fire safety claims (RSB) (Entered: 02/10/1997)
02/11/1997		----- V O L U M E 13 ----- ----- (RSB) (Entered: 02/19/1997)

02/18/1997	490	STATUS REPORT by defendant Corrections Cab KY, Official Defendant Charles Summe, Official Defendant Clyde Middleton, defendant Kenton Cty Fiscal, Official Defendant James Knauf, Official Defendant Paul Patton (RSB) (Entered: 02/19/1997)
02/18/1997	490	MOTION by defendant Corrections Cab KY, Official Defendant Charles Summe, Official Defendant Clyde Middleton, Kenton Cty Fiscal, Official Defendant James Knauf, Official Defendant Paul Patton for conference (RSB) Modified on 02/25/1997 (Entered: 02/19/1997)
02/20/1997	491	NOTICE by plaintiff of taking deposition of Dr. Laura Thomson, Clara Fister, & Joe Clark on February 26, 1997 (RSB) (Entered: 02/20/1997)
02/20/1997	492	RETURN OF SERVICE by plaintiff of subpoena in a civil action to Dr. Laura Thompson to appear on 2/26/97 at Childrens Law Center for desposition and requested documentation, served 2/20/97. (RSB) (Entered: 02/28/1997)
02/24/1997	493	RESPONSE by Official Defendant James Knauf, Official Defendant Clyde Middleton, Official Defendant Paul Patton and Doug Sapp to Plaintiff's motion for hearing [490-1] (RSB) Modified on 02/28/1997 (Entered: 02/26/1997)
02/27/1997	494	ORDER by Chief Judge Wm. O. Bertelsman: Status Conference held on 2/26/97 with Debra McCarthy as Court Reporter: 1. GRANTING Defendant's motion for conference [490-1],2. Within 15 days (March 13, 1997), parties are to submit to opposing counsel and to the court appointed experts documents that they want the court appointed experts to discuss at deposition; 3. Defendants have until March 31, 1997 to depose court appointed experts; 4. Fifteen days after filing transcripts of depositions, the defendants shall file supplemental brief. Fifteen days thereafter Plaintiffs shall file a response; 5. Status report or motion for additional releife that was to be filed by parties on March 6th & 7th, 1997 are no longer required; 6. DENYING Plaintiff's motion to admit expert reports into record and for a ruling on the fire safety claims [489-1] , cc: all counsel) (RSB) (Entered: 02/28/1997)
02/27/1997	495	ORDER by Chief Judge Wm. O. Bertelsman: The court enters of record the billings of the fire experts: Carl L. Duncan: \$7,498.47, Demers Associates Inc: \$5,198.21, Edwin E. Smith: \$1,475.00, Thomas J. Klem: 6,729.34, totalling \$20,901.02, Court orders that Defendants pay such billings within 30 days of the date of this order. (cc: all counsel) (RSB) (Entered: 02/28/1997)
02/28/1997	496	NOTICE by defendant Clyde Middleton, defendant James Knauf of taking deposition of Carl L. Duncan on March 19, 1997 at 9:00 a.m. (RSB) (Entered: 03/03/1997)
03/07/1997	497	MOTION by plaintiff for trial on education claims. (RSB) (Entered: 03/10/1997)
03/13/1997	498	MOTION by defendant Corrections Cab KY, Official Defendant Viola

		Miller, Official Defendant Paul Patton for joinder in County Defendants motion to alter or amend. (RSB) (Entered: 03/14/1997)
03/13/1997	499	MOTION by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, Official Defendant Viola Miller, Official Defendant Paul Patton for order allowing Plaintiffs to take deposition of defendants experts (RSB) (Entered: 03/14/1997)

03/13/1997	500	MOTION by Official Defendant James Knauf, Official Defendant Paul Patton, Official Defendant Clyde Middleton to amend Order of 2/27/97 directing payment of witness fees (RSB) (Entered: 03/14/1997)
03/14/1997	501	AMENDED NOTICE OF DEPOSITION by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Carl L. Duncan on March 19, 1997 (RSB) (Entered: 03/14/1997)
03/14/1997	502	NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Thomas J. Klem on March 19, 1997 (RSB) (Entered: 03/14/1997)
03/17/1997	503	SECOND AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Thomas J. Klem on March 19, 1997 (RSB) (Entered: 03/17/1997)
03/17/1997	504	NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Carl L. Duncan on March 19, 1997 (RSB) (Entered: 03/17/1997)
03/17/1997	507	TRANSCRIPT filed of hearing before Judge Bertelsman Date(s) of transcript 2/26/97 (RSB) (Entered: 03/19/1997)
03/18/1997	505	THIRD AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Carl L. Duncan on March 25, 1997 (RSB) (Entered: 03/19/1997)
03/18/1997	506	THIRD AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Thomas J. Klem on March 25, 1997 (RSB) (Entered: 03/19/1997)
03/19/1997	508	RESPONSE by plaintiff to Defendant's motion for order allowing Plaintiffs to take deposition of defendants experts [499-1] (RSB) (Entered: 03/19/1997)
03/25/1997	510	FOURTH AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Carl L. Duncan on April 18, 1997 (RSB) Modified on 03/27/1997 (Entered: 03/25/1997)
03/25/1997	509	FOURTH AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Thomas J. Klem on April 18, 1997 (RSB) Modified on 03/25/1997 (Entered: 03/25/1997)

03/26/1997	511	ORDER by Chief Judge Wm. O. Bertelsman: 1. Parties agree that Defendants' time to respond to Plaintiff's Motion for Trial shall be suspended to allow the parties to meet and discuss possible settlement of some or all pending issues; 2. Parties will file status reports by 4/20/97; 3. Parties request that Court set a status conference on the education issues after 4/20/97 to address any issue that cannot be resolved. (cc: all counsel) (RSB) Modified on 03/27/1997 (Entered: 03/26/1997)
03/27/1997	512	RESPONSE by plaintiff to Defendant's motion to amend Order of 2/27/97 directing payment of witness fees [500-1] (RSB) Modified on 03/27/1997 (Entered: 03/27/1997)
03/27/1997	514	MEMORANDUM by Official Defendant Wilmer Cody (Department of Education) in support of motion to clarify order re: fees to experts. [513-1] (RSB) (Entered: 03/28/1997)
03/27/1997	513	MOTION by Official Defendant Wilmer Cody to clarify order concerning payment of fees to experts (RSB) (Entered: 04/03/1997)
03/28/1997	515	NOTICE OF JOINING IN RECENTLY TENDERED JOINT AGREED ORDER RE EDUCATION ISSUES by Official Defendant Viola Miller (RSB) (Entered: 03/28/1997)
04/03/1997		SUBMITTED re motion for trial on education claims. [497-1], re motion for joinder in County Defendants motion to alter or amend. [498-1], re motion for order allowing Plaintiffs to take deposition of defendants experts [499-1], re motion to amend Order of 2/27/97 directing payment of witness fees [500-1] is submitted (RSB) (Entered: 04/03/1997)
04/15/1997		SUBMITTED re motion to clarify order concerning payment of fees to experts [513-1] is submitted (RSB) (Entered: 04/15/1997)
04/16/1997	516	DEPOSITION of Laura Thomson taken on the following date(s): February 26, 1997 by: Plaintiffs (SEP. VOL.) (RSB) (Entered: 04/16/1997)
04/16/1997	517	DEPOSITION of Clara Fister taken on the following date(s): February 26, 1997 by: Plaintiffs (SEP. VOL.) (RSB) (Entered: 04/16/1997)
04/16/1997	518	DEPOSITION of Joseph Clark taken on the following date(s): February 26, 1997 by: Plaintiffs (SEP. VOL.) (RSB) (Entered: 04/16/1997)
04/18/1997	519	FIFTH AMENDED NOTICE by Official Defendant Clyde Middleton, Official Defendant James Knauf of taking deposition of Carl L. Duncan on May 5, 1997 (RSB) (Entered: 04/18/1997)

04/18/1997	520	FIFTH AMENDED NOTICE by Official Defendant Clyde Middleton and Official Defendant James Knauf of taking deposition of Thomas J. Klem on May 5, 1997 (RSB) (Entered: 04/18/1997)
04/21/1997	521	JOINT STATUS REPORT by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, plaintiff Jean Doe(s), plaintiff John Doe(s), Official Defendant Viola Miller, Official Defendant Wilmer Cody, Official Defendant Paul Patton (RSB) (Entered: 04/22/1997)
04/21/1997	521	REQUEST by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, plaintiff Jean Doe(s), plaintiff John Doe(s), Official Defendant Miller, Official Defendant Wilmer Cody, Official Defendant Paul Patton for status conference on education claims (RSB) (Entered: 04/22/1997)
04/24/1997	522	ORDER by Chief Judge Wm. O. Bertelsman denying as moot Defendants'motion for order allowing Plaintiffs to take deposition of defendants experts [499-1] (cc: all counsel) (RSB) (Entered: 04/24/1997)
04/25/1997	523	ORDER by Chief Judge Wm. O. Bertelsman granting Defendants' motion for status conference on education claims [521-1], setting hearing for MAY 7, 1997 at 2:00 p.m. (cc: counsel) (RSB) (Entered: 04/25/1997)
05/02/1997	524	ORDER by Chief Judge Wm. O. Bertelsman changing hearing on motion for status conference on education claims [521-1] 12:30 5/5/97 (cc: all counsel) (RSB) (Entered: 05/05/1997)
05/06/1997	525	ORDER by Chief Judge Wm. O. Bertelsman: 1.GRANTING Ky Dept of Education's motion to clarify order concerning payment of fees to experts. Court's order of 2/27/97 is hereby clarified to state that the Ky Dept of Education bears no responsibility for the court appointed fire expert witness fees; 2. DENYING without prejudice Defendants' motion to amend Order of 2/27/97 directing payment of witness fees [500-1], 3. GRANTING Defendants' motion for, joinder in County Defendants motion to alter or amend. [498-1], 4. DENYING Plaintiff's motion for trial on education claims. [497-1]; 5. Defendants must file a fee application for services relating to the education issues no later than June 5, 1997; 6. Defendants must submit a status report on education issues no later than May 15, 1997. 7. Defendants must file any response to Plaintiff's fee application no later than June 25, 1997; 8. Plaintiff's may file a reply in support of their fee application no later than July 7, 1997 ;response/brief due 6/5/97 ;reply / brief due 6/25/97 (cc: all counsel) (RSB) (Entered: 05/06/1997)
05/15/1997	526	STATUS REPORT by defendant Corrections Cab KY (RSB) (Entered: 05/16/1997)
05/19/1997	527	DEPOSITION of Carl L. Duncan taken on the following date(s): May 5, 1997 by: Defendant (SEP. VOL.) (RSB) (Entered: 05/19/1997)
05/19/1997	528	DEPOSITION of Thomas Klem taken on the following date(s): May 5,

		1997 by: Defendant (SEP. VOL.) (RSB) (Entered: 05/19/1997)
05/27/1997	529	MOTION by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, Official Defendant Paul Patton to stay briefing schedule on fire safety issues pending settlement negotiations. (RSB) (Entered: 05/28/1997)

06/05/1997	530	MOTION by plaintiff for order to supend filing of attorneys fees petition on education claims. (RSB) (Entered: 06/06/1997)
06/06/1997	531	RESPONSE by plaintiff to motion to stay briefing schedule on fire safety issues pending settlement negotiations. [529-1] (RSB) (Entered: 06/06/1997)
06/06/1997		SUBMITTED re motion to stay briefing schedule on fire safety issues pending settlement negotiations. [529-1] is submitted (RSB) (Entered: 06/06/1997)
06/16/1997	532	ORDER by Chief Judge Wm. O. Bertelsman denying Defendant Patton's motion to stay briefing schedule on fire safety issues pending settlement negotiations. [529-1] (cc: all counsel) (RSB) (Entered: 06/16/1997)
06/23/1997		SUBMITTED re motion for order to supend filing of attorneys fees petition on education claims. [530-1] is submitted (RSB) (Entered: 06/23/1997)
06/23/1997	533	BRIEF FILED by defendant Corrections Cab KY, Official Offical Defendant Clyde Middleton, Official Defendant James Knauf, Official Defendant Paul Patton REGARDING FIRE SAFETY ISSUE. (RSB) (Entered: 06/25/1997)
06/25/1997		----- V O L U M E 14 ----- ----- (RSB) (Entered: 06/25/1997)
06/27/1997	534	MOTION by plaintiff to strike brief regarding fire safety. (RSB) (Entered: 06/27/1997)
06/27/1997	535	MOTION by plaintiff for sanctions (RSB) (Entered: 06/27/1997)
06/27/1997	536	MEMORANDUM by plaintiff in support of motion for sanctions [535-1] (RSB) (Entered: 06/27/1997)
07/15/1997	537	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to Plaintiff's motion to strike brief regarding fire safety. [534-1] (RSB) (Entered: 07/16/1997)

07/15/1997	538	RESPONSE by Official Defendant Clyde Middleton, Official Defendant James Knauf to Plaintiff's motion for sanctions [535-1] (RSB) (Entered: 07/16/1997)
07/15/1997	539	RESPONSE by defendant Corrections Cab KY (SAPP), Official Defendant Paul Patton to Plaintiff's motion for sanctions [535-1] (RSB) (Entered: 07/16/1997)
07/16/1997		SUBMITTED re motion for sanctions [535-1], re motion to strike brief regarding fire safety. [534-1] is submitted (RSB) (Entered: 07/16/1997)
07/21/1997	540	MOTION by plaintiff for findings by the Court on Education Issues (No memorandum submitted) Modified on 07/21/1997 (Entered: 07/21/1997)
07/25/1997	541	REPLY by plaintiff to response to motion for sanctions [535-1]. (RSB) (Entered: 07/25/1997)
07/25/1997	542	AFFIDAVIT of Assistant Chief James Patrick re necessity of sprinklers at jail. (RSB) (Entered: 07/25/1997)
08/06/1997	543	RESPONSE by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, Official Defendant Wilmer Cody, Official Defendant Paul Patton to motion for findings by the Court on Education Issues [540-1] (RSB) (Entered: 08/06/1997)
08/06/1997	543	MOTION by defendant Corrections Cab KY, Official Defendant Clyde Middleton, Official Defendant James Knauf, Official Defendant Wilmer Cody, Official Defendant Paul Patton for summary judgment (RSB) (Entered: 08/06/1997)
08/06/1997		SUBMITTED re motion for findings by the Court on Education Issues [540-1] is submitted (RSB) (Entered: 08/06/1997)
08/06/1997	544	AFFIDAVIT of Barbara Jordan, Education Director re response to Plaintiff's motion for findings on education issues [543-1]. (RSB) (Entered: 08/06/1997)
08/08/1997	545	AFFIDAVIT of Donald F. Younger re Defendants' response [543-1], re Defendants' motion for summary judgment [543-1]. (RSB) (Entered: 08/08/1997)

08/08/1997	546	AFFIDAVIT of Laura Thomson re Defendants' response [543-1], re Defendants' motion for summary judgment [543-1]. (RSB) (Entered: 08/08/1997)
08/14/1997	547	ORDER by Chief Judge Wm. O. Bertelsman setting oral arguments on 9/25/97 at 2:00 on Defendants' motion for summary judgment [543-1] and motion for findings by the Court on Education Issues [540-1] and motion for sanctions [535-1] and on motion to strike brief regarding fire safety. [534-1] and on motion for order to supend filing of attorneys fees petition on education claims. [530-1] (cc: all counsel) (RSB) (Entered: 08/15/1997)
08/18/1997	548	MOTION by plaintiffs to extend time in which to respond to Defendant's motion for summary judgment on education claims. (RSB) (Entered: 08/19/1997)
08/22/1997	549	MOTION by Official Defendant Viola Miller to dismiss fire safety and right to education claims against Ky Cabinet for Families and Children. (RSB) (Entered: 08/25/1997)
08/22/1997	550	RESPONSE by plaintiff to brief filed by defendant regarding fire safety issue. [533-1] (RSB) (Entered: 08/25/1997)
08/22/1997	551	ORDER by Chief Judge Wm. O. Bertelsman: Counsel for plaintiff having a conflict with regard to oral arguments set on pending motions now set for 9/25/97 at 2:00 p.m. and all counsel being in agreement, oral arguments now set for 10/2/97 at 9:00 a.m. for motion for summary judgment [543-1]; and motion for findings by the Court on Education [540-1] and motion for sanctions [535-1]; and motion to strike brief regarding fire safety. [534-1] and motion for order to supend filing of attorneys fees petition on education claims. [530-1] (cc: all counsel) (RSB) (Entered: 08/25/1997)
08/25/1997		----- V O L U M E 15 ----- ----- (RSB) Modified on 06/05/1998 (Entered: 08/25/1997)
08/26/1997		SUBMITTED re motion to extend time in which to respond to Defendant's motion for summary judgment on education claims. [548-1] is submitted (RSB) (Entered: 08/26/1997)
09/02/1997	552	RESPONSE by plaintiff to Defendant's motion for summary judgment [543-1]. (RSB) (Entered: 09/04/1997)
09/02/1997	552	REPLY by plaintiff to response to motion for findings by the Court on Education Issues [540-1] (RSB) (Entered: 09/04/1997)
09/04/1997		SUBMITTED re motion for summary judgment [543-1] is submitted (RSB) (Entered: 09/04/1997)

09/09/1997		SUBMITTED re motion to dismiss fire safety and right to education claims against Ky Cabinet for Families and Children. [549-1] is submitted (RSB) (Entered: 09/09/1997)
10/02/1997	553	ORDER by Chief Judge Wm. O. Bertelsman: Court holding oral arguments on 10/2/97 on all pending motions with Amy Blosser as court reporter; 1. GRANTING Plaintiff's motion for order to suspend filing of atty fees petition on education claims [530]; 2. DENYING AS MOOT Plaintiff's motion to strike brief regarding fire safety; [534-1]; 3. DENYING AS MOOT Plaintiff's motion for sanctions [535-1]; 4. TAKING UNDER SUBMISSION Plaintiff's motion for findings by the court on education [540-1] and Defendant's motion for summary jgm on education issues [543-1]; 5. DENYING AS MOOT Plaintiff's motion to extend time in which to respond to Defendant's motion for summary jgm on education claims [548-1]; 6. GRANTING Defendant's motion to dismiss fire safety and right to education claims against Ky Cabinet for Families and Children; 7. Plaintiff has 15 days, the same being 10/17/97 to provide draft order regarding notice to the class members and fairness hearing. 8. Plaintiff shall file any Affidavits within 10 days the same being 10/13/97. Defendants shall respond 10 days thereafter, being 10/23/97; (cc: all counsel) (RSB) (Entered: 10/02/1997)
10/02/1997	554	SETTLEMENT AGREEMENT by Chief Judge Wm. O. Bertelsman: Re miscellaneous issues . . . (cc: all counsel) (RSB) (Entered: 10/02/1997)
10/14/1997	555	AFFIDAVIT of Mary Salyer re Order of court requesting affidavit re special education issues [553-1], re [553-2]. (RSB) (Entered: 10/14/1997)
10/15/1997	556	MOTION by plaintiffs for approval of fire safety class settlement. (RSB) (Entered: 10/15/1997)
10/23/1997	557	RESPONSE by Defendant, Kenton County to PLAINTIFF'S AFFIDAVIT ON SPECIAL EDUCATION CLAIMS [555-1] (Entered: 10/23/1997)
10/23/1997	558	DEFENDANTS, PAUL PATTON AND DOUG SAPPY'S AFFIDAVIT of Dr. Johnnie Grissom re Special Education Service in the Kenton County Detention Center and Judge Bertelsman's Order of 10/2/97 [553-1]. (RSB) (Entered: 10/27/1997)
10/27/1997	559	RESPONSE by Official Defendant Paul Patton, defendant Corrections Cab KY to Plaintiff's motion for approval of fire safety class settlement. [556-1] (RSB) (Entered: 10/27/1997)
11/03/1997	560	CERTIFIED COPY of 6CCA Order: dismissing appeals as agreed to by parties; [470-1], dismissing the appeal [466-1] (96-6357 and 96-6389). (RSB) (Entered: 11/03/1997)
11/05/1997	561	ORDER by Chief Judge Wm. O. Bertelsman: 1. Proposed notice of class settlement is approved with the following modifications . . . ; 2. Court will conduct a hearing on 12/12/97 at 1:30 p.m. to entertain any objections to the proposed settlement of fire safety claims. 556-1] (cc: all counsel)

		(RSB) (Entered: 11/05/1997)
12/16/1997	562	ORDER by Chief Judge Wm. O. Bertelsman: 1. There being no objections to the Fire Safety settlement proposed by the parties and the court finding the settlement reasonable, the proposed settlement is approved; 2.As the defendants have reached an agreement concerning the division of court appointed experts' fees, the defendants are hereby ordered jointly and severally liable for the court appointed expert witness fees on fire safety; 3. Plaintiffs shall have 30 days from issuance of court's opinion on the education cliams in wich to submit a petition for attys fees. (cc: all counsel) (RSB) (Entered: 12/16/1997)

12/16/1997	563	OPINION AND ORDER: by Chief Judge Wm. O. Bertelsman: 1. DENYING Plaintiffs' motion for findings by the court on education issues [540-1]; 2. GRANTING Defendants' motion for summary jgm on the education issues [543-1]; 3. A separate judgment will enter concurrently herewith dismissing the education claims. (cc: all counsel) (RSB) (Entered: 12/16/1997)
12/16/1997	564	JUDGMENT: by Chief Judge Wm. O. Bertelsman: 1. Education claims are dismissed with prejudice; 2. The last substantive issue having been disposed of, this is a FINAL JUDGMENT dismissing case (cc: all counsel) (RSB) (Entered: 12/16/1997)
01/15/1998	565	MEMORANDUM by plaintiff Jean Doe(s), plaintiff John Doe(s) in support of Plaintiffs' Supplemental Petition for Attorneys' Fees and Costs (Entered: 01/15/1998)
01/15/1998	566	MOTION by plaintiff for attorney fees . (RSB) (Entered: 01/15/1998)
01/27/1998	567	JOINT MOTION to extend time for Defendants' to respond to Plaintiff's Petition for Atty Fees, up to and including 2/16/98 and to allow Plaintiff to file reply by 3/9/98. (RSB) (Entered: 01/30/1998)
01/30/1998		SUBMITTED re motion to extend [567-1] is submitted (RSB) (Entered: 01/30/1998)
02/02/1998	568	ORDER by Chief Judge Wm. O. Bertelsman: GRANTING joint parties motion to extend time to respond to petition for atty fees with response due 2/16/98 and reply due 3/9/98. [567-1] (cc: all counsel) (RSB) (Entered: 02/02/1998)
02/10/1998	569	MAIL Returned [568-1], [568-2] addressed to Hon. Joseph Meyer with forwarding address to 106 West 11th Street, Covington, Ky 41011; Mail resent to new address and change of address noted. (RSB) (Entered: 02/10/1998)
02/11/1998	570	ORDER by Chief Judge Wm. O. Bertelsman: Ordering that billings of the fire experts be paid on or before 2/20/98. No extensions will be granted. (cc: all counsel) (RSB) (Entered: 02/11/1998)
02/17/1998	571	RESPONSE by Defendant Kenton County to Plaintiff's motion for attorney fees [566-1] (RSB) (Entered: 02/19/1998)
02/17/1998	572	EXHIBITS of Kenton County in response to Plaintiff's motion for atty fees IN SEPARATE BINDER. (RSB) (Entered: 02/19/1998)

02/17/1998	573	RESPONSE by State defendants to Plaintiff's motion for attorney fees [566-1] (RSB) (Entered: 02/19/1998)
02/18/1998	574	MOTION by Atty R. Thaddeus Keal for leave to withdraw as counsel for Defendant Kenton County. (RSB) (Entered: 02/19/1998)
02/19/1998	575	MOTION by Official Defendant for leave to withdraw appearance as counsel of record for Kenton County. (RSB) (Entered: 02/19/1998)
03/09/1998	576	REPLY by plaintiff to response to motion for attorney fees [566-1] (RSB) (Entered: 03/09/1998)
03/09/1998		SUBMITTED re motion for leave to withdraw appearance as counsel of record for Kenton County. [575-1], re motion for leave to withdraw as counsel for Defendant Kenton County. [574-1], re motion for attorney fees [566-1] is submitted (RSB) (Entered: 03/09/1998)
03/16/1998	577	MOTION by Atty Barbar Jones for defendant Corrections Cab KY for leave to withdraw as atty of record and substitute Stephen P. Durham. (RSB) (Entered: 03/17/1998)
04/27/1998	578	JOINT MOTION by plaintiff and state defendants for an order approving settlment on atty fees and costs. (RSB) (Entered: 04/28/1998)
04/27/1998	579	AGREED ORDER by Chief Judge Wm. O. Bertelsman granting motion for an order [578-1] for agreement on atty fees and State Defendants shall collectively pay the sum of \$215,000.00 jointly to the Childrens' Law Center and Youth Law Center as complete and total satisfaction for any and all atty fees and costs due and owing by these defendants or Plaintiffs class or their attys and any further cliams for atty fees and costs against these State Defendants is hereby dismissed as withdrawn. (cc: all counsel) (RSB) (Entered: 04/28/1998)
05/11/1998		----- V O L U M E 16 ----- ----- (RSB) (Entered: 06/05/1998)
05/12/1998	580	ORDER by Mag Judge J. G. Wehrman: A telephone status conference was held on 5/11/98: 1. TAKING UNDER SUBMISSION motion for attorney fees [566-1]; 2. GRANTING Attys Thad Keal and James Burd's motion for leave to withdraw as counsel for Defendant Kenton County. [574-1] [575-1]; 3. GRANTING motion of Barbara Jones for leave to withdraw appearance for Justice Cabinet; and substituting Stephen P. Durham. (cc: all counsel) (RSB) (Entered: 05/13/1998)
05/27/1998	581	ORDER by Chief Judge Wm. O. Bertelsman referring to Mag Judge J. G. Wehrman the motion for attorney fees [566-1] for Report and Recommendation. (cc: all counsel) (RSB) (Entered: 05/27/1998)

06/08/1998	582	REPORT AND RECOMMENDATION by Mag Judge J. G. Wehrman: RECOMMENDS motion for attorney fees fees [566-1] be GRANTED. Plaintiffs should be awarded attorney's fees in the amount of \$502,396.02, and costs in the amount of \$93,957.31. In light of the settlement by the State defendant, the County is entitled to a credit against the total amount awarded in the amount of \$215,000.00. Therefore attorney's fees and costs should be awarded in favor of the plaintiffs and against the County for the net total sum of \$381,353.33. Motions of Thad Keal and James Burd to withdraw as counsel for the deft Kenton County [Doc. #574, 575] should be GRANTED, as should the motion of Barbara Jones to withdraw as counsel for the Corrections Cabinet and to substitute counsel Stephen Durham [Doc. #577]. Finally, as this case is fully concluded, it should be dismissed and stricken from the docket. Objections to this Report and Recommendation must be filed with the Clerk of Court within 10 days of the date of service (6/22/98) or further appeal is waived. A party may file a response to another party's objections within 10 days after being served with a copy thereof. (cc: all counsel) (Entered: 06/08/1998)
06/22/1998	583	OBJECTIONS by Defendant, Kenton County to motion REPORT AND RECOMMENDATION [582-1] (RSB) Modified on 06/24/1998 (Entered: 06/24/1998)
06/23/1998		SUBMITTED re motion REPORT AND RECOMMENDATION [582-1] is submitted (RSB) (Entered: 06/23/1998)
07/07/1998	584	ORDER by Chief Judge Wm. O. Bertelsman: Overruling objections to Report and Recommendation of the Magistrate Judge, except for formula calculation . . .and otherwise adopting REPORT AND RECOMMENDATION [582-1]; 2. Sum of \$251,198.01 for atty fes and \$36,978.66 for costs is awarded in favor of the plaintiffs and their attys against the county defendants [566-1] (cc: all counsel) (RSB) (Entered: 07/07/1998)
07/08/1998	585	MOTION by Defendant Department of Education to withdraw attorney Barbara D. Bonar , and to substitute attorney Kevin Noland. (RSB) (Entered: 07/09/1998)
07/10/1998	586	ORDER by Chief Judge Wm. O. Bertelsman granting motion to withdraw attorney Barbara D. Bonar [585-1] for Wilmer Cody, and substitute attorney Kevin Noland [585-2] for Wilmer Cody (cc: all counsel) (RSB) (Entered: 07/13/1998)
08/05/1998	589	NOTICE OF APPEAL by Official Defendant Clyde Middleton, Official Defendant James Knauf from Dist. Court decision Order and Report and Reccomendation [584-1], (cc: all counsel) (RSB) (Entered: 08/06/1998)
08/05/1998		RECEIVED re [589-1] fee in amount of \$ 105.00 (Receipt # 072262) (RSB) (Entered: 08/06/1998)
08/06/1998	587	ATTORNEY APPEARANCE for Official Defendant Clyde Middleton, Official Defendant James Knauf by Sun S. Choy (RSB) (Entered: 08/06/1998)

		08/06/1998)
08/06/1998	588	ATTORNEY SUBSTITUTION: terminating attorney R. Thaddeus Keal for James Knauf, attorney James M. Burd for James Knauf, attorney R. Thaddeus Keal for Clyde Middleton, attorney James M. Burd for Clyde Middleton and substituting attorney Sun Choy for same. (RSB) (Entered: 08/06/1998)
08/06/1998	590	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [589-1] with Report and Recommendation and Order (cc: all counsel) (RSB) (Entered: 08/06/1998)

08/12/1998	591	NOTIFICATION by 6CCA of Appellate Docket Number 98-6067 (RSB) (Entered: 08/12/1998)
08/24/1998	592	TRANSCRIPT DESIGNATION and Ordering Form for dates: None. (RSB) (Entered: 08/24/1998)
09/21/1998	593	NOTICE of change of address by Atty Sun S. Choy to Landrum & Shouse, 220 West Main Street Suite 1900, Louisville,Ky 40202. (RSB) (Entered: 09/21/1998)
01/12/1999	594	MOTION by plaintiff for status conference. (RSB) (Entered: 01/12/1999)
01/26/1999	595	ORDER by Judge Wm. O. Bertelsman GRANTING Plaintiff's motion for status conference. [594-1] and setting status hearing set for 1:30 2/12/99 (cc: all counsel) (RSB) (Entered: 01/26/1999)
01/27/1999	596	CERTIFIED COPY of 6CCA Order: Parties agree to the dismissing the appeal [589-1] (RSB) (Entered: 01/27/1999)
02/08/1999	597	MOTION by Official Defendant Clyde Middleton, Official Defendant James Knauf to modify settlement agreement of 10/2/97 (RSB) (Entered: 02/08/1999)
02/12/1999	598	ORDER by Judge Wm. O. Bertelsman: On 2/12/99 a status conference was held with parties with Amy Blosser as court reporter: 1. GRANTING Defendant's motion to modify settlement agreement of 10/2/97 [597-1] as follows: The court shall continue the terms of the settlement agreement until 4/1/99; Plaintiff's have until 3/15/99 to file objections to continuing settlement agreement beyond 4/1/99. Objections shall be supported by fact specific affidavits; Plaintiffs shall have access to the Kenton County Juvenile Detention Center to monitor the treatment of juveniles housed there throughout the pendency of the terms of said settlement agreement. (cc: all counsel) (RSB) Modified on 02/12/1999 (Entered: 02/12/1999)
02/12/1999	599	RESPONSE by plaintiff to County Defendants' motion to modify settlement agreement. (RSB) Modified on 02/16/1999 (Entered: 02/16/1999)
02/16/1999	600	TRANSCRIPT filed of oral arguments before Judge Bertelsman Date(s) of transcript 2/12/99; Amy Blosser court reporter. (RSB) (Entered: 02/16/1999)
03/31/1999	601	STATUS REPORT by Official Defendants and plaintiff. (RSB) (Entered: 03/31/1999)

05/28/1999		RECEIPT by Plaintiff for exhibits returned from evidentiary hrg. (RSB) (Entered: 06/01/1999)
06/15/1999	603	CERTIFICATE of destruction of def exhibits. (RSB) (Entered: 07/16/1999)
07/26/1999	604	JOINT STATUS REPORT by Kenton Cty Defs, Pla and Dept of Justice. (RSB) (Entered: 07/26/1999)

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