

**U.S. District Court
Middle District of Florida (Ft. Myers)
CIVIL DOCKET FOR CASE #: 2:04-cv-00260-UA-DNF**

Canupp, et al v. Liberty Behavioral, et al
Assigned to: Judge Unassigned Judge
Referred to: Magistrate Judge Douglas N. Frazier
Demand: \$0

Case in other court: 09-15949-D

09-16334D
10-10110-D
10-10111-D
10-10112-D
10-10113-D
10-10114-D
10-10115-D
10-10116-D
10-10117-D
10-10118-D
10-10135-D
10-10567-D
10-11826-D

Date Filed: 05/07/2004
Date Terminated: 11/24/2009
Jury Demand: None
Nature of Suit: 555 Prisoner Civil Rights
(Prison Condition)
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

Roger G. Canupp

*individually and on behalf of a Class of
all persons similarly situated*

represented by **Alice K. Nelson**
Southern Legal Counsel, Inc.
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Gainesville, FL 32601-4113
352/271-8890
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cassandra Capobianco

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TERMINATED: 05/18/2006
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Plaintiff

Jacob Myers

*individually and on behalf of a Class of
all persons similarly situated*

represented by **Alice K. Nelson**
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LEAD ATTORNEY
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Cassandra Capobianco
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Peter Prescott Sleasman
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Plaintiff

Lawrence McGee

*in need of a next friend and individually
and on behalf of a Class of all persons
similarly situated*

represented by **Alice K. Nelson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cassandra Capobianco
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Lisa White Shirley
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LEAD ATTORNEY
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Peter Prescott Sleasman
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Plaintiff

Hubert Davidson

*individually and on behalf of a Class of
all persons similarly situated*

represented by **Alice K. Nelson**
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LEAD ATTORNEY
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Cassandra Capobianco
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TERMINATED: 05/18/2006
LEAD ATTORNEY
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Peter Prescott Sleasman
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Plaintiff

Tywaun Jackson
*individually and on behalf of a Class of
all persons similarly situated*

represented by **Alice K. Nelson**
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Cassandra Capobianco
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Kristen Cooley Lentz
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Peter Prescott Sleasman
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Plaintiff

Charles Durden
*individually and behalf of a Class of all
persons similarly situated*

represented by **Alice K. Nelson**
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Cassandra Capobianco
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Christopher Michael Jones
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Kristen Cooley Lentz
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TERMINATED: 05/18/2006
LEAD ATTORNEY
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Peter Prescott Sleasman
(See above for address)
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Plaintiff

Daniel Fabian

*individually and on behalf of a Class of
all persons similarly situated
TERMINATED: 03/15/2005*

represented by **Alice K. Nelson**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Cassandra Capobianco
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Peter Prescott Sleasman
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Plaintiff

Bruce Kramer

*individually and on behalf of a Class of
all persons similarly situated
TERMINATED: 03/15/2005*

represented by **Alice K. Nelson**
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*LEAD ATTORNEY
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Cassandra Capobianco
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Christopher Michael Jones
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Kristen Cooley Lentz
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*LEAD ATTORNEY
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Peter Prescott Sleasman
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Intervenor Plaintiff

Roosevelt Reed

TERMINATED: 03/16/2009

represented by **Roosevelt Reed**
#99-1199
Florida Civil Commitment Center
13613 S.E. Hwy. 70
Arcadia, FL 34266
PRO SE

V.

Defendant

Liberty Behavioral Healthcare Corp.
TERMINATED: 01/16/2007

represented by **Barbara C. Fromm**
Jolly & Peterson, PA
PO Box 37400
Tallahassee, FL 32315
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Fax: 850/422-1913
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202-233-1094
Fax: 202-233-2252
Email: jhaymes@bop.gov
TERMINATED: 10/17/2005
ATTORNEY TO BE NOTICED

Defendant

Jerry Regier
*in his official capacity as Secretary of the
Department of Children and Families*
TERMINATED: 12/20/2004

represented by **Cecilia Bradley**
Office of the Attorney General*
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Tallahassee, FL 32399-1050
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TERMINATED: 07/06/2006
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TERMINATED: 02/23/2007
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Lucy Hadi

*Secretary of the Department of Children
and Families
TERMINATED: 03/26/2007*

represented by **Caryl Kilinski**
Attorney General's Office*
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Tallahassee, FL 32399-1050
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Cecilia Bradley

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TERMINATED: 07/06/2006
LEAD ATTORNEY
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Chesterfield Smith , Jr.

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Jason Vail

(See above for address)
TERMINATED: 02/23/2007
ATTORNEY TO BE NOTICED

Defendant

George H. Sheldon

*Secretary of the Department of Children
and Families*

represented by **Susan A. Maher**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

GEO, Inc.

TERMINATED: 06/04/2007

Movant

Timothy Budz

TERMINATED: 04/06/2007

represented by **Gregory A. Kummerlen**
Wiederhold, Moses, Kummerlen
& Waronicki, PA*
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Movant

Dr. Angela Garrido
TERMINATED: 04/06/2007

represented by **Gwendolyn Palmer Adkins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer Ann Sullivan Davis
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

David Yzaguirre
TERMINATED: 01/09/2009

represented by **David Yzaguirre**
#934
Florida Civil Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Khalie Hamid
TERMINATED: 01/09/2009

represented by **Khalie Hamid**
#934
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Craig Williams
TERMINATED: 01/09/2009

represented by **Craig Williams**
#650
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Aaron Marsh
TERMINATED: 01/09/2009

represented by **Aaron Marsh**
#122
Florida Commitment Center
13613 S.E. Highway 70

Arcadia, FL 34266-7829
PRO SE

Movant

Joseph Shaw
TERMINATED: 01/09/2009

represented by **Joseph Shaw**
#492
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Dwayne Head
TERMINATED: 01/09/2009

represented by **Dwayne Head**
#253
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Frank Wade
TERMINATED: 01/09/2009

represented by **Frank Wade**
#926
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Samuel Lane
TERMINATED: 01/09/2009

represented by **Samuel Lane**
#628
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

William Morales
TERMINATED: 01/09/2009

represented by **William Morales**
#715
Florida Civil Commitment Center
13619 SE Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Barba Neil
TERMINATED: 01/09/2009

represented by **Barba Neil**
#996
Florida Commitment Center
13613 S.E. Highway 70
Arcadia, FL 34266-7829
PRO SE

Movant

Michael Ward
TERMINATED: 01/09/2009

represented by **Michael Ward**
#453
Florida Civil Commitment Center
13613 S.E. Hwy. 70
Arcadia, FL 34266
PRO SE

Movant

Harden James
TERMINATED: 01/09/2009

represented by **Harden James**
 #802
 Florida Commitment Center
 13613 S.E. Highway 70
 Arcadia, FL 34266-7289
 PRO SE

Movant

Devin Allen
TERMINATED: 01/09/2009

represented by **Devin Allen**
 #990420
 Florida Civil Commitment Center
 13613 S.E. Hwy. 70
 Arcadia, FL 34266
 PRO SE

Movant

Daniel Sinclair
TERMINATED: 01/09/2009

represented by **Daniel Sinclair**
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 Florida Civil Commitment Center
 Mail Box 862 Bldg. E Apt. 2206
 13613 S.E. Highway 70
 Arcadia, FL 34266-7829
 PRO SE

Movant

John Oakley
TERMINATED: 01/09/2009

represented by **John Oakley**
 #107
 Florida Commitment Center
 13613 S.E. Highway 70
 Arcadia, FL 34266-7829
 PRO SE

Movant

Robert Williams
TERMINATED: 01/09/2009

represented by **Robert Williams**
 #793
 Florida Commitment Center
 13613 S.E. Highway 70
 Arcadia, FL 34266-7829
 PRO SE

Movant

Joseph W. Finfrock

represented by **Joseph W. Finfrock**
 #990959
 Florida Civil Commitment Center
 13613 S.E. Hwy. 70
 Arcadia, FL 34266
 PRO SE

Movant

Robert Zaferes

represented by **Robert Zaferes**
 #990971
 Florida Civil Commitment Center
 13619 S.E. Hwy. 70
 Arcadia, FL 34266-7829
 PRO SE

| Date Filed | # | Docket Text |
|------------|----------|--|
| 05/07/2004 | <u>1</u> | CLASS ACTION COMPLAINT for injunctive relief sought filed Filing fee \$ 150.00 Receipt # F005213 (sll) (Entered: 05/07/2004) |

| | | |
|------------|-----------|---|
| 05/07/2004 | | MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Douglas N. Frazier (sll) (Entered: 05/07/2004) |
| 05/07/2004 | <u>2</u> | INTERESTED PERSONS ORDER (Signed by Judge John E. Steele) ctc (lap) (Entered: 05/11/2004) |
| 05/07/2004 | <u>3</u> | NOTICE of designation under Local Rule 3.05 – TRACK 2. (ctc) (lap) (Entered: 05/11/2004) |
| 05/17/2004 | <u>4</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer of pendency of other actions re: order of compliance to local rule (sll) (Entered: 05/18/2004) |
| 05/17/2004 | <u>5</u> | CERTIFICATE OF SERVICE of [3–1] track 2 notice by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer (sll) (Entered: 05/18/2004) |
| 05/17/2004 | <u>6</u> | CERTIFICATE OF COMPLIANCE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer Re: [2–1] order (sll) (Entered: 05/18/2004) |
| 06/16/2004 | <u>7</u> | NOTICE of filing waiver of service by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer (sll) (Entered: 06/16/2004) |
| 06/16/2004 | <u>8</u> | NOTICE of filing waiver of service by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer (sll) (Entered: 06/16/2004) |
| 06/18/2004 | <u>9</u> | NOTICE of attorney appearance for Jerry Regier by Chesterfield Smith Jr., Cecilia Bradley, Edwin Jason Vail (sll) (Entered: 06/21/2004) |
| 06/21/2004 | <u>10</u> | PLAINTIFF'S UNOPPOSED MOTION by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer (unopposed) for telephonic case management meeting referred to Magistrate Judge Douglas N. Frazier (proposed order attached) (sll) (Entered: 06/21/2004) |
| 06/28/2004 | <u>11</u> | ORDER granting [10–1] consent motion (unopposed) for telephonic case management meeting (Signed by Magistrate Judge Douglas N. Frazier) ctc (sll) (Entered: 06/29/2004) |
| 07/02/2004 | <u>12</u> | MOTION by Jerry Regier with memorandum in support to extend time to answer or otherwise plead referred to Magistrate Judge Douglas N. Frazier (proposed order attached) (sll) (Entered: 07/02/2004) |
| 07/06/2004 | <u>13</u> | CERTIFICATE OF COMPLIANCE by Jerry Regier Re: [2–1] order (sll) (Entered: 07/06/2004) |
| 07/06/2004 | <u>14</u> | MOTION by Liberty Behavioral with memorandum in support to extend time to answer or otherwise plead referred to Magistrate Judge Douglas N. Frazier (proposed order attached) (sll) (Entered: 07/06/2004) |
| 07/06/2004 | <u>15</u> | INTERESTED PERSONS ORDER directing Liberty Behavioral Healthcare Corporation to file a certificate of interested persons and corporate disclosure statement within 11 days. (Signed by Judge John E. Steele) ctc (sll) (Entered: 07/06/2004) |
| 07/12/2004 | <u>16</u> | NOTICE of Appearance by Jennifer R. Haymes on behalf of Liberty Behavioral Healthcare Corp. (Haymes, Jennifer) (Entered: 07/12/2004) |
| 07/12/2004 | <u>17</u> | NOTICE of Appearance by Barbara C. Fromm, John W. Jolly Jr. on behalf of Liberty Behavioral Healthcare Corp. (slu,) (Entered: 07/13/2004) |
| 07/13/2004 | <u>18</u> | CASE MANAGEMENT REPORT. (Lentz, Kristen) (Entered: 07/13/2004) |
| 07/13/2004 | <u>19</u> | SUGGESTION of track change by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Liberty Behavioral Healthcare Corp., Lawrence McGee, Jacob Myers, Jerry Regier. (Lentz, Kristen) (Entered: 07/13/2004) |

| | | |
|------------|-----------|--|
| 07/14/2004 | <u>20</u> | CERTIFICATE of interested persons and corporate disclosure statement by Liberty Behavioral Healthcare Corp.. (Fromm, Barbara) (Entered: 07/14/2004) |
| 07/20/2004 | <u>21</u> | ORDER granting <u>12</u> Motion for extension of time to answer Jerry Regier answer due 7/23/2004. . Signed by Judge Douglas N. Frazier on 7/20/2004. (slu,) (Entered: 07/21/2004) |
| 07/20/2004 | <u>22</u> | ORDER granting <u>14</u> Motion for extension of time to answer Liberty Behavioral Healthcare Corp. answer due 7/23/2004. . Signed by Judge Douglas N. Frazier on 7/20/2004. (slu,) (Entered: 07/21/2004) |
| 07/22/2004 | <u>23</u> | <i>Defendant's</i> ANSWER to complaint <i>and Defenses</i> by Jerry Regier.(Smith, Chesterfield) (Entered: 07/22/2004) |
| 07/22/2004 | <u>24</u> | MOTION for Judgment on the Pleadings (<i>Partial</i>) <i>and/or for Partial Summary Judgment</i> by Jerry Regier. (Attachments: # <u>1</u> Exhibit Exhibit Index# <u>2</u> Exhibit Affidavit of Jean Evans# <u>3</u> Exhibit Order, Marsh v. State of Florida# <u>4</u> Exhibit Affidavit of Bruce Kramer# <u>5</u> Exhibit Exhibit 4 Cover Sheet# <u>6</u> Exhibit Incident Reports pages 1-70# <u>7</u> Exhibit Incident Reports Pages 71-140# <u>8</u> Exhibit Incident Reports Pages 141-174# <u>9</u> Exhibit Affidavit of Gregory Venz)(Smith, Chesterfield) (Entered: 07/22/2004) |
| 07/23/2004 | <u>25</u> | ANSWER to complaint by Liberty Behavioral Healthcare Corp..(Jolly, John) (Entered: 07/23/2004) |
| 07/27/2004 | <u>26</u> | MOTION for Extension of Time to File <i>Response to Defendant Regier's Motion for Partial Judgment on the Pleadings and/or for Partial Summary Judgment</i> by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Lentz, Kristen) (Entered: 07/27/2004) |
| 08/04/2004 | <u>27</u> | MOTION to certify class by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Lentz, Kristen) (Entered: 08/04/2004) |
| 08/10/2004 | <u>28</u> | NOTICE by Jerry Regier <i>of filing additional exhibits re motion for judgment on the pleadings and/or msj</i> (Attachments: # <u>1</u>)(Smith, Chesterfield) (Entered: 08/10/2004) |
| 08/11/2004 | <u>29</u> | MOTION to extend time to serve response to Plaintiffs' Motion for Class Certification by Liberty Behavioral Healthcare Corp., Jerry Regier. (Fromm, Barbara) (Entered: 08/11/2004) |
| 08/13/2004 | <u>30</u> | MOTION for Extension of Time to File <i>response</i> by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Lentz, Kristen) (Entered: 08/13/2004) |
| 08/16/2004 | <u>31</u> | ORDER granting <u>26</u> Motion for Extension of Time to File response no later than 8/30/04 . Signed by Judge Douglas N. Frazier on 8/16/2004. (slu,) (Entered: 08/16/2004) |
| 08/16/2004 | <u>32</u> | ORDER granting <u>29</u> Motion to extend time to file response no later than 9/13/04 . Signed by Judge Douglas N. Frazier on 8/16/2004. (slu,) (Entered: 08/16/2004) |
| 08/17/2004 | <u>33</u> | ORDER denying as moot <u>30</u> Motion for Extension of Time to File . Signed by Judge Douglas N. Frazier on 8/17/2004. (slu,) (Entered: 08/19/2004) |
| 08/30/2004 | <u>34</u> | MOTION for discovery <i>Pursuant to Rule 56(f)</i> by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Capobianco, Cassandra) (Entered: 08/30/2004) |
| 08/30/2004 | <u>35</u> | RESPONSE in opposition re <u>24</u> MOTION for Judgment on the Pleadings (<i>Partial</i>) <i>and/or for Partial Summary Judgment</i> filed by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Capobianco, Cassandra) (Entered: 08/30/2004) |
| 08/30/2004 | <u>36</u> | REQUEST for oral argument by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers. (Capobianco, Cassandra) (Entered: 08/30/2004) |

| | | |
|------------|-----------|--|
| 08/30/2004 | <u>37</u> | NOTICE by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers <i>Notice of filing Plaintiffs' Statement of Material Facts</i> (Lentz, Kristen) (Entered: 08/30/2004) |
| 08/31/2004 | <u>38</u> | MOTION for Extension of Time to File by Jerry Regier. (Vail, Edwin) (Entered: 08/31/2004) |
| 09/14/2004 | <u>39</u> | RESPONSE in opposition re <u>34</u> MOTION for discovery <i>Pursuant to Rule 56(f)</i> filed by Jerry Regier. (Vail, Edwin) (Entered: 09/14/2004) |
| 09/16/2004 | <u>40</u> | ORDER granting <u>38</u> Motion for Extension of Time to File . Signed by Judge Douglas N. Frazier on 9/16/2004. (slu,) (Entered: 09/16/2004) |
| 09/21/2004 | 41 | Case reassigned to Judge Virginia M. Hernandez Covington. Judge John E. Steele no longer assigned to the case. New case number: 2:04-cv-260-FTM-33DNF (LAG,) (Entered: 09/21/2004) |
| 09/30/2004 | <u>42</u> | NOTICE by Roger G. Canupp, Hubert Davidson, Charles Durden, Daniel Fabian, Tywaun Jackson, Bruce Kramer, Lawrence McGee, Jacob Myers <i>of filing declaration</i> (Lentz, Kristen) (Entered: 09/30/2004) |
| 10/13/2004 | <u>43</u> | MOTION for Extension of Time to File Response/Reply as to <u>27</u> MOTION to certify class by Jerry Regier. (Smith, Chesterfield) (Entered: 10/13/2004) |
| 10/21/2004 | <u>44</u> | ORDER granting <u>43</u> Motion for Extension of Time to File Response/Reply re <u>27</u> MOTION to certify class Responses due no later than 11/10/2004. Signed by Judge Douglas N. Frazier on 10/21/2004. (slu,) (Entered: 10/22/2004) |
| 11/05/2004 | <u>45</u> | RESPONSE to motion re <u>27</u> MOTION to certify class <i>with memorandum and exhibits</i> filed by Jerry Regier. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Vail, Jason) (Entered: 11/05/2004) |
| 11/05/2004 | <u>46</u> | REQUEST for oral argument re <u>27</u> MOTION to certify class, <u>45</u> Response to motion by Jerry Regier. (Vail, Jason) (Entered: 11/05/2004) |
| 11/10/2004 | <u>47</u> | NOTICE by Liberty Behavioral Healthcare Corp. re <u>45</u> Response to motion (Jolly, John) (Entered: 11/10/2004) |
| 12/14/2004 | <u>48</u> | MOTION to substitute party by Jerry Regier. (Bradley, Cecilia) (Entered: 12/14/2004) |
| 12/14/2004 | <u>49</u> | NOTICE by Jerry Regier <i>Notice of Serving Response to Plaintiffs' First Request for Production</i> (Bradley, Cecilia) (Entered: 12/14/2004) |
| 12/20/2004 | <u>50</u> | ORDER granting <u>48</u> Motion to substitute party. Lucy Hadi rep by Cecilia Bradley added. Jerry Regier terminated . Signed by Judge Douglas N. Frazier on 12/20/2004. (slu,) (Entered: 12/21/2004) |
| 01/18/2005 | <u>51</u> | ORDER granting <u>34</u> Motion for discovery . The Court will defer ruling on Defendants' Motion for Judgment on the Pleadings (Doc. #24) until Plaintiff has completed its Rule 56(f) discovery. Such discovery shall be completed no later than 4/30/05. Signed by Judge Douglas N. Frazier on 1/18/2005. (slu) (Entered: 01/19/2005) |
| 01/18/2005 | <u>52</u> | ORDER denying as moot re <u>36</u> Request for oral argument filed by Bruce Kramer, Roger G. Canupp, Jacob Myers, Lawrence McGee,, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, . Signed by Judge Douglas N. Frazier on 1/18/2005. (slu) (Entered: 01/19/2005) |
| 01/21/2005 | <u>53</u> | MOTION for reconsideration by Jerry Regier. (Attachments: # <u>1</u>)(Vail, Jason) (Entered: 01/21/2005) |
| 01/28/2005 | <u>54</u> | NOTICE by Lucy Hadi re <u>45</u> Response to motion (Attachments: # <u>1</u>)(Vail, Jason) (Entered: 01/28/2005) |
| 02/04/2005 | <u>55</u> | MOTION to dismiss Plaintiffs Bruce Kramer and Daniel Fabian and Count 4 of Class Action Complaint by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer. (Lentz, Kristen) (Entered: 02/04/2005) |

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| 02/04/2005 | <u>56</u> | RESPONSE to motion re <u>53</u> MOTION for reconsideration filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer. (Lentz, Kristen) (Entered: 02/04/2005) |
| 02/04/2005 | <u>57</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer re <u>27</u> MOTION to certify class (Lentz, Kristen) (Entered: 02/04/2005) |
| 02/24/2005 | <u>58</u> | MOTION for protective order by Lucy Hadi. (Bradley, Cecilia) (Entered: 02/24/2005) |
| 02/25/2005 | <u>59</u> | MOTION for protective order by Liberty Behavioral Healthcare Corp.. (Jolly, John) (Entered: 02/25/2005) |
| 03/10/2005 | <u>60</u> | RESPONSE to motion re <u>58</u> MOTION for protective order, <u>59</u> MOTION for protective order filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer. (Lentz, Kristen) (Entered: 03/10/2005) |
| 03/14/2005 | <u>61</u> | ORDER granting <u>58</u> Motion for protective order, granting <u>59</u> Motion for protective order . Signed by Judge Sheri Polster Chappell on 3/14/2005. (slu) (Entered: 03/14/2005) |
| 03/14/2005 | <u>62</u> | ORDER granting <u>55</u> Motion to dismiss . The Clerk of Court shall correct the caption of this action to reflect the dismissal of Plaintiffs Fabian and Kramer. Signed by Judge Virginia M. Hernandez Covington on 3/14/2005. (slu) (Entered: 03/15/2005) |
| 03/17/2005 | <u>63</u> | ORDER denying as moot <u>53</u> Motion for reconsideration re <u>51</u> Order on motion for discovery, <u>62</u> Order on motion to dismiss, <u>61</u> Order on motion for protective order, . Signed by Judge Douglas N. Frazier on 3/17/2005. (slu) (Entered: 03/18/2005) |
| 03/18/2005 | <u>64</u> | NOTICE of Appearance by Lisa White Shirley on behalf of all plaintiffs (Shirley, Lisa) (Entered: 03/18/2005) |
| 03/22/2005 | <u>65</u> | ORDER denying as moot <u>24</u> Motion for Judgment on the Pleadings . Signed by Judge Virginia M. Hernandez Covington on 3/22/2005. (slu) (Entered: 03/22/2005) |
| 03/29/2005 | <u>66</u> | ORDER granting to the extent that the Court will certify two separate subclasses (see order for details) <u>27</u> Motion to certify class . Signed by Judge Virginia M. Hernandez Covington on 3/29/2005. (slu) (Entered: 03/30/2005) |
| 04/07/2005 | <u>67</u> | MOTION for reconsideration re <u>66</u> Order on motion to certify class by Jerry Regier. (Attachments: # <u>1</u>)(Vail, Jason) (Entered: 04/07/2005) |
| 04/08/2005 | <u>68</u> | MOTION for Extension of Time to File Response/Reply by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 04/08/2005) |
| 04/12/2005 | <u>69</u> | ORDER granting <u>68</u> Motion for Extension of Time to File Response/Reply re <u>67</u> MOTION for reconsideration re <u>66</u> Order on motion to certify class Responses due by 4/28/2005. Signed by Judge Douglas N. Frazier on 4/12/2005. (slu) (Entered: 04/12/2005) |
| 04/28/2005 | <u>70</u> | RESPONSE in opposition re <u>67</u> MOTION for reconsideration re <u>66</u> Order on motion to certify class filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u>)(Lentz, Kristen) (Entered: 04/28/2005) |
| 04/29/2005 | <u>71</u> | NOTICE by Lucy Hadi <i>response to Plaintiffs' request for production</i> (Vail, Jason) Modified on 4/29/2005 (slu). (Entered: 04/29/2005) |
| 07/01/2005 | <u>72</u> | ORDER denying <u>67</u> Motion for reconsideration . The Clerk of Court shall designate this action as a Track 3 Case in accordance with Local Rule 3.05. The parties shall comply with the requirements of Local Rule 3.05(a)(3) and shall file an Amended Case Management Report within 20 days of this Order. Signed by Judge Virginia M. Hernandez Covington on 6/30/05. (slu) (Entered: 07/01/2005) |

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| 07/06/2005 | <u>73</u> | AMENDED RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 3 Notice of pendency of other actions due by 7/18/2005.Signed by Judge Virginia M. Hernandez Covington on 7/6/2005. (BJH,) (Entered: 07/06/2005) |
| 07/11/2005 | <u>74</u> | NOTICE by Lucy Hadi response to Plaintiff's third request for production of documents. (js) (Entered: 07/12/2005) |
| 07/18/2005 | <u>75</u> | NOTICE of pendency of other actions re <u>73</u> order of compliance to Local Rule by Liberty Behavioral Healthcare Corp. Related case(s): no (Haymes, Jennifer) (Entered: 07/18/2005) |
| 07/19/2005 | <u>76</u> | CASE MANAGEMENT REPORT. (Sleasman, Peter) (Entered: 07/19/2005) |
| 07/19/2005 | <u>77</u> | NOTICE by Lucy Hadi (Bradley, Cecilia) (Entered: 07/19/2005) |
| 07/20/2005 | <u>78</u> | ORDER directing the Plaintiff to meet and confer with opposing counsel for the filing of a Case Management Report within TWENTY days of this Order. The Case Management Report shall be filed within TEN days of the meeting. Signed by Judge Virginia M. Hernandez Covington on 7/20/2005. (mem) (Entered: 07/20/2005) |
| 07/28/2005 | <u>79</u> | Unopposed MOTION for leave to hold telephonic Rule 3.05 case management meeting by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden, Daniel Fabian, Bruce Kramer. (Capobianco, Cassandra) (Entered: 07/28/2005) |
| 08/03/2005 | <u>80</u> | ORDER granting <u>79</u> Unopposed Motion for Telephonic Rule 3.05 Case Management Meeting . Signed by Judge Douglas N. Frazier on 8/3/2005. (js) (Entered: 08/04/2005) |
| 08/18/2005 | <u>81</u> | CASE MANAGEMENT REPORT. (Sleasman, Peter) Modified on 8/23/2005 (slu). STRICKEN PURSUANT TO DOCUMENT 85 (Entered: 08/18/2005) |
| 08/18/2005 | <u>82</u> | Unopposed MOTION status conference re <u>81</u> Case Management Report by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) (Entered: 08/18/2005) |
| 08/19/2005 | <u>83</u> | MOTION to compel <i>Facility Inspection</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit 1 – Request to Enter on Land# <u>2</u> Exhibit 2 – Hadi's Formal Objections# <u>3</u> Exhibit 4 – Vail May 4 Correspondence# <u>4</u> Exhibit 4 – Plaintiff's May 12 Response# <u>5</u> Exhibit 5 – Vail May 24 Correspondence# <u>6</u> Exhibit 6 – Dr Burns Declaration# <u>7</u> Exhibit 7 – Dr Berlin Declaration# <u>8</u> Exhibit 8 – Resident Handbook)(Sleasman, Peter) (Entered: 08/19/2005) |
| 08/22/2005 | <u>84</u> | ORDER denying at this time <u>82</u> Motion for status conference . Signed by Judge Douglas N. Frazier on 8/22/2005. (slu) (Entered: 08/23/2005) |
| 08/22/2005 | <u>85</u> | ORDER striking re <u>81</u> Case Management Report. The Parties shall meet and confer in person at the office of Plaintiffs' Counsel within 10 days of this Order. A Case Management Report shall be filed within 10 days of the meeting. Signed by Judge Douglas N. Frazier on 8/22/2005. (slu) (Entered: 08/23/2005) |
| 08/26/2005 | <u>86</u> | MOTION for Extension of Time to File <i>rsp mo/compel</i> by Lucy Hadi. (Vail, Jason) (Entered: 08/26/2005) |
| 09/02/2005 | <u>87</u> | CASE MANAGEMENT REPORT. (Jones, Christopher) (Entered: 09/02/2005) |
| 09/06/2005 | <u>88</u> | CASE MANAGEMENT AND SCHEDULING ORDER: Final Pretrial Conference set for 2/1/2007 10:00 AM before Judge Virginia M. Hernandez Covington. Bench Trial set for trial term 3/5/2007 09:00 AM before Judge Virginia M. Hernandez Covington. (See Order for all deadlines)Signed by Judge Douglas N. Frazier on 9/6/2005. (BJH,) (Entered: 09/06/2005) |
| 10/07/2005 | <u>89</u> | MEMORANDUM in opposition re <u>83</u> Motion to compel,, <i>and mo/protective order</i> filed by Jerry Regier. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u>)(Vail, Jason) (Entered: 10/07/2005) |

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| 10/10/2005 | <u>90</u> | RESPONSE to motion re <u>83</u> MOTION to compel <i>Facility Inspection Adoption</i> filed by Liberty Behavioral Healthcare Corp.. (Jolly, John) (Entered: 10/10/2005) |
| 10/13/2005 | <u>91</u> | MOTION for Jennifer R. Haymes to withdraw as attorney by Liberty Behavioral Healthcare Corp.. (Haymes, Jennifer) (Entered: 10/13/2005) |
| 10/17/2005 | 92 | ENDORSED ORDER granting <u>91</u> Unopposed Motion by Jennifer R. Haymes to withdraw as attorney. The Clerk is directed to remove Jennifer R.Haymes from the service list and notice all parties. Signed by Judge Douglas N. Frazier on 10/17/2005.(bas) (Entered: 10/17/2005) |
| 10/24/2005 | <u>93</u> | MOTION for Extension of Time to File Response/Reply to <i>Defendants' Motion for Protective Order</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 10/24/2005) |
| 10/27/2005 | <u>94</u> | ORDER granting nunc pro tunc <u>86</u> Motion for Extension of Time to File, granting <u>93</u> Motion for Extension of Time to File Response/Reply. Plaintiff shall file their Response to Defendants' Motion for Protective Order within ten (10) days of the date of this Order . Signed by Judge Douglas N. Frazier on 10/27/2005. (js) (Entered: 10/27/2005) |
| 10/31/2005 | 95 | NOTICE of Hearing: Preliminary Pretrial Conference RESET for 11/10/2005 11:00 AM (Time change only) in Courtroom C before Magistrate Judge Douglas N. Frazier. (BJH,) (Entered: 10/31/2005) |
| 11/04/2005 | <u>96</u> | RESPONSE re <u>89</u> Memorandum in opposition <i>Response to Motion for Protective Order</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit Exhibit List and Exhibits 1-5)(Lentz, Kristen) (Entered: 11/04/2005) |
| 11/04/2005 | <u>97</u> | MOTION to continue <i>pretrial preliminary conference</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/04/2005) |
| 11/07/2005 | <u>99</u> | ORDER granting <u>97</u> Motion to continue Pretrial Preliminary Conference. The Pretrial Preliminary Conference currently scheduled for Thursday, November 10, 2005 shall be continued until Thursday, December 15, 2005, at 1:30p.m. before the undersigned . Signed by Judge Douglas N. Frazier on 11/7/2005. (js) (Entered: 11/08/2005) |
| 11/08/2005 | 98 | NOTICE canceling Preliminary Pretrial Conference hearing scheduled for 11/10/05. This hearing will be reset by separate notice. (BJH,) (Entered: 11/08/2005) |
| 11/09/2005 | <u>100</u> | MOTION to continue <i>hearing sch Dec. 15, 05</i> by Lucy Hadi. (Vail, Jason) (Entered: 11/09/2005) |
| 11/09/2005 | <u>101</u> | NOTICE of unavailability of counsel by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/09/2005) |
| 11/10/2005 | <u>102</u> | ORDER granting <u>100</u> Motion to continue. The Pretrial Preliminary Conference shall be continued until Friday, December 16, 2005 at 1:30 p.m. . Signed by Judge Douglas N. Frazier on 11/10/2005. (js) (Entered: 11/10/2005) |
| 11/14/2005 | <u>103</u> | MOTION to compel <i>Production of Documents (Second Request for Production)</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit)(Lentz, Kristen) (Entered: 11/14/2005) |
| 11/14/2005 | <u>104</u> | MOTION to compel <i>Production of Documents (Third Request for Production)</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit)(Lentz, Kristen) (Entered: 11/14/2005) |
| 11/29/2005 | <u>105</u> | MEMORANDUM in opposition re <u>103</u> Motion to compel, <u>104</u> Motion to compel filed by Lucy Hadi. (Attachments: # <u>1</u>)(Vail, Jason) (Entered: 11/29/2005) |

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| 11/29/2005 | <u>106</u> | RESPONSE to motion re <u>103</u> MOTION to compel <i>Production of Documents (Second Request for Production)</i> filed by Liberty Behavioral Healthcare Corp.. (Jolly, John) (Entered: 11/29/2005) |
| 11/29/2005 | <u>107</u> | RESPONSE to motion re <u>104</u> MOTION to compel <i>Production of Documents (Third Request for Production)</i> filed by Liberty Behavioral Healthcare Corp.. (Attachments: # <u>1</u> Exhibit)(Jolly, John) (Entered: 11/29/2005) |
| 12/13/2005 | <u>108</u> | NOTICE of supplemental authority re <u>103</u> MOTION to compel <i>Production of Documents (Second Request for Production)</i> , <u>106</u> Response to motion to <i>Compel Production of Documents (Second Request to Produce)</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden (Lentz, Kristen) (Entered: 12/13/2005) |
| 12/16/2005 | 109 | MINUTE ENTRY for proceedings held before Judge Douglas N. Frazier : PRELIMINARY PRETRIAL CONFERENCE held on 12/16/2005. Court to enter Order and amended Scheduling Order Court Reporter: R. Joy Stancel (BJH,) (Entered: 12/16/2005) |
| 12/30/2005 | <u>110</u> | ORDER granting in part and denying in part <u>83</u> Motion to compel, granting in part and denying in part <u>89</u> Motion for Protective Order, denying as moot <u>103</u> Motion to compel, denying as moot <u>104</u> Motion to compel. The parties shall meet no later than 1/10/06 for the purpose of identifying which residents are members of the class as defined by the Court in its 3/29/05 Order <u>66</u> . The Deputy Clerk is directed to enter a revised Case Management and Scheduling Order extending all current deadlines by 90 days. (See Order for further details). . Signed by Judge Douglas N. Frazier on 12/30/2005. (slu) (Entered: 12/30/2005) |
| 01/03/2006 | <u>111</u> | FIRST AMENDED CASE MANAGEMENT AND SCHEDULING ORDER: Final Pretrial Conference set for 5/3/2007 09:00 AM before Judge Virginia M. Hernandez Covington. Bench Trial set for trial term 6/4/2007 09:00 AM before Judge Virginia M. Hernandez Covington. (See Order for all deadlines)Signed by Judge Douglas N. Frazier on 12/30/05. (BJH,) Modified on 1/3/2006 (BJH,). Modified on 10/19/2006 (BJH,). (Entered: 01/03/2006) |
| 01/03/2006 | <u>112</u> | SECOND AMENDED CASE MANAGEMENT AND SCHEDULING ORDER amending scheduling order to reflect correct discovery date. See Order for deadlines.Signed by Judge Douglas N. Frazier on 1/3/2006. (BJH,) Modified on 10/19/2006 (BJH,). (Entered: 01/03/2006) |
| 01/06/2006 | <u>113</u> | TRANSCRIPT of Preliminary Pretrial Conference held on December 16, 2005 before Judge Douglas N. Frazier. Court Reporter: R. Joy Stancel. (js) (Entered: 01/09/2006) |
| 01/30/2006 | <u>114</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden <i>of filing proposed protective order regarding confidentiality of class member information</i> (Attachments: # <u>1</u> Proposed Protective Order)(Lentz, Kristen) (Entered: 01/30/2006) |
| 01/31/2006 | <u>115</u> | RESPONSE in opposition re <u>104</u> MOTION to compel <i>Production of Documents (Third Request for Production)</i> re doc <u>114</u> , <i>notice of filing agreed protective order</i> filed by Lucy Hadi. (Vail, Jason) (Entered: 01/31/2006) |
| 01/31/2006 | <u>116</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden <i>of Firm Change for Peter P. Sleasman</i> (Sleasman, Peter) (Entered: 01/31/2006) |
| 01/31/2006 | <u>117</u> | RESPONSE re <u>115</u> Response in opposition to motion <i>Response to Defendant Hadi's Objection to Proposed Protective Order</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 01/31/2006) |
| 01/31/2006 | <u>118</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden <i>of Filing Revised Proposed Protective Order Regarding Confidentiality of Class Member Information</i> (Attachments: # <u>1</u> Revised Proposed Protective Order)(Lentz, Kristen) (Entered: 01/31/2006) |

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| 02/08/2006 | <u>119</u> | STATUS REPORT <i>on Discovery (Joint)</i> by Alice K. Nelson. (Nelson, Alice) (Entered: 02/08/2006) |
| 02/08/2006 | <u>120</u> | ORDER of protection of confidential information relating to class members. See order for details. Signed by Judge Douglas N. Frazier on 2/8/06. (js) (Entered: 02/09/2006) |
| 03/20/2006 | <u>121</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden <i>of Dates of Plaintiffs' Expert Facility Inspection</i> (Lentz, Kristen) (Entered: 03/20/2006) |
| 03/24/2006 | <u>122</u> | MOTION to compel <i>Undisputed Documents from Plaintiffs' Second and Third Requests for Production</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u>)(Lentz, Kristen) (Entered: 03/24/2006) |
| 03/24/2006 | <u>123</u> | MOTION to compel <i>Disputed Documents from Plaintiffs' Second and Fourth Requests for Production</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u>)(Lentz, Kristen) (Entered: 03/24/2006) |
| 04/07/2006 | <u>124</u> | RESPONSE in opposition re <u>123</u> MOTION to compel <i>Disputed Documents from Plaintiffs' Second and Fourth Requests for Production</i> filed by Liberty Behavioral Healthcare Corp.. (Jolly, John) (Entered: 04/07/2006) |
| 04/07/2006 | <u>125</u> | RESPONSE to motion re <u>122</u> MOTION to compel <i>Undisputed Documents from Plaintiffs' Second and Third Requests for Production</i> filed by Liberty Behavioral Healthcare Corp.. (Jolly, John) (Entered: 04/07/2006) |
| 04/07/2006 | <u>126</u> | RESPONSE in opposition re <u>122</u> MOTION to compel <i>Undisputed Documents from Plaintiffs' Second and Third Requests for Production</i> , <u>123</u> MOTION to compel <i>Disputed Documents from Plaintiffs' Second and Fourth Requests for Production</i> filed by Lucy Hadi. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Vail, Jason) (Entered: 04/07/2006) |
| 04/12/2006 | <u>127</u> | Unopposed MOTION for to withdraw as attorney <i>for Plaintiffs</i> by all plaintiffs. (Shirley, Lisa) (Entered: 04/12/2006) |
| 05/09/2006 | <u>128</u> | ORDER directing counsel Christopher Michael Jones to be admitted. See order for details. Signed by Judge Douglas N. Frazier on 5/9/2006. (js) (Entered: 05/09/2006) |
| 05/18/2006 | <u>129</u> | ORDER granting <u>127</u> Motion to withdraw as attorney for plaintiffs. The Clerk of Court is directed to remove Lisa White Shirley from the service list and notice all parties . Signed by Judge Douglas N. Frazier on 5/18/2006. (js) (Entered: 05/18/2006) |
| 05/24/2006 | <u>130</u> | ORDER denying as moot <u>122</u> Motion to compel . Signed by Judge Douglas N. Frazier on 5/24/2006. (slu) Modified on 7/3/2006 (slu). (Entered: 05/24/2006) |
| 05/25/2006 | | Case Reassigned to Unassigned Judge. New case number: 2:04-cv-260-FtM-99DNF. Judge Virginia M. Hernandez Covington no longer assigned to the case. (slu) (Entered: 05/25/2006) |
| 06/15/2006 | | Remark : no further action will be taken re <u>128</u> as Mr. Jones has complied. (LAG,) (Entered: 06/15/2006) |
| 06/26/2006 | <u>131</u> | NOTICE of Appearance by Susan A. Maher on behalf of Lucy Hadi (Maher, Susan) (Entered: 06/26/2006) |
| 06/30/2006 | <u>132</u> | ORDER granting in part, denying in part, and deferring in part <u>123</u> Motion to compel production of disputed documents pursuant to Plaintiffs' second and Fourth requests for Production. See Order for details . Signed by Judge Douglas N. Frazier on 6/30/2006. (js) (Entered: 07/03/2006) |
| 07/03/2006 | <u>133</u> | MOTION for Cecilia Bradley to withdraw as attorney by Lucy Hadi. (Bradley, Cecilia) (Entered: 07/03/2006) |
| 07/06/2006 | <u>134</u> | ORDER granting <u>133</u> Motion to withdraw as attorney. Signed by Judge Douglas N. Frazier on 7/6/2006. (laf) (Entered: 07/06/2006) |

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| 07/17/2006 | <u>135</u> | RESPONSE re <u>132</u> Order on motion to compel, <i>at court's request</i> filed by Lucy Hadi. (Vail, Jason) (Entered: 07/17/2006) |
| 07/17/2006 | <u>136</u> | RESPONSE re <u>132</u> Order on motion to compel, <i>per this Court's request</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Capobianco, Cassandra) (Entered: 07/17/2006) |
| 07/28/2006 | <u>137</u> | MOTION for protective order by Liberty Behavioral Healthcare Corp.. (Attachments: # <u>1</u> Exhibit)(Jolly, John) (Entered: 07/28/2006) |
| 07/31/2006 | <u>138</u> | SUGGESTION of Mootness by Liberty Behavioral Healthcare Corp.. (Attachments: # <u>1</u> Affidavit)(Jolly, John) (Entered: 07/31/2006) |
| 08/02/2006 | <u>139</u> | RESPONSE to motion re <u>137</u> MOTION for protective order filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Nelson, Alice) (Entered: 08/02/2006) |
| 08/04/2006 | <u>140</u> | ORDER denying <u>137</u> Motion for protective order . Signed by Judge Douglas N. Frazier on 8/4/2006. (js) (Entered: 08/04/2006) |
| 08/14/2006 | <u>141</u> | NOTICE by Roger G. Canupp re <u>138</u> Suggestion of <i>Plaintiffs' Notice of Non-Opposition to Liberty's Suggestion of Mootness</i> (Nelson, Alice) (Entered: 08/14/2006) |
| 08/29/2006 | <u>142</u> | STANDING ORDER: Filing of documents that exceed twenty-five pages. Signed by All Divisional Judges on 8/28/2006. (kma) (Entered: 08/29/2006) |
| 10/17/2006 | <u>143</u> | Unopposed MOTION to extend time to complete deadlines in second amended scheduling order by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 10/17/2006) |
| 10/18/2006 | <u>144</u> | ORDER granting <u>143</u> Motion to extend time. The Deputy Clerk is directed to modify the Second Amended Case Management and Scheduling Order <u>112</u> labeling such Order "Third Amended Case Management and Scheduling Order." The Deputy Clerk shall not add a four-month extension of time to the "Motions to Add Parties or to Amend Pleadings" deadline. The Deputy Clerk shall add a four-month extension of time to all other remaining deadlines. Signed by Judge Douglas N. Frazier on 10/18/2006. (slu) (Entered: 10/18/2006) |
| 10/26/2006 | <u>145</u> | THIRD AMENDED CASE MANAGEMENT AND SCHEDULING ORDER: Final Pretrial Conference set for 9/17/2007 09:00 AM before Judge Unassigned Judge., Bench Trial set for trial term 10/1/2007 09:00 AM before Judge Unassigned Judge. See Order for all deadlines. Signed by Judge Douglas N. Frazier on 10/26/2006. (BJH,) (Entered: 10/26/2006) |
| 11/09/2006 | <u>146</u> | MOTION to compel <i>and for Protective Order Compelling Return of Work Product Privileged Document Inadvertently Produced by Co-Defendant Liberty Behavioral Health Corporation</i> by Lucy Hadi. (Attachments: # <u>1</u> Exhibit Index# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H)(Maher, Susan) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 11/09/2006) |
| 11/15/2006 | <u>147</u> | Unopposed MOTION for Extension of Time to File Response/Reply <i>to Defendant Hadi's Motion for Protective Order</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/15/2006) |
| 11/17/2006 | <u>148</u> | ORDER granting <u>147</u> Motion for Extension of Time to File Response/Reply re <u>147</u> Unopposed MOTION for Extension of Time to File Response/Reply <i>to Defendant Hadi's Motion for Protective Order</i> . Responses due on or before 12/4/2006. Signed by Judge Douglas N. Frazier on 11/17/2006. (laf) (Entered: 11/17/2006) |
| 12/01/2006 | <u>149</u> | Second MOTION for Extension of Time to File Response/Reply as to <u>146</u> MOTION to compel <i>and for Protective Order Compelling Return of Work Product Privileged Document Inadvertently Produced by Co-Defendant Liberty Behavioral Health Corporation</i> by all plaintiffs. (Sleasman, Peter) (Entered: 12/01/2006) |

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| 12/04/2006 | <u>150</u> | ORDER granting <u>149</u> Motion for Extension of Time to File Response/Reply. Plaintiffs shall file a responsive pleading no later than December 15, 2006. Signed by Judge Douglas N. Frazier on 12/4/2006. (js) (Entered: 12/04/2006) |
| 12/15/2006 | <u>151</u> | RESPONSE to motion re <u>146</u> MOTION to compel <i>and for Protective Order Compelling Return of Work Product Privileged Document Inadvertently Produced by Co-Defendant Liberty Behavioral Health Corporation</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10)(Lentz, Kristen) (Entered: 12/15/2006) |
| 12/19/2006 | <u>152</u> | ORDER that Defendant Hadi shall mail a copy of the disputed document to the attention of U.S. Magistrate Judge Frazier no later than December 27, 2006 for the Court's in camera review. Signed by Judge Douglas N. Frazier on 12/19/2006. (slu) (Entered: 12/19/2006) |
| 12/26/2006 | <u>153</u> | NOTICE by Lucy Hadi re <u>152</u> Order of Compliance with Court Order of December 19, 2006 (Maher, Susan) (Entered: 12/26/2006) |
| 01/16/2007 | <u>154</u> | ORDER OF PARTIAL DISMISSAL dismissing Complaint as to defendant Liberty Behavioral Healthcare, Corporation. The Clerk shall withhold the entry of judgment until the conclusion of the case. Signed by Judge John E. Steele on 1/16/2007. (RKM) (Entered: 01/16/2007) |
| 01/17/2007 | <u>155</u> | ORDER denying re <u>123</u> MOTION to compel <i>Disputed Documents from Plaintiffs' Second and Fourth Requests for Production</i> filed by Tywaun Jackson, Charles Durden, Roger G. Canupp, Hubert Davidson, Jacob Myers, Lawrence McGee. Signed by Judge Douglas N. Frazier on 1/17/2007. (slu) (Entered: 01/18/2007) |
| 01/18/2007 | <u>156</u> | ORDER denying <u>146</u> Motion to compel. The parties shall submit a brief on or before February 8, 2007. Signed by Judge Douglas N. Frazier on 1/17/2007. (slu) (Entered: 01/18/2007) |
| 01/18/2007 | <u>157</u> | ORDER directing the Clerk of Court to file the "disputed document" received from Defendant Hadi in camera. Signed by Judge Douglas N. Frazier on 1/18/2007. (slu) (Entered: 01/18/2007) |
| 01/30/2007 | <u>158</u> | OBJECTION re <u>155</u> Order, <i>of the Magistrate Judge Denying Plaintiffs' Motion to Compel Documents</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Capobianco, Cassandra) (Entered: 01/30/2007) |
| 02/07/2007 | <u>159</u> | JOINT STIPULATION regarding resolution of potential HIPAA or privacy concerns and request to be relieved from filing briefs re <u>156</u> Order on motion to compel by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Lucy Hadi, Tywaun Jackson, Charles Durden. (Lentz, Kristen) Modified on 2/8/2007 (slu). (Entered: 02/07/2007) |
| 02/09/2007 | <u>160</u> | ORDER that the parties are no longer required to submit briefs detailing what if any privacy concerns are raised by Plaintiffs' possession of the spreadsheet containing a list of 451 FCCC residents and diagnoses. Signed by Judge Douglas N. Frazier on 2/9/2007. (slu) (Entered: 02/09/2007) |
| 02/14/2007 | <u>161</u> | Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination by Lucy Hadi. (Maher, Susan) (Entered: 02/14/2007) |
| 02/15/2007 | <u>162</u> | ORDER directing Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden to respond to <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination. Responses due by 2/20/2007. Signed by Judge Douglas N. Frazier on 2/15/2007. (slu) (Entered: 02/15/2007) |
| 02/16/2007 | <u>163</u> | Unopposed MOTION to extend time to Respond to Plaintiffs' Objections to the Order of the Magistrate Judge Denying Plaintiffs' Motion to Compel by Lucy Hadi. (Maher, Susan) (Entered: 02/16/2007) |

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| 02/16/2007 | <u>164</u> | NOTICE by Lucy Hadi re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination of <i>Filing Exhibits A and B in Support</i> (Attachments: # <u>1</u> Exhibit A – Declaration of Anita M. Schlank# <u>2</u> Exhibit B – Jeffrey S. Janofsky, M.D.)(Maher, Susan) (Entered: 02/16/2007) |
| 02/16/2007 | <u>165</u> | NOTICE by Lucy Hadi re <u>164</u> Notice (Other), Notice (Other) <i>Notice of Filing Amended Certificate of Service</i> (Maher, Susan) (Entered: 02/16/2007) |
| 02/16/2007 | <u>166</u> | NOTICE by Lucy Hadi re <u>163</u> Unopposed MOTION to extend time to Respond to Plaintiffs' Objections to the Order of the Magistrate Judge Denying Plaintiffs' Motion to Compel <i>Notice of Filing Amended Certificate of Service</i> (Maher, Susan) (Entered: 02/16/2007) |
| 02/20/2007 | <u>167</u> | RESPONSE in opposition re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit A)(Lentz, Kristen) (Entered: 02/20/2007) |
| 02/21/2007 | <u>168</u> | ORDER granting <u>163</u> Motion to extend time. Defendant shall file a response to Plaintiff's objections <u>158</u> on or before the close of business on 2/27/07. Signed by Judge Douglas N. Frazier on 2/21/2007. (slu) (Entered: 02/21/2007) |
| 02/21/2007 | <u>169</u> | MOTION to substitute attorney <i>and notice of appearance</i> by Lucy Hadi. (Kilinski, Caryl) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 02/21/2007) |
| 02/23/2007 | 170 | NOTICE of Hearing on Motion <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination : Motion Hearing set for 2/26/2007 at 03:30 PM in Courtroom C before Magistrate Judge Douglas N. Frazier. The parties must contact Bette-Jo Herren (239-461-2007)before 10:00 on 2/26/07 to furnish a telephone number.(BJH,) (Entered: 02/23/2007) |
| 02/23/2007 | <u>171</u> | ORDER granting <u>169</u> Motion to substitute attorney. The Clerk of Court is directed to remove Jason Vail as attorney of record for the Defendant and notice all parties. The Clerk of Court is directed to add Caryl Kilinski as the attorney of record for the Defendant and notice all parties. Signed by Judge Douglas N. Frazier on 2/23/2007. (slu) (Entered: 02/23/2007) |
| 02/23/2007 | <u>172</u> | First MOTION for joinder of <i>GEO, Inc. as a defendant</i> by all plaintiffs. (Attachments: # <u>1</u> Exhibit A-C)(Capobianco, Cassandra) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 02/23/2007) |
| 02/26/2007 | 173 | MINUTE ENTRY for proceedings held before Judge Douglas N. Frazier : Motion Hearing held on 2/26/2007 re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination filed by Lucy Hadi. Court to set a hearing. Parties to advise the Court as to possible dates. Court Reporter: Martina Reporting Services (BJH,) (Entered: 02/26/2007) |
| 02/27/2007 | | Case Reassigned to Judge Marcia Morales Howard. New case number: 2:04-cv-260-FtM-MMH-DNF. Judge Unassigned Judge no longer assigned to the case. (slu) (Entered: 02/27/2007) |
| 02/27/2007 | <u>174</u> | RESPONSE re <u>158</u> <i>Objection In Opposition to Plaintiffs' Objections to the Order of the Magistrate Judge Denying Plaintiffs' Motion to Compel</i> filed by Robert A. Butterworth. (Maher, Susan) (Entered: 02/27/2007) |
| 03/02/2007 | <u>175</u> | MOTION for leave to file Reply to Defendant's Response to Plaintiffs' Objections by all plaintiffs. (Lentz, Kristen) (Entered: 03/02/2007) |
| 03/07/2007 | <u>176</u> | REPLY to response to motion re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination filed by Robert A. Butterworth. (Attachments: # <u>1</u> Exhibit A – Declaration of Dr. Max Linn# <u>2</u> Exhibit B – Supplemental Declaration of Dr. Anita Schlank# <u>3</u> Exhibit C – Supplemental Declaration of Dr. Jeffrey Janofsky)(Maher, Susan) (Entered: 03/07/2007) |
| 03/08/2007 | | AMENDED Case Reassignment New case number: 2:04-cv-260-FtM-34DNF. (slu) (Entered: 03/08/2007) |

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| 03/09/2007 | <u>177</u> | NOTICE of Hearing on Motion <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination : Motion Hearing set for 3/14/2007 at 11:00 AM in Courtroom 6B before Magistrate Judge Douglas N. Frazier. (BJH,) (Entered: 03/09/2007) |
| 03/09/2007 | <u>178</u> | Unopposed MOTION for Leave to Take Additional Depositions by all plaintiffs. (Capobianco, Cassandra) (Entered: 03/09/2007) |
| 03/12/2007 | <u>179</u> | REPLY to response to motion re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination <i>and</i> <u>176</u> Defendant Butterworth's Reply filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit)(Lentz, Kristen) (Entered: 03/12/2007) |
| 03/12/2007 | <u>180</u> | RESPONSE in opposition re <u>172</u> First MOTION for joinder of <i>GEO, Inc. as a defendant</i> filed by Robert A. Butterworth. (Maher, Susan) Modified on 3/13/2007 (slu). Document attached does not appear to be related to document selected; Counsel notified for clarification (Entered: 03/12/2007) |
| 03/13/2007 | <u>181</u> | RESPONSE in opposition re <u>172</u> First MOTION for joinder of <i>GEO, Inc. as a defendant</i> To correct docket #180 filed by Robert A. Butterworth. (Maher, Susan) (Entered: 03/13/2007) |
| 03/14/2007 | 182 | MINUTE ENTRY for proceedings held before Judge Douglas N. Frazier : Motion Hearing held on 3/14/2007 re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination filed by Lucy Hadi, <u>178</u> Unopposed MOTION for Leave to Take Additional Depositions filed by Charles Durden, Hubert Davidson, Tywaun Jackson, Roger G. Canupp, Bruce Kramer, Jacob Myers, Daniel Fabian, Lawrence McGee. Court heard from counsel. Court to grant dkt. 178. Plaintiffs to provide expert reports to the Court. The Court will decide this matter accordingly. Written order to follow. Court Reporter: Martina Reporting Services (BJH,) (Entered: 03/14/2007) |
| 03/14/2007 | <u>183</u> | ORDER granting <u>178</u> Motion to take additional depositions. Signed by Judge Douglas N. Frazier on 3/14/2007. (slu) (Entered: 03/14/2007) |
| 03/15/2007 | <u>184</u> | NOTICE by Robert A. Butterworth <i>filing proposed protocol for Defendant's expert interviews</i> (Attachments: # <u>1</u> Exhibit A)(Kilinski, Caryl) (Entered: 03/15/2007) |
| 03/15/2007 | <u>185</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden re <u>184</u> Notice (Other) of <i>outstanding issues related to Defendant's Motions for clinical interviews</i> (Capobianco, Cassandra) (Entered: 03/15/2007) |
| 03/16/2007 | <u>186</u> | NOTICE of change of address by Peter Prescott Sleasman (Sleasman, Peter) (Entered: 03/16/2007) |
| 03/19/2007 | 187 | MINUTE ENTRY for proceedings held before Judge Douglas N. Frazier : Telephone Hearing held on 3/19/2007 re <u>161</u> Emergency MOTION for Rule 35 Interviews / Mental Status Examinations examination filed by Lucy Hadi. Court will take this matter under advisement and the examinations will not go forward at this time. Written order will be entered. Court Reporter: Martina Reporting Services (BJH,) (Entered: 03/19/2007) |
| 03/19/2007 | <u>188</u> | RESPONSE in opposition re <u>175</u> MOTION for leave to file Reply to Defendant's Response to Plaintiffs' Objections filed by Robert A. Butterworth. (Maher, Susan) (Entered: 03/19/2007) |
| 03/19/2007 | <u>189</u> | ORDER temporarily denying <u>161</u> Motion for examination. Signed by Judge Douglas N. Frazier on 3/19/2007. (slu) (Entered: 03/20/2007) |
| 03/26/2007 | <u>190</u> | Joint MOTION To Extend Certain Deadlines in the Third Amended Case management and Scheduling Order by Robert A. Butterworth. (Maher, Susan) (Entered: 03/26/2007) |
| 03/26/2007 | <u>191</u> | ORDER that pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, the Clerk of Court shall substitute Robert A. Butterworth as the proper named Defendant for Lucy Hadi on the docket in this matter. Signed by Judge Douglas N. Frazier on 3/22/2007. (slu) (Entered: 03/26/2007) |

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| 03/27/2007 | <u>192</u> | ORDER granting <u>172</u> Motion for joinder. Signed by Judge Douglas N. Frazier on 3/26/2007. (slu) (Entered: 03/27/2007) |
| 03/27/2007 | <u>193</u> | ORDER granting <u>161</u> Motion for examination. (See order for additional details). Signed by Judge Douglas N. Frazier on 3/27/2007. (slu) (Entered: 03/27/2007) |
| 04/04/2007 | <u>194</u> | EMERGENCY MOTION to quash Subpoenas, EMERGENCY MOTION for protective order by Timothy Budz, Angela Garrido. (Sullivan, Jennifer) Motions referred to Magistrate Judge Douglas N. Frazier. Modified on 4/4/2007 (slu). (Entered: 04/04/2007) |
| 04/05/2007 | <u>195</u> | Emergency MOTION to stay discovery <i>temporarily and to defer ruling on Joint Motion to Extend Certain Deadlines in Third Amended Case Management and Scheduling Order</i> by Robert A. Butterworth. (Attachments: # <u>1</u> Exhibit A – Plaintiffs' Supplemental Answers to Interrogatories)(Maher, Susan) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 04/05/2007) |
| 04/06/2007 | <u>196</u> | ORDER that the Court's March 14, 2007, Order <u>183</u> is vacated to the extent that the Order permitted depositions of employees and/or contractors of GEO, Inc. Denying as moot <u>194</u> Motion to quash; denying as moot <u>194</u> Motion for protective order; denying as moot <u>195</u> Motion to stay discovery. Plaintiffs shall effectuate service of process on GEO, Inc. within 10 days from the date on this Order. Plaintiffs, Defendant Butterworth, and Defendant GEO, Inc. shall submit a joint proposed Fourth Amendment Case Management and Scheduling Order within 20 days from the date Plaintiffs effectuate service of process on GEO, Inc. Signed by Judge Douglas N. Frazier on 4/5/2007. (slu) (Entered: 04/06/2007) |
| 04/06/2007 | <u>197</u> | ORDER granting <u>175</u> Motion for leave to file. Plaintiff may file a Reply no longer than 3 pages in length on or before Tuesday, April 17, 2007, upon which time Plaintiffs' Objections will be deemed ripe for review. Signed by Judge Douglas N. Frazier on 4/5/2007. (slu) (Entered: 04/06/2007) |
| 04/11/2007 | <u>198</u> | PLAINTIFFS' NOTICE of Voluntary Dismissal without prejudice of GEO pursuant to Fed.R.Civ.P. 41(a)(1)(i) by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden (Lentz, Kristen) Modified on 4/12/2007 (slu). (Entered: 04/11/2007) |
| 04/17/2007 | <u>199</u> | PLAINTIFFS' limited reply re <u>174</u> Response filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) Modified on 4/17/2007 (slu). (Entered: 04/17/2007) |
| 04/18/2007 | <u>200</u> | DEFENDANT BUTTERWORTH'S RESPONSE re <u>196</u> Order on motion to quash, Order on motion for protective order, Order on motion to stay discovery, <i>and Proposed Fourth Amended Case Management and Scheduling Order</i> filed by Robert A. Butterworth. (Attachments: # <u>1</u> Exhibit A – Plaintiffs' Answers to Interrogatories [Original] # <u>2</u> Exhibit B – Plaintiffs' Supplemental Answers to Interrogatories [First Supplement] # <u>3</u> Exhibit C – Plaintiffs' Second Supplemental Answers to Interrogatories [Second Supplement])(Maher, Susan) Modified on 4/18/2007 (slu). Modified on 9/6/2007 (slu). Proposed Fourth Amended Case Management and Scheduling Order is stricken pursuant to <u>204</u> (Entered: 04/18/2007) |
| 04/18/2007 | <u>201</u> | PLAINTIFFS' RESPONSE re <u>196</u> Order on motion to quash, Order on motion for protective order, Order on motion to stay discovery, <i>and Supplemental Case Management Report</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) Modified on 4/18/2007 (slu). Modified on 9/6/2007 (slu). Proposed Fourth Amended Case Management and Scheduling Order is stricken pursuant to <u>204</u> (Entered: 04/18/2007) |
| 06/04/2007 | <u>202</u> | ORDER that Plaintiffs' Notice of Voluntary Dismissal without prejudice of GEO pursuant to Fed.R.Civ.P. 41(a)(1)(i) <u>198</u> is granted and Defendant GEO is dismissed without prejudice. The Clerk of Court shall correct the caption of the case to reflect the termination of Defendant GEO, Inc.. Signed by Judge Douglas N. Frazier on 6/4/2007. (slu) (Entered: 06/04/2007) |
| 06/19/2007 | <u>203</u> | MOTION to extend time to meet case management deadlines by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles |

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| | | Durden. (Lentz, Kristen) (Entered: 06/19/2007) |
| 09/06/2007 | <u>204</u> | ORDER granting <u>203</u> Motion to extend time deadlines. The deadlines set forth in the Third Amended Case Management and Scheduling Order are stayed. The Clerk of Court shall strike the Plaintiffs' and Defendants' Proposed Fourth Amended Case Management and Scheduling Orders <u>200 & 201</u> . Signed by Judge Douglas N. Frazier on 9/6/2007. (slu) (Entered: 09/06/2007) |
| 03/20/2008 | <u>205</u> | NOTICE of pendency of fully briefed objections by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden re <u>158</u> Objection (Lentz, Kristen) Modified on 3/20/2008 to edit docket text (SLU). (Entered: 03/20/2008) |
| 08/04/2008 | <u>206</u> | Case reassigned to Unassigned Judge. New case number: 2:04-cv-260-FtM-99DNF. Judge Marcia Morales Howard no longer assigned to the case. (LAG) (Entered: 08/05/2008) |
| 09/11/2008 | <u>207</u> | OPINION AND ORDER overruling <u>158</u> Objections to the Order of the Magistrate Judge Denying Plaintiff's Motion to Compel. Signed by Judge John E. Steele on 9/11/2008. (RKM) (Entered: 09/11/2008) |
| 10/06/2008 | <u>208</u> | CERTIFICATE of interested persons and corporate disclosure statement re <u>13</u> Certificate of compliance Amended by George H. Sheldon. (Maher, Susan) (Entered: 10/06/2008) |
| 10/10/2008 | <u>209</u> | CASE MANAGEMENT REPORT. (Sleasman, Peter) (Entered: 10/10/2008) |
| 10/23/2008 | <u>210</u> | CASE MANAGEMENT AND SCHEDULING ORDER: Final Pretrial Conference set for 8/17/2009 at 09:00 AM before Judge Unassigned Judge, Bench Trial set for trial term 9/1/2009 at 09:00 AM before Judge Unassigned Judge. See Order for all deadlines. Signed by Magistrate Judge Douglas N. Frazier on 10/23/2008. (BJH) (Entered: 10/23/2008) |
| 10/28/2008 | <u>211</u> | NOTICE of change of address by Kristen Cooley Lentz (Lentz, Kristen) (Entered: 10/28/2008) |
| 10/30/2008 | <u>212</u> | AMENDED NOTICE of change of address by Kristen Cooley Lentz (Lentz, Kristen) Modified on 10/30/2008 to edit docket text (SLU). (Entered: 10/30/2008) |
| 11/07/2008 | <u>213</u> | Joint MOTION to amend/correct <u>210</u> Case management and scheduling order by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/07/2008) |
| 11/10/2008 | <u>214</u> | ORDER granting <u>213</u> motion to amend/correct. The parties are permitted to each take twenty (20) depositions. The Courtroom Deputy for the Honorable Douglas N. Frazier is directed to enter an "Amended Case Management Order," amending the deadlines for the parties experts reports. (see order for details) Signed by Magistrate Judge Douglas N. Frazier on 11/10/2008. (SLU) (Entered: 11/10/2008) |
| 11/12/2008 | <u>215</u> | AMENDED CASE MANAGEMENT AND SCHEDULING ORDER Signed by Magistrate Judge Douglas N. Frazier on 11/12/2008. (BJH) (Entered: 11/12/2008) |
| 11/17/2008 | <u>216</u> | Joint MOTION for miscellaneous relief, specifically Extend Confidentiality Agreement by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/17/2008) |
| 11/19/2008 | <u>217</u> | ORDER granting <u>216</u> Motion to extend confidentiality agreement. Signed by Magistrate Judge Douglas N. Frazier on 11/19/2008. (SLU) Modified on 11/20/2008 to edit signed by judge (SLU). (Entered: 11/19/2008) |
| 11/26/2008 | <u>218</u> | NOTICE by George H. Sheldon re <u>193</u> Order on motion for examination <i>Experts site visit</i> (Kilinski, Caryl) (Entered: 11/26/2008) |
| 12/15/2008 | <u>219</u> | INTERESTED CLASS ACTION PARTIES' MOTION to intervene on new legal issues violation of due process liberty interest and motions for an investigation for an injunctive and/or temporary restraining order relief by David Yzaguirre, Khalie Hamid, Craig Williams, Aaron Marsh, Joseph Shaw, Dwayne Head, Frank Wade, Jamaal Bilal, Samuel Lane, William Morales, Barba Neil, Michael Ward, Harden |

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| | | James, Richard Spivey, Devin Allen, Daniel Sinclair, John Oakley and Robert Williams. (kma) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 12/18/2008) |
| 12/29/2008 | <u>220</u> | RESPONSE to motion re <u>219</u> MOTION to intervene filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) (Entered: 12/29/2008) |
| 12/30/2008 | <u>221</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden of <i>Expert Tours</i> (Sleasman, Peter) (Entered: 12/30/2008) |
| 01/09/2009 | <u>222</u> | ORDER denying <u>219</u> Motion to intervene. Signed by Magistrate Judge Douglas N. Frazier on 1/8/2009. (SLU) (Entered: 01/09/2009) |
| 02/06/2009 | <u>223</u> | MOTION for miscellaneous relief, specifically Order on Confidentiality by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit Transcript Excerpt, # <u>2</u> Exhibit Proposed Order)(Sleasman, Peter) (Entered: 02/06/2009) |
| 02/06/2009 | <u>224</u> | MOTION for miscellaneous relief, specifically Argument on Motion for Order on Confidentiality by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) (Entered: 02/06/2009) |
| 03/10/2009 | <u>225</u> | MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Appendix Appendix A – E, # <u>2</u> Appendix Appendix F)(Sleasman, Peter) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 03/10/2009) |
| 03/11/2009 | <u>226</u> | MOTION for reconsideration re <u>222</u> Order on motion to intervene by Khalie Hamid, Aaron Marsh, Joseph Shaw, Dwayne Head, Jamaal Bilal, Samuel Lane, William Morales, Barba Neil, Devin Allen, Daniel Sinclair, Robert Williams. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 03/11/2009) |
| 03/12/2009 | <u>227</u> | REQUEST to intervene by Roosevelt Reed. (SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 03/12/2009) |
| 03/13/2009 | <u>228</u> | ORDER granting <u>223</u> Motion to amend order on confidentiality. The Court's February 8, 2006 Order of Protection of Confidential Information Relating to Class Members <u>120</u> , previously extended to include Dr. Douglas Shadle <u>217</u> , is now extended to include GEO, Inc., the current contractor operating the FCCC, and GEO's employees and agents. The docket entry shall so reflect. The Clerk of Court shall correct the caption of the case to reflect the substitution of the proper named Defendant Secretary of the Department of Children and Families. Denying as moot <u>224</u> Motion request for oral argument. Signed by Magistrate Judge Douglas N. Frazier on 3/13/2009. (SLU) (Entered: 03/13/2009) |
| 03/13/2009 | <u>229</u> | ORDER directing Timothy Budz, George H. Sheldon to respond to <u>225</u> MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum</i> . (Responses due by 3/24/2009), (Miscellaneous Hearing set for 4/1/2009 at 01:30 PM in Courtroom C before Magistrate Judge Douglas N. Frazier). All parties, including Timothy J. Budz, must be present for the hearing. The party raising the privilege must be prepared to submit a privilege log. Failure to comply with the requirements of this Order will subject the party or attorney to appropriate sanctions under the Rules. The Clerk of Court shall fax and mail this Order to Timothy J. Budz. Signed by Magistrate Judge Douglas N. Frazier on 3/13/2009. (SLU) (Entered: 03/13/2009) |
| 03/16/2009 | <u>230</u> | ORDER ATTACHED denying <u>226</u> Motion for Reconsideration; denying <u>227</u> Motion to Intervene. Signed by Judge Richard A. Lazzara on 3/16/2009. (SKH) (Entered: 03/16/2009) |
| 03/16/2009 | <u>231</u> | SUPPLEMENT MOTION for reconsideration re <u>222</u> Order on motion to intervene by David Yzaguirre, Khalie Hamid, Craig Williams, Aaron Marsh, Joseph Shaw, Dwayne Head, Frank Wade, Jamaal Bilal, Samuel Lane, William Morales, Barba Neil, Michael Ward, Harden James, Richard Spivey, Devin Allen, Daniel Sinclair, |

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| | | John Oakley, Robert Williams. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 03/17/2009) |
| 03/24/2009 | <u>232</u> | ORDER denying as moot <u>231</u> Motion for reconsideration. Signed by Magistrate Judge Douglas N. Frazier on 3/24/2009. (SLU) (Entered: 03/24/2009) |
| 03/24/2009 | <u>233</u> | MOTION for Extension of Time to File Response/Reply as to <u>225</u> MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum</i> by Timothy Budz. (Kummerlen, Gregory) (Entered: 03/24/2009) |
| 03/25/2009 | <u>234</u> | RESPONSE to motion re <u>225</u> MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum</i> filed by Timothy Budz. (Kummerlen, Gregory) (Entered: 03/25/2009) |
| 03/26/2009 | <u>235</u> | ENTERED IN WRONG CASE CASE MANAGEMENT AND SCHEDULING ORDER: Final Pretrial Conference set for 6/21/2010 at 09:00 AM in Ft. Myers Courtroom 5 D before Judge Unassigned Judge, Jury Trial set for trial term 7/6/2010 at 09:00 AM in Ft. Myers Courtroom 5 D before Judge Unassigned Judge. See Order for all deadlines. Signed by Magistrate Judge Douglas N. Frazier on 3/26/2009. (BJH) Modified on 3/26/2009 (BJH). ENTERED IN WRONG CASE (Entered: 03/26/2009) |
| 03/30/2009 | <u>236</u> | ORDER granting nunc pro tunc <u>233</u> Motion for Extension of Time to File Response/Reply. Signed by Magistrate Judge Douglas N. Frazier on 3/30/2009. (SLU) (Entered: 03/30/2009) |
| 03/30/2009 | <u>237</u> | OBJECTION re <u>225</u> MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum</i> . (Kummerlen, Gregory) (Entered: 03/30/2009) |
| 04/01/2009 | <u>238</u> | RESPONSE to motion re <u>225</u> MOTION to compel <i>Production of Documents Sought by Subpoena Duces Tecum [Limited Response Pursuant to Court Order of March 13, 2009 <u>229</u></i> filed by George H. Sheldon. (Maher, Susan) Modified on 4/2/2009 to edit docket text (SLU). Modified on 4/6/2009 (SLU). Stricken pursuant to <u>240</u> (Entered: 04/01/2009) |
| 04/01/2009 | <u>239</u> | Minute Entry. Proceedings held before Magistrate Judge Douglas N. Frazier: Motion Hearing held on 4/1/2009 re <u>225</u> MOTION to compel Production of Documents Sought by Subpoena Duces Tecum filed by Tywaun Jackson, Charles Durden, Roger G. Canupp, Hubert Davidson, Jacob Myers, Lawrence McGee. Mr. Budtz sworn to testify. Written Order to follow. Court Reporter: R. Joy Stancel (BJH) (Entered: 04/01/2009) |
| 04/06/2009 | <u>240</u> | ORDER that the Response filed on behalf of the Secretary of the Department of Children and Families <u>238</u> is stricken. Granting <u>225</u> Motion to compel (see order for details). Signed by Magistrate Judge Douglas N. Frazier on 4/3/2009. (SLU) (Entered: 04/06/2009) |
| 04/08/2009 | <u>241</u> | TRANSCRIPT of Motion Hearing held on April 1, 2009, before Judge Douglas N. Frazier. Court Reporter/Transcriber R. Joy Stancel, OCR, Telephone number 239/461-2064. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 4/29/2009, Redacted Transcript Deadline set for 5/11/2009, Release of Transcript Restriction set for 7/7/2009. (JS) (Entered: 04/08/2009) |
| 04/17/2009 | <u>242</u> | OBJECTION re <u>240</u> Order on motion to compel <i>Motion to Quash Subpoena and Order Compelling Production and Motion for Protective Order with Supporting Memorandum of Law</i> by Timothy Budz. (Attachments: # <u>1</u> Affidavit Dale Frick)(Kummerlen, Gregory) (Entered: 04/17/2009) |
| 04/17/2009 | <u>243</u> | MOTION for reconsideration re <u>240</u> Order on motion to compel by Timothy Budz. (Attachments: # <u>1</u> Affidavit Dale Frick)(Kummerlen, Gregory) (Entered: 04/17/2009) |
| 05/01/2009 | <u>244</u> | MOTION for miscellaneous relief, specifically Motion to Exclude Testimony of Defendant's Expert Anita Schlank by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> |

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| | | Exhibit Exhibits 1 and 2)(Sleasman, Peter) (Entered: 05/01/2009) |
| 05/01/2009 | <u>245</u> | MOTION for Extension of Time to File Response/Reply as to <u>242</u> Objection, <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) (Entered: 05/01/2009) |
| 05/01/2009 | <u>246</u> | MOTION for miscellaneous relief, specifically Motion to Exclude Testimony of Defendant's Expert Max Linn by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit 1-3, # <u>2</u> Exhibit 4 - 5, # <u>3</u> Exhibit 6 - 7, # <u>4</u> Exhibit 8 - 10)(Lentz, Kristen) (Entered: 05/01/2009) |
| 05/01/2009 | <u>247</u> | MOTION for miscellaneous relief, specifically To Strike Dr. Douglas Shadle As An Expert Witness by George H. Sheldon. (Maher, Susan) (Entered: 05/01/2009) |
| 05/04/2009 | <u>248</u> | NOTICE of filing amended certificate by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden re <u>245</u> MOTION for Extension of Time to File Response/Reply as to <u>242</u> Objection, <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel MOTION for Extension of Time to File Response/Reply as to <u>242</u> Objection, <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel (Sleasman, Peter) Modified on 5/5/2009 to edit docket text (SLU). (Entered: 05/04/2009) |
| 05/06/2009 | <u>249</u> | NOTICE by George H. Sheldon re <u>247</u> MOTION for miscellaneous relief, specifically To Strike Dr. Douglas Shadle As An Expert Witness [<i>Notice of Filing Exhibits A through H</i>] (Attachments: # <u>1</u> Exhibit A - Plaintiffs' Second Supplemental Answers to Interrogatories, # <u>2</u> Exhibit B - Defendant's Interrogatories to Dr. Shadle, # <u>3</u> Exhibit C - Defendant's Second Request for Production, # <u>4</u> Exhibit D - Plaintiffs' Answers to Interrogatories to Dr. Shadle, # <u>5</u> Exhibit E - Plaintiffs' Response to Def's 2d Request for Production, # <u>6</u> Exhibit F - Excerpt from Deposition of Dr. Shadle - pp. 68-77, # <u>7</u> Exhibit G - Excerpt from Deposition of Dr. Shadle - p. 9, # <u>8</u> Exhibit H - Excerpt from Deposition of Dr. Shadle - pp. 128-132)(Maher, Susan) (Entered: 05/06/2009) |
| 05/06/2009 | <u>250</u> | ORDER granting <u>245</u> Motion for Extension of Time to File Response/Reply re <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel. Responses due by 5/8/2009. Signed by Magistrate Judge Douglas N. Frazier on 5/5/2009. (SLU) (Entered: 05/06/2009) |
| 05/08/2009 | <u>251</u> | RESPONSE in opposition re <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel <i>and In Opposition Re (242) Objections</i> filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Sleasman, Peter) (Entered: 05/08/2009) |
| 05/11/2009 | <u>252</u> | RESPONSE in opposition re <u>244</u> MOTION for miscellaneous relief, specifically Motion to Exclude Testimony of Defendant's Expert Anita Schlank filed by George H. Sheldon. (Attachments: # <u>1</u> Exhibit expert report, # <u>2</u> Exhibit deposition excerpts, # <u>3</u> Exhibit Hargett v. Adams)(Kilinski, Caryl) (Entered: 05/11/2009) |
| 05/11/2009 | <u>253</u> | RESPONSE in opposition re <u>246</u> MOTION for miscellaneous relief, specifically Motion to Exclude Testimony of Defendant's Expert Max Linn filed by George H. Sheldon. (Attachments: # <u>1</u> Exhibit One)(Kilinski, Caryl) (Entered: 05/11/2009) |
| 05/15/2009 | <u>254</u> | RESPONSE in opposition re <u>247</u> MOTION for miscellaneous relief, specifically To Strike Dr. Douglas Shadle As An Expert Witness filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit A and B, # <u>2</u> Exhibit C - F)(Capobianco, Cassandra) (Entered: 05/15/2009) |
| 05/21/2009 | <u>255</u> | AMENDED ORDER amending re <u>240</u> Order on motion to compel, Motions denied without prejudice: <u>243</u> MOTION for reconsideration re <u>240</u> Order on motion to compel filed by Timothy Budz. The parties shall comply with Local Rule 3.01(g) on or before May 27, 2009 (see order for details). Timothy Budz shall produce Request 13 (see order for details) on or before May 29, 2009. Signed by Magistrate Judge Douglas N. Frazier on 5/21/2009. (SLU) (Entered: 05/21/2009) |

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| 05/27/2009 | <u>256</u> | NON PARTY, TIMOTHY J. BUDZ'S AMENDED MOTION for reconsideration re <u>255</u> Amended order by Timothy Budz. (Kummerlen, Gregory) Modified on 5/28/2009 to edit docket text (SLU). (Entered: 05/27/2009) |
| 06/01/2009 | <u>257</u> | Joint MOTION for miscellaneous relief, specifically Joint Motion for Trial Date Certain by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 06/01/2009) |
| 06/01/2009 | <u>258</u> | MOTION for miscellaneous relief, specifically Remove Attorney Name from Electronic Notifications by GEO, Inc., Timothy Budz. (Sullivan Davis, Jennifer) (Entered: 06/01/2009) |
| 06/10/2009 | <u>259</u> | RESPONSE in opposition re <u>256</u> Amended MOTION for reconsideration re <u>255</u> Amended order filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) Modified on 6/11/2009 to edit docket text (SLU). (Entered: 06/10/2009) |
| 06/11/2009 | <u>260</u> | ORDER granting <u>258</u> Motion to remove attorney name (Jennifer Sullivan Davis) from electronic notifications. Signed by Magistrate Judge Douglas N. Frazier on 6/11/2009. (SLU) (Entered: 06/11/2009) |
| 06/16/2009 | <u>261</u> | Joint MOTION to extend time to complete mediation by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 06/16/2009) |
| 06/19/2009 | <u>262</u> | MOTION to compel <i>Production of Budgetary Information from Nonparty, Timothy Budz</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit 1)(Sleasman, Peter) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 06/19/2009) |
| 07/01/2009 | <u>263</u> | STATUS REPORT by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 07/01/2009) |
| 07/09/2009 | <u>264</u> | RESPONSE to motion re <u>262</u> MOTION to compel <i>Production of Budgetary Information from Nonparty, Timothy Budz</i> filed by Timothy Budz. (Attachments: # <u>1</u> Affidavit Dale Frick (not notarized))(Kummerlen, Gregory) (Entered: 07/09/2009) |
| 07/14/2009 | <u>265</u> | ORDER granting <u>261</u> Motion to extend time for mediation. Signed by Magistrate Judge Douglas N. Frazier on 7/14/2009. (SLU) (Entered: 07/14/2009) |
| 07/15/2009 | <u>266</u> | Joint MOTION to stay Pre-Trial Deadlines and Trial by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit 1)(Sleasman, Peter) (Entered: 07/15/2009) |
| 07/16/2009 | <u>267</u> | ORDER denying <u>256</u> Motion for reconsideration re <u>240</u> Order on motion to compel. Signed by Magistrate Judge Douglas N. Frazier on 7/16/2009. (SLU) (Entered: 07/16/2009) |
| 07/16/2009 | <u>268</u> | ORDER granting <u>266</u> Motion to stay. All pre-trial deadlines are stayed. Signed by Magistrate Judge Douglas N. Frazier on 7/16/2009. (SLU) (Entered: 07/16/2009) |
| 07/30/2009 | <u>269</u> | ORDER removing this case from the September 2009 trial calendar. The Clerk shall terminate the pending motions. Within 60 days, the parties shall file the settlement documents and the appropriate motion to confirm the settlement or file a report with the Court as to the progress of the settlement. Signed by Magistrate Judge Douglas N. Frazier on 7/30/2009. (brh) (Entered: 07/30/2009) |
| 08/06/2009 | <u>270</u> | ORDER ATTACHED directing directing Clerk to administratively close this case during the period of the parties' settlement negotiations. Signed by Judge Richard A. Lazzara on 8/6/2009. (DMB) (Entered: 08/06/2009) |
| 08/21/2009 | <u>271</u> | Joint MOTION for miscellaneous relief, specifically approval of process to notify class of proposed settlement by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit Proposed Notice and Settlement Plan)(Lentz, Kristen) Modified on 8/24/2009 (SLU). Counsel advised error on/with pleading; refiled @ <u>272</u> ; motion terminated (Entered: 08/21/2009) |

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| 08/21/2009 | <u>272</u> | Joint MOTION for miscellaneous relief, specifically approval of process to notify class of proposed settlement <i>Correction of Docket #271</i> by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Exhibit Proposed notice and settlement plan)(Lentz, Kristen) (Entered: 08/21/2009) |
| 09/14/2009 | <u>273</u> | ORDER granting <u>272</u> Motion for approval of procedure to notify class of proposed settlement and the Settlement Plan as set forth in Exhibit A, is preliminarily approved subject to further consideration and hearing by this Court. A hearing shall be held on Tuesday November 17, 2009 @ 9:00 a.m. before the undersigned in Courtroom A of the United States District Court for the Middle District of Florida, Fort Myers Division, U.S. Courthouse and Federal Building, 2110 First Street, Fort Myers, FL 33901 (the "Settlement Hearing") to determine whether the Settlement Plan on the terms and conditions provided therein is fair, reasonable and adequate to the Class (see order for details). Signed by Judge John E. Steele on 9/14/2009. (SLU) (Entered: 09/14/2009) |
| 09/21/2009 | <u>274</u> | MOTION for miscellaneous relief, specifically objecting to settlement by Joseph W. Finfrock. (Attachments: # <u>1</u> Exhibit Florida Civil Commitment Center Policy and Procedure Manual)(SLU) Modified on 10/21/2009 (SLU). STRICKEN pursuant to <u>297</u> (Entered: 09/21/2009) |
| 09/21/2009 | <u>275</u> | OBJECTION to settlement re <u>273</u> Order on Motion for Miscellaneous Relief by Earl Everett. (SLU) (Entered: 09/21/2009) |
| 09/23/2009 | <u>276</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by D. R. Erickson, Robert Jafent, Wayne A. Aliff, Tores Prophet, Rayvon Boatman, John Lane, Bernard Newsome, Louis Vargas, Lawrence Nelson, David Carter, Anthony Zielinski, Marvin Armstrong, Lucas Tom, Geoffrey Ohlich, Juan Giraldo, Moses Blakes, Eddie L. Milom, Fred Brinkley, Jr by D. R. Erickson, Robert Jafent, Wayne A. Aliff, Tores Prophet, Rayvon Boatman, John Lane, Bernard Newsome, Louis Vargas, Lawrence Nelson, David Carter, Anthony Zielinski, Marvin Armstrong, Lucas Tom, Geoffrey Ohlich, Juan Giraldo, Moses Blakes, Eddie L. Milom, Fred Brinkley, Jr. (Attachments: # <u>1</u> Exhibit Letter to Suzonne Kline from D.R. Erickson, # <u>2</u> Exhibit FCCC Resident Grievance & Resident Communication Forms)(SLU) (Entered: 09/24/2009) |
| 09/24/2009 | <u>277</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Roderick D. Lee. (SLU) (Entered: 09/24/2009) |
| 09/30/2009 | <u>278</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Frank Rafael Enriquez. (SLU) (Entered: 09/30/2009) |
| 10/02/2009 | <u>279</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by James Roy Guinn. (SLU) (Entered: 10/02/2009) |
| 10/08/2009 | <u>280</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Jamaal Bilal. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 10/09/2009) |
| 10/13/2009 | <u>281</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Fernando Luis Viruet. (SLU) (Entered: 10/13/2009) |
| 10/13/2009 | <u>282</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by D. R. Erickson. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 10/13/2009) |
| 10/13/2009 | <u>283</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Ronald C. Hood, Jr. (SLU) (Entered: 10/13/2009) |
| 10/13/2009 | <u>284</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Richard Spivey. (SLU) (Entered: 10/13/2009) |
| 10/15/2009 | <u>285</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Alonzo Newsome. (SLU) Modified on 10/16/2009 to edit docket text (SLU). (Entered: 10/16/2009) |
| 10/15/2009 | <u>286</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Daryl Leslie Lavender. (Attachments: # <u>1</u> Exhibit A – Notice of Proposed Settlement of Canupp, et al. v. Sheldon, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D – LUAG Emphasizes the Need for Continued Reform of Washington SVP Program (Part |

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| | | II))(SLU) (Entered: 10/16/2009) |
| 10/15/2009 | <u>287</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Jose Santiago. (SLU) (Entered: 10/16/2009) |
| 10/15/2009 | <u>288</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Michael Curtis Donovan. (submitted as a two-sided document) (SLU) (Entered: 10/16/2009) |
| 10/15/2009 | <u>289</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Robert Burke. (Attachments: # <u>1</u> Exhibit A – Notice of Proposed Settlement of Canupp, et al. v. Sheldon, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(SLU) (Entered: 10/16/2009) |
| 10/15/2009 | <u>290</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Michael D. Griggs. (SLU) (Entered: 10/16/2009) |
| 10/16/2009 | <u>291</u> | NOTICE by George H. Sheldon re <u>273</u> Order on Motion for Miscellaneous Relief [<i>Notice of Filing Compliance Affidavit</i>] (Attachments: # <u>1</u> Affidavit Timothy J. Budz)(Maher, Susan) (Entered: 10/16/2009) |
| 10/16/2009 | <u>292</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Kenneth A. Widel. (SLU) (Entered: 10/16/2009) |
| 10/16/2009 | <u>293</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Kenneth W. Patterson. (SLU) (Entered: 10/16/2009) |
| 10/19/2009 | <u>294</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Tom Barker. (SLU) (Entered: 10/20/2009) |
| 10/19/2009 | <u>295</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Luis Olivera filed by next friend Tom Barker. (SLU) (Entered: 10/20/2009) |
| 10/19/2009 | <u>296</u> | OBJECTION re <u>273</u> Order on Motion for Miscellaneous Relief by Terry Freeze. (SLU) (Entered: 10/20/2009) |
| 10/21/2009 | <u>297</u> | ORDER to strike re: <u>274</u> Motion for miscellaneous relief filed by Joseph W. Finfrock. Signed by Magistrate Judge Douglas N. Frazier on 10/20/2009. (SLU) (Entered: 10/21/2009) |
| 10/21/2009 | <u>298</u> | JOINT MOTION to Appear Telephonically at the fairness hearing by Frank Rafael Enriquez, Alonzo Newsome. (SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 10/21/2009) |
| 11/02/2009 | <u>299</u> | MOTION for Writ of Habeas Corpus ad testificandum by Jamaal Bilal. (Attachments: # <u>1</u> Exhibit)(SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 11/02/2009) |
| 11/02/2009 | <u>300</u> | Joint MOTION to extend time to File Motion to Approve Settlement by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, George H. Sheldon, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/02/2009) |
| 11/02/2009 | | Mail returned as Undeliverable/No such person re: <u>297</u> Order to strike. Mail was not resent to John Lane. (SLU) (Entered: 11/03/2009) |
| 11/03/2009 | <u>301</u> | ORDER granting <u>300</u> Motion to extend time and the deadline is extended by one day. Signed by Magistrate Judge Douglas N. Frazier on 11/3/2009. (SLU) (Entered: 11/03/2009) |
| 11/03/2009 | <u>302</u> | Joint MOTION for miscellaneous relief, specifically Approval of Settlement and Dismissal of Case by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, George H. Sheldon, Tywaun Jackson, Charles Durden. (Attachments: # <u>1</u> Appendix Index to Appendix, # <u>2</u> Appendix 1 – Budz Declaration, # <u>3</u> Appendix 5 – Canupp Final Action Plan, # <u>4</u> Appendix 6 – CL-1 Program Description, # <u>5</u> Appendix 7 – App 7 – CL-22 Discharge Planning, # <u>6</u> Appendix 8 – CL-2, # <u>7</u> Appendix 9 – PRG-5 Mental Health Screening, # <u>8</u> Appendix 10 – CL-4 Integrated Care Planning, # <u>9</u> Appendix 11 – CL-23 Special Needs Program, # <u>10</u> Appendix 12 – ADM-6 Language Assistance, # <u>11</u> Appendix 13 – HLTH 52 – SSRI, # <u>12</u> Appendix 14 – HLTH-53 – Anti-Androgens, # <u>13</u> Appendix 15 – ADM-13 Competency Evaluation and Training, # <u>14</u> Appendix 16 – HLTH-98 Care of the Terminally Ill, # <u>15</u> Appendix 17 – CL-10 Residential Mental Health |

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| | | Services, # <u>16</u> Appendix 4a – FCCC GEO Contract, # <u>17</u> Appendix 4b – FCCC Geo Contract, # <u>18</u> Appendix 4c – FCCC GEO Contract)(Lentz, Kristen) (Entered: 11/03/2009) |
| 11/03/2009 | <u>303</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden re <u>302</u> Joint MOTION for miscellaneous relief, specifically Approval of Settlement and Dismissal of Case of <i>Filing Documents Under Seal</i> (Lentz, Kristen) (Entered: 11/03/2009) |
| 11/04/2009 | <u>304</u> | NOTICE OF INTERLOCUTORY APPEAL as to <u>297</u> Order to strike, <u>273</u> Order on Motion for Miscellaneous Relief by Joseph W. Finfrock. (SLU) (Entered: 11/05/2009) |
| 11/04/2009 | <u>305</u> | NOTICE of appeal and APPLICATION for certificate of appealability for affidavit of indigency filed by Joseph W. Finfrock. (Docketed as a request for certificate of appealability only) (SLU) (Entered: 11/05/2009) |
| 11/04/2009 | <u>306</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Joseph W. Finfrock. (SLU) (Entered: 11/05/2009) |
| 11/05/2009 | <u>307</u> | RESPONSE in opposition re <u>298</u> MOTION to Appear Telephonically filed by George H. Sheldon. (Attachments: # <u>1</u> Exhibit A – Declaration of Tim Budz, # <u>2</u> Exhibit B – Excerpts from FCCC Classification Report)(Maher, Susan) (Entered: 11/05/2009) |
| 11/05/2009 | <u>308</u> | RESPONSE in opposition re <u>299</u> MOTION for Writ of Habeas Corpus ad testificandum filed by George H. Sheldon. (Attachments: # <u>1</u> Exhibit A – Excerpt from FCCC Classification Report, # <u>2</u> Exhibit B – Orders on Bilal from Middle and Northern Districts)(Maher, Susan) (Entered: 11/05/2009) |
| 11/05/2009 | <u>309</u> | RESPONSE to motion re <u>298</u> MOTION to Appear Telephonically filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/05/2009) |
| 11/05/2009 | <u>310</u> | NOTICE by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, Tywaun Jackson, Charles Durden of <i>Supplemental Declarations in Support of Joint Motion for Approval of Settlement</i> (Attachments: # <u>1</u> Supplement Declaration of Dr. Kathryn Burns, # <u>2</u> Supplement Declaration of Dr. Fred Berlin)(Lentz, Kristen) (Entered: 11/05/2009) |
| 11/06/2009 | <u>311</u> | ORDER denying <u>305</u> Motion for certificate of appealability; denying <u>306</u> Motion for leave to appeal in forma pauperis/affidavit of indigency. Signed by Judge John E. Steele on 11/6/2009. (RKM) (Entered: 11/06/2009) |
| 11/06/2009 | <u>312</u> | RESPONSE to motion re <u>299</u> MOTION for Writ of Habeas Corpus ad testificandum filed by Roger G. Canupp, Jacob Myers, Lawrence McGee, Hubert Davidson, George H. Sheldon, Tywaun Jackson, Charles Durden. (Lentz, Kristen) (Entered: 11/06/2009) |
| 11/06/2009 | <u>313</u> | ORDER denying <u>298</u> Motion to Appear Telephonically; denying <u>299</u> Motion for Writ of Habeas Corpus ad testificandum. Signed by Judge John E. Steele on 11/6/2009. (RKM) (Entered: 11/06/2009) |
| 11/16/2009 | <u>314</u> | NOTICE by George H. Sheldon (<i>Joint Notice</i>) of <i>Filing List of Resident Objectors and Class Status of Each</i> (Attachments: # <u>1</u> Exhibit A – Budz Declaration, # <u>2</u> Exhibit B – List of Resident Objectors and Class Status of Each)(Maher, Susan) (Entered: 11/16/2009) |
| 11/16/2009 | <u>317</u> | REPLY in opposition to response to <u>298</u> MOTION to Appear Telephonically filed by Alonzo Newsome. (kma) (Entered: 11/17/2009) |
| 11/17/2009 | <u>315</u> | NOTICE by George H. Sheldon re <u>302</u> Joint MOTION for miscellaneous relief, specifically Approval of Settlement and Dismissal of Case of <i>Filing Attachments to Budz Declaration, Doc. 302, Appendix 1</i> (Attachments: # <u>1</u> Exhibit 1 – Johnson CV, # <u>2</u> Exhibit 2 – Murphy CV)(Maher, Susan) (Entered: 11/17/2009) |
| 11/17/2009 | <u>316</u> | Minute Entry. Proceedings held before Judge John E. Steele: Settlement Conference held on 11/17/2009. Court Reporter: Jeffrey G. Thomas (BJH) (Entered: 11/17/2009) |

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| 11/17/2009 | | Mail returned as Undeliverable/No such person re: <u>301</u> Order on motion to extend time. Mail was not resent to John Lane. (SLU) (Entered: 11/18/2009) |
| 11/17/2009 | | Sealed document S-3. (SLU) (Entered: 11/19/2009) |
| 11/23/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>304</u> Notice of interlocutory appeal. (kma) (Entered: 11/23/2009) |
| 11/23/2009 | <u>318</u> | OPINION AND ORDER granting <u>302</u> Motion for approval of settlement and dismissal of case. The case is dismissed with prejudice. Defendant must provide notice to the FCCC residents regarding approval of the settlement and dismissal of this action on or before December 2, 2009, by utilizing the same methods previously ordered by the Court in its September 14, 2009 Order. On or before December 7, 2009, an FCCC official shall file an affidavit confirming that every resident at the facility was given notice of the approval of the settlement and dismissal of this action. the Clerk shall enter judgment accordingly and close the case. Signed by Judge John E. Steele on 11/23/2009. (RKM) (Entered: 11/23/2009) |
| 11/24/2009 | <u>319</u> | JUDGMENT (Signed by Deputy Clerk) (SLU) (Entered: 11/24/2009) |
| 12/04/2009 | <u>320</u> | NOTICE of compliance re <u>318</u> Order on Motion for Miscellaneous Relief by George H. Sheldon (Attachments: # <u>1</u> Affidavit Tim Budz)(Maher, Susan) (Entered: 12/04/2009) |
| 12/09/2009 | | Mail returned as Undeliverable/No such person re: <u>319</u> Judgment, <u>318</u> Order on Motion for Miscellaneous Relief. Mail was not resent to John Lane. (SLU) (Entered: 12/09/2009) |
| 12/09/2009 | <u>321</u> | NOTICE OF APPEAL as to <u>318</u> Order on Motion for Miscellaneous Relief by Jamaal Bilal. Filing fee not paid. (Attachments: # <u>1</u> Exhibit Objections to Discharge Planning Clause 21 of the Parties Proposed Settlement Agreement Motion for the Appointment of a Monitor to Oversee Terms of Settlement Agreement)(SLU) (Entered: 12/09/2009) |
| 12/16/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>321</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (slp) (Entered: 12/16/2009) |
| 12/16/2009 | <u>322</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Anthony Zielinski. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>323</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Marvin Armstrong. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>324</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Fred Brinkley, Jr. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>325</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Lawrence Nelson. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>326</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by David Carter. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>327</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by D. R. Erickson. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>328</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Robert Zaferes. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/16/2009 | <u>329</u> | NOTICE OF APPEAL as to <u>319</u> Judgment by Eddie L. Milom. Filing fee not paid. (SLU) (Entered: 12/16/2009) |
| 12/17/2009 | <u>330</u> | NOTICE OF APPEAL as to <u>319</u> Judgment, <u>318</u> Order on Motion for Miscellaneous Relief by Daryl Leslie Lavender. Filing fee not paid. (SLU) (Entered: 12/17/2009) |

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| 12/23/2009 | <u>331</u> | NOTICE OF APPEAL as to <u>232</u> Order on motion for reconsideration, <u>230</u> Order on motion for reconsideration Order on motion to intervene, <u>222</u> Order on motion to intervene, <u>318</u> Order on Motion for Miscellaneous Relief by Earnest Bell, Sammy James Douse, Neil Barba, Aaron Marsh, Joseph Shaw. Filing fee not paid. (Attachments: # <u>1</u> Exhibit Notice of Court Approved Settlement of Canupp, et al. v. Sheldon)(SLU) (Entered: 12/28/2009) |
| 12/30/2009 | <u>332</u> | NOTICE OF APPEAL as to <u>318</u> Order on Motion for Miscellaneous Relief by Michael Curtis Donovan. Filing fee not paid. (Attachments: # <u>1</u> Exhibit)(SLU) Modified on 3/9/2012 (kma). (Entered: 12/30/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>322</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>323</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>324</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>325</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>326</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>327</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>328</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>329</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |

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| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>330</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>331</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 12/31/2009 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>332</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (kma) (Entered: 12/31/2009) |
| 01/11/2010 | <u>334</u> | TRANSCRIPT information form filed by Aaron Marsh for proceedings held on 01/08/09 before Magistrate Judge Douglas N. Frazier re <u>331</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/11/2010 | <u>339</u> | TRANSCRIPT information form filed by Joseph Shaw re <u>331</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/11/2010 | <u>340</u> | TRANSCRIPT information form filed by Sammy James Douse re <u>331</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/12/2010 | <u>335</u> | TRANSCRIPT information form filed by Daryl Leslie Lavender re <u>330</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/12/2010 | <u>336</u> | TRANSCRIPT information form filed by Michael Curtis Donovan re <u>332</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/12/2010 | <u>337</u> | TRANSCRIPT information form filed by Neil Barba re <u>331</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/12/2010 | <u>338</u> | TRANSCRIPT information form filed by Earnest Bell re <u>331</u> Notice of appeal. (kma) (Entered: 01/18/2010) |
| 01/13/2010 | <u>333</u> | MOTION to appoint conflict free counsel on appeal by D. R. Erickson, Lawrence Nelson, David Carter, Fred Brinkley, Jr. (SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 01/13/2010) |
| 01/15/2010 | <u>341</u> | ORDER of USCA dismissing for lack of jurisdiction as to <u>304</u> Notice of interlocutory appeal filed by Joseph W. Finfrock. EOD: 01/13/10; USCA number: 09-15949D. (kma) (Entered: 01/18/2010) |
| 01/25/2010 | <u>342</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Jamaal Bilal. (SLU) (Entered: 01/25/2010) |
| 01/25/2010 | <u>343</u> | TRANSCRIPT information form filed by Jamaal Bilal for proceedings held on 11/17/2009 before Judge John E. Steele re <u>321</u> Notice of appeal. USCA number: 09-16334-D. (slp) (Entered: 01/26/2010) |
| 01/29/2010 | <u>346</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Jamaal Bilal. (SLU) (Entered: 02/04/2010) |
| 02/03/2010 | <u>344</u> | MOTION for leave to proceed in forma pauperis by Fred Brinkley, Jr, David Carter, D. R. Erickson, Lawrence Nelson, Anthony Zielinski. (Attachments: # <u>1</u> Exhibit USCA Appearance of Counsel form)(SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 02/03/2010) |
| 02/03/2010 | <u>345</u> | AFFIDAVIT of indigency by D. R. Erickson. (SLU) (Entered: 02/03/2010) |

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| 02/08/2010 | <u>347</u> | MOTION for leave to appeal in forma pauperis by Daryl Leslie Lavender. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 02/08/2010) |
| 02/08/2010 | <u>348</u> | AFFIDAVIT of indigency by Daryl Leslie Lavender. (SLU) (Entered: 02/08/2010) |
| 02/08/2010 | <u>349</u> | COURT REPORTER ACKNOWLEDGMENT by Jeffrey G. Thomas re <u>321</u> Notice of appeal, satisfactory arrangements for paying the cost of the transcript have not been made. USCA number: 09-16334-D. (slp) (Entered: 02/09/2010) |
| 02/22/2010 | <u>350</u> | ORDER of USCA (certified copy) DISMISSED for want of prosecution as to <u>323</u> Notice of appeal filed by Marvin Armstrong. EOD: 02/18/10; USCA number: 10-10111-D. (slp) (Entered: 02/24/2010) |
| 02/22/2010 | <u>351</u> | ORDER of USCA (certified copy) DISMISSED for want of prosecution as to <u>328</u> Notice of appeal filed by Robert Zaferes. EOD: 02/18/10; USCA number: 10-10116-D. (slp) (Entered: 02/24/2010) |
| 02/22/2010 | <u>352</u> | ORDER of USCA (certified copy) DISMISSED for want of prosecution as to <u>329</u> Notice of appeal filed by Eddie L. Milom. EOD: 02/22/10; USCA number: 10-10117-D. (slp) (Entered: 02/24/2010) |
| 03/01/2010 | <u>353</u> | TRANSCRIPT information form filed by D. R. Erickson for all hearings re <u>327</u> Notice of appeal. (kma) (Entered: 03/02/2010) |
| 03/10/2010 | <u>354</u> | ORDER deeming <u>332</u> Notice of Appeal untimely; denying <u>344</u> Motion for leave to proceed in forma pauperis; denying <u>342</u> and <u>346</u> Motion for leave to appeal in forma pauperis/affidavit of indigency; denying <u>347</u> Motion for Leave to Appeal in forma pauperis for lack of standing. Residents Brinkley, Carter, Nelson, and Zielinski must each file a motion for leave to appeal in forma pauperis on or before March 19, 2010. Signed by Judge John E. Steele on 3/10/2010. (RKR) (Entered: 03/10/2010) |
| 03/15/2010 | <u>355</u> | ORDER of USCA (certified copy) DISMISSED for want of prosecution as to <u>331</u> Notice of appeal filed by Aaron Marsh, Joseph Shaw, Neil Barba, Earnest Bell, Sammy James Douse. EOD: 03/12/10; USCA number: 10-10566-D. (slp) (Entered: 03/15/2010) |
| 03/15/2010 | <u>356</u> | ORDER of USCA (certified copy) DISMISSED for want of prosecution as to <u>331</u> Notice of appeal filed by Aaron Marsh, Joseph Shaw, Neil Barba, Earnest Bell, Sammy James Douse. EOD: 03/12/10; USCA number: 10-10567-D. (slp) (Entered: 03/15/2010) |
| 03/15/2010 | <u>357</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Earnest Bell. (originally received in USCA on 3/10/10) (SLU) (Entered: 03/18/2010) |
| 03/15/2010 | <u>358</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Sammy James Douse. (originally filed in USCA on 3/10/10) (SLU) (Entered: 03/18/2010) |
| 03/15/2010 | <u>359</u> | MOTION for leave to appeal in forma pauperis/affidavit of indigency by Aaron Marsh. (originally filed in USCA on date not specified) (SLU) (Entered: 03/18/2010) |
| 03/15/2010 | <u>361</u> | TRANSCRIPT information form filed by Aaron Marsh for proceedings held on 01/08/09, 03/16/09 & 03/24/09 before Magistrate Judge Douglas N. Frazier re <u>331</u> Notice of appeal. USCA number: 10-10134-D. (slp) (Entered: 03/23/2010) |
| 03/22/2010 | <u>360</u> | ORDER denying <u>333</u> Motion to appoint counsel; denying <u>357</u> Motion for leave to appeal in forma pauperis/affidavit of indigency; denying <u>358</u> Motion for leave to appeal in forma pauperis/affidavit of indigency; denying <u>359</u> Motion for leave to appeal in forma pauperis/affidavit of indigency. Signed by Judge John E. Steele on 3/22/2010. (RKR) (Entered: 03/22/2010) |
| 04/07/2010 | | TRANSMITTAL to USCA forwarding certified copy of <u>354</u> . (slp) (Entered: 04/07/2010) |
| 04/07/2010 | | TRANSMITTAL to USCA forwarding certified copy of <u>360</u> . (slp) (Entered: 04/07/2010) |

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| 04/14/2010 | <u>362</u> | ORDER of USCA (certified copy) DISMISSING for want of prosecution as to <u>322</u> Notice of appeal filed by Anthony Zielinski. EOD: 04/12/10; USCA number: 10-10110-D. (slp) (Entered: 04/14/2010) |
| 04/14/2010 | <u>363</u> | ORDER of USCA (certified copy) DISMISSING for want of prosecution as to <u>324</u> Notice of appeal filed by Fred Brinkley, Jr.. EOD: 04/12/10; USCA number: 10-10112-D. (slp) (Entered: 04/14/2010) |
| 04/14/2010 | <u>364</u> | ORDER of USCA (certified copy) DISMISSING for want of prosecution as to <u>325</u> Notice of appeal filed by Lawrence Nelson. EOD: 04/12/10; USCA number: 10-10113-D. (slp) (Entered: 04/14/2010) |
| 04/14/2010 | <u>365</u> | ORDER of USCA (certified copy) DISMISSING for want of prosecution as to <u>326</u> Notice of appeal filed by David Carter. EOD: 04/12/10; USCA number: 10-10114-D. (slp) (Entered: 04/14/2010) |
| 04/16/2010 | <u>366</u> | NOTICE OF APPEAL as to <u>318</u> Order on Motion for Miscellaneous Relief by Michael Curtis Donovan. Filing fee not paid. (SLU) (Entered: 04/16/2010) |
| 04/16/2010 | <u>367</u> | NOTICE of proposed order for preliminary injunction and temporary restraining order by Michael Curtis Donovan (SLU) Modified on 4/22/2010 (SLU). STRICKEN pursuant to <u>368</u> (Entered: 04/19/2010) |
| 04/20/2010 | | TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>366</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (slp) (Entered: 04/20/2010) |
| 04/21/2010 | <u>368</u> | ORDER directing the Clerk to strike <u>367</u> Notice of proposed order for a preliminary injunction and temporary restraining order filed by Michael Curtis Donovan. Signed by Judge John E. Steele on 4/21/2010. (RKR) (Entered: 04/21/2010) |
| 04/28/2010 | <u>369</u> | ORDER deeming untimely and not taken in good faith <u>366</u> Notice of appeal filed by Michael Curtis Donovan. Signed by Judge John E. Steele on 4/28/2010. (RKR) (Entered: 04/28/2010) |
| 05/03/2010 | <u>370</u> | ORDER of USCA (certified copy) DISMISSING as to <u>330</u> Notice of appeal filed by Daryl Leslie Lavender. EOD: 04/29/10; USCA number: 10-10118-D. (slp) (Entered: 05/04/2010) |
| 05/04/2010 | <u>371</u> | RESPONSE re <u>368</u> Order filed by Michael Curtis Donovan. (SLU) (Entered: 05/04/2010) |
| 05/05/2010 | <u>372</u> | ORDER of USCA (certified copy)DISMISSING as to <u>331</u> Notice of appeal filed by Aaron Marsh, Joseph Shaw, Neil Barba, Earnest Bell, Sammy James Douse. EOD: 05/03/10; USCA number: 10-10134-D. (slp) (Entered: 05/07/2010) |
| 05/05/2010 | <u>373</u> | ORDER of USCA (certified copy) DISMISSING as to <u>331</u> Notice of appeal filed by Aaron Marsh, Joseph Shaw, Neil Barba, Earnest Bell, Sammy James Douse. EOD: 05/03/10; USCA number: 10-10563-D. (slp) (Entered: 05/07/2010) |
| 05/05/2010 | <u>374</u> | ORDER of USCA (certified copy) DISMISSING as to <u>331</u> Notice of appeal filed by Aaron Marsh, Joseph Shaw, Neil Barba, Earnest Bell, Sammy James Douse. EOD: 05/03/10; USCA number: 10-10565-D. (slp) (Entered: 05/07/2010) |
| 05/06/2010 | | TRANSMITTAL to USCA forwarding certified copy of <u>369</u> re <u>366</u> Notice of appeal (slp) (Entered: 05/06/2010) |
| 05/14/2010 | <u>375</u> | TRANSCRIPT information form filed for proceedings held on all transcripts on file re <u>366</u> Notice of appeal. USCA number: 10-11826-D. (slp) (Entered: 05/14/2010) |
| 05/26/2010 | <u>376</u> | ORDER of USCA (certified copy) DISMISSING as to <u>366</u> Notice of appeal filed by Michael Curtis Donovan. EOD: 05/24/10; USCA number: 10-11826-D. (slp) (Entered: 05/26/2010) |

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| 06/01/2010 | <u>377</u> | ORDER of USCA (certified copy) DISMISSING for want of prosecution as to <u>327</u> Notice of appeal filed by D. R. Erickson. EOD: 05/27/10; USCA number: 10-10115-D. (slp) (Entered: 06/03/2010) |
| 08/05/2010 | <u>378</u> | TRANSCRIPT of Hearing Re Settlement held on 11/17/09 before Judge John E. Steele. Court Reporter/Transcriber Jeffrey G. Thomas, Telephone number (239) 461-2033. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 8/26/2010, Redacted Transcript Deadline set for 9/7/2010, Release of Transcript Restriction set for 11/3/2010. (JGT) (Entered: 08/05/2010) |
| 08/05/2010 | 379 | NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Jeffrey G. Thomas (JGT) (Entered: 08/05/2010) |
| 08/05/2010 | <u>380</u> | NOTIFICATION that transcript has been filed by Jeffrey G. Thomas re: <u>321</u> Notice of appeal USCA number: 09-16334-D (slp) (Entered: 08/05/2010) |
| 08/16/2010 | <u>381</u> | RESPONSE re 379 Notice to counsel of filing of official transcript filed by Michael Curtis Donovan. (Attachments: # <u>1</u> Exhibit)(SLU) (Entered: 08/16/2010) |
| 08/17/2010 | <u>382</u> | MOTION to appoint counsel by Michael Curtis Donovan. (SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 08/17/2010) |
| 08/17/2010 | <u>383</u> | MOTION for certified hard copies of the record on appeal by Michael Curtis Donovan. (SLU) Motions referred to Magistrate Judge Douglas N. Frazier. (Entered: 08/17/2010) |
| 08/17/2010 | <u>384</u> | MOTION for extension of time to file document (brief) by Michael Curtis Donovan. (SLU) (Entered: 08/17/2010) |
| 08/18/2010 | <u>385</u> | LETTER NOTICE of change of address and REQUEST for docket sheet by Jamaal Bilal (SLU) Modified on 8/18/2010 (SLU). Response and page count for docket sheet provided on 8/18/10 (Entered: 08/18/2010) |
| 08/24/2010 | <u>386</u> | ORDER denying as moot <u>382</u> Motion to appoint counsel ; denying <u>383</u> Motion for copies; Plaintiff may receive "certified copies" by informing the Court which documents he wants copied and remitting payment for said copies at the following rate: 0.50 cents per page copies, plus a \$9.00 charge for certification; denying as moot <u>384</u> Motion for extension of time to file. Signed by Magistrate Judge Douglas N. Frazier on 8/23/2010. (SLU) (Entered: 08/24/2010) |
| 09/07/2010 | <u>387</u> | RESPONSE re <u>386</u> Order on motion to appoint counsel Order on motion for copies Order on motion for extension of time to file filed by Michael Curtis Donovan. (SLU) (Entered: 09/07/2010) |
| 12/15/2010 | <u>388</u> | CERTIFICATE of readiness sent to USCA re: <u>321</u> Notice of appeal. ROA consists of: volume of pleadings: 11 volume of transcripts: 3 USCA number: 09-16334-DD (slp) (Entered: 12/15/2010) |
| 12/15/2010 | | RECORD on appeal sent to USCA re <u>321</u> Notice of appeal. Transmittal includes certified copy of docket sheet, volume of pleadings: 11, volume of transcripts: 3, USCA number 09-16334-DD (slp) (Entered: 12/15/2010) |
| 04/11/2011 | <u>389</u> | CERTIFICATE of readiness sent to USCA re: <u>332</u> Notice of appeal. ROA consists of: volume of pleadings: 11 volume of transcripts: 3 USCA number: 10-10135-DD (slp) (Entered: 04/11/2011) |
| 06/17/2011 | <u>390</u> | USCA judgment (certified copy) affirming the decision of the District Court as to <u>321</u> Notice of appeal filed by Jamaal Bilal Entered on docket 03/07/11. Issued as Mandate on: 06/15/11 USCA number: 09-16334-DD. (slp) (Entered: 06/27/2011) |

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| 02/24/2012 | <u>391</u> | USCA judgment affirming the decision of the District Court as to <u>332</u> Notice of appeal filed by Michael Curtis Donovan Entered on docket 12/01/11. Issued as Mandate on: 02/24/12 USCA number: 10-10135-DD. (slp) (Entered: 03/09/2012) |
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