

PROTECTIVE ORD,TERMINATED

**U.S. District Court
District of Oregon (Eugene (6))
CIVIL DOCKET FOR CASE # 6:04-cv-01427-AA**

Mayfield et al v. Ashcroft et al
Assigned to: Chief Judge Ann L. Aiken
Case in other court: Ninth Circuit, 05-35971
Ninth Circuit, 05-35971
Ninth Circuit, 07-35865

Date Filed: 10/04/2004
Date Terminated: 11/05/2007
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Cause: 28:1343 Violation of Civil Rights

Plaintiff

Brandon Bieri Mayfield
an individual

represented by **Elden M. Rosenthal**
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Plaintiff

Mona Mayfield
*Appointed as Guardian Ad Litem per
Order*

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LEAD ATTORNEY
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Gerry Spence
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LEAD ATTORNEY
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Michele Longo Eder
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Plaintiff

Shane Mayfield

represented by **Elden M. Rosenthal**
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Plaintiff

Sharia Mayfield

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Plaintiff

Samir Mayfield
individuals, by and through their
guardian ad litem Mona Mayfield

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V.

Defendant

John Ashcroft
Attorney General of the United States of
America
TERMINATED: 01/18/2007

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Defendant

Richard K. Werder
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TERMINATED: 01/18/2007

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Sara Wood Clash–Drexler
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Defendant

Terry Green
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TERMINATED: 01/18/2007

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TERMINATED: 01/31/2007
LEAD ATTORNEY
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Defendant

John T. Massey
an individual
TERMINATED: 01/18/2007

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Defendant

Michael Wieners
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TERMINATED: 01/18/2007

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Sara Wood Clash-Drexler
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Defendant

Department of Justice
an executive department of the United States of America
TERMINATED: 01/18/2007

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Defendant

Federal Bureau of Investigation
*an agency of the United States of
 America, and John Does I-X, individuals*
 TERMINATED: 01/18/2007

represented by **Edward J. Martin**
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 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Renee S. Orleans
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 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Sara Wood Clash-Drexler
 (See above for address)
 TERMINATED: 01/31/2007
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Nicholas A. Oldham
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 ATTORNEY TO BE NOTICED

Defendant

United States of America

represented by **Edward J. Martin**
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Nicholas A. Oldham
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Renee S. Orleans
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Date Filed	#	Docket Text
10/04/2004	<u>1</u>	Complaint. Filing Fee in amount of \$150.00 collected. Receipt No. 179594 issued. Summons issued as to All Defendants. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield against John Ashcroft, Department of Justice, Federal Bureau of Investigation, Terry Green, John T. Massey, Richard K. Werder, Michael Wieners.(pvh,) (Entered: 10/04/2004)
10/04/2004	<u>2</u>	Discovery and Pretrial Scheduling Order and Notice of Case Assignment. Discovery to be completed by 2/1/2005. Joint Alternate Dispute Resolution Report due by 3/3/2005. Pretrial Order due by 3/3/2005. (pvh,) (Entered: 10/04/2004)
10/04/2004	<u>3</u>	Petition for Appointment of Guardian Ad Litem. Filed by all plaintiffs. (pvh,) (Entered: 10/04/2004)
10/04/2004	<u>4</u>	Affidavit of Elden M. Rosenthal in Support of Motion. Filed by all plaintiffs. (Related document(s): Motion to Appoint <u>3</u> .)(pvh,) (Entered: 10/04/2004)
10/04/2004	<u>5</u>	Notice of Case Reassignment: This case has been reassigned from Judge Ann L. Aiken to Judge Owen M. Panner. (pvh,) (Entered: 10/06/2004)

10/13/2004	<u>6</u>	Order Granting Application for Special Admission Pro Hac Vice of Gerry Spence for Samir Mayfield; Shane Mayfield; Sharia Mayfield; Brandon Bieri Mayfield and Mona Mayfield. Application Fee in amount of \$100 collected. Receipt No. 179595 issued. Signed on 10/13/04 by Judge Owen M. Panner. (dmd,) (Entered: 10/14/2004)
10/13/2004	<u>7</u>	ORDER Appointing Guardian Ad Litem. IT IS NOW, THEREFORE, ORDERED that Mona Mayfield is appointed Guardian Ad Litem for the minor plaintiffs Shane Mayfield, Sharia Mayfield, and Samir Mayfield, and is directed and authorized to prosecute the above-entitled action in their behalf. (See 2-page order for details). Signed on 10/13/04 by Judge Owen M. Panner. (dmd,) (Entered: 10/14/2004)
10/14/2004	<u>8</u>	Record of Order setting a scheduling conference by telephone on October 28, 2004, at 2:15 p.m. The court will initiate the call. Judge Owen M. Panner, presiding. (dmd,) (Entered: 10/14/2004)
10/19/2004	<u>9</u>	Record of Order. Scheduling Conference set for 12/13/2004 at 01:30PM by Telephone before Judge Owen M. Panner. The court will initiate the call. Judge Owen M. Panner, presiding. (dmd,) (Entered: 10/20/2004)
11/05/2004	<u>10</u>	Motion to Reassign Judge or, in the Alternative, to Recuse or Disqualify Judge. Filed by all plaintiffs. (dmd,) (Entered: 11/05/2004)
11/05/2004	<u>11</u>	Memorandum in Support of Motion to Reassign Case, Motion to Recuse <u>10</u> . Filed by all plaintiffs. (dmd,) (Entered: 11/05/2004)
11/05/2004	<u>12</u>	Affidavit of Gerry Spence in Support of Motion. Filed by all plaintiffs. (Related document(s): Motion to Reassign Case, Motion to Recuse <u>10</u> .)(dmd,) (Entered: 11/05/2004)
11/05/2004	<u>13</u>	Affidavit of Elden M. Rosenthal in Support of Motion. Filed by all plaintiffs. (Related document(s): Motion to Reassign Case, Motion to Recuse <u>10</u> .)(dmd,) (Entered: 11/05/2004)
11/08/2004	<u>14</u>	Affidavit of Owen M. Panner, United States District Judge.(Related document(s): Motion to Reassign Case, Motion to Recuse <u>10</u> .)(dmd,) (Entered: 11/08/2004)
11/08/2004	<u>15</u>	Notice of Case Reassignment: This case has been reassigned from Judge Owen M. Panner to Judge Ann L. Aiken and reassigned to the Eugene Division. (Meyer, Craig) (Entered: 11/08/2004)
11/15/2004	<u>16</u>	Waiver of Service of Summons -- Accepted by Richard Werder on November 4, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>17</u>	Waiver of Service of Summons -- Accepted by Michael Wieners on November 4, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>18</u>	Return of Service of summons and complaint. Service executed upon John Ashcroft on October 12, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>19</u>	Return of Service executed upon Richard K. Werder on October 6, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>20</u>	Return of Service executed upon Terry Green on 10/7/04. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>21</u>	Return of Service executed upon John T. Massey on October 21, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>22</u>	Return of Service executed upon Michael Wieners on October 7, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)

11/15/2004	<u>23</u>	Return of Service of summons and complaint. Service executed upon Department of Justice on October 12, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/15/2004	<u>24</u>	Return of Service of summons and complaint. Service executed upon Federal Bureau of Investigation on October 12, 2004. Filed by Brandon Bieri Mayfield, Mona Mayfield, Samir Mayfield, Shane Mayfield, Sharia Mayfield. (cp,) (Entered: 11/17/2004)
11/29/2004	<u>25</u>	Motion for Extension of Time to Answer until 1/14/05. Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation, Terry Green, Richard K. Werder, Michael Wieners. (cp,) (Entered: 11/30/2004)
12/01/2004	26	CIVIL MINUTES: Record of Order by Ann L. Aiken: Status Conference set for 1/20/2005 at 09:00AM by Telephone before Judge Ann L. Aiken. Ordered granting defendants' unopposed motion <u>25</u> for enlargement of time to 1/14/05 to respond to plaintiff's complaint. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 12/01/2004)
12/23/2004	27	CIVIL MINUTES: Record of Order by Ann L. Aiken: Status Conference reset at defendants' request from 1/20/04 to 1/21/2005 at 11:30AM by Telephone. The court will initiate the call. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 12/23/2004)
01/14/2005	<u>28</u>	Motion to Dismiss <i>Counts 12 and 13 of the Complaint</i> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Clash-Drexler, Sara) (Entered: 01/14/2005)
01/14/2005	<u>29</u>	Memorandum in Support of <i>Motion to Dismiss Counts 12 and 13 of the Complaint</i> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Related document(s): Motion to Dismiss <u>28</u> .)(Clash-Drexler, Sara) (Entered: 01/14/2005)
01/14/2005	<u>30</u>	Answer to Complaint <i>Count 11</i> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation.(Clash-Drexler, Sara) (Entered: 01/14/2005)
01/14/2005	<u>31</u>	Motion to Dismiss <i>or in the Alternative for Summary Judgment</i> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Martin, Edward) (Entered: 01/14/2005)
01/14/2005	<u>32</u>	Memorandum in Support <i>Motion to Dismiss or in the Alternative for Summary Judgment</i> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Related document(s): Motion to Dismiss <u>31</u> .)(Martin, Edward) (Entered: 01/14/2005)
01/14/2005	<u>33</u>	Concise Statement of Material Facts in Support of Defendants Werder, Green and Weiners' Motion to Dismiss or in the Alternative for Summary Judgment <u>31</u> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Martin, Edward) Modified on 5/9/2005 (lae,). (Entered: 01/14/2005)
01/14/2005	<u>34</u>	Motion to File Exhibits Under Seal. Filed by Richard K. Werder, Terry Green, Michael Wieners. (cp,) (Entered: 01/18/2005)
01/14/2005	<u>35</u>	Memorandum in Support of Motion to File Exhibits Under Seal. Filed by Richard K. Werder, Terry Green, Michael Wieners. (Related document(s): <u>34</u> .)(cp,) (Entered: 01/18/2005)
01/20/2005	<u>36</u>	Motion to Dismiss <i>Alternative Motion for Summary Judgment</i> . Filed by John T. Massey. (O'Connor, Michael) (Entered: 01/20/2005)
01/20/2005	<u>37</u>	Memorandum in Support of <i>Motion to Dismiss; Alternative Motion for Summary Judgment</i> . Filed by John T. Massey. (Related document(s): Motion to Dismiss <u>36</u> .)(O'Connor, Michael) (Entered: 01/20/2005)
01/20/2005	<u>38</u>	Declaration of John T. Massey, Jr. <i>in Support of His Motion to Dismiss; Alternative Motion for Summary Judgment</i> . Filed by John T. Massey. (Related document(s): Motion to Dismiss <u>36</u> .)(O'Connor, Michael) (Entered: 01/20/2005)
01/21/2005	39	CIVIL MINUTES: Record of Proceedings: Telephone Status Conference held 1/21/05. Ordered plaintiff allowed to file an amended complaint to add a defendant. The court reserves ruling on the timing of the summary judgment motion in

		relation to the Rule 56(f) application. Ordered parties to confer and submit a briefing schedule on the motion to dismiss and Rule 56(f) application. Elden Rosenthal, Michele Longo Eder present as counsel for plaintiffs. Sara Clash-Drexler, Elizabeth Shapiro, Timothy Garren, Richard Montague, Michael O'Connor, Peter Greenspun present as counsel for defendants. Court Reporter: Kristi Anderson. Ann L. Aiken presiding. (lae,) (Entered: 01/21/2005)
01/25/2005	<u>40</u>	Order Granting Application for Special Admission Pro Hac Vice of Peter D. Greenspun for John T. Massey. Application Fee in amount of \$100 collected. Receipt No. 600000170 issued. Signed on 1/24/05 by Judge Ann L. Aiken. (ljb,) Modified on 2/4/2005 (cp,). (Entered: 01/25/2005)
01/25/2005	<u>41</u>	Order Granting Application for Special Admission Pro Hac Vice of Christie A. Leary for John T. Massey. Application Fee in amount of \$100 collected. Receipt No. 600000170 issued.. Signed on 1/24/05 by Judge Ann L. Aiken. (ljb,) Modified on 2/4/2005 (cp,). (Entered: 01/25/2005)
01/25/2005	<u>42</u>	Order Granting Application for Special Admission Pro Hac Vice of Thomas Peter Mann for John T. Massey. Application Fee in amount of \$100 collected. Receipt No. 600000170 issued. Signed on 1/24/05 by Judge Ann L. Aiken. (ljb,) Modified on 2/4/2005 (cp,). (Entered: 01/25/2005)
01/28/2005	<u>43</u>	Motion to Continue <i>of Summary Judgment Motion (FRCP 56(f))</i> . Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 01/28/2005)
01/28/2005	<u>44</u>	Memorandum in Support <i>of Motion for Continuance of Summary Judgment Motion (FRCP56(f))</i> . Filed by all plaintiffs. (Related document(s): Motion to continue <u>43</u> .)(Rosenthal, Elden) (Entered: 01/28/2005)
01/28/2005	<u>45</u>	Affidavit of Elden M. Rosenthal in Support of Motion <i>for Continuance of Summary Judgment Motion</i> . Filed by all plaintiffs. (Related document(s): Motion to continue <u>43</u> .)(Rosenthal, Elden) (Entered: 01/28/2005)
01/28/2005	<u>46</u>	Declaration of Brandon Mayfield. Filed by all plaintiffs. (Related document(s): Motion to continue <u>43</u> .)(Rosenthal, Elden) (Entered: 01/28/2005)
02/03/2005	<u>47</u>	Motion to Compel <i>Defendant Ashcroft to Provide Notice</i> . Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 02/03/2005)
02/03/2005	<u>48</u>	Memorandum in Support <i>of Motion to Compel Defendant Ashcroft to Provide Notice</i> . Filed by all plaintiffs. (Related document(s): Motion to compel <u>47</u> .)(Rosenthal, Elden) (Entered: 02/03/2005)
02/03/2005	<u>49</u>	Declaration of Brandon Mayfield. Filed by all plaintiffs. (Related document(s): Motion to compel <u>47</u> .)(Rosenthal, Elden) (Entered: 02/03/2005)
02/04/2005	50	Order regarding Orders on Application for special admission pro hac vice, <u>40</u> <u>41</u> and <u>42</u> for Administrative Correction of the Record. A Clerical error has been discovered in the case record. In accordance with Fed. R. Civ. P. 60(a), the Clerk is directed to make the following administrative corrections to the record and to notify all parties accordingly. Correct the docket text in Orders <u>40</u> , <u>41</u> and <u>42</u> to reflect that Peter D. Greenspun, Christie A. Leary and Thomas Peter Mann the attorneys appointed pro hac vice, represent Defendant, John T. Massey, rather than the plaintiffs. The Clerk is also directed to remove attorney Peter D. Greenspun, Christie A. Leary and Thomas Peter Mann as attorney for Plaintiff and add them as attorneys of record for Defendant, John T. Massey on the docket sheet. (cp,) (Entered: 02/04/2005)
02/07/2005	51	CIVIL MINUTES: Record of Order by Judge Ann L. Aiken: Adopting the schedule agreed upon by all counsel and set forth in plaintiff's letter to the court, dated 2/2/05. Ordered Defendants Werder, Green, Weiners and Massey will respond to Plaintiffs' Motion for Continuance of Summary Judgment Motion <u>43</u> by 2/25/05. Ordered Plaintiffs' reply to be filed by 3/25/05. Plaintiffs' Motion for Continuance of Summary Judgment Motion <u>43</u> taken under advisement as of 3/28/2005. Ordered plaintiffs' counsel will respond to U. S. Dept of Justice and FBI's Motion to Dismiss counts 12 and 13 of the Complaint <u>28</u> by 2/11/05. Defendants' reply to be filed by 3/10/05. Ordered Defendants U. S. Dept of Justice and FBI's Motion to Dismiss Counts 12 and

		13 of the Complaint <u>28</u> taken under advisement as of 3/14/05. Ordered plaintiffs to respond to Defendants Werder, Green, and Wieners' Motion to Dismiss <u>31</u> and Defendant Massey's Motion to Dismiss <u>36</u> by 3/18/05. Defendants to file a reply within 30 days of receipt of plaintiffs' response. Ordered Defendants Werder, Green, Wieners' Motion to Dismiss <u>31</u> and Defendant Massey's Motion to Dismiss <u>36</u> taken under advisement as if 4/25/05. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 02/07/2005)
02/07/2005	52	ORDER: Record of Order by Judge Ann L. Aiken: Pursuant to Defendants Green, Wieners and Werder's letter request to the court, dated 2/3/05, ordered Defendants Green, Wieners and Werder's Motion to File Exhibits Under Seal <u>34</u> and the accompanying memorandum <u>35</u> are hereby withdrawn. (lae,) (Entered: 02/07/2005)
02/08/2005	<u>53</u>	Memorandum in Opposition To Defendants Department of Justice and Federal Bureau of Investigation's Motion To Dismiss Counts Twelve and Thirteen of The Complaint to Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> . Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit)(Rosenthal, Elden) (Entered: 02/08/2005)
02/09/2005	<u>54</u>	Amended Memorandum in Opposition to Defendants Department of Justice and Federal Bureau of Investigation's Motion to Dismiss Counts Twelve and Thirteen of The Complaint to Motion to Dismiss Counts 12 and 13 of the Complaint to Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> . Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Exhibits A – D)(Rosenthal, Elden) (Entered: 02/09/2005)
02/16/2005	<u>55</u>	Exhibits (Related Doc. Motion to Dismiss <i>or in the Alternative (Concise Statement of Material Facts)</i> <u>33</u>). Filed by Richard K. Werder, Terry Green, Michael Wieners.(cp,) (Entered: 02/16/2005)
02/25/2005	<u>56</u>	Memorandum in Opposition to Motion to Continue of Summary Judgment Motion (FRCP 56(f)) <u>43</u> . Filed by John T. Massey.(Mann, Thomas) (Entered: 02/25/2005)
02/25/2005	<u>57</u>	Memorandum in Opposition to Motion to Continue of Summary Judgment Motion (FRCP 56(f)) <u>43</u> . Filed by Richard K. Werder, Terry Green, Michael Wieners.(Martin, Edward) (Entered: 02/25/2005)
03/17/2005	<u>58</u>	Response to Defendants Werder's, Green's, Wieners' and Massey's to Motion to Dismiss Alternative Motion for Summary Judgment <u>36</u> , Motion to Dismiss <i>or in the Alternative for Summary Judgment</i> <u>31</u> , Motion to Dismiss <i>or in the Alternative (Concise Statement of Material Facts)</i> <u>33</u> . Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Rosenthal, Elden) (Entered: 03/17/2005)
03/21/2005	59	CIVIL MINUTES: Record of Order by Ann L. Aiken: As requested in the government's letter to the court, dated 3/3/05, ordered government's response to Plaintiff's Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> shall be filed by 4/8/2005. Pursuant to LR 26.5(c), no reply may be filed. Plaintiff's Motion to Compel Defendant Ashcroft to Provide Notice taken under advisement as of 4/11/2005. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 03/21/2005)
03/21/2005	60	CIVIL MINUTES: Record of Order by Ann L. Aiken: As requested in the government's letter to the court, dated 3/3/05, ordered government's reply to Agency Defendants' Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> due by 4/8/2005. Defendants John Ashcroft, Department of Justice, and FBI's Motion to Dismiss Counts 12 and 13 of the Complaint taken under advisement as of 4/11/2005. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 03/21/2005)
03/23/2005	<u>61</u>	Reply to Defendants Werder's, Green's, Wieners' and Massey's Memoranda in Opposition to Motion to Continue of Summary Judgment Motion (FRCP 56(f)) <u>43</u> . Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B)(Rosenthal, Elden) (Entered: 03/23/2005)
03/29/2005	<u>62</u>	Motion for Extension of Time to File a Response/Reply to Motion to Dismiss <u>31</u> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Martin, Edward) (Entered: 03/29/2005)
03/29/2005	<u>63</u>	Memorandum in Support of Motion for Extention of Time. Filed by Richard K. Werder, Terry Green, Michael Wieners. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion <u>62</u> .)(Martin, Edward)

		(Entered: 03/29/2005)
03/29/2005	<u>64</u>	Motion to File Supplement in support of Rule 56 Application. Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 03/29/2005)
03/29/2005	<u>65</u>	Supplement Memorandum of Law in Support of Rule 56(f) Application. Filed by all plaintiffs. (Related document(s): Motion <u>64</u> .)(Rosenthal, Elden) (Entered: 03/29/2005)
03/29/2005	<u>66</u>	Motion to File Supplemental Memorandum of Law In Response to Defendants' Motion to Dismiss Counts 12 and 13 of the Complaint. Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 03/29/2005)
03/29/2005	<u>67</u>	Supplement Memorandum of Law in Response to Defendants' Motion to File Supplemental Memorandum of Law In Response to Defendants' Motion to Dismiss Counts 12 and 13 of the Complaint. Filed by all plaintiffs. (Related document(s): Motion <u>66</u> .)(Rosenthal, Elden) (Entered: 03/29/2005)
03/31/2005	68	ORDER: Record of Order by Judge Ann L. Aiken: Granting Defendants Green, Wieners, and Werder's Motion for Enlargement of Time to File Reply <u>62</u> . Reply due by 4/27/2005. Defendants Green, Wieners, and Werder's Motions to Dismiss taken under advisement as of 5/2/2005 for <u>31</u> and for <u>33</u> . (lae,) (Entered: 03/31/2005)
03/31/2005	69	ORDER: Record of Order by Judge Ann L. Aiken: Granting Plaintiffs' Motion to file Supplemental Memorandum of Law in Support of Plaintiffs' Rule 56(f) Application <u>64</u> . Defendants allowed until 4/15/05 to respond to plaintiffs' supplemental memorandum. Plaintiffs' Rule 56(f) Motion <u>43</u> taken under advisement as of 4/18/2005. (lae,) (Entered: 03/31/2005)
03/31/2005	70	ORDER: Record of Order by Judge Ann L. Aiken: Granting Plaintiffs' Motion to File Supplemental Memorandum of Law in Response to Defendants' Motion to Dismiss Counts 12 and 13 of the Complaint <u>66</u> . Defendants' reply due 4/15/05. Defendants' Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> taken under advisement as of 4/18/2005. (lae,) (Entered: 03/31/2005)
04/15/2005	<u>71</u>	Supplemental Memorandum in Opposition to Plaintiffs' Supplemental Memorandum to Motion to Continue of Summary Judgment Motion (FRCP 56(f)) <u>43</u> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Attachments: # <u>1</u> Exhibit A-C)(Martin, Edward) (Entered: 04/15/2005)
04/15/2005	<u>72</u>	Reply to Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> , Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation.(Clash-Drexler, Sara) (Entered: 04/15/2005)
04/19/2005	<u>73</u>	Motion for Permission to File Reply Memorandum re Plaintiffs' Motion to Compel Defendant Ashcroft to Provide Notice. Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 04/19/2005)
04/20/2005	74	ORDER: Record of Order by Judge Ann L. Aiken: Granting Plaintiffs' Motion for Permission to File Reply Memorandum Re Plaintiffs' Motion to Compel Defendant Ashcroft to Provide Notice <u>73</u> . Reply due by 4/27/2005. Plaintiffs' Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> taken under advisement as of 5/2/2005. (lae,) (Entered: 04/20/2005)
04/27/2005	<u>75</u>	Reply to Plaintiff's Reponse to Motion to Dismiss or in the Alternative for Summary Judgment <u>31</u> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Attachments: # <u>1</u> Attachment)(Martin, Edward) (Entered: 04/27/2005)
04/28/2005	<u>76</u>	Reply Memorandum to Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> . Filed by all plaintiffs.(Rosenthal, Elden) (Entered: 04/28/2005)
05/09/2005	77	Order for Administrative Correction of the Record. A Clerical error has been discovered in the case record. In accordance with Fed. R. Civ. P. 60(a), the Clerk is directed to make the following administrative corrections to the record and to notify all parties accordingly. Correct docket entry for document #33 to read Concise Statement of Material Fact in Support of Defendants Werder, Green, and

		Weiner's Motion to Dismiss or in the Alternative for Summary Judgment. The entry was incorrectly entered as a motion. (lae,) (Entered: 05/09/2005)
05/25/2005	<u>78</u>	Supplemental Declaration of Sanchez <i>in Support of Defendants Werder's, Green's and Wiener's Motion to Dismiss or in the Alternative for Summary Judgment</i> . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Martin, Edward) (Entered: 05/25/2005)
06/03/2005	79	CIVIL MINUTES: Record of Order by Ann L. Aiken: Oral Argument set on Plaintiffs' Motion to Continue Summary Judgment Motion (FRCP 56(f))<u>43</u> , Defendants Department of Justice, FBI and Ashcroft's Motion to Dismiss Counts 12 and 13 of the Complaint <u>28</u> , Defendants Werder, Green, and Wieners' Motion to Dismiss or in the Alternative for Summary Judgment <u>31</u> , Plaintiffs' Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> , and Defendant Massey's Motion to Dismiss Alternative Motion for Summary Judgment <u>36</u> for 7/15/2005 at 10:00AM in Courtroom 13B of the U. S. Courthouse in Portland before Judge Ann L. Aiken. Ordered by Judge Ann L. Aiken. (lae,) (Entered: 06/03/2005)
07/13/2005	<u>80</u>	Supplemental Motion for Summary Judgment <i>and in Opposition to Individual Defendants' Motions to Dismiss</i> . Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Steele, Beth Email) (Rosenthal, Elden) (Entered: 07/13/2005)
07/15/2005	81	CIVIL MINUTES: Record of Proceedings: Motion Hearing held 7/15/05 in Portland. Ordered Plaintiffs' Motion to Compel Defendant Ashcroft to Provide Notice <u>47</u> , Defendant Massey's Motion to Dismiss <u>36</u> , Plaintiffs' Motion to Continue Summary Judgment Motion <u>43</u> , Defendants' Ashcroft, Department of Justice, and FBI's Motion to Dismiss <u>28</u> , Defendants Werder, Green, and Wieners' Motion to Dismiss <u>31</u> taken under advisement as of 7/15/2005. Elden Rosenthal, Gerry Spence present as counsel for plaintiffs. Thomas Mann, Michael O'Connor, Timothy Garren, Richard Montague, Sara Clash-Drexler, Jeffrey Bucholtz, Scott Glick present as counsel for defendants. Court Reporter: Nancy Walker. Ann L. Aiken presiding. (lae,) (Entered: 07/18/2005)
07/26/2005	<u>82</u>	Transcript of Proceedings held on July 15, 2005 before Judge Ann L. Aiken. Court Reporter: Nancy M. Walker. (cp,) (Entered: 07/27/2005)
07/28/2005	<u>83</u>	ORDER: Plaintiffs' motion for continuance of summary judgment motions <u>43</u> is granted as follows: plaintiffs' motion is granted as to defendants' alternative motions for summary judgment. Plaintiffs' responses in opposition to defendants' motions are due after discovery. Plaintiffs' motion to compel defendant Gonzales to provide notice <u>47</u> is denied with leave to renew. (See order). Defendant John T. Massey's motion to dismiss or in the alternative for summary judgment <u>36</u> is denied as follows: (See Order). Defendants Werder's, Green's and Wieners' motion to dismiss or in the alternative for summary judgment <u>31</u> is denied as follows: (See Order). Finally, defendants Department of Justice and Federal Bureau of Investigation motion to dismiss counts twelve and thirteen of the complaint <u>28</u> is denied as follows: (See Order). Signed on July 28, 2005 by Judge Ann L. Aiken. (cp,) (Entered: 07/28/2005)
08/05/2005	84	CIVIL MINUTES: Record of Proceedings: Telephone Status Conference held 8/5/05 to discuss mediation options. Ordered parties to confer regarding mediation. Further Status Conference set for 8/23/2005 at 09:00AM by Telephone before Judge Ann L. Aiken. The court will initiate the call. Gerry Spence, Elden Rosenthal present as counsel for plaintiffs. Jeff Bucholtz, Richard Montague, Tim Garren, Elizabeth Shapiro, James Touchey, Edward Martin, Thomas Mann present as counsel for defendants. Court Reporter: Kristi Anderson. Ann L. Aiken presiding. (lae,) (Entered: 08/05/2005)
08/11/2005	<u>85</u>	Answer to Complaint. Filed by John T. Massey.(Mann, Thomas) (Entered: 08/11/2005)
08/11/2005	<u>86</u>	Answer to Complaint. Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation.(Clash-Drexler, Sara) (Entered: 08/11/2005)
08/11/2005	<u>87</u>	Answer to Complaint. Filed by Richard K. Werder, Terry Green, Michael Wieners.(Martin, Edward) (Entered: 08/11/2005)

08/23/2005	88	CIVIL MINUTES: Record of Proceedings: Telephone Status Conference held 8/23/05. The parties advise the court they have agreed upon a mediator. Ordered parties to contact the court to set up further status conference after they have agreed on date for mediation. Elden Rosenthal present as counsel for plaintiffs. Jeff Bucholtz, James Touhey, Edward Martin, Sara Clash-Drexler, James Sutherland, Thomas Mann present as counsel for defendants. Court Reporter: Kristi Anderson. Ann L. Aiken presiding. (lae,) (Entered: 08/23/2005)
08/25/2005	89	Transcript of Proceedings held on August 5, 2005 before Judge Ann Aiken. Court Reporter: Kristi Anderson.. (cp,) (Entered: 08/25/2005)
09/23/2005	90	Notice of Appeal to the 9th Circuit from Order on motion to dismiss,,, Order on motion to continue, Order on motion to compel,,,,,,83 . Filed by Richard K. Werder, Terry Green, Michael Wieners. Transcript Designation due by 11/22/2005. (Related Document(s): Order on motion to dismiss,,, Order on motion to continue, Order on motion to compel,,,,,,83) (Martin, Edward) (Entered: 09/23/2005)
09/23/2005	91	Notice of Appeal to the 9th Circuit from Order on motion to dismiss,,, Order on motion to continue, Order on motion to compel,,,,,,83 . Filed by John T. Massey. Transcript Designation due by 11/22/2005. (Related Document(s): Order on motion to dismiss,,, Order on motion to continue, Order on motion to compel,,,,,,83) (Mann, Thomas) (Entered: 09/23/2005)
09/27/2005	92	Notification of Appeal from Notice of Appeal 90 sent to USCA for the 9th Circuit and counsel along with a copy of the docket sheet. (cp,) (Entered: 09/27/2005)
09/29/2005	93	Motion for Order for <i>Certification that Defendants Massey?s, Werder?s, Wieners? And Green?s Appeals From The Court?s Orders Re Their Motion to Dismiss, or in The Alternative for Summary Judgment, are Frivolous</i> . Oral Argument requested Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 09/29/2005)
09/29/2005	94	Memorandum in Support of <i>Plaintiffs? Motion for Written Certification That Defendants Massey?s, Werder?s, Wieners? And Green?s Appeals From The Court?s Orders Re Their Motion To Dismiss, Or In The Alternative For Summary Judgment, Are Frivolous</i> . Filed by all plaintiffs. (Related document(s): Motion for Order,93 .)(Rosenthal, Elden) (Entered: 09/29/2005)
10/05/2005	95	Appeal Docketing Fee in amount of \$255.00 collected; Receipt No. 300005689 issued. (Related doc.91)(cp,) (Entered: 10/05/2005)
10/05/2005	96	Notification of Appeal from Notice of Appeal 91 sent to USCA for the 9th Circuit and counsel along with a copy of the docket sheet. (cp,) (Entered: 10/05/2005)
10/13/2005	97	Response in Opposition to <i>Plaintiffs' Motion to Certify Appeal as Frivolous</i> to Motion for Order,93 . Filed by Richard K. Werder, Terry Green, Michael Wieners. (Attachments: # 1 Attachment)(Martin, Edward) (Entered: 10/13/2005)
10/14/2005		Notice confirming Docketing Record on Appeal re Notice of Appeal,91 Case Appealed to 9th Circuit; Case Number 05-35990 assigned. (cp,) (Entered: 10/14/2005)
10/14/2005	98	Copy of Time Schedule Order from USCA for the 9th Circuit re Notice of Appeal, 91 : Transcript due 11/23/05; opening brief due 1/9/06. (Related Document(s): Notice of Appeal,91) (cp,) (Entered: 10/14/2005)
10/19/2005	99	Motion for Extension of Time to File a Response/Reply re <i>Written Certification</i> to Motion for Order,93 . Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 10/19/2005)
10/19/2005	100	Affidavit of Elden M. Rosenthal in Support of <i>Motion for Extension of Time to File Reply Memorandum re Certification</i> . Filed by all plaintiffs. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion99 .)(Rosenthal, Elden) (Entered: 10/19/2005)
10/24/2005	101	ORDER: Record of Order by Judge Ann L. Aiken: Granting Plaintiffs' Motion for Extension of Time to File Reply Memorandum Re Certification that Defendant Massey's, Werder's, Wieners' and Green's Appeal Are Frivolous99 . Reply due by 11/10/2005. Motion taken under advisement as of 11/14/2005 for93 . (lae,) (Entered: 10/24/2005)

10/24/2005	<u>102</u>	Certified Copy of Order from USCA for the 9th Circuit re Notice of Appeal <u>90</u> . Transcript designation due 10/26/05. (cp,) (Entered: 10/24/2005)
10/24/2005		Notice confirming Docketing Record on Appeal re Notice of Appeal <u>90</u> ; Case Appealed to Ninth Circuit Case; Number 05-35971 assigned.(cp,) (Entered: 10/24/2005)
11/07/2005	<u>103</u>	Copy of Order from USCA for the 9th Circuit re Notice of Appeal, <u>91</u> : Appellant has 14 days to file civil appeals docketing statement. (cp,) (Entered: 11/08/2005)
11/08/2005	<u>104</u>	Reply <i>In Support of Plaintiffs'</i> to Motion for Order <i>for Certification that Defendants Massey?s, Werder?s, Wieners? And Green?s Appeals From The Court?s Orders Re Their Motion to Dismiss, or in The Alternative for Summary Judgment, are Frivolous</i> <u>93</u> Oral Argument requested. Filed by all plaintiffs.(Rosenthal, Elden) (Entered: 11/08/2005)
11/14/2005	<u>105</u>	Report <i>re: Civil Appeals Docketing Statement (Original mailed directly to Ninth Circuit Court of Appeals)</i> . Filed by John T. Massey. (Attachments: # <u>1</u> Attachment Opinion and Order of Judge Aiken - 7-28-05# <u>2</u> Attachment John T. Massey's Notice of Appeal)(Mann, Thomas) (Entered: 11/14/2005)
11/17/2005	106	ORDER: Record of Order by Judge Ann L. Aiken: Denying Plaintiffs' Motion for Certification that Defendants Massey's, Werder's, Wieners' and Green's Appeals from the Court's Orders Re Their Motion to Dismiss or, in the Alternative for Summary Judgment, are frivolous <u>93</u> . (lae,) (Entered: 11/17/2005)
06/09/2006	<u>107</u>	Motion to Compel. Oral Argument requested Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 06/09/2006)
06/09/2006	<u>108</u>	Memorandum in Support of <i>Motion to Compel</i> . Filed by all plaintiffs. (Related document(s): Motion to compel <u>107</u> .)(Rosenthal, Elden) (Entered: 06/09/2006)
06/22/2006	<u>109</u>	Consent Motion for Protective Order. Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Attachments: # <u>1</u> Proposed Order Proposed Protective Order) (Clash-Drexler, Sara) (Entered: 06/22/2006)
06/22/2006	<u>110</u>	Memorandum in Support of <i>Consent Motion for Protective Order</i> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Related document(s): Motion for Protective Order <u>109</u> .)(Clash-Drexler, Sara) (Entered: 06/22/2006)
06/22/2006	<u>111</u>	Consent Motion for Extension of Time to File a Response/Reply to Motion to compel <u>107</u> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Clash-Drexler, Sara) (Entered: 06/22/2006)
06/22/2006	<u>112</u>	Memorandum in Support of <i>Consent Motion for Extension of Time to File Response to Motion to Compel</i> . Filed by John Ashcroft, Department of Justice, Federal Bureau of Investigation. (Related document(s): Motion for Extension of Time to File Response/Reply to a Motion <u>111</u> .)(Clash-Drexler, Sara) (Entered: 06/22/2006)
06/23/2006	113	ORDER: Record of Order by Judge Ann L. Aiken: Granting Defendants Department of Justice and FBI's Motion for Enlargement of Time to Respond to Plaintiffs' Motion to Compel <u>111</u> . Response due 10 days following the court's ruling on Defendants' Motion for Protective Order. Plaintiffs' Motion to Compel <u>107</u> is taken under advisement as of 7/17/2006. (lae,) (Entered: 06/23/2006)
06/23/2006	<u>114</u>	Protective Order. Signed on 6/23/06 by Judge Ann L. Aiken. (cp,) (Entered: 06/23/2006)
09/06/2006	115	Record of Order by Ann L. Aiken: Plaintiff's Motion to Compel <u>107</u> is stayed pending receipt of the mandate from the Court of Appeals. Ordered by Judge Ann L. Aiken. (lae) (Entered: 09/06/2006)
09/14/2006	116	Motion <i>for Leave to Proceed with Discovery</i> . Filed by all plaintiffs.Associated Cases: 6:04-cv-01427-AA, 6:06-cv-00305-AA (Rosenthal, Elden) (Entered: 09/14/2006)

09/14/2006	117	Memorandum in Support of <i>Motion for Leave to Proceed with Discovery</i> . Filed by all plaintiffs. (Related document(s): Motion(116 in 6:04-cv-01427-AA, 24 in 6:06-cv-00305-AA).)Associated Cases: 6:04-cv-01427-AA, 6:06-cv-00305-AA (Rosenthal, Elden) (Entered: 09/14/2006)
09/15/2006	118	ORDER: Plaintiffs' motion to proceed with discovery 116 is granted as follows: discovery may proceed on plaintiffs' Privacy Act Claim only during the pendency of defendants' interlocutory appeal filed by the Bivens defendants. Further, the court notes that plaintiffs conferred with counsel for the Privacy Act Claim defendants and those defendants have filed no objection to this motion. Ordered by Judge Ann L. Aiken. (lae) (Entered: 09/15/2006)
09/15/2006	119	Notice of Appearance of Renee S. Orleans appearing for on behalf of Department of Justice, Federal Bureau of Investigation.Associated Cases: 6:04-cv-01427-AA, 6:06-cv-00305-AA (Orleans, Renee) (Entered: 09/15/2006)
11/21/2006	<u>120</u>	Record on Appeal 05-35971 sent to the Ninth Circuit regarding Notice of Appeal, <u>90</u> (1 Volume, 1 Bulky with documents 55, 82 and 89). (cp) (Entered: 11/21/2006)
11/28/2006	121	MINUTES of Proceedings: Telephone Status Conference held 11/28/06. Elden Rosenthal present as counsel for plaintiffs. Christie Leary, Michael O'Connor, Edward Martin, Timothy Garren, Sara Clash-Drexler, Renee Orleans present as counsel for defendants. Court Reporter: Kristi Anderson. Ann L. Aiken presiding. (lae) (Entered: 11/28/2006)
11/28/2006	<u>122</u>	Notice of Attorney Withdrawal: <i>Thomas Peter Mann</i> .Filed by John T. Massey. (O'Connor, Michael) (Entered: 11/28/2006)
12/06/2006	<u>123</u>	Amended Complaint for <i>Declaratory Judgment</i> .Filed by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield against all defendants. (Rosenthal, Elden) (Entered: 12/06/2006)
12/11/2006	<u>124</u>	Order from USCA for the 9th Circuit dismissing Appeal re Notice of Appeal <u>90</u> .(cp) (Entered: 12/13/2006)
12/27/2006	125	Scheduling Order by Ann L. Aiken: Pursuant to Plaintiff's letter to the court, dated 12/18/06, ordered plaintiff's motion for summary judgment is due by 1/16/2007. Defendant's response and cross-motion for summary judgment are due by 2/9/2007. Plaintiff's reply is due by 3/9/2007. Defendant's reply due 3/30/07. The parties may amend the schedule, if necessary. Ordered by Judge Ann L. Aiken. (lae) (Entered: 12/27/2006)
01/16/2007	<u>126</u>	Motion for Summary Judgment. oral argumentrequested Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 01/16/2007)
01/16/2007	<u>127</u>	Certificate of Service by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield of Motion for Summary Judgment <u>126</u> . (Rosenthal, Elden) (Entered: 01/16/2007)
01/16/2007	<u>128</u>	Concise Statement of Material Fact. Filed by all plaintiffs. (Related document(s): Motion for Summary Judgment <u>126</u> .) (Rosenthal, Elden) (Entered: 01/16/2007)
01/16/2007	<u>129</u>	Certificate of Service by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield of Concise Statement of Material Fact <u>128</u> . (Rosenthal, Elden) (Entered: 01/16/2007)
01/16/2007	<u>130</u>	Memorandum in Support. Filed by all plaintiffs. (Related document(s): Motion for Summary Judgment <u>126</u> .) (Rosenthal, Elden) (Entered: 01/16/2007)
01/16/2007	<u>131</u>	Certificate of Service by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield of Memorandum in Support <u>130</u> . (Rosenthal, Elden) (Entered: 01/16/2007)
01/17/2007		Appeal Record Returned: 05-35971 returned from the Ninth Circuit regarding Notice of Appeal, <u>90</u> . (1 Volume, 2 Bulky Documents) (cp) (Entered: 01/17/2007)
01/31/2007	<u>132</u>	Notice of Attorney Substitution:Attorney Nicholas A. Oldham is substituted as counsel of record in place of Attorney Sara Wood Clash-Drexler.Filed by Department of Justice, Federal Bureau of Investigation. (Oldham, Nicholas)

		(Entered: 01/31/2007)
02/08/2007	133	ORDER: Plaintiffs' Motion to Compel <u>107</u> is denied as moot. Ordered by Judge Ann L. Aiken. (lae) (Entered: 02/08/2007)
02/20/2007	<u>134</u>	Motion to Dismiss <i>Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment</i> . Filed by United States of America. (Orleans, Renee) (Entered: 02/20/2007)
02/20/2007	<u>135</u>	Memorandum in Support <i>Memorandum in Support of Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment, And Opposition to Plaintiffs' Motion for Summary Judgment</i> . Filed by United States of America. (Attachments: # <u>1</u> Exhibit Defendant's Exhibit 1-3) (Orleans, Renee) (Entered: 02/20/2007)
02/20/2007	<u>136</u>	Concise Statement of Material Fact <i>Defendant's Concise Statement of Material Facts and Response to Plaintiffs' Concise Statement of Material Facts</i> . Filed by United States of America. (Related document(s): Motion for Summary Judgment <u>126</u> .) (Orleans, Renee) (Entered: 02/20/2007)
02/20/2007	<u>137</u>	Unopposed Motion to File Excess Pages <i>Defendant's Unopposed Motion to File Excess Pages</i> re Motion to Dismiss <u>134</u> . Filed by United States of America. (Orleans, Renee) (Entered: 02/20/2007)
02/23/2007	138	ORDER: Granting Defendant's Unopposed Motion to File Excess Pages <u>137</u> . Ordered by Judge Ann L. Aiken. (lae) (Entered: 02/23/2007)
03/30/2007	<u>139</u>	Reply <i>memo in support of</i> to Motion for Summary Judgment <u>126</u> oral argument requested. Filed by all plaintiffs. (Rosenthal, Elden) (Entered: 03/30/2007)
03/30/2007	<u>140</u>	Certificate of Service by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield of Reply to Motion <u>139</u> (Rosenthal, Elden) (Entered: 03/30/2007)
04/18/2007	<u>141</u>	Motion for Extension of Time to <i>File Reply Memorandum</i> . Filed by United States of America. (Orleans, Renee) (Entered: 04/18/2007)
04/18/2007	142	Record of Order by Ann L. Aiken : Granting Defendant's Motion for Extension of Time to 5/4/07 to File Reply Memorandum <u>141</u> . Plaintiff's Motion for Summary Judgment <u>126</u> and <i>Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment</i> <u>134</u> are taken under advisement as of 5/7/2007. Ordered by Judge Ann L. Aiken. (lae) (Entered: 04/18/2007)
05/04/2007	<u>143</u>	Reply to Motion to Dismiss <i>Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment</i> <u>134</u> . Filed by United States of America. (Orleans, Renee) (Entered: 05/04/2007)
06/11/2007	144	Scheduling Order by Ann L. Aiken: Oral Argument on Plaintiffs' Motion for Summary Judgment <u>126</u> and Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment <u>134</u> is set for 9/10/2007 at 10:00AM in Courtroom 12A of the U. S. Courthouse in Portland before Judge Ann L. Aiken. Ordered by Judge Ann L. Aiken. (lae) (Entered: 06/11/2007)
07/16/2007	<u>145</u>	Notice of <i>Supplemental Authority</i> . Filed by United States of America. (Attachments: # <u>1</u>) (Orleans, Renee) (Entered: 07/16/2007)
09/07/2007	<u>146</u>	Notice of <i>Supplemental Authority</i> . Filed by all plaintiffs. (Attachments: # <u>1</u> Attachment Decision) (Rosenthal, Elden) (Entered: 09/07/2007)
09/07/2007	<u>147</u>	Certificate of Service by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield of Notice <u>146</u> Filed by Sharia Mayfield, Samir Mayfield, Brandon Bieri Mayfield, Mona Mayfield, Shane Mayfield. (Rosenthal, Elden) (Entered: 09/07/2007)
09/10/2007	148	MINUTES of Proceedings: Motion Hearing. <i>Defendant's Motion to Dismiss the Amended Complaint or For Summary Judgment</i> <u>134</u> , and Plaintiffs' Motion for Summary Judgment <u>126</u> are taken under advisement as of 9/10/2007. Elden Rosenthal, Gerry Spence, Michele Longo Eder present as counsel for plaintiff(s). Jeff Bucholtz, Nicholas Oldham present as counsel for defendant(s). Court

		Reporter: Nancy Walker. Ann L. Aiken presiding. (Related document(s): Motion to Dismiss <u>134</u> , Motion for Summary Judgment <u>126</u> .) (sm) (Entered: 09/10/2007)
09/25/2007	<u>149</u>	Notice of Supplemental Information. Filed by United States of America. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3) (Oldham, Nicholas) (Entered: 09/25/2007)
09/26/2007	<u>150</u>	OPINION AND ORDER: Plaintiff's Motion for Summary Judgment <u>126</u> is granted. Defendant's Motion to Dismiss the Amended Complaint <u>134</u> or cross-motion for summary judgment <u>134</u> is denied. The parties have until November 1, 2007, to submit a stipulation regarding costs, or file briefs regarding this issue. Signed on September 26, 2007 by Judge Ann L. Aiken. (cp) (Entered: 09/26/2007)
10/09/2007	<u>151</u>	Notice of Appeal to the 9th Circuit from Order on motion for summary judgment,, Order on motion to dismiss, <u>150</u> . Filed by United States of America. (Related Document(s): Order on motion for summary judgment,, Order on motion to dismiss, <u>150</u>) (Attachments: # <u>1</u> Representation Statement) (Oldham, Nicholas) (Entered: 10/09/2007)
10/11/2007	<u>152</u>	Notification of Appeal from Notice of Appeal <u>151</u> sent to USCA for the 9th Circuit and counsel along with a copy of the docket sheet.(Order being appealed <u>150</u>) (cp) (Entered: 10/11/2007)
10/19/2007	<u>153</u>	Transcript of Motion Hearing Proceedings held on 9/10/07 before Judge Ann Aiken. Court Reporter: Nancy M. Walker. (ljb) (Entered: 10/22/2007)
10/22/2007		Notice confirming Docketing Record on Appeal re Notice of Appeal <u>151</u> Case Appealed to 9th Circuit Court of Appeals Case Number 07-35865 assigned. (Related Document(s): Notice of Appeal <u>151</u>) (ljb) (Entered: 10/22/2007)
10/22/2007	<u>154</u>	Certified Copy of Time Schedule Order from USCA for the 9th Circuit re Notice of Appeal <u>151</u> . (Related Document(s): Notice of Appeal, <u>151</u>) (ljb) (Entered: 10/22/2007)
11/05/2007	<u>155</u>	Judgment: Judgment is entered in favor of plaintiffs and against defendant. This action is dismissed. Signed November 5, 2007 by Deputy Clerk, Leslie Engdall. (cp) (Entered: 11/05/2007)
11/07/2007	<u>156</u>	Notice Regarding Transcript Order. Filed by United States of America. (Oldham, Nicholas) (Entered: 11/07/2007)
11/08/2007	<u>157</u>	Certificate of Record transmitted to USCA for the 9th Circuit re Notice of Appeal, <u>151</u> . (cp) (Entered: 11/08/2007)
01/08/2009	<u>158</u>	Record on Appeal 07-35865 sent to the Ninth Circuit regarding Notice of Appeal, <u>151</u> . (Attachments: # <u>1</u> Docket Sheet) (cp) (Entered: 01/08/2009)
03/22/2010		Appeal Record Returned - 07-35865 returned from the Ninth Circuit regarding Notice of Appeal, <u>151</u> (2 Volumes, 2 transcripts and 1 bulky document). (cp) (Entered: 03/22/2010)
03/24/2010	<u>159</u>	Copy of Order from USCA for the 9th Circuit re Notice of Appeal, <u>151</u> . The Government's Motion to Correct Factual Misstatements in the Panel Opinion is Granted. The opinion filed December 10, 2009 and reported at 588 F.3d 1252, is vacated, and a new opinion is filed concurrently with this Order. The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The petition for rehearing en banc is denied. No further petitions for rehearing shall be filed. OPINION: Vacating the judgment of the district court without reaching the merits of Mayfield's Fourth Amendment claim, and remand to the district court with directions to dismiss Mayfield's Amended Complaint. VACATED AND REMANDED. (cp) Modified on 3/30/2010 to correct typo (lae). (Entered: 03/29/2010)
05/17/2010	<u>160</u>	MANDATE of USCA for the 9th Circuit re Notice of Appeal, <u>151</u> . The decision of the District Court is Vacated and Remanded. (cp) (Entered: 05/17/2010)

05/17/2010	<u>161</u>	Judgment: This action is dismissed. Signed May 17, 2010 by Deputy Clerk, Leslie Engdall. (cp) (Entered: 05/18/2010)
06/30/2010	<u>162</u>	Writ of Certiorari filed with the US Supreme Court re Notice of Appeal, <u>151</u> .Supreme Court Case No. 09-1561. (cp) (Entered: 07/01/2010)
11/01/2010	<u>163</u>	Petition for Writ of Certiorari denied by US Supreme Court re Notice of Appeal, <u>151</u> . (sln) (Entered: 11/01/2010)