

**U.S. District Court  
Eastern District of Arkansas (Little Rock)  
CIVIL DOCKET FOR CASE #: 4:01-cv-00830-BSM**

Pediatric Specialty, et al v. Arkansas Human Svc, et al  
Assigned to: Judge Brian S. Miller  
Demand: \$0  
Case in other court: USDC E/D AR, 4:99CV00810JMM  
Cause: 42:1983 Other Civil Rights

Date Filed: 12/06/2001  
Date Terminated: 11/13/2008  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Pediatric Specialty Care Inc**

represented by **Martin Wayne Bowen**  
Bowen & Taylor Law, PLLC  
Post Office Box 30383  
Little Rock, AR 72210  
501-455-2331  
Fax: 501-455-2214  
Email: [bowen@bowenlaw.us](mailto:bowen@bowenlaw.us)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
Williams & Anderson, PLC  
111 Center Street  
Suite 2200  
Little Rock, AR 72201-2413  
501-372-0800  
Fax: 501-376-6453  
Email: [pkaplan@williamsanderson.com](mailto:pkaplan@williamsanderson.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Child & Youth Pediatric Day Clinics  
Inc**

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Family Counseling & Diagnostic Clinic  
Inc**  
*TERMINATED: 01/04/2005*

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 01/04/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*TERMINATED: 01/04/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

represented by

**Tomorrow's Child Learning Center  
LLC**  
*TERMINATED: 11/12/2008*

**Tomorrow's Child Learning Center  
LLC**  
PRO SE

**Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*TERMINATED: 11/12/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Charles A. Banks**  
Banks Law Firm, PLLC  
Post Office Box 251310  
Little Rock, AR 72225-1310  
501-280-0100  
Fax: 501-280-0166  
Email: [cbanks@bankslawfirm.us](mailto:cbanks@bankslawfirm.us)  
*TERMINATED: 11/12/2008*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**D &D Family Enterprises Inc**  
*TERMINATED: 01/04/2005*

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 01/04/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*TERMINATED: 01/04/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**James Swindle**

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Stacey Swindle**  
*as parents and next best friends of Jacob  
and Noah Swindle, Minors*  
*unknown*  
Jacob Swindle  
*unknown*  
Noah Swindle

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Susann Crespino**  
*as parent and next best friend of Michael Crespino, a minor unknown*  
Michael Crespino

represented by **Martin Wayne Bowen**  
(See above for address)  
*TERMINATED: 08/15/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip E. Kaplan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Arkansas Department of Human Services**

represented by **Breck G. Hopkins**  
Arkansas Department of Human Services – LR  
Office of Chief Counsel  
Post Office Box 1437  
Slot S-260  
Little Rock, AR 72203-1437  
(501) 682-8598  
Email: [breck.hopkins@arkansas.gov](mailto:breck.hopkins@arkansas.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
Attorney at Law  
5005 Crestwood Drive  
Little Rock, AR 72207  
501-663-1151  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
Arkansas Attorney General's Office  
Catlett-Prien Tower Building  
323 Center Street  
Suite 200  
Little Rock, AR 72201-2610  
(501) 682-1314  
Email: [lori.freno@arkansasag.gov](mailto:lori.freno@arkansasag.gov)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kurt Knickrehm**  
*in his individual capacity and in his official capacity as Director of The Arkansas Department of Human Services*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)

*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ray Hanley**  
*in his individual capacity as director of  
the Division of Medical Services of The  
Arkansas Department of Human Services*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Arkansas Foundation for Medical Care**

represented by **Michael R. Rainwater**  
Rainwater, Holt &Sexton P.A.  
Post Office Box 17250  
Little Rock, AR 72222-7250  
(501) 868-2500  
Email: [rainwater@rainfirm.com](mailto:rainwater@rainfirm.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Roy Jeffus**  
*in his official capacity as Interim Director  
of Arkansas Department of Human  
Services Division of Medical Services*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**Arkansas Department of Human  
Services**  
*TERMINATED: 03/07/2005*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**Kurt Knickrehm**  
*TERMINATED: 03/07/2005*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**Roy Jeffus**  
*TERMINATED: 03/07/2005*

represented by **Breck G. Hopkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lee S. Thalheimer**  
(See above for address)  
*TERMINATED: 08/18/2008*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lori Freno-Engman**  
(See above for address)  
*TERMINATED: 08/26/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**ThirdParty Defendant**

**Mark McClellan**  
*Administrator, CMS, in his official capacity*  
*TERMINATED: 03/07/2005*

represented by **Richard M. Pence , Jr.**  
U. S. Attorney's Office – Little Rock  
Eastern District of Arkansas  
Post Office Box 1229  
Little Rock, AR 72203–1229  
(501) 340–2626  
Email: [richard.pence@usdoj.gov](mailto:richard.pence@usdoj.gov)  
*TERMINATED: 03/07/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Defendant**

**Department of Health and Human Services**  
*Tommy Thompson, Secretary of the Department of Health and Human Services in his official capacity*

represented by **Richard M. Pence , Jr.**  
(See above for address)  
*TERMINATED: 03/07/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

TERMINATED: 03/07/2005

Date Filed	#	Docket Text
12/06/2001	<u>1</u>	COMPLAINT with jury demand; summons issued and returned to attorney; filing fee of \$150.00 pd, receipt #99398 (kjp) (Entered: 12/06/2001)
12/06/2001	<u>2</u>	MOTION by plaintiffs for temporary injunctive relief (kjp) (Entered: 12/06/2001)
12/06/2001	<u>3</u>	BRIEF by plaintiff in support of motion for temporary injunctive relief [2-1] (kjp) (Entered: 12/06/2001)
12/12/2001	<u>4</u>	ANSWER by defendants (former empl) (Entered: 12/13/2001)
12/12/2001	<u>4</u>	MOTION by defendants to dismiss for failure to state a cause of action, purs to FRCP 12(b)(6) (former empl) (Entered: 12/13/2001)
12/12/2001	<u>5</u>	RESPONSE by defendants to motion for temporary injunctive relief [2-1] (former empl) (Entered: 12/13/2001)
12/12/2001	<u>6</u>	BRIEF by defendants in support of answer & response to pltf's mot for temporary injunctive relief & motion to dismiss for failure to state a cause of action purs to FRCP 12(b)(6) [4-1] [5-1] (former empl) (Entered: 12/13/2001)
12/13/2001		CLERK'S MINUTES: Court trial began before Judge Wilson; parties make opening statements; pltf begins testimony (C. Newburg) (maj) (Entered: 12/14/2001)
12/14/2001		CLERK'S MINUTES: Court trial - 2nd day; pltf rests; def't motions denied; def't begins evidence (C. Newburg/L. Lambert) (maj) (Entered: 12/14/2001)
12/17/2001		CLERK'S MINUTES: Court trial - 3rd day (C. Newburg) (maj) (Entered: 12/18/2001)
12/18/2001		CLERK'S MINUTES: Court trial - 4th day (C. Newburg) (maj) (Entered: 12/18/2001)
12/18/2001	7	CLERK'S MINUTES: Court trial ended before Judge Wilson; findings of fact and conclusions of law announced from bench in favor of pltf's; judgment to be entered (C. Newburg) (maj) (Entered: 12/18/2001)
12/19/2001	<u>8</u>	JUDGMENT by Judge William R. Wilson in accordance with the ruling announced from the bench today, I find that a categorically needy individual under 21 who requests medical assistance & early intervention day treatment, and treatment is recommended by a physician for that individual, the individual has a federal right to early intervention day treatment; DHS may not cut funding or provision of early intervention day treatment in the CHMS plan; declaratory judgment is entered in favor of pltf's to this effect; def'ts are enjoined from eliminating day treatment services from the CHMS program; the motion for temporary injunctive relief is denied as moot [2-1] [4-1] (cc: all counsel) (former empl) (Entered: 12/19/2001)
12/19/2001	<u>9</u>	NOTICE of appeal by defendants from District Court decision [8-2] (fees paid) (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 12/20/2001)
12/19/2001	<u>10</u>	MOTION by defendants for order to suspend or modify injunction pending appeal (dac) (Entered: 12/21/2001)
12/21/2001	<u>11</u>	ORDER by Judge William R. Wilson denying motion for order to suspend or modify injunction pending appeal [10-1] (cc: all counsel) (dac) Modified on 09/17/2002 (Entered: 12/21/2001)
12/21/2001	12	TRANSCRIPT ( 1 volume) of proceedings for the following date: 12/18/01 hearing ( [9-1] ) (dac) (Entered: 12/21/2001)
12/21/2001		CLERK'S MINUTES: Telephone conference w/parties (C. Newburg) (maj) (Entered: 01/07/2002)

12/26/2001	<u>13</u>	MOTION by defendants Kurt Knickrehm, Ray Hanley to alter judgment , or to amend judgment (dac) (Entered: 01/02/2002)
12/26/2001	<u>14</u>	BRIEF by defendants Kurt Knickrehm, Ray Hanley in support of motion to alter judgment [13-1], motion to amend judgment [13-2] (dac) (Entered: 01/02/2002)
12/27/2001	<u>15</u>	REPLY by defendants Kurt Knickrehm, Ray Hanley to plaintiff's response to motion to alter or amend judgment (dac) Modified on 08/05/2002 (Entered: 01/02/2002)
12/31/2001	<u>16</u>	RESPONSE by plaintiffs to motion to alter judgment [13-1], motion to amend judgment [13-2] (dac) (Entered: 01/02/2002)
01/08/2002		DOCKETING LETTER: 8 USCA Number 01-3971; case is referred to a panel of judges for review (dac) (Entered: 01/08/2002)
01/09/2002	<u>17</u>	ORDER by Judge William R. Wilson denying motion to alter judgment [13-1], denying motion to amend judgment [13-2] (cc: all counsel) (dac) (Entered: 01/09/2002)
01/23/2002	<u>18</u>	MOTION by plaintiffs Pediatric Specialty, and Child & Youth for costs , and for attorney fees (dac) Modified on 01/24/2002 (Entered: 01/24/2002)
01/23/2002	<u>19</u>	BRIEF by plaintiffs Pediatric Specialty, and Child & Youth in support of motion for costs [18-1], motion for attorney fees [18-2] (dac) Modified on 01/24/2002 (Entered: 01/24/2002)
01/25/2002	20	TRANSCRIPTS ( 4 volume) of proceedings for the following dates: 12/13-14/01 and 12/17-18/01 Trial ( [9-1] ) (dac) (Entered: 01/25/2002)
01/25/2002	21	TRANSCRIPT ( 1 volume) of proceedings for the following date: 12/21/01 telephone conf ( [9-1] ) (dac) (Entered: 01/25/2002)
01/25/2002		DOCKET NOTE: 4 vols trial transcripts and one volume transcript of telephone conf forwarded to 8USCA (dac) (Entered: 01/25/2002)
02/06/2002	<u>22</u>	MOTION by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to extend time to respond to motion for costs and attorney fees (dac) (Entered: 02/08/2002)
02/07/2002	<u>23</u>	ORDER by Mary Johnson, Deputy Clerk granting motion to extend time to respond to motion for costs and attorney fees [22-1] to 2/18/02 (cc: all counsel) (dac) (Entered: 02/08/2002)
02/14/2002	<u>24</u>	RESPONSE by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to motion for costs [18-1], motion for attorney fees [18-2] (dac) (Entered: 02/15/2002)
02/14/2002	<u>25</u>	BRIEF by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley in support of motion response [24-1] (dac) (Entered: 02/15/2002)
04/04/2002		DOCKET NOTE: original flie forwarded to 8USCA, per telephone request of Scott, Records Manager (dac) (Entered: 04/04/2002)
06/25/2002		DOCKET NOTE: original file and 5 vols transcripts returned from Clerk USCA8 (dac) (Entered: 06/25/2002)
06/27/2002	<u>26</u>	MOTION by defendants to extend time to respond to motion for costs and attorney fees (dac) (Entered: 06/28/2002)
07/02/2002	<u>27</u>	ORDER by Judge William R. Wilson granting motion to extend time to respond to motion for costs and attorney fees [26-1] to 7/15/02 (cc: all counsel) (dac) (Entered: 07/02/2002)
07/12/2002	<u>28</u>	RESPONSE by defendants to motion for costs [18-1], motion for attorney fees [18-2] (dac) (Entered: 07/15/2002)
07/12/2002	<u>29</u>	BRIEF by defendants in support of motion response [28-1] (dac) (Entered: 07/15/2002)

07/15/2002	<u>30</u>	Opinion (8USCA) we remand this case to the district court so that it may modify its injunction in accordance with our decision. Because the district court found in favor of the plaintiffs on the federal statutory claim, it did not consider the plaintiffs' procedural due process claim. We remand for appropriate consideration of that claim (dac) Modified on 07/15/2002 (Entered: 07/15/2002)
07/15/2002	<u>31</u>	MANDATE from 8 USCA affirming in part and reversing in part and remanded to the District Court for proceedings consistent with the opinion of this court [9-1] Order USCA8-dated 7/19/02- appellees' motion for attorneys' fees is granted in the amount of \$40,185.00. Expenses are granted in the amount of \$2,503.00 (dac) Modified on 07/26/2002 (Entered: 07/15/2002)
07/15/2002		Docket Modification (Utility Event) Case reopened pursuant to USCA8 Mandate (dac) (Entered: 07/15/2002)
07/15/2002	<u>32</u>	LETTER/ORDER by Judge William R. Wilson directing counsel to submit their ideas about the status of this case in light of the Eighth Circuit's mandate by 5:00 p.m. on 7/16/02 (cc: all counsel) (bsm) Modified on 07/18/2002 (Entered: 07/18/2002)
07/16/2002	<u>33</u>	LETTER/RESPONSE by defendants to Letter/Order [32-1] with attachments 1-9 (bsm) Modified on 07/18/2002 (Entered: 07/18/2002)
07/17/2002	<u>34</u>	LETTER to court from Phillip Kaplan for plaintiffs regarding the status of this case in light of the Eighth Circuit's mandate (bsm) (Entered: 07/18/2002)
07/17/2002	<u>35</u>	LETTER/ORDER by Judge William R. Wilson that after the telephone conference held on 7/17/02, parties are directed to submit a proposed injunction modified as directed by the Eighth Circuit (cc: all counsel) (bsm) (Entered: 07/18/2002)
07/18/2002	<u>36</u>	ORDER by Judge William R. Wilson Telephone conference scheduled for 2:00 7/19/02 (cc: all counsel) (bsm) Modified on 07/22/2002 (Entered: 07/19/2002)
07/18/2002	<u>37</u>	ORDER (DOC) Procedural Due Process Hearing scheduled for 9:00 9/12/02 in Little Rock, AR (cc: all counsel) (bsm) (Entered: 07/19/2002)
07/19/2002		CLERK'S MINUTES: Telephone conference w/parties (C. Newburg) (maj) (Entered: 11/18/2002)
07/23/2002	<u>38</u>	LETTER/ORDER by Judge William R. Wilson to all parties in regard to the enclosed draft of proposed Amended Injunction; parties must fax their brief, or letter brief, by 5:00 p.m. on 7/25/02 if they wish to comment (cc: all counsel) (bsm) Modified on 07/30/2002 (Entered: 07/24/2002)
07/26/2002	<u>39</u>	ORDER (8 USCA) Plaintiffs/appellees' motion for attorneys' fees is granted in the amount of \$40,185.00. Expenses are granted in the amount of \$2,503.00 (dac) (Entered: 07/26/2002)
07/30/2002	<u>40</u>	ORDER by Judge William R. Wilson: Court will enter an Amended Injunction in accordance with the mandate that was entered on 7/15/02, affirming in part, reversing in part and remanding this case back to this Court with instructions to modify the Injunction; any application for fees must be filed in accordance with Local Rule 54.1; issues on atty's fees will be decided after the hearing on 9/12/02 and applications need not be filed until after that date (cc: all counsel) (bsm) Modified on 07/30/2002 (Entered: 07/30/2002)
07/30/2002	<u>41</u>	AMENDED INJUNCTION by Judge William R. Wilson consistent with the Eighth Circuit's opinion and mandate entered on 7/15/02, the injunction entered on 12/19/02 is amended accordingly; defts do not have to specifically include CHMS early intervention day treatment services, therapies and other treatments, or diagnostic and evaluation services, by name, in the State Plan but they do have to pay for these services when prescribed by a physician for the purpose stated in the Medicaid Act; defts must inform potential Medicaid recipients about these available services (bsm) (Entered: 07/30/2002)
08/14/2002	<u>42</u>	MOTION by defendants for summary judgment (bsm) (Entered: 08/15/2002)
08/14/2002	<u>43</u>	BRIEF by defendants in support of motion for summary judgment [42-1] (bsm) (Entered: 08/15/2002)

08/19/2002	<u>44</u>	STATEMENT OF UNDISPUTED MATERIAL FACTS by defendants [42-1] (bsm) (Entered: 08/20/2002)
08/27/2002	<u>45</u>	RESPONSE by plaintiffs to motion for summary judgment [42-1] (bsm) (Entered: 08/28/2002)
09/03/2002	<u>46</u>	ORDER by Judge William R. Wilson denying motion for summary judgment [42-1]; telephone conference scheduled for 9/3/02 is cancelled (cc: all counsel) (bmt) (Entered: 09/03/2002)
09/03/2002	<u>47</u>	MOTION by defendants to alter or amend order denying summary judgment (tjj) (Entered: 09/04/2002)
09/03/2002	<u>48</u>	ORDER by Judge William R. Wilson denying motion to alter or amend order denying summary judgment [47-1] (cc: all counsel) (tjj) (Entered: 09/04/2002)
09/03/2002	<u>49</u>	BRIEF by defendants in support of motion to alter or amend order denying summary judgment [47-1] (bmt) (Entered: 09/04/2002)
09/10/2002	<u>50</u>	ORDER by Judge William R. Wilson that parties are directed to commence 9/12/02 hearing with brief opening statements (cc: all counsel) (bsm) Modified on 09/12/2002 (Entered: 09/11/2002)
09/12/2002		CLERK'S MINUTES: Due Process Hearing before Judge Wilson; parties make opening statements; pltf presents evidence; pltf rests; deft oral motion to dismiss denied; deft presents no evidence; parties to submit simultaneous proposed orders by 5:00 p.m. 9/20/02; simultaneous responses due by 5:00 p.m. 9/27/02; motion for attys fees and costs granted; pltf to submit Order by 9/13/02; Order to be entered (C. Newburg) (maj) (Entered: 09/12/2002)
09/13/2002	<u>51</u>	ORDER by Judge William R. Wilson granting pltf's motion for atty fees and costs [18-1][18-2]; Court approves the agreement of the parties to deduct \$2,137.50 in fees from the total requested by pltf's; Court also finds that pltf's are entitled to 85 percent of their requested attys' fee; defts shall promptly pay to pltf's atty fees and costs in the total amount of \$36,979.50 (cc: all counsel) (bsm) Modified on 09/17/2002 (Entered: 09/16/2002)
09/13/2002	<u>52</u>	ORDER by Judge William R. Wilson that defts are ordered to pay to pltf's their atty fees awarded by the Eighth Circuit Court of Appeals in the amount of \$40,185.00 and expenses in the amount of \$2,503.00 (cc: all counsel) (bsm) (Entered: 09/16/2002)
09/13/2002	<u>53</u>	ORDER by Judge William R. Wilson directing the parties to submit a proposed Order by 5:00 p.m. on 9/20/02; parties are also directed to file any objections to the proposed Order with the Court by 5:00 p.m. on 9/27/02 (cc: all counsel) (bsm) (Entered: 09/16/2002)
09/19/2002	<u>54</u>	ORDER by Judge William R. Wilson giving the parties until 5:00 p.m. on 9/27/02 to submit a proposed Order which includes citations of the authority upon which the parties rely; parties are directed to file any objections to the proposed Order with the Court by 5:00 p.m. on 10/4/02 (cc: all counsel) (bsm) Modified on 09/20/2002 (Entered: 09/19/2002)
10/08/2002	55	TRANSCRIPT of Evidentiary Hearing before The Honorable William R. Wilson on 9/12/02 (bsm) (Entered: 10/08/2002)
11/18/2002	<u>56</u>	MOTION by plaintiffs for further relief (bsm) (Entered: 11/19/2002)
11/18/2002	<u>57</u>	BRIEF by plaintiffs in support of motion for further relief [56-1] (bsm) (Entered: 11/19/2002)
11/22/2002	<u>58</u>	ORDER (DOC) setting hearing on motion for further relief [56-1] at 9:00 12/2/02 in Little Rock, AR (cc: all counsel) (bsm) (Entered: 11/25/2002)
11/26/2002		CLERK'S MINUTES: Telephone conference w/parties re Monday, December 2 Hearing (C. Newburg) (maj) Modified on 12/03/2002 (Entered: 12/02/2002)
11/27/2002	<u>59</u>	ORDER by Judge William R. Wilson that claims I,II and III are dismissed as set out in this Order and the pltf's are the prevailing parties; motion for costs and atty fees may be filed within the time provided under the applicable rules of procedure;

		judgment will be entered accordingly after the hearing to be held on 12/2/02 (cc: all counsel) (bsm) (Entered: 11/27/2002)
11/27/2002	<u>60</u>	RESPONSE by defendants to motion for further relief [56-1] (bsm) (Entered: 11/27/2002)
11/27/2002	<u>61</u>	BRIEF by defendants in support of response to motion for further relief [60-1] (bsm) (Entered: 11/27/2002)
11/27/2002	<u>62</u>	LETTER/ORDER by Judge William R. Wilson to counsel wanting to know if the hearing scheduled for 12/2/02 is still needed; parties are to fax a letter to the court today or Friday by 2 p.m. with original to the clerk (cc: all counsel) (bmt) (Entered: 12/02/2002)
12/02/2002		CLERK'S MINUTES: Status hearing w/parties after Court ruling of 11/27/02; deft motion for reconsideration/clarification to be filed 12/6/02 by 5:00 p.m.; response by pltf due 12/11/02 by 12:00 p.m.; hearing set before Court on defts' motion 12/16/02 at 9:00 a.m. (C. Newburg) (maj) Modified on 12/03/2002 (Entered: 12/02/2002)
12/06/2002	<u>63</u>	MOTION by defendants to alter , or amend order (bsm) (Entered: 12/09/2002)
12/06/2002	<u>64</u>	BRIEF by defendants in support of motion to alter [63-1] or amend order [63-2] (bsm) (Entered: 12/09/2002)
12/06/2002	65	TRANSCRIPT of Hearing before The Honorable William R. Wilson, Jr. on 12/2/02 (bsm) (Entered: 12/09/2002)
12/09/2002	<u>66</u>	AMENDED BRIEF by defendant in support of motion to alter [63-1] or amend order [64-1] (bsm) (Entered: 12/10/2002)
12/11/2002	<u>67</u>	RESPONSE by pltf s to defts' motion to alter [63-1] or amend judgment [63-2] (vjt) (Entered: 12/12/2002)
12/13/2002	<u>68</u>	MOTION by defendants to exclude evidence , or, in the alternative, for a continuance (bsm) (Entered: 12/16/2002)
12/13/2002	<u>69</u>	BRIEF by defendants in support of motion to exclude evidence [68-1], or in the alternative, for a continuance [68-2] (bsm) (Entered: 12/16/2002)
12/13/2002	<u>70</u>	LETTER/ORDER by Judge William R. Wilson to Martin Bowen, Breck Hopkins and Philip Kaplan; granting motion to exclude evidence [68-1] and mooting the motion for a continuance [68-2]; Court will hear oral argument only at hearing scheduled for 12/16/02; if it appears that witnesses will be needed, Court will take that under active consideration (cc: all counsel) (bsm) (Entered: 12/16/2002)
12/16/2002		CLERK'S MINUTES: In-court Hearing regarding deft's motion for reconsideration/clarification; parties argue motion; order to be entered (C. Newburg) (maj) (Entered: 12/16/2002)
12/18/2002	<u>71</u>	NOTICE of appeal by defendants from District Court decision [59-1], (fees paid) (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 12/18/2002)
12/18/2002	<u>72</u>	ORDER by Judge William R. Wilson granting in part and denying in part defts' motion to alter or amend judgment [63-1] [63-2]; Order of 11/27/02 is not inconsistent with the Opinion issued in this case by the Eighth Circuit Court of Appeals or the Amended Injunction issued by the District Court on 7/30/02 and in this respect the motion is denied; Order of 11/27/02 extends and applies to the CMS, the federal agency charged with administration of the Medicaid program and the decision issued by CMS on 11/4/02 is subject to the District Court's Order dated 11/27/02 and is enjoined CMS is ordered to continue to provide Federal Financial Participation for CHMS early intervention day treatment and therapy services; the district court is not willing at this time to supervise the CHMS program as pltf s request; pltf s shall file their amended complt within 10 days from the date of this Order; defts are enjoined from implementing the changes they have previously announced regarding CHMS services; defts are enjoined to continue to provide and pay for early intervention day treatment and associated therapies under the State Plan (cc: all counsel) (bsm) Modified on 12/30/2002 (Entered: 12/19/2002)

12/23/2002	<u>73</u>	TRANSCRIPT ( 1 volume) of proceedings for the following date: 12/16/02 ( [71-1] ) (dac) (Entered: 12/30/2002)
12/30/2002		Docket Modification (Utility Event) finding the motion for further relief [56-1] moot due to entry of Order 12/18/02 (maj) (Entered: 12/30/2002)
12/31/2002	<u>74</u>	SUPPLEMENTAL MOTION by plaintiffs for costs , and for attorney fees (dac) (Entered: 01/02/2003)
12/31/2002	<u>75</u>	BRIEF by plaintiffs in support of supplemental motion for costs [74-1], motion for attorney fees [74-2] (dac) (Entered: 01/02/2003)
01/06/2003	<u>76</u>	AMENDED complaint [1-1] by plaintiffs Pediatric Specialty, Child & Youth, Tomorrow's Child, James Swindle, Stacey Swindle, Susann Crespino; adding Arkansas Foundation for Medical Care; summons issued (dac) (Entered: 01/06/2003)
01/06/2003		SUMMONS issued as to defendant Arkansas Foundation (dac) (Entered: 01/06/2003)
01/06/2003		DOCKETING LETTER: 8 USCA Number 03-1015; counsel to proceed on appendix (dac) (Entered: 01/06/2003)
01/13/2003	<u>77</u>	RETURN OF SERVICE executed upon defendant Arkansas Foundation on 1/7/03 (dac) (Entered: 01/13/2003)
01/13/2003		RESPONSE by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc to motion for costs [74-1], motion for attorney fees [74-2] (dac) (Entered: 03/26/2003)
01/13/2003		BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc in support of motion response [0-1] (dac) (Entered: 03/26/2003)
01/16/2003	<u>78</u>	ANSWER by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to amended complaint (dac) (Entered: 01/17/2003)
01/21/2003	<u>79</u>	MOTION by defendant Arkansas Foundation to dismiss complaint (dac) (Entered: 01/22/2003)
01/21/2003	<u>80</u>	BRIEF by defendant Arkansas Foundation in support of motion to dismiss complaint [79-1] (dac) (Entered: 01/22/2003)
01/31/2003	81	RESPONSE by plaintiffs to motion to dismiss complaint [79-1] (dac) (Entered: 02/18/2003)
02/06/2003	<u>82</u>	REPLY by defendant Arkansas Foundation to response to motion to dismiss complaint [79-1] (dac) (Entered: 02/06/2003)
02/14/2003	<u>83</u>	NOTICE of appeal by Centers For Medicare and Medicaid Services, and U. S. Department of Health and Human Services from District Court decision [72-1], [59-1] (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) Modified on 03/14/2003 (Entered: 02/19/2003)
03/03/2003		DOCKETING LETTER: 8 USCA Number 03-1483; counsel to proceed on appendix (dac) (Entered: 03/03/2003)
03/04/2003	<u>84</u>	ORDER by Judge William R. Wilson re motion to dismiss, parties are to file simultaneous briefs by 3/11/03 with simultaneous response briefs by 3/18/03 [79-1] Brief ddl 3/11/03 , (cc: all counsel) (dac) (Entered: 03/05/2003)
03/11/2003	<u>85</u>	BRIEF filed by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley regarding order [84-3] (dac) (Entered: 03/11/2003)
03/11/2003	<u>86</u>	BRIEF filed by plaintiffs regarding order [84-3] (dac) (Entered: 03/11/2003)
03/14/2003	87	TRANSCRIPT ( 1 volume) of proceedings for the following dates: 7/17/02 &7/19/02 telephone conference (dac) (Entered: 03/14/2003)
03/14/2003		UTILITY EVENT: Add attorneys Colette G. Matzzie, William R. Kanter for objector HHS (dac) (Entered: 03/14/2003)

03/18/2003	<u>88</u>	REPLY BRIEF On Jurisdiction Issue by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc re order [84-3], re brief [85-1], re brief [86-1] (dac) (Entered: 03/19/2003)
03/18/2003	<u>89</u>	REPLY BRIEF On Jurisdictional Issue by plaintiff re order [84-3], re brief [85-1], re brief [86-1], re reply [88-1] (dac) (Entered: 03/19/2003)
04/08/2003		CLERK'S MINUTES: TRO Hearing before Judge Wilson – 5th day; Hearing ended; case taken under advisement; exhibits retained by Court (C. Newburg) (maj) (Entered: 04/12/2004)
06/02/2003	<u>90</u>	ORDER by Judge William R. Wilson granting motion for costs to Kaplan in the amount of \$181.73, and costs to Armstrong Allen in the amount of \$2,950.45 [74-1], granting motion for attorney fees to Kaplan in the amount of \$20,696.25 and attorney fees to Armstrong Allen in the amount of \$45,994.00 [74-2] (cc: all counsel) (dac) (Entered: 06/02/2003)
06/05/2003	<u>91</u>	ORDER by Judge William R. Wilson granting motion to dismiss without prejudice amended complaint [79-1] Plaintiffs are granted leave to file a Second Amended Complaint (cc: all counsel) (dac) (Entered: 06/05/2003)
06/16/2003	<u>92</u>	NOTICE of appeal by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc from District Court decision [90-1] (fees paid) (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 06/17/2003)
06/18/2003	<u>93</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc to stay pending appeal (dac) (Entered: 06/19/2003)
06/18/2003	<u>94</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc in support of motion to stay pending appeal [93-1] (dac) (Entered: 06/19/2003)
06/23/2003	<u>95</u>	SECOND AMENDED, complaint [76-1], [1-1] by plaintiffs Stacey Swindle, Tomorrow's Child, Child & Youth, James Swindle, Susann Crespino, Pediatric Specialty (dac) (Entered: 06/23/2003)
06/26/2003		DOCKETING LETTER: 8 USCA Number 03-2616; counsel to proceed on appendix (dac) (Entered: 06/26/2003)
07/01/2003	<u>96</u>	ORDER by Judge William R. Wilson granting motion to stay 5/30/03 Order awarding costs & attorneys' fees pending appeal [93-1] (cc: all counsel) (dac) (Entered: 07/01/2003)
07/03/2003	<u>97</u>	ANSWER by defendant Arkansas Fdn Medical (jap) (Entered: 07/08/2003)
07/03/2003	<u>98</u>	ANSWER to second amended complaint by defendants Kurt Knickrehm and Arkansas Human Svc (jap) (Entered: 07/08/2003)
07/25/2003	<u>99</u>	INITIAL SCHEDULING ORDER (DOC) Rule 26(f) Conference set September 12, 2003; Rule 26(f) Report due 9/26/03; Jury trial set for 9:00 a.m. 8/23/04 in Little Rock; Rule 16(b) Conference set 10/3/03 (cc: all counsel) (maj) (Entered: 07/25/2003)
09/22/2003	<u>100</u>	RULE 26(f) REPORT (dac) (Entered: 09/22/2003)
09/25/2003	101	FINAL SCHEDULING ORDER (CRD Johnson) ; Jury trial 9:00 8/23/04 ; Discovery ddl 5/24/04 ; Pretrial Info Sheet 7/23/04 (cc: all counsel) (dac) (Entered: 09/29/2003)
10/08/2003	<u>102</u>	ATTORNEY APPEARANCE for Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, and Roy Jeffus (Pursuant to FRCP 25(d)(1), Mr Jeffus automatically substitutes as an official-capacity defendant in the place of Mr. Hanley who has left DHS) ; attorney Lori L Freno (dac) Modified on 10/09/2003 (Entered: 10/09/2003)
10/21/2003	<u>103</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc for summary judgment (dac) (Entered: 10/21/2003)
10/21/2003	<u>104</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc in support of motion for summary judgment [103-1] (dac) (Entered: 10/21/2003)

10/29/2003	<u>105</u>	STATEMENT OF FACTS (Local Rule 56.1) by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc in support of motion for summary judgment [103-1] (dac) (Entered: 10/30/2003)
10/31/2003	<u>106</u>	MOTION by plaintiff to extend time to file response to motion for summary judgment (dac) (Entered: 10/31/2003)
11/03/2003	<u>107</u>	RESPONSE by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc to motion to extend time to file response to motion for summary judgment [106-1] (dac) (Entered: 11/04/2003)
11/04/2003	<u>108</u>	ORDER by Judge William R. Wilson granting pltf's motion to extend time until 11/17/03 to file response to motion for summary judgment [106-1] [103-1] (cc: all counsel) (bsm) (Entered: 11/05/2003)
11/17/2003	<u>109</u>	RESPONSE by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to motion for summary judgment [103-1] (dac) (Entered: 11/18/2003)
11/26/2003	<u>110</u>	MOTION by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to substitute party Roy Jeffus for Ray Hanley (dac) (Entered: 12/01/2003)
11/26/2003	<u>111</u>	MOTION by defendants Arkansas Human Svc, Kurt Knickrehm, Ray Hanley for leave to file reply to plaintiffs' response to defendants' motion for summary judgment (dac) (Entered: 12/01/2003)
12/02/2003	<u>112</u>	RESPONSE by plaintiffs to motion to substitute party Roy Jeffus for Ray Hanley [110-1] (dac) (Entered: 12/02/2003)
12/08/2003	<u>113</u>	REPLY by defendants Roy Jeffus, Arkansas Human Svc, Kurt Knickrehm, Ray Hanley to response to motion for summary judgment [103-1] (dac) (Entered: 12/09/2003)
12/11/2003	<u>114</u>	ORDER by Judge William R. Wilson granting motion for leave to file reply to plaintiffs' response to defendants' motion for summary judgment on or before 12/8/03 [111-1] (cc: all counsel) (dac) (Entered: 12/11/2003)
12/17/2003	<u>115</u>	SUPPLEMENT TO REPLY by defendant Arkansas Human Svc to response to motion for summary judgment [103-1] (dac) (Entered: 12/18/2003)
01/21/2004		DOCKET NOTE: 4 volumes of original files and 4 volumes transcripts forwarded to USCA8, per telephone request of Scott, Records Manager (dac) (Entered: 01/21/2004)
02/12/2004	<u>116</u>	ORDER by Judge William R. Wilson granting motion to substitute party Roy Jeffus for Ray Hanley in his official capacity as Director of the Division of Medical Services of the Ark Services of the ADHS [110-1] (cc: all counsel) (dac) (Entered: 02/12/2004)
02/27/2004	<u>117</u>	MOTION by plaintiff Tomorrow's Child for temporary restraining order (dac) (Entered: 03/01/2004)
02/27/2004	<u>118</u>	BRIEF by plaintiff Tomorrow's Child in support of motion for temporary restraining order [117-1] (dac) (Entered: 03/01/2004)
02/27/2004	<u>119</u>	MOTION by plaintiff Tomorrow's Child for order to show cause (dac) (Entered: 03/01/2004)
02/27/2004	<u>120</u>	BRIEF by plaintiff Tomorrow's Child in support of motion for order to show cause [119-1] (dac) (Entered: 03/01/2004)
03/10/2004	<u>121</u>	RESPONSE by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to motion for order to show cause [119-1] (dac) (Entered: 03/10/2004)
03/10/2004	<u>122</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion response [121-1] (dac) (Entered: 03/10/2004)
03/10/2004	<u>123</u>	RESPONSE by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to motion for temporary restraining order [117-1] (dac) (Entered: 03/10/2004)

03/10/2004	<u>124</u>	BRIEF by Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion response [123-1] (dac) (Entered: 03/10/2004)
03/10/2004	<u>125</u>	FIRST ADDENDUM filed by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to Statement of Undisputed Facts Support of Motion For Summary Judgment (dac) (Entered: 03/10/2004)
03/11/2004	<u>126</u>	RESPONSE by defendant Arkansas Fdn Medical to motions for temporary restraining order [117-1], and for order to show cause [119-1] (dac) (Entered: 03/12/2004)
03/11/2004		CLERK'S MINUTES: TRO Hearing before Judge Wilson – 1st day (C. Newburg) (maj) (Entered: 03/15/2004)
03/12/2004		CLERK'S MINUTES: TRO Hearing before Judge Wilson – 2nd day (C. Newburg) (maj) (Entered: 03/15/2004)
03/16/2004	<u>127</u>	LETTER/ORDER by Judge William R. Wilson regarding post-hearing briefs (cc: all counsel) (dac) (Entered: 03/16/2004)
03/16/2004	<u>128</u>	OBJECTIONS by DHS defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to a court-appointed expert witness [0-0] (dac) (Entered: 03/16/2004)
03/18/2004	<u>129</u>	HEARING BRIEF filed by plaintiff Tomorrow's Child regarding motion for order to show cause and motion for temporary restraining order [0-0], [127-1] (dac) (Entered: 03/19/2004)
03/23/2004	<u>130</u>	HEARING BRIEF filed by Arkansas Department of Human Services defendants [127-1] (dac) (Entered: 03/23/2004)
03/25/2004	<u>131</u>	RESPONSE by plaintiff Tomorrow's Child to, ADHS brief on court appointed expert [130-1] (dac) (Entered: 03/26/2004)
03/29/2004		CLERK'S MINUTES: TRO Hearing – 3rd day (C. Newburg) (maj) (Entered: 03/30/2004)
04/05/2004		CLERK'S MINUTES: TRO Hearing – 4th day (C. Newburg) (maj) (Entered: 04/06/2004)
04/14/2004	<u>132</u>	MOTION by plaintiffs Stacey Swindle, Tomorrow's Child, Child & Youth, James Swindle, Susann Crespino, Pediatric Specialty for leave to amend second amended complaint (dac) (Entered: 04/14/2004)
04/14/2004	<u>133</u>	BRIEF by plaintiffs Stacey Swindle, Tomorrow's Child, Child & Youth, James Swindle, Susann Crespino, Pediatric Specialty in support of motion for leave to amend second amended complaint [132-1] (dac) (Entered: 04/14/2004)
04/16/2004	<u>134</u>	RESPONSE by defendant Arkansas Fdn Medical to motion for leave to amend second amended complaint [132-1] (dac) (Entered: 04/16/2004)
04/19/2004	135	ORDER by Judge William R. Wilson ; Brief ddl 4/22/04; reply brief is due 4/28/04 advising the court as to the 8th Circuit's opinion and related appeals (cc: all counsel via fax from Judge Wilson's office) (dac) (Entered: 04/20/2004)
04/19/2004	<u>136</u>	RESPONSE by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to motion for leave to file third amended complaint [132-1] (dac) Modified on 04/20/2004 (Entered: 04/20/2004)
04/19/2004	<u>137</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion response [136-1] (dac) Modified on 04/20/2004 (Entered: 04/20/2004)
04/22/2004	<u>138</u>	BRIEF filed by plaintiffs regarding order [135-2] (dac) (Entered: 04/22/2004)
04/27/2004	<u>139</u>	REPLY by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus re brief [138-1] (dac) (Entered: 04/27/2004)
05/04/2004	<u>140</u>	ORDER by Judge William R. Wilson granting motion for leave to amend second amended complaint by no later than 5/7/04 <u>132</u> Defendants are to respond by

		5/14/04. (cc: all counsel) (dac) (Entered: 05/04/2004)
05/14/2004	<u>141</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to extend discovery deadline (dac) (Entered: 05/17/2004)
05/14/2004	<u>142</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to compel discovery (dac) (Entered: 05/17/2004)
05/14/2004	<u>143</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion to compel discovery [142-1] (dac) Modified on 09/17/2004 (Entered: 05/17/2004)
05/14/2004	<u>144</u>	THIRD AMENDED, complaint [95-1], complaint [76-1], complaint [1-1] Pediatric Specialty, Child & Youth, Tomorrow's Child, Stacey Swindle, James Swindle, Susann Crespino (dac) (Entered: 05/17/2004)
05/14/2004	<u>145</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus for leave to bring in third party defendant (dac) (Entered: 05/17/2004)
05/14/2004	<u>146</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion for leave to bring in third party defendant [145-1] (dac) (Entered: 05/17/2004)
05/21/2004	<u>147</u>	RESPONSE by plaintiffs to motion to extend discovery deadline [141-1] (dac) (Entered: 05/24/2004)
05/24/2004	<u>148</u>	ANSWER To Third Amended Complaint by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus (dac) (Entered: 05/24/2004)
05/24/2004	<u>149</u>	SUPPLEMENTAL BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion for summary judgment [103-1] (dac) (Entered: 05/24/2004)
05/28/2004	<u>150</u>	ORDER by Judge William R. Wilson granting in part and denying in part motion for temporary restraining order [117-1], denying motion for order to show cause [119-1] (cc: all counsel) (dac) (Entered: 05/28/2004)
05/28/2004	<u>151</u>	ANSWER by defendant Arkansas Fdn Medical to third amended complaint with jury demand (jap) (Entered: 06/03/2004)
06/02/2004	<u>152</u>	ORDER by Judge William R. Wilson by agreement of all parties, the discovery deadline [141-1] is extended to and including 6/30/04 (cc: all counsel) (jap) (Entered: 06/03/2004)
06/07/2004	<u>153</u>	RESPONSE by plaintiffs to motion to compel discovery [142-1] (dac) (Entered: 06/08/2004)
06/07/2004	<u>154</u>	RESPONSE by plaintiffs to motion for leave to bring in third party defendant [145-1] (dac) (Entered: 06/08/2004)
06/08/2004	<u>155</u>	WAIVER of Demand For Jury Trial by plaintiffs (dac) (Entered: 06/14/2004)
06/14/2004	<u>156</u>	MOTION by defendants to alter or amend order filed 5/28/04 (dac) (Entered: 06/15/2004)
06/14/2004	<u>157</u>	BRIEF by defendants in support of motion to alter or amend order filed 5/28/04 [156-1] (dac) (Entered: 06/15/2004)
06/23/2004	<u>158</u>	MOTION by defendant Arkansas Fdn Medical for summary judgment (dac) (Entered: 06/23/2004)
06/23/2004	<u>159</u>	BRIEF by defendant Arkansas Fdn Medical in support of motion for summary judgment [158-1] (dac) (Entered: 06/23/2004)
06/23/2004	<u>160</u>	STATEMENT OF FACTS (Local Rule 56.1) by defendant Arkansas Fdn Medical in support of motion for summary judgment [158-1] (dac) (Entered: 06/23/2004)
06/24/2004	<u>161</u>	WAIVER by defendant Arkansas Fdn Medical for jury trial (dac) (Entered: 06/24/2004)

06/24/2004	<u>162</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus for summary judgment (dac) (Entered: 06/24/2004)
06/24/2004	162	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion for summary judgment [162-1] (dac) (Entered: 07/20/2004)
06/24/2004	162	STATEMENT OF FACTS (Local Rule 56.1) by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion for summary judgment [162-1], [162-1] (dac) (Entered: 07/20/2004)
06/28/2004	<u>163</u>	MOTION by plaintiffs to amend third amended complaint (dac) (Entered: 06/29/2004)
06/29/2004		CLERK'S MINUTES: Telephone conference w/parties re pending motions; order to be entered (C. Newburg) (maj) (Entered: 06/30/2004)
06/29/2004	<u>164</u>	RESPONSE by plaintiff Tomorrow's Child to motion to alter or amend order filed 5/28/04 [156-1] (dac) (Entered: 07/01/2004)
07/01/2004	<u>165</u>	SCHEDULING ORDER;(MJ) trial set for 9:00 11/16/04 in Little Rock; discovery due 9/1/04; pretrial info sheet due 10/18/04; mtn filing ddl 9/16/04 (cc: all counsel) (dac) (Entered: 07/01/2004)
07/01/2004	<u>166</u>	BRIEF by plaintiffs in support of motion to amend third amended complaint [163-1] (dac) (Entered: 07/06/2004)
07/01/2004	<u>167</u>	REPLY by plaintiffs to response to motion to amend third amended complaint [163-1] (dac) (Entered: 07/06/2004)
07/02/2004	<u>168</u>	ORDER by Judge William R. Wilson granting motion for leave to bring in third party defendant. The Third-Party Complaint must be filed by 7/9/04 [145-1], granting motion to amend third amended complaint. The Fourth Amended Complaint must be filed by 7/9/04 [163-1] ; Trial 9:00 11/16/04 is continued (cc: all counsel) (dac) (Entered: 07/06/2004)
07/02/2004	<u>172</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to withdraw attorney Lori Freno (dac) (Entered: 07/07/2004)
07/06/2004	<u>169</u>	THIRD-PARTY complaint by defendants Arkansas Human Svc, Kurt Knickrehm, Roy Jeffus (dac) Modified on 09/17/2004 (Entered: 07/06/2004)
07/06/2004	<u>170</u>	RESPONSE by defendant Arkansas Fdn Medical to motion for leave to amend third amended complaint (dac) (Entered: 07/06/2004)
07/06/2004	<u>171</u>	BRIEF by defendant Arkansas Fdn Medical in support of motion response [170-1] (dac) (Entered: 07/06/2004)
07/07/2004	<u>173</u>	FOURTH AMENDED COMPLAINT [1-1], [76-1], [95-1] [144-1] by plaintiffs (dac) (Entered: 07/07/2004)
07/07/2004		SUMMONS issued as to third-party defendants Tommy Thompson, and Mark McClellan (dac) Modified on 08/18/2004 (Entered: 07/08/2004)
07/07/2004	<u>174</u>	MEMO TO FILE: by Breck Hopkins attorney for 3rd party plaintiffs regarding service of summons (dac) (Entered: 07/08/2004)
07/09/2004	<u>175</u>	RESPONSE by defendants to motion for leave to amend third amended complaint (dac) (Entered: 07/09/2004)
07/12/2004	<u>176</u>	ANSWER by defendant Arkansas Fdn Medical to fourth amended complaint (dac) (Entered: 07/13/2004)
07/13/2004	177	TRANSCRIPT ( 1 volume) of proceedings for the following date: 3/11-12/04 motions hearing ( [92-1] ) (dac) (Entered: 07/13/2004)
07/13/2004	178	TRANSCRIPT ( 1 volume) of proceedings for the following date: 3/29/04 motions hearing ( [92-1] ) (dac) (Entered: 07/13/2004)
07/13/2004	179	TRANSCRIPT ( 1 volume) of proceedings for the following date: 4/5/04 motions hearing ( [92-1] ) (dac) (Entered: 07/13/2004)

07/13/2004	<u>180</u>	TRANSCRIPT ( 1 volume) of proceedings for the following date: 4/8/04 motions hearing ( [92-1] ) (dac) (Entered: 07/13/2004)
07/16/2004	<u>181</u>	ANSWER by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to Fourth Amended Complaint (dac) (Entered: 07/16/2004)
07/16/2004	<u>182</u>	RETURN OF SERVICE executed upon Bud Cummins counsel for third-party defendant HHS on 7/12/04 (dac) (Entered: 07/16/2004)
07/19/2004	<u>183</u>	RETURN OF SERVICE executed upon third-party defendant Mark McClellan on 7/12/04 (dac) (Entered: 07/20/2004)
07/20/2004	<u>184</u>	RESPONSE by plaintiffs to motions for summary judgment [158-1], [162-1] (dac) (Entered: 07/20/2004)
07/20/2004	<u>185</u>	RESPONSE by plaintiffs to statement [160-1] (dac) (Entered: 07/20/2004)
07/20/2004	<u>186</u>	RESPONSE by plaintiffs to statement [162-1] (dac) (Entered: 07/20/2004)
07/23/2004	<u>187</u>	RETURN OF SERVICE executed upon Tommy Thompson, agent for third-party defendant HHS on 7/13/04 (dac) (Entered: 07/29/2004)
07/26/2004	<u>188</u>	MOTION by defendant Arkansas Fdn Medical to extend time to reply to plaintiffs' response to motions for summary judgment (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>189</u>	BRIEF by defendant Arkansas Fdn Medical in support of motion to extend time to reply to plaintiffs' response to motions for summary judgment [187-1] (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>190</u>	MOTION by defendant Arkansas Fdn Medical for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>191</u>	BRIEF by defendant Arkansas Fdn Medical in support of motion for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried [189-1] (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>192</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>193</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried [191-1] (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>194</u>	MOTION by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus to extend time to reply to plaintiffs' response to motions for summary judgment (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/26/2004	<u>195</u>	BRIEF by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus in support of motion to extend time to reply to plaintiffs' response to motions for summary judgment (dac) Modified on 07/29/2004 (Entered: 07/27/2004)
07/28/2004	<u>196</u>	RETURN OF SERVICE executed upon John Ashcroft, agent for third-party defendant HHS on 7/13/04 (dac) (Entered: 07/29/2004)
08/10/2004	<u>197</u>	RESPONSE by plaintiff to motion of ADH defendants for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried [192-1] (dac) (Entered: 08/11/2004)
08/10/2004	<u>198</u>	RESPONSE by plaintiffs to motion of AFMC for order requiring plaintiff to file a statement of material facts as to which plaintiff contends a genuine issue exists to be tried [190-1] (dac) (Entered: 08/11/2004)
08/11/2004	<u>199</u>	STATEMENT OF MATERIAL FACTS as to which the plaintiffs contend a genuine issue exists to be tried (dac) (Entered: 09/02/2004)

08/17/2004	<u>200</u>	Opinion (8USCA) (dac) Modified on 09/02/2004 (Entered: 08/17/2004)
08/17/2004	<u>201</u>	MANDATE from 8 USCA affirming in part, reversed in part the decision of the district court and remanded to the district court in accordance with the opinion of this Court [92-1] [83-1] [71-1] (dac) Modified on 09/02/2004 (Entered: 08/17/2004)
08/20/2004	<u>202</u>	REPLY by defts Arkansas Human Svc, Kurt Knickrehm, Ray Hanley, Roy Jeffus to response to motion for summary judgment [162-1] (bmt) Modified on 09/02/2004 (Entered: 08/23/2004)
08/26/2004	<u>203</u>	ORDER by Judge William R. Wilson that defts' motion to compel discovery is denied as moot [142-1]; granting defts' motion to withdraw attorney Lori Freno [172-1]; pltf's have submitted a Statement of Material Facts as to which they contend a genuine issue exists, therefore, defts' motions for a Statement under Local Rule 56.1 are denied as moot [190-1] [192-1]; defts' motions for extension of time to file a reply to plaintiffs' response to motions for summary judgment are granted and brief replies must be filed by 5:00 8/30/04 [188-1] [194-1]; denying defts' motion to alter or amend judgment to the extent that defts ask the Court to modify its previous Order of 5/28/04 [156-1] (cc: all counsel) (bsm) Modified on 09/02/2004 (Entered: 08/27/2004)
08/26/2004	<u>204</u>	ORDER by Judge William R. Wilson finding the motion for summary judgment filed by defts AR Dept of Human Services, Kurt Knichrehm, and Ray Hanley denied as moot [103-1] (cc: all counsel) (bsm) Modified on 09/02/2004 (Entered: 08/27/2004)
08/30/2004	<u>205</u>	REPLY by Arkansas Fdn Medical to pltf's response to motion for summary judgment [158-1] (bsm) Modified on 09/02/2004 (Entered: 08/31/2004)
08/30/2004	<u>206</u>	RESPONSE by defendant Arkansas Fdn Medical to statement [199-1] (dac) (Entered: 09/02/2004)
09/01/2004	<u>207</u>	ORDER (8 USCA), The court grants in part appellees' motion for attorneys' fees in the amount of \$48,000.00 and grants costs in the amount of \$3,805.39 (dac) Modified on 09/02/2004 (Entered: 09/01/2004)
09/10/2004	<u>208</u>	MOTION by third-party defendants to dismiss (bsm) (Entered: 09/13/2004)
09/10/2004	<u>209</u>	MEMORANDUM of points and authorities by third-party defendants in support of motion to dismiss [208-1] (bsm) (Entered: 09/13/2004)
09/13/2004	<u>210</u>	MOTION by deft Arkansas Fdn Medical for bifurcation of the damages phase of the trial from the liability phase of this case (bsm) (Entered: 09/14/2004)
09/13/2004	<u>211</u>	BRIEF by deft Arkansas Fdn Medical in support of motion for bifurcation [210-1] (bsm) (Entered: 09/14/2004)
09/13/2004	<u>212</u>	MOTION by pltf's Stacey Swindle, Tomorrow's Child, James Swindle, Susann Crespino, Pediatric Specialty and Child & Youth to extend discovery deadline , to reduce the time in which the defts may answer interrogatories and respond to requests for production of documents , and to allow the pltf's to supplement their response to the pending motions for summary judgment (bsm) (Entered: 09/14/2004)
09/20/2004	<u>213</u>	RESPONSE by plaintiffs to motion for bifurcation [210-1] (bsm) (Entered: 09/21/2004)
09/21/2004	<u>214</u>	LETTER/MOTION by counsel for the HHS to withdraw attorney Colette G. Matzzie and William R. Kanter (bsm) Modified on 09/22/2004 (Entered: 09/21/2004)
09/22/2004	<u>215</u>	RESPONSE by third-party plaintiffs to third party defts' memorandum of points and authorities in support of third party defts' motion to dismiss [209-1] (bsm) (Entered: 09/22/2004)
09/22/2004	<u>216</u>	ORDER by Judge William R. Wilson granting deft AFMC's motion for bifurcation [210-1] (cc: all counsel) (bsm) (Entered: 09/22/2004)

09/23/2004	<u>217</u>	MOTION by deft AFMS in limine in re to limiting pltf's presentation of proof to the one Medicaid recipient identified in pltf's answer to defts' second interrogatories and request for production , and alternative to compel discovery (bsm) Modified on 09/24/2004 (Entered: 09/23/2004)
09/23/2004	<u>218</u>	BRIEF by deft AFMC in support of motion in limine [217-1] and alternative motion to compel discovery [217-2] (bsm) (Entered: 09/23/2004)
09/23/2004	<u>219</u>	ORDER by Judge William R. Wilson granting pltf's motion to extend until 10/1/04 disc deadline [212-1]; granting pltf's motion to reduce the time in which the defts may answer interrogatories and respond to requests for production of documents [212-2]; defts' responses to the written disc is due no later than 5:00 9/24/04; granting pltf's motion to allow the pltf's to supplement their response to the pending motions for summary judgment [212-3]; supplement must be filed by 5:00 10/15/04 (cc: all counsel) (bsm) Modified on 09/28/2004 (Entered: 09/24/2004)
10/04/2004	<u>220</u>	MOTION by defts Kurt Knickrehm, Ray Hanley and Roy Jeffus for ruling on the issue of qualified immunity , or, in the alternative to continue (bsm) (Entered: 10/05/2004)
10/04/2004	<u>221</u>	BRIEF by defts Kurt Knickrehm, Ray Hanley and Roy Jeffus in support of motion for ruling on the issue of qualified immunity [220-1] or, in the alternative, to continue [220-2] (bsm) (Entered: 10/05/2004)
10/08/2004	<u>222</u>	ORDER by Judge William R. Wilson granting letter/motion to withdraw attorneys Colette G. Matzzie and William R. Kanter as counsel of record for HHS [214-1] (cc: all counsel) (bsm) Modified on 10/18/2004 (Entered: 10/08/2004)
10/12/2004	<u>223</u>	LETTER/ORDER by Judge William R. Wilson that the parties are directed to file a short letter brief addressing the questions raised in this letter by 10/18/04 (cc: all counsel) (bmt) (Entered: 10/13/2004)
10/13/2004	<u>224</u>	MOTION by pltf's Stacey Swindle, Tomorrow's Child, Child & Youth, James Swindle, Pediatric Specialty and Susann Crespino for leave to amend fourth amended complt (bsm) Modified on 10/14/2004 (Entered: 10/14/2004)
10/13/2004	<u>225</u>	BRIEF by pltf's Stacey Swindle, Tomorrow's Child, Child & Youth, James Swindle, Pediatric Specialty and Susann Crespino in support of motion for leave to amend fourth amended complt [224-1] (bsm) (Entered: 10/14/2004)
10/15/2004	<u>226</u>	MOTION by defts Arkansas Human Svc, Kurt Knickrehm, Ray Hanley and Roy Jeffus to compel discovery (bsm) (Entered: 10/18/2004)
10/15/2004	<u>227</u>	BRIEF by defts Arkansas Human Svc, Kurt Knickrehm, Ray Hanley and Roy Jeffus in support of motion to compel discovery [226-1] (bsm) (Entered: 10/18/2004)
10/15/2004	<u>228</u>	SUPPLEMENT TO RESPONSE by plaintiffs to motions for summary judgment [162-1] [158-1] (bsm) (Entered: 10/18/2004)
10/18/2004	<u>229</u>	RESPONSE/Letter brief by defendant Arkansas Fdn Medical to the Court's Letter/Order filed 10/12/04 [223-1] (rjh) (Entered: 10/19/2004)
10/18/2004	<u>231</u>	RESPONSE by plaintiffs to motion for ruling on the issue of qualified immunity [220-1] (rjh) (Entered: 10/19/2004)
10/18/2004	<u>232</u>	RESPONSE by plaintiffs to motion in limine, or in the alternative, motion for continuance [217-1] [220-2] (rjh) (Entered: 10/19/2004)
10/19/2004	<u>230</u>	PRETRIAL DISCLOSURE SHEET by state defts Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, & Roy Jeffus; estimated length of trial, five to seven days (rjh) (Entered: 10/19/2004)
10/21/2004	<u>233</u>	AMENDED FINAL SCHEDULING ORDER; trial set for 9:00 7/18/05 in Little Rock, AR before Judge William R. Wilson, Jr.; discovery due 5/3/05; pretrial info sheet due 6/20/05 (cc: all counsel) (bsm) (Entered: 10/22/2004)
10/25/2004	<u>234</u>	REPLY by defendants to response to motion for ruling on the issue of qualified immunity [220-1] (bsm) (Entered: 10/26/2004)

10/25/2004	<u>235</u>	SUPPLEMENT TO RESPONSE by third party pltfs to third party defts' memorandum of points and authorities in support of third party defts' motion to dismiss [215-1] (bsm) Modified on 10/27/2004 (Entered: 10/27/2004)
11/01/2004	<u>236</u>	LETTER/RESPONSE by defts Ray Hanley, Kurt Knickrehm, and Arkansas Human Svc to Order [223-1] (bsm) (Entered: 11/02/2004)
11/02/2004	<u>237</u>	RESPONSE by plaintiffs to motions to compel discovery filed by ADHS [226-1] [217-2] (rjh) (Entered: 11/03/2004)
11/10/2004		Docket Modification (Utility Event) finding the motion to continue [220-2] moot due to new Scheduling Order (doc #223) being entered (maj) (Entered: 11/10/2004)
11/10/2004	<u>238</u>	MOTION by defts Kurt Knickrehm, Ray Hanley, Arkansas Human Svc, Roy Jeffus to amend injunction (bsm) (Entered: 11/12/2004)
11/17/2004	<u>239</u>	MOTION by Arkansas Human Svc and third party defts to extend time to file a reply in support of their pending motion to dismiss the third party complt and to file a response to the state defts' motion to amend injunction (bsm) Modified on 11/30/2004 (Entered: 11/18/2004)
11/23/2004	<u>240</u>	RESPONSE by pltfs to motion to amend injunction [238-1] (bsm) Modified on 11/24/2004 (Entered: 11/24/2004)
11/23/2004	<u>241</u>	RESPONSE by pltfs Stacey Swindle, D &D Family Ent, Tomorrow's Child, Child & Youth, James Swindle, Susann Crespino, Pediatric Specialty to motion to extend time [239-1] (bsm) (Entered: 11/24/2004)
11/29/2004	<u>242</u>	ORDER by Judge William R. Wilson that the Order of 5/28/04 addressed several issues and after parties have filed letter briefs on this issue, Court finds that the 5/28/04 Order addressing this issue was not correct and in view of this, pltf's motion seeking an order to compel or enjoin defts to reveal the names or peer reviewers responsible for determination when and whether services are medically necessary is granted [117-1]; pltfs may utilize all formal disc tools provided by the FRCP; pltfs may discover the name, qualifications, and identity of each peer review physician and advisor who participated in the denied of medical benefits; pltfs may discover any other relevant material produced by the PRO in making medical necessity determination in their case; pltfs may not discover any patient records of non-parties, nor may pltfs discover any material produced by the PRO that evaluated the failure of a particular medical provided to follow professional standards of care (cc: all counsel) (bsm) (Entered: 11/30/2004)
11/30/2004	<u>243</u>	SUPPLEMENT TO MOTION by defts Arkansas Human Svc, Kurt Knickrehm, Ray Hanley and Roy Jeffus to amend injunction (bsm) (Entered: 12/01/2004)
12/06/2004	<u>244</u>	MOTION by Arkansas Human Svc, Kurt Knickrehm and Roy Jeffus for additional extension of time to file a consolidated reply in support of their motion to dismiss third party complt (bsm) (Entered: 12/07/2004)
12/09/2004	<u>245</u>	RESPONSE by third-party defendants to motion to amend injunction [238-1] (bsm) (Entered: 12/10/2004)
12/09/2004	245	REPLY by Mark McClellan and HHS in support of motion to dismiss [208-1] (bsm) (Entered: 12/13/2004)
12/15/2004	<u>246</u>	RESPONSE by third-party plaintiffs to third-party defts' reply in support of motion to dismiss and response to state's motion to amend the injunction [245-1] (bsm) (Entered: 12/16/2004)
12/28/2004	<u>247</u>	NOTICE of appeal by defendant Arkansas Fdn Medical from District Court decision [242-1] (fees paid) (dac) (Entered: 01/04/2005)
12/28/2004	<u>248</u>	NOTICE of appeal by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus from District Court decision (fees paid) (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 01/04/2005)
12/29/2004	<u>249</u>	ORDER by Judge William R. Wilson granting pltfs' motion for leave to amend the complt [224-1]; pltfs are directed to immediately file an Amended Complaint and

		defts will have 20 days from the date of service to respond to the amended complt; denying motion and supplement to the motion to amend injunction [238-1] [243-1] (cc: all counsel) (bsm) Modified on 01/05/2005 (Entered: 12/30/2004)
01/04/2005	<u>250</u>	FIFTH AMENDED complaint [173-1] [144-1] [95-1][76-1] [1-1] by pltfs Stacey Swindle, Susann Crespino, James Swindle, Child & Youth, Tomorrow's Child, Pediatric Specialty; terminating Family Counseling, D & D Family Ent as pltfs in this case (bsm) (Entered: 01/05/2005)
01/12/2005		DOCKETING LETTER: 8 USCA Number 05-1115 as to Ar Foundation; counsel to proceed on appendix (dac) (Entered: 01/12/2005)
01/12/2005		DOCKETING LETTER: 8 USCA Number 05-1116 as to Ar Dept of HHS et al; counsel to proceed on appendix (dac) (Entered: 01/12/2005)
01/12/2005	<u>251</u>	ANSWER to Fifth Amended Complaint by defendants Ray Hanley, Kurt Knickrehm, Arkansas Human Svc, Roy Jeffus (dac) (Entered: 01/13/2005)
01/14/2005	<u>252</u>	ANSWER by defendant Arkansas Fdn Medical to Fifth Amended Complaint (dac) (Entered: 01/18/2005)
01/19/2005	<u>253</u>	SUPPLEMENT MOTION by state defendants for summary judgment (dac) (Entered: 01/20/2005)
02/07/2005	<u>254</u>	ORDER by Judge William R. Wilson denying motion for summary judgment [162-1], and supplemental motion for summary judgment [253-1] except with respect to the individual liability of separate defendant Kirk Knickrehm for civil damages; denying as moot motion for ruling on the issue of qualified immunity [220-1] (cc: all counsel) (dac) (Entered: 02/07/2005)
03/03/2005	<u>255</u>	ORDER by Judge William R. Wilson denying Ark Foundation for Med Care's motion for summary judgment [158-1] (cc: all counsel) (dac) (Entered: 03/07/2005)
03/07/2005	<u>256</u>	ORDER by Judge William R. Wilson granting motion to dismiss [208-1] dismissing the third-party complaint terminating party HHS, Mark McClellan, Roy Jeffus, Kurt Knickrehm, and Arkansas Human Svc all counsel) (dac) Modified on 03/07/2005 (Entered: 03/07/2005)
03/07/2005	<u>257</u>	JUDGMENT: by Judge William R. Wilson dismissing with prejudice the third-party complaint [169-1] (cc: all counsel) (dac) Modified on 03/07/2005 (Entered: 03/07/2005)
03/07/2005		Docket Modification (Utility Event) terminating party HHS (dac) (Entered: 03/07/2005)
03/08/2005	<u>258</u>	NOTICE of appeal by defendants Ray Hanley, Arkansas Human Svc, Roy Jeffus from District Court decision [254-1] (appeal fees paid) (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 03/08/2005)
03/16/2005		DOCKETING LETTER: 8 USCA Number 05-1668; counsel to proceed on appendix (dac) (Entered: 03/16/2005)
04/04/2005		Docket Modification (Utility Event) finding the motion for additional extension of time to file a consolidated reply in support of their motion to dismiss third party complt [244-1] moot; finding the motion to extend time to file a reply in support of their pending motion to dismiss the third party complt and to file a response to the state defts' motion to amend injunction [239-1] moot due to doc #245 (maj) (Entered: 04/04/2005)
04/07/2005	<u>259</u>	MOTION by defendants Ray Hanley, Roy Jeffus to continue trial (dac) (Entered: 04/07/2005)
04/07/2005	<u>260</u>	BRIEF by defendants Ray Hanley, Roy Jeffus in support of motion to continue trial [259-1] (dac) (Entered: 04/07/2005)
04/18/2005		Docket Modification (Utility Event) Court trial canceled 9:00 a.m. 7/18/05; Discovery ddl canceled 5/3/05; Pretrial Info Sheet canceled 6/20/05 (maj) (Entered: 04/18/2005)

04/19/2005	<u>261</u>	ORDER by Judge William R. Wilson granting motion to continue trial [259-1] the matter is removed from the Court's 7/18/05 docket (cc: all counsel) (dac) (Entered: 04/19/2005)
04/19/2005		Docket Modification (Utility Event) ; Jury trial 9:00 8/23/04 continued (dac) (Entered: 04/19/2005)
06/08/2005		Docket Modification (Utility Event) finding the motion to compel discovery [226-1] moot; finding the motion in limine in re to limiting pltf's presentation of proof to the one Medicaid recipient identified in pltf's answer to defts' second interrogatories and request for production [217-1] moot; finding the motion to compel discovery [217-2] moot due to matter being on appeal (maj) (Entered: 06/08/2005)
08/16/2005	<u>262</u>	MOTION to Compel by Pediatric Specialty Care, Inc., Child & Youth Pediatric Day Clinics, Inc., Family Counseling & Diagnostic Clinic Inc, Tomorrow's Child Learning Center, LLC, D & D Family Enterprises, Inc., James Swindle, Stacey Swindle, Susann Crespino. (Attachments: # <u>1</u> )(Bowen, Martin) (Entered: 08/16/2005)
08/16/2005	<u>263</u>	BRIEF IN SUPPORT filed by Pediatric Specialty Care, Inc., Child & Youth Pediatric Day Clinics, Inc., Tomorrow's Child Learning Center, LLC, James Swindle, Stacey Swindle, Susann Crespino re <u>262</u> Motion to Compel., (Bowen, Martin) (Entered: 08/16/2005)
08/26/2005	<u>264</u>	RESPONSE to Motion re <u>262</u> MOTION to Compel filed by Arkansas Foundation for Medical Care. (Rainwater, Michael) (Entered: 08/26/2005)
09/06/2005	<u>265</u>	RESPONSE to Motion re <u>262</u> MOTION to Compel filed by Pediatric Specialty Care, Inc., Tomorrow's Child Learning Center, LLC, James Swindle, Stacey Swindle. (Attachments: # <u>1</u> Exhibit)(Brenner, Benjamin) (Entered: 09/06/2005)
09/09/2005	<u>266</u>	RESPONSE to Motion re <u>262</u> MOTION to Compel <i>Defendant's Response to Plaintiff's Reply <u>265</u> to AFMC's Response to Motion to Compel</i> filed by Arkansas Foundation for Medical Care. (Rainwater, Michael) (Entered: 09/09/2005)
09/14/2005	<u>267</u>	ORDER denying <u>262</u> Motion to Compel . Signed by Judge William R. Wilson Jr. on 9/14/05. (dac ) (Entered: 09/14/2005)
09/14/2005	<u>268</u>	CERTIFICATE OF MAILING by the Clerk re <u>267</u> Order on Motion to Compel (dac, ) (Entered: 09/14/2005)
02/07/2006	<u>269</u>	NOTICE of Appearance by Martin Wayne Bowen on behalf of all plaintiffs (Bowen, Martin). MODIFICATION: Signed version of document added as an attachment on 2/27/2006 (thd). (Entered: 02/07/2006)
02/08/2006	<u>270</u>	Deficiency Letter from Clerk notifying party that <u>269</u> Notice of Appearance Lacks Signature. (jph, ) (Entered: 02/08/2006)
03/27/2006	<u>271</u>	Transmitted Record on Appeal to US Court of Appeals, in accordance with telephone request, re <u>247</u> Notice of Appeal, <u>258</u> Notice of Appeal, <u>248</u> Notice of Appeal (Attachment: # <u>1</u> Transmittal Sheet 2(dac, ) (Entered: 03/27/2006)
05/05/2006	<u>272</u>	Appeal Record Returned: 11 volumes of original files and 8 volumes of transcripts <u>247</u> Notice of Appeal, <u>258</u> Notice of Appeal, <u>248</u> Notice of Appeal (dac, ) (Entered: 05/05/2006)
06/05/2006	<u>273</u>	ORDER of USCA as to <u>258</u> Notice of Appeal filed by Arkansas Department of Human Services, Ray Hanley, Roy Jeffus. Plaintiff-Appellees' motion for attorneys' fees is granted in the amount of \$23, 890 and costs in the amount of \$1,535.90 (dac, ) (Entered: 06/06/2006)
06/28/2006	<u>274</u>	NOTICE of Appearance by Charles A. Banks on behalf of Tomorrow's Child Learning Center, LLC (Banks, Charles) (Entered: 06/28/2006)
07/05/2006	<u>275</u>	MOTION for Attorney Fees by Pediatric Specialty Care, Inc., Child & Youth Pediatric Day Clinics, Inc., Family Counseling & Diagnostic Clinic Inc, Tomorrow's Child Learning Center, LLC, James Swindle, Stacey Swindle, Susann Crespino. (Attachments: # <u>1</u> Exhibit A# <u>2</u> # <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit

		E)(Bowen, Martin) (Entered: 07/05/2006)
07/05/2006	<u>276</u>	BRIEF IN SUPPORT filed by Pediatric Specialty Care, Inc., Child & Youth Pediatric Day Clinics, Inc., Family Counseling & Diagnostic Clinic Inc, Tomorrow's Child Learning Center, LLC, James Swindle, Stacey Swindle, Susann Crespino re <u>275</u> Motion for Attorney Fees., (Bowen, Martin) (Entered: 07/05/2006)
07/05/2006	<u>277</u>	MANDATE of USCA as to <u>258</u> Notice of Appeal filed by Arkansas Department of Human Services, Ray Hanley, Roy Jeffus. Judgment of the district court is affirmed in part and remanded in accordance with the opinion of this Court. (Attachment: # <u>1</u> Opinion)(dac, ) Additional attachment: Order Awarding Costs, added on 8/14/2006 (dac, ). Modified on 8/14/2006 (dac, ). (Entered: 07/05/2006)
07/13/2006	<u>278</u>	RESPONSE to Motion re <u>275</u> MOTION for Costs and Attorney Fees filed by Arkansas Department of Human Services. (thd) (Modified on 7/13/2006 to correct typographical error.) (thd) (Entered: 07/13/2006)
07/13/2006	<u>279</u>	BRIEF IN SUPPORT of <u>278</u> Response to Motion for Costs and Attorneys Fees filed by Arkansas Department of Human Services. (thd) (Entered: 07/13/2006)
07/24/2006	<u>280</u>	MANDATE of USCA as to <u>247</u> Notice of Appeal filed by Arkansas Foundation for Medical Care, <u>248</u> Notice of Appeal filed by Arkansas Department of Human Services, Kurt Knickrehm, Ray Hanley, Roy Jeffus. The district court's order compelling disclosure of the identities of peer reviewers conflicts the applicable enforceable regulations, and is reversed in accordance with the opinion of this court (Attachment: # <u>1</u> Opinion)(dac, ) (Entered: 07/25/2006)
08/14/2006	<u>281</u>	ORDER of USCA as to <u>258</u> Notice of Appeal filed by Arkansas Department of Human Services, Ray Hanley, Roy Jeffus. Appellees shall recover from the appellant's \$5,399.80 as taxable costs on appeal. The clerk of the district court is directed to place these costs in the <u>277</u> Mandate (dac, ) (Entered: 08/14/2006)
10/06/2006	<u>282</u>	Letter from Clerk USCA8, Petition for a Writ of Certiorari Was Filed on September 20, 2006 With The United States Supreme Court and Placed On The Docket September 25, 2006 as No. 06-415 (dac, ) (Entered: 10/06/2006)
11/02/2006	<u>283</u>	Letter from Clerk USCA8, Petition For Writ of Certiorari Has Been Filed In The U. S. Supreme Court, Case #06-419 (dac, ) (Entered: 11/02/2006)
03/08/2007	<u>284</u>	Letter from U. S. Supreme Court, the petition for a writ of certiorari is denied (dac) (Entered: 03/08/2007)
03/16/2007	<u>285</u>	ORDER denying <u>275</u> Motion for Attorney Fees w/o prejudice and may be refiled after the Supreme Court renders a decision on the other issues before the Court. Signed by Judge William R. Wilson Jr. on 3/16/07. (mkf) (Entered: 03/16/2007)
07/03/2007	<u>287</u>	Letter from USCA8 with notification from the U.S. Supreme Court that the petition for certiorari is granted. (thd) (Entered: 07/05/2007)
09/17/2007	<u>288</u>	ORDER of USCA in consideration of the Supreme Court judgment, dated 6/25/07, the mandate is recalled and the case is reopened (dac) (Entered: 09/17/2007)
09/17/2007	<u>289</u>	USCA JUDGMENT in accordance with the judgment of the United States Supreme Court dated 6/25/07 the <u>258</u> appeal is dismissed as moot (dac) (Entered: 09/17/2007)
09/17/2007	<u>290</u>	MANDATE of USCA in accordance with the judgment of 9/17/07 as to <u>258</u> Notice of Appeal (dac) (Entered: 09/17/2007)
09/19/2007	<u>291</u>	Letter to Counsel from Judge Wm. R. Wilson, Jr. directing counsel for each party to advise the Court by fax (original to the Clerk) by noon, Monday, September 24, 2007. (mkf) (Entered: 09/19/2007)
09/24/2007	<u>292</u>	RESPONSE re <u>291</u> Letter by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 09/24/2007)
09/24/2007	<u>293</u>	RESPONSE re <u>291</u> Letter by Pediatric Specialty Care, Inc., Child & Youth Pediatric Day Clinics, Inc., Tomorrow's Child Learning Center, LLC, James Swindle, Stacey Swindle, Susann Crespino (Bowen, Martin) (Entered: 09/24/2007)

05/13/2008	<u>294</u>	ORDER OF REASSIGNMENT. Case reference reassigned to Magistrate Judge H. David Young. Signed at the Direction of the Court on 5/13/2008. (thd) (Entered: 05/13/2008)
08/14/2008	<u>296</u>	MOTION to Withdraw as Attorney by Tomorrow's Child Learning Center LLC (Bowen, Martin) (Entered: 08/14/2008)
08/15/2008	297	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>296</u> Movant's Motion to Withdraw as Counsel. Accordingly, Mr. Martin Wayne Bowen is relieved as counsel for Plaintiffs. Signed by Judge William R. Wilson, Jr on 08/15/08. (dmm) (Entered: 08/15/2008)
08/18/2008	<u>298</u>	MOTION for Relief Relieve Counsel by Arkansas Department of Human Services (Hopkins, Breck) (Entered: 08/18/2008)
08/18/2008	299	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>298</u> Defendants' Motion to Withdraw Counsel. Accordingly, Mr. Lee Thalheimer is relieved as counsel. Signed by Judge William R. Wilson, Jr on 08/18/08. (dmm) (Entered: 08/18/2008)
10/02/2008	<u>301</u>	ORDER REASSIGNING CASE to Judge Brian S. Miller for all further proceedings. Judge William R. Wilson Jr. no longer assigned to case.(bfw) (Entered: 10/02/2008)
10/03/2008	<u>302</u>	FINAL SCHEDULING ORDER: Jury Trial set for sometime during the week of 11/17/2008 at 09:30 AM in Little Rock Courtroom #2D before Judge Brian S. Miller. Pretrial Disclosure Sheets and an Agreed set of Jury Instructions and Statement of the Case are due by 11/3/2008. Signed at the Direction of the Court on 10/3/08. (Attachments: #(1) Guideline for Jury Trials, #(2) Exhibit and Witness List, #(3) Exhibit and Witness list – continuation)(bmt) (doctet entry modified on 10/3/2008 to attach main document with correct case number) (bfw). (Entered: 10/03/2008)
10/03/2008	<u>303</u>	NOTICE OF DOCKET CORRECTION: <u>302</u> Scheduling Order – (entry modified to attach main document with correct case number) (copy attached hereto for service on counsel) (bfw) (Entered: 10/03/2008)
10/08/2008	<u>304</u>	MOTION to Continue by Tomorrow's Child Learning Center LLC (Banks, Charles) (Entered: 10/08/2008)
10/10/2008	<u>305</u>	ORDER denying <u>304</u> Motion to Continue. Signed by Judge Brian S. Miller on 10/10/08. (bmt) (Entered: 10/10/2008)
10/22/2008	<u>306</u>	MOTION for Summary Judgment <i>Defendant AFMC's Motion for Summary Judgment on Issue of Procedural Due Process</i> by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 10/22/2008)
10/22/2008	<u>307</u>	BRIEF IN SUPPORT filed by Arkansas Foundation for Medical Care re <u>306</u> Motion for Summary Judgment <i>Brief in Support of Defendant AFMC's Motion for Summary Judgment on Issue of Procedural Due Process</i> (Rainwater, Michael) (Entered: 10/22/2008)
10/22/2008	<u>308</u>	MOTION for Summary Judgment <i>Arkansas Foundation for Medical Care's Motion for Summary Judgment on the Issue of Damages</i> by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 10/22/2008)
10/22/2008	<u>309</u>	BRIEF IN SUPPORT filed by Arkansas Foundation for Medical Care re <u>308</u> Motion for Summary Judgment <i>Brief In Support of Separate Defeendant's Motion for Summary Judgment on Issue of Damages</i> (Attachments: # <u>1</u> Exhibit 1)(Rainwater, Michael) (Entered: 10/22/2008)
10/22/2008	<u>310</u>	MOTION for Summary Judgment by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services (Attachments: # <u>1</u> Exhibit)(Hopkins, Breck) (Entered: 10/22/2008)
10/22/2008	<u>311</u>	BRIEF IN SUPPORT filed by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services re <u>310</u> Motion for Summary Judgment (Hopkins, Breck) (Entered: 10/22/2008)

10/22/2008	<u>312</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>310</u> Motion for Summary Judgment filed by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services. (Hopkins, Breck) (Entered: 10/22/2008)
10/22/2008	<u>313</u>	MOTION in Limine by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services (Hopkins, Breck) (Entered: 10/22/2008)
10/22/2008	<u>314</u>	BRIEF IN SUPPORT filed by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services re <u>313</u> Motion in Limine (Hopkins, Breck) (Entered: 10/22/2008)
10/22/2008	<u>315</u>	MOTION in Limine by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services (Attachments: # <u>1</u> Exhibit)(Hopkins, Breck) (Entered: 10/22/2008)
10/22/2008	<u>316</u>	BRIEF IN SUPPORT filed by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services re <u>315</u> Motion in Limine (Hopkins, Breck) (Entered: 10/22/2008)
10/23/2008	<u>317</u>	MOTION in Limine <i>Defendant AFMC's Motion in Limine – Recipient Evidence</i> by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 10/23/2008)
10/23/2008	<u>318</u>	MOTION for Summary Judgment <i>Motion to Join ADHS Motion for Summary Judgment</i> by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 10/23/2008)
10/23/2008	<u>319</u>	MOTION in Limine <i>Defendant AFMC's Motion in Limine re Dr. Sharon Ramey</i> by Arkansas Foundation for Medical Care (Rainwater, Michael) (Entered: 10/23/2008)
10/23/2008	<u>320</u>	BRIEF IN SUPPORT filed by Arkansas Foundation for Medical Care re <u>319</u> Motion in Limine <i>Brief in Support of AFMC's Motion in Limine regarding Dr. Sharon Ramey</i> (Rainwater, Michael) (Entered: 10/23/2008)
10/30/2008	<u>321</u>	Witness List by Arkansas Foundation for Medical Care(Rainwater, Michael) (Entered: 10/30/2008)
11/03/2008	<u>322</u>	MOTION to Extend Time by Tomorrow's Child Learning Center LLC (Banks, Charles) (Entered: 11/03/2008)
11/03/2008	<u>323</u>	RESPONSE to Motion re <u>322</u> MOTION to Extend Time <i>Defendant AFMC's Response to Motion to Extend Time</i> filed by Arkansas Foundation for Medical Care. (Rainwater, Michael) (Entered: 11/03/2008)
11/03/2008	<u>324</u>	RESPONSE to Motion re <u>322</u> MOTION to Extend Time filed by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services. (Attachments: # <u>1</u> Exhibit)(Hopkins, Breck) (Entered: 11/03/2008)
11/03/2008	<u>325</u>	Witness List by Kurt Knickrehm, Ray Hanley, Roy Jeffus, Arkansas Department of Human Services(Hopkins, Breck) (Entered: 11/03/2008)
11/04/2008	<u>326</u>	ORDER granting <u>322</u> Motion to Extend Time until November 10, 2008 for plaintiff to submit its pretrial disclosures, a statement of the case and its responses to defts' pending motions; court trial will be on November 17, 2008. Signed by Judge Brian S. Miller on 11/4/08. (bkp) (Entered: 11/04/2008)
11/07/2008	<u>327</u>	Exhibit List <i>Defendant AFMC's Exhibit &amp; Witness List</i> by Arkansas Foundation for Medical Care.(Rainwater, Michael) (Entered: 11/07/2008)
11/07/2008	<u>328</u>	PRETRIAL DISCLOSURE SHEET <i>AFMC's Prehearing Information Filing</i> by Arkansas Foundation for Medical Care. (Rainwater, Michael) (Entered: 11/07/2008)
11/12/2008	<u>329</u>	STIPULATION of Dismissal by Tomorrow's Child Learning Center LLC. (Banks, Charles) (Entered: 11/12/2008)
11/13/2008	<u>330</u>	ORDER DISMISSING CASE with prejudice. Signed by Judge Brian S. Miller on 11/13/08. (bkp) (Entered: 11/13/2008)