

APPEAL, CLOSED, PROTO, STD

**U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CIVIL DOCKET FOR CASE #: 4:00-cv-00067-EHC**

Ball, et al v. Betlach, et al
Assigned to: Judge Earl H Carroll
Demand: \$0
Case in other court: 9th Circuit Court of Appeals, 10-16187
Cause: 42:1983 Civil Rights Act

Date Filed: 01/27/2000
Date Terminated: 05/14/2010
Jury Demand: None
Nature of Suit: 444 Civil Rights: Welfare
Jurisdiction: U.S. Government Defendant

Plaintiff

Peg Ball

represented by **Anne C Ronan** ,
Arizona Ctr for Law in the Public Interest
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V.

Defendant

Thomas J Betlach
*Director of the Arizona Health Care Cost
Containment System*

represented by **Logan T Johnston**
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ATTORNEY TO BE NOTICED

Plaintiff

Bennie James
*as grandfather & guardian of Cree James
a minor person*

represented by **Anne C Ronan ,**
(See above for address)
TERMINATED: 09/10/2004
LEAD ATTORNEY
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Bruce B Vignery ,
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Jennifer Lynne Nye
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Michael T Liburdi
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Paul F Eckstein
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Sarah Lenz Lock ,
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Sarah Jane Somers
(See above for address)
TERMINATED: 04/03/2000
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ATTORNEY TO BE NOTICED

Steven Frederick Palevitz
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Tami Lynn Johnson
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Therese E Yanan ,
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Jill Louise Ripke
(See above for address)

Jose de Jesus Rico
(See above for address)
ATTORNEY TO BE NOTICED

Kenneth Wayne Zeller ,
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Jeanne Spinka
*as an individual and a representative of a
class of persons similarly situated*

represented by **Anne C Ronan ,**
(See above for address)
TERMINATED: 09/10/2004
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Bruce B Vignery ,
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Jose de Jesus Rico
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ATTORNEY TO BE NOTICED

Kenneth Wayne Zeller ,
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Phyllis Biedess
*Director fo the Arizona Health Care cost
Containment system
TERMINATED: 05/14/2010*

represented by **Anne Cecile Longo**
MCAO Division of County Counsel
—
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Logan T Johnston
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

AHCCCS

represented by **Anne Cecile Longo**
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Logan T Johnston
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Paul E Steen
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ATTORNEY TO BE NOTICED

Defendant

Arizona, State of

represented by **Anne Cecile Longo**
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*TERMINATED: 05/14/2002
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Logan T Johnston
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Paul E Steen
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ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Vennetta Graham

represented by **Anne C Ronan ,**
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TERMINATED: 09/10/2004
LEAD ATTORNEY
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Bruce B Vignery ,
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Jennifer Lynne Nye
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Michael T Liburdi
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Paul F Eckstein
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Sally Hart
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TERMINATED: 07/30/2007
LEAD ATTORNEY
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Therese E Yanan ,
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose de Jesus Rico
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Kim Bowman
mother, on behalf of a minor person
Collin Phelan

represented by **Anne C Ronan ,**
(See above for address)
TERMINATED: 09/10/2004
LEAD ATTORNEY
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Bruce B Vignery ,
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Jennifer Lynne Nye
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Michael T Liburdi
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Paul F Eckstein
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Therese E Yanan ,
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Jose de Jesus Rico
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ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Peggy Williams

represented by **Anne C Ronan ,**
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TERMINATED: 09/10/2004
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Jennifer Lynne Nye
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TERMINATED: 10/29/2010
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Therese E Yanan ,
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Intervenor Plaintiff

Grace Collier
TERMINATED: 03/27/2001

represented by **Anne C Ronan ,**
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TERMINATED: 09/10/2004

*LEAD ATTORNEY
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Bruce B Vignery ,
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Therese E Yanan ,
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Intervenor Plaintiff

Judeth Hinton

represented by **Anne C Ronan ,**
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Bruce B Vignery ,
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Jose de Jesus Rico
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Intervenor Plaintiff

Virginia Haskell

represented by

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Intervenor Plaintiff

Larry Williams

represented by **Jennifer Lynne Nye**
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Jose de Jesus Rico
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Amicus

**Arizona Association of Providers for
People with Disabilities**
TERMINATED: 05/08/2002

represented by **Grant Murray Snow**
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TERMINATED: 05/08/2002
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Date Filed	#	Docket Text
01/27/2000	1	COMPLAINT FILED (PAB) (Entered: 01/28/2000)
02/07/2000	2	RETURN OF SERVICE of summons/cmp EXECUTED personally upon dft Phyllis Biedess on 2/2/00 (PAB) (Entered: 02/08/2000)
02/07/2000	3	RETURN OF SERVICE of summons/cmp EXECUTED personally upon dft AHCCCS on 2/2/00 (PAB) (Entered: 02/08/2000)
02/07/2000	4	RETURN OF SERVICE of summons/cmp EXECUTED personally upon dft Arizona, State of on 2/2/00 (PAB) (Entered: 02/08/2000)
02/17/2000	5	ORDERED that pla Peg Ball, pla Bennie James, pla Jeanne Spinka show cause for failure to comply with General Order 98-62 ; show cause hearing set for 10:00 3/6/00 for Jeanne Spinka, for Bennie James, for Peg Ball before Judge John M. Roll (cc: all counsel) (PAB) (Entered: 02/17/2000)
02/18/2000	6	Party elects assignment of case to district judge ; mag election form ddl satisfied 2/18/00 ; show cause hearing ddl satisfied 2/18/00 (PAB) (Entered: 02/22/2000)
02/22/2000	7	MINUTE ORDER: Pursuant to local rule 1.2(e), a request has been received for a random reassignment of this case to a District Judge Case reassigned to Judge Alfredo C. Marquez (with notice sent) All further pleadings should now list the followng complete case number: CV-00-67-TUC-ACM (cc: all counsel/ACM/GEE) [7-2] (PAB) (Entered: 02/22/2000)
03/31/2000	8	ANSWER by dfts (BAR) (Entered: 04/03/2000)
04/03/2000	9	ATTORNEY SUBSTITUTION: terminating attorney Sarah Jane Somers for Jeanne Spinka, attorney Sarah Jane Somers for Bennie James, attorney Sarah Jane Somers for Peg Ball and substituting attorney Therese E Yanan (BAR) (Entered: 04/04/2000)
04/06/2000	10	MOTION for pro hac vice of Sarah Lenz Lock by pla [10-1] (BAR) (Entered: 04/10/2000)
04/06/2000	11	MOTION for pro hac vice of Bruce B. Vignery by pla [11-1] (BAR) (Entered: 04/10/2000)
04/11/2000	12	ORDER by Judge Alfredo C. Marquez ; prel scheduling conf set for 10:30 6/20/00 before law clerk (cc: all counsel) (BAR) (Entered: 04/11/2000)
04/11/2000	13	ORDER by Judge Alfredo C. Marquez granting motion for pro hac vice of Sarah Lenz Lock by pla [10-1] (cc: all counsel) (BAR) (Entered: 04/11/2000)
04/11/2000	14	ORDER by Judge Alfredo C. Marquez granting motion for pro hac vice of Bruce B. Vignery by pla [11-1] (cc: all counsel) (BAR) (Entered: 04/11/2000)
04/21/2000	15	ATTORNEY APPEARANCE for pla by Sarah Lenz Lock, Bruce B Vignery (BAR) (Entered: 04/24/2000)
04/21/2000	16	MOTION to certify a class action by pla [16-1] (BAR) (Entered: 04/24/2000)
04/21/2000	17	MEMORANDUM IN SUPPORT by pla of motion to certify a class action by pla [16-1] (BAR) (Entered: 04/24/2000)
04/21/2000	18	MOTION to intervene by Vennetta Graham, Kim Bowman, Peggy Williams, Larry Williams, Grace Collier, Judeth Hinton, Virginia Haskell [18-1] (BAR) (Entered: 04/24/2000)
04/21/2000	19	MEMORANDUM IN SUPPORT by pla, intervenor-plaintiff of motion to intervene by Vennetta Graham, Kim Bowman, Peggy Williams, Larry Williams, Grace Collier, Judeth Hinton, Virginia Haskell [18-1] (BAR) (Entered: 04/24/2000)
04/21/2000		LODGED interveners' complaint class action (BAR) (Entered: 04/24/2000)
05/15/2000	20	MEMORANDUM IN SUPPORT by pla of motion to intervene by Vennetta Graham, Kim Bowman, Peggy Williams, Larry Williams, Grace Collier, Judeth

		Hinton, Virginia Haskell [18-1] (BAR) (Entered: 05/16/2000)
06/02/2000	21	RESPONSE by dft to motion to intervene by Vennetta Graham, Kim Bowman, Peggy Williams, Larry Williams, Grace Collier, Judeth Hinton, Virginia Haskell [18-1] (BAR) (Entered: 06/05/2000)
06/02/2000	22	ANSWER by dfts (BAR) (Entered: 06/05/2000)
06/02/2000	23	RESPONSE by dfts to motion to certify a class action by pla [16-1] (BAR) (Entered: 06/05/2000)
06/07/2000	24	MOTION to extend time to reply to defendants' memorandum in opposition to motion to certify a class action by pla [24-1] (BAR) (Entered: 06/08/2000)
06/14/2000	25	NOTICE by pla of change of address for counsel: Sally Hart & Stephen Palevitz, Arizona Center for Disability Law, 100 N Stone Avenue, Suite 305, Tucson, AZ 85701 (BAR) (Entered: 06/15/2000)
06/27/2000	26	REPLY by pla to response to motion to certify a class action by pla [16-1] (BAR) (Entered: 06/28/2000)
07/21/2000	27	ORDER by Judge Alfredo C. Marquez granting motion to intervene by Vennetta Graham, Kim Bowman, Peggy Williams, Larry Williams, Grace Collier, Judeth Hinton, Virginia Haskell [18-1] (cc: all counsel) (BAR) (Entered: 07/21/2000)
07/21/2000	28	AMENDED COMPLAINT by Interveners Vennetta Graham, Kim Bowman, Grace collier, Judeth Hinton & Virginia Haskell [1-1] ; (BAR) (Entered: 07/24/2000)
07/28/2000	29	Notice of filing DECLARATIONS by pla re motion to certify a class action by pla [16-1] [16-1] (PAB) (Entered: 07/28/2000)
07/31/2000	30	ORDER by Judge Alfredo C. Marquez ; ; prel scheduling conf set for 10:30 9/7/00 before law clerk (cc: all counsel) (BAR) (Entered: 07/31/2000)
08/07/2000	31	ORDER by Judge Alfredo C. Marquez granting motion to certify a class action by pla [16-1] a class is certified purs to rule 23(b)(2) to include all persons in the State of Arizona who have been or will be eligible for Home & Community Based Services from the Arizona Health Care Cost Containment System, but are not provided with the full amount of such services prescribed in their care plans (cc: all counsel) (KDT) (Entered: 08/07/2000)
08/07/2000	32	ORDER by Judge Alfredo C. Marquez ; prel scheduling conf reset for 10:30 8/31/00 bfr Judge Marquez's law clerk, Greer Barkley (cc: all counsel) (KDT) (Entered: 08/07/2000)
08/21/2000	33	JOINT REPORT by pla, dft concerning discovery plan (BAR) (Entered: 08/22/2000)
09/12/2000	34	SCHEDULING ORDER by Judge Alfredo C. Marquez ; discovery due 2/28/02 ; dispositive motions due 4/16/02 ; pretrial order due 5/14/02 ; Pretrial conference set for 10:30 6/5/02 (cc: all counsel) (BAR) (Entered: 09/12/2000)
09/18/2000	35	AMENDED SCHEDULING ORDER by Judge Alfredo C. Marquez ; discovery due 2/28/01 ; dispositive motions due 4/16/01 ; pretrial order due 5/14/01 ; Pretrial conference set for 10:30 6/5/01 (cc: all counsel) (BAR) (Entered: 09/18/2000)
09/18/2000	36	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by dft (BAR) (Entered: 09/18/2000)
09/18/2000	37	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla (BAR) (Entered: 09/18/2000)
10/23/2000	38	NOTICE of service of discovery by pla. (PAB) (Entered: 10/23/2000)
10/26/2000	39	NOTICE of service of discovery by pla. (BAR) (Entered: 10/27/2000)
12/15/2000	40	NOTICE by pla cnsl of change of address: Therese Yanan; DNA Peoples Legal Services; Native American Protection & Advocacy Project; PO Box 392; Shiprock AZ 84720 (PAB) (Entered: 12/18/2000)

12/20/2000	41	Second Joint Report of Parties Concerning Discovery Plan by pla, dft (BAR) (Entered: 12/21/2000)
12/20/2000	42	NOTICE of Service by pla of Second Joint Report of Parties Concerning Discovery Plan and Amendment to Scheduling Order (BAR) (Entered: 12/21/2000)
12/22/2000	43	AMENDED SCHEDULING ORDER by Judge Alfredo C. Marquez ; discovery due 3/31/01 ; dispositive motions due 5/1/01 ; pretrial order due 7/15/01 ; a pretrial conference shall be held at such date and time thereafter as the Court shall set. (cc: all counsel) (BAR) (Entered: 12/22/2000)
12/22/2000	44	NOTICE of service of discovery by plas. (former emp) (Entered: 12/22/2000)
12/29/2000	45	NOTICE by dft OF TAKING DEPO OF PEG BALL, CREE JAMES, BENNIE JAMES, JEANNE SPINKA on the following date(s): 1/30-31/01 (BAR) (Entered: 01/02/2001)
12/29/2000	46	NOTICE of service of discovery by dft. (BAR) (Entered: 01/02/2001)
12/29/2000	47	NOTICE of compliance of first supplemental disclosure statement pursuant to FRCivP 26(a) by dft (BAR) (Entered: 01/02/2001)
12/29/2000	48	MOTION for protective order by dfts [48-1] (BAR) (Entered: 01/02/2001)
01/08/2001	49	NOTICE by pla OF TAKING DEPO OF PHYLLIS BIEDESS, THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION AND THE STATE OF ARIZONA on the following date(s): 1/23-23/01 (BAR) (Entered: 01/09/2001)
01/10/2001	50	NOTICE of service of discovery by pla. (BAR) (Entered: 01/11/2001)
01/16/2001	51	ORDER by Judge Alfredo C. Marquez granting motion for protective order by dfts: parties to file documents containing confidential patient information under seal; such sealed documents be available in this action only to the Court and parties to this action; references to AHCCCS members whose identity is confidential in briefs and oral argument shall not reveal individual identities; parties shall take all steps necessary to maintain the confidentiality of information covered by this order and shall not allow such information to be disclosed to any persons other than the parties' attorneys, their clerks and secretarial staff; this confidentiality order extends to any portions of transcripts or other documents containing the applicant's name(s) or confidential information; documents containing confidential information shall not be filed under seal if the member is a named plaintiff in this case, the member has waived confidentiality by signing an affidavit or declaration relating to this case, the member has waived confidentiality in writing or the confidential information can be redacted and the un-redacted information would be insufficient to enable someone to determine the identity of the member. [48-1] (cc: all counsel) (BAR) (Entered: 01/16/2001)
01/30/2001	52	NOTICE of Service by pla of responses to defendants' request for production of documents and interrogatores (BAR) (Entered: 01/31/2001)
02/05/2001	53	NOTICE of service of discovery by dfts. (BAR) (Entered: 02/06/2001)
02/16/2001	54	NOTICE of service of discovery by plas. (former emp) (Entered: 02/16/2001)
03/15/2001	55	NOTICE by dft of Service of Defendant's Disclosure of Expert Witnesses (BAR) (Entered: 03/16/2001)
03/27/2001	56	NOTICE of Death of Plaintiff Grace Collier by plaintiffs (BAR) (Entered: 03/28/2001)
04/02/2001	57	NOTICE of service of discovery by dfts. (BAR) (Entered: 04/04/2001)
04/06/2001	58	THIRD JOINT REPORT OF PARTIES CONCERNING DISCOVERY PLAN by pla (BAR) (Entered: 04/10/2001)
04/06/2001	59	NOTICE of Service by pla upon Logan T Johnston with Third Joint Report of Parties Concerning Discovery Plan and Second Amendment to Scheduling Order (BAR) (Entered: 04/10/2001)

04/12/2001	60	NOTICE of service of discovery by plas. (former emp) (Entered: 04/16/2001)
04/17/2001	62	NOTICE of service of discovery by dfts. (BAR) (Entered: 04/19/2001)
04/18/2001	61	ORDER by Judge Alfredo C. Marquez re: third joint report of parties concerning discovery plan [58-1] ; discovery ddl set for 6/1/01 ; dispositive motions due 7/13/01; a joint proposed pretrial order shall be filed 30 days after the Court has ruled on the pretrial motions, if this matter has not been resolved by the Court's rulings on such motions. A pretrial conference shall be held at such date and time thereafter as the Court shall set. (cc: all counsel) (BAR) (Entered: 04/18/2001)
04/25/2001	63	NOTICE by dfts of change of address of Anne C. Longo, to be deleted from Johnston & Kelly (BAR) (Entered: 04/26/2001)
05/01/2001	64	NOTICE by plas of id of expert witness & of service of expert's report (former emp) (Entered: 05/02/2001)
05/21/2001	65	NOTICE of service of discovery by pla Peg Ball, pla Jeanne Spinka . (REC) (Entered: 05/22/2001)
06/14/2001	66	NOTICE of service of 2nd supplemental disclosure statement pursuant to FRCivP 26(a) by dft (former emp) (Entered: 06/14/2001)
07/06/2001	67	Fourth Joint REPORT concerning discovery plan by pla, dft (former emp) (Entered: 07/09/2001)
07/06/2001	68	NOTICE by pla of certificate of service of joint report of parties (MLZ) (Entered: 07/09/2001)
08/01/2001	69	NOTICE by pla OF TAKING DEPO OF Sara Harper on 8/6/01, Yvonne Powell on 8/7/01, Branch McNeal on 8/8/01, and Phyllis Biedess on 8/15/01 and request for production of documents (MLZ) (Entered: 08/02/2001)
08/10/2001	70	AMENDED NOTICE by pla OF TAKING DEPO OF Sara Harper on the following date(s): 8/16/01 at 9:00 AM (KDT) (Entered: 08/13/2001)
08/10/2001	70	AMENDED NOTICE by pla OF TAKING DEPO OF Yvonne Powell on the following date(s): 8/28/01 at 9:00 AM (KDT) (Entered: 08/13/2001)
08/10/2001	70	AMENDED NOTICE by pla OF TAKING DEPO OF Branch McNeal on the following date(s): 8/16/01 at 11:00 AM (KDT) (Entered: 08/13/2001)
08/10/2001	70	AMENDED NOTICE by pla OF TAKING DEPO OF Phyllis Biedess on the following date(s): 8/16/01 at 2:00 PM (KDT) (Entered: 08/13/2001)
08/10/2001	70	NOTICE of service of discovery by pla. (KDT) (Entered: 08/13/2001)
08/10/2001	71	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla (KDT) (Entered: 08/13/2001)
08/23/2001	73	SECOND AMENDMENT SCHEDULING ORDER by Judge Alfredo C. Marquez ; discovery due 8/31/01 ; dispositive motions due 9/28/01 ; pretrial order due 10/29/01 (cc: all counsel) re: order (scheduling) [73-1] (MLZ) (Entered: 08/23/2001)
08/23/2001	72	AMENDED NOTICE by pla OF TAKING DEPO OF Phyllis Biedess Branch McNeal on the following date(s): 8/21/01 (PAB) Modified on 10/15/2003 (Entered: 10/10/2003)
09/07/2001	74	NOTICE by dft OF TAKING DEPO OF Dr. Dorie Seavey on the following date(s): 9/12/01 at 12:00 (MLZ) (Entered: 09/10/2001)
09/25/2001	75	MOTION to extend time for 2 weeks to 10/12/01 for dispositive motion deadline by pla, dft [75-1] (former emp) (Entered: 09/26/2001)
09/28/2001	76	ORDER by Judge Alfredo C. Marquez granting motion to extend time for 2 weeks to 10/12/01 for dispositive motion deadline by pla, dft [75-1] ; dispositive motions due 10/12/01 (cc: all counsel) (former emp) (Entered: 09/28/2001)
10/08/2001	81	APPENDIX Re: motion for summary judgment by pla [77-1] [77-1] by pla (MLZ) (Entered: 10/10/2001)

10/09/2001	77	MOTION for summary judgment by pla [77-1] (MLZ) (Entered: 10/10/2001)
10/09/2001	78	RETURN OF SERVICE EXECUTED for motion for summary judgment upon dft Phyllis Biedess, dft AHCCCS, dft Arizona, State of on 10/9/01 (MLZ) (Entered: 10/10/2001)
10/09/2001	79	STATEMENT OF FACTS by pla re motion for summary judgment by pla [77-1] [77-1] (MLZ) (Entered: 10/10/2001)
10/09/2001	80	MEMORANDUM IN SUPPORT by pla of motion for summary judgment by pla [77-1] [77-1] (MLZ) (Entered: 10/10/2001)
11/09/2001	82	CROSS-MOTION for summary judgment and dfts response to motion for summary judgment by dft [82-1] (MLZ) (Entered: 11/14/2001)
11/09/2001	82	RESPONSE by dft to motion for summary judgment and cross motion for summary judgment by pla [77-1] (MLZ) (Entered: 11/14/2001)
11/09/2001	83	appendix by dft re motion for summary judgment and dfts response to motion for summary judgment by dft [82-1] [82-1] (MLZ) (Entered: 11/14/2001)
11/09/2001	84	STATEMENT OF FACTS by dft re motion for summary judgment and dfts response to motion for summary judgment by dft [82-1] [82-1] (MLZ) (Entered: 11/14/2001)
11/09/2001	85	MOTION to strike inadmissible portions of pla declaratory affidavits and expert opinions filed as appendices 1 to 28 to their motion for summary judgment[81-1] by dft [85-1] (MLZ) Modified on 11/15/2001 (Entered: 11/14/2001)
11/16/2001	86	MOTION for scheduling order by pla [86-1] (MLZ) (Entered: 11/19/2001)
11/19/2001	87	ORDER by Judge Alfredo C. Marquez granting motion for scheduling order by pla [86-1], pla reply to dfts response to motion for summary judgment, pla response to dfts cross-motion for summary judgment and pla response to motion to strike appendices shall be filed on or before 12/14/01, dfts reply to pla response to dfts cross motion for summary judgment and dfts reply to pla response to motion to strike appendices shall be filed on or before 1/4/02, extensions of the page limits for each of the parties previously filed memoranda re their cross motions for summary judgment are approved (cc: all counsel) (MLZ) (Entered: 11/19/2001)
12/14/2001	88	RESPONSE, memorandum in opposition by pla to motion to strike inadmissible portions of pla declaratory affidavits and expert opinions filed as appendices 1 to 28 to their motion for summary judgment[81-1] by dft [85-1] (former emp) (Entered: 12/18/2001)
12/14/2001	89	REPLY by pla to dft's response to motion for summary judgment by pla [77-1] (former emp) (Entered: 12/18/2001)
12/14/2001	89	RESPONSE by pla to motion for summary judgment and dfts response to motion for summary judgment by dft [82-1] (former emp) (Entered: 12/18/2001)
12/14/2001	90	RESPONSE by pla to dft's statement of facts [84-1] (former emp) (Entered: 12/18/2001)
12/14/2001	90	REPLY by pla to dft's opposition to pla's statement of facts [79-1] (former emp) (Entered: 12/18/2001)
12/14/2001	91	CERTIFICATE of Service by mail of pla's memorandum in opposition to dft's motion to strike appendice, pla's reply in support of motion for sum jgm and response to dft's cross-motion for sum jgm; pla's response to dft's statement of facts and reply to dft's objections to pla's statement of facts by pla (former emp) (Entered: 12/18/2001)
01/09/2002	92	REPLY by dft to pla's response to dft's statement of facts [90-1] (former emp) (Entered: 01/10/2002)
01/09/2002	93	MOTION to extend time to file reply in support of their motion for sum jgm and their reply in support of their motion to strike pla's appendices by dft [93-1] , to exceed the page limit for doc(s) reply in support of their cross-motion for sum jgm and their reply in support of their motion to strike pla's appendices by dft [93-2]

		(former emp) (Entered: 01/10/2002)
01/09/2002		LODGED Dft's reply in support of their cross-motion for sum jgm by dft (former emp) (Entered: 01/10/2002)
01/09/2002		LODGED dft's reply in support of their motion to strike pla's appendices by dft (former emp) (Entered: 01/10/2002)
01/14/2002	94	ORDER by Judge Alfredo C. Marquez granting motion to extend time to file reply in support of their motion for sum jgm and their reply in support of their motion to strike pla's appendices by dft [93-1], granting motion to exceed the page limit for doc(s) reply in support of their cross-motion for sum jgm and their reply in support of their motion to strike pla's appendices by dft [93-2] (cc: all counsel) (former emp) (Entered: 01/14/2002)
01/14/2002	95	REPLY by dft Phyllis Biedess, dft AHCCCS, dft Arizona, State of to response to motion to strike inadmissible portions of pla declaratory affidavits and expert opinions filed as appendices 1 to 28 to their motion for summary judgment[81-1] by dft [85-1] (former emp) (Entered: 01/14/2002)
01/14/2002	96	REPLY by dft to pla's response to Cross-motion for summary judgment and dfts response to motion for summary judgment by dft [82-1] (former emp) (Entered: 01/14/2002)
01/22/2002	97	SUPPLEMENTAL reply by pla to pla's response to dft's cross-motion for sum jgm and [89-1], pla's reply to dft's response to motion for sum jgm [89-1] (former emp) (Entered: 01/30/2002)
03/20/2002	98	MOTION to file amicus brief in connection with Motion for Summary Judgment by AAPPD [98-1] (JKM) (Entered: 03/21/2002)
03/20/2002		LODGED Amicus Bried of the AAPPD by amicus AAPPD (JKM) (Entered: 03/21/2002)
03/20/2002		LODGED Affidavit of Bev Hermon in support of Amicus Bried by amicus AAPPD (JKM) (Entered: 03/21/2002)
03/26/2002	99	RESPONSE by dft to motion to file amicus brief in connection with Motion for Summary Judgment by AAPPD [98-1] (JKM) (Entered: 03/27/2002)
05/08/2002	100	ORDER by Judge Alfredo C. Marquez denying motion to file amicus brief in connection with Motion for Summary Judgment by AAPPD [98-1] terminating AAPPD (cc: all counsel) (JKM) (Entered: 05/08/2002)
05/08/2002	101	ORDER by Judge Alfredo C. Marquez denying motion to strike inadmissible portions of pla declaratory affidavits and expert opinions filed as appendices 1 to 28 to their motion for summary judgment as to the facts contained in Appendices which the Court relied upon in ruling on the Motions for Summary Judgment [81-1] by dft [85-1], denying motion for summary judgment and dfts response to motion for summary judgment by dft denied as to: Equal Access under the Medicaid Act, Freedom of Choice under the Medicaid Act, Violation of the ADA and rehabilitation Act. Granting in part as to: Reasonalbe Promptness under the Medicaid Act, Provision of Services to Eligible Individuals under the Medicaid Act, State Plan Requirements under the Medicaid Act, Due Process Requirements [82-1], denying motion for summary judgment by pla [77-1] (cc: all counsel) (JKM) (Entered: 05/08/2002)
05/13/2002	102	ORDER by Judge Alfredo C. Marquez ; PTO ddl set for 6/17/02 ; Pretrial conference set for 11:00 6/24/02 , before Judge Alfredo C. Marquez (cc: all counsel) (JKM) (Entered: 05/13/2002)
05/14/2002	103	ATTORNEY SUBSTITUTION: terminating attorney Anne Cecile Longo for AHCCCS, attorney Anne Cecile Longo for Phyllis Biedess and substituting attorney Logan T Johnston (former emp) (Entered: 05/15/2002)
05/15/2002	104	MOTION to extend time to 7/12/02 for proposed pretrial order to pretrial conference to week of 7/15/02 by pla [104-1] (former emp) (Entered: 05/16/2002)

05/21/2002	105	ORDER by Judge Alfredo C. Marquez granting motion to extend time to 7/12/02 for proposed pretrial order to pretrial conference to week of 7/15/02 by pla [104-1] ; PTO ddl set for 7/12/02 ; Pretrial conference set for 11:30 7/26/02 , before Judge Alfredo C. Marquez (cc: all counsel) (JKM) (Entered: 05/21/2002)
05/21/2002	106	MOTION to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] (JKM) (Entered: 05/22/2002)
05/21/2002	107	MEMORANDUM IN SUPPORT by pla of motion to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] [106-1] (JKM) (Entered: 05/22/2002)
05/21/2002	108	CERTIFICATE of service of Copies of plas motion to alter or amend order of 5/8/02, memorandum in support of plas motion to alter or amend order of 5/8/02 and proposed amendment to order of 5/8/02 were sent by First Class Mail on 5/21/02 to Logan T. Johnston counsel of record by pla (JKM) (Entered: 05/22/2002)
05/31/2002	109	RESPONSE by dft to motion to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] (former emp) (Entered: 06/03/2002)
06/10/2002	110	REPLY by pla to response to motion to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] (former emp) (Entered: 06/11/2002)
06/21/2002	111	SUPPLEMENTAL by pla Peg Ball, pla Bennie James to motion to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] [106-1] (JKM) (Entered: 06/24/2002)
07/01/2002	112	RESPONSE by dft to supplement to pla's motion to alter or amend [111-1] (former emp) (Entered: 07/02/2002)
07/05/2002	113	ORDER by Judge Alfredo C. Marquez denying motion to amend order filed May 8, 2002 to Summary Judgment for dft on plas claim for reasonable promptness under the medicaid act shall be withdrawn as there is triable issue of fact with respect to this claim; Summary judgement for dft on plas claim for due process requirements shall be withdrawn and summary judgment for plas shall be issued on this claim [101-1], order filed [100-1] by pla [106-1] (cc: all counsel) (REC) (Entered: 07/05/2002)
07/05/2002	114	REPLY by pla to dft's response to supplement [111-1] to pla's motion to alter or amend the portion of the order of 5/8/02 granting sum jgm for dfts with respect to the notice claims (former emp) (Entered: 07/09/2002)
07/09/2002	115	MOTION to extend time to 7/29/02 to file proposed joint pretrial order by pla [115-1] (former emp) (Entered: 07/10/2002)
07/12/2002	116	ORDER by Judge Alfredo C. Marquez granting motion to extend time to 7/29/02 to file proposed joint pretrial order by pla [115-1] ; PTO ddl set for 7/19/02 (cc: all counsel) (KDT) (Entered: 07/12/2002)

07/18/2002	117	NOTICE of Service of 2nd supplemental disclosure statement pursuant to FRCivP 26(a) by pla (former emp) (Entered: 07/18/2002)
07/23/2002	118	NOTICE of compliance of third supplemental disclosure statement pursuant to FRCivP 26(a) by dft Phyllis Biedess, dft AHCCCS, dft Arizona, State of (JKM) (Entered: 07/23/2002)
08/02/2002	119	ORDER by Judge Alfredo C. Marquez ; PTO ddl set for 8/9/02 ; Pretrial conference set for 11:30 8/23/02 , before Judge Alfredo C. Marquez (cc: all counsel) (JKM) (Entered: 08/02/2002)
08/02/2002	120	MOTION for leave to amend complaint by pla [120-1] (JKM) Modified on 09/03/2002 (Entered: 08/05/2002)
08/02/2002		LODGED Second Amended Complaint by pla (JKM) (Entered: 08/05/2002)
08/02/2002	121	MEMORANDUM IN SUPPORT by pla of motion by pla [120-1] [120-1] (JKM) (Entered: 08/05/2002)
08/02/2002	122	Certificate of Service; that a copy of pla motion for leave to amend complaint, memorandum in support of motion for leave to amend complaint, second amended complaint, and order granting leave to file second amended complaint (Proposed), were sent by first class mail, postage prepaid, on 8/2/02 to Logan T. Johnston counsel of record by pla of Service (JKM) (Entered: 08/05/2002)
08/09/2002		PROPOSED PRE-TRIAL ORDER submitted by pla, dft (BAR) (Entered: 08/16/2002)
08/15/2002	124	RESPONSE by dft to motion by pla [120-1] (JKM) (Entered: 08/16/2002)
08/16/2002	123	ORDER by Judge Alfredo C. Marquez ; Pretrial conference set for 11:00 8/27/02 Out of state counsel shall appear telephonically and are directed to contact this Court and provide telephone numbers where they can be reached (cc: all counsel) (JKM) (Entered: 08/16/2002)
08/28/2002	125	REPLY by pla to dft's response to motion to amended complaint by pla [120-1] (former emp) (Entered: 08/29/2002)
09/03/2002	127	Second AMENDED COMPLAINT by pla; [28-1], [1-1] ; (former emp) (Entered: 09/04/2002)
09/04/2002	126	MINUTE ENTRY before Judge Alfredo C. Marquez . Crt Rptr: M. Riley. granting and denying in part motion for leave to amend complaint by pla [120-1], denied as to the 2 new state statutes and granted as to the issued of the state law claims; motions in limine to be filed 30 days prior to trial and response 20 days prior to trial, any trial briefs to be filed 10 days prior to trial ; pretrial conference held ; bench trial set for 10:00 2/10/03 ; status hearing set for 11:00 9/9/02, parties may appear telephonically [cc: all cnsl]] [126-2] (former emp) Modified on 01/13/2003 (Entered: 09/04/2002)
09/09/2002	128	MINUTE ENTRY before Judge Alfredo C. Marquez . . re: minute entry [126-2] ; status hearing held; Court orders that the 9/3/02 minute entry is amended to reflect that the motions in limine are to be filed by 11/29/02 response to be filed within 15 days; reply 5 days thereafter. [cc: all counsel] [128-2] (JKM) (Entered: 09/11/2002)
11/27/2002	129	MOTION to amend pretrial order [0-1] by pla [129-1] (ABU) (Entered: 11/29/2002)
11/27/2002	130	MEMORANDUM IN SUPPORT by pla of motion to amend pretrial order [0-1] by pla [129-1] [129-1] (ABU) (Entered: 11/29/2002)
11/27/2002	131	MOTION in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1] (ABU) (Entered: 11/29/2002)
11/27/2002	132	MEMORANDUM IN SUPPORT by pla of motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1] [131-1] (ABU) (Entered: 11/29/2002)

11/27/2002	133	NOTICE by pla of certificate of service of pla's motion to amend pretrial order, memorandum in support of pla's motion to amend pretrial order and proposed order (ABU) (Entered: 11/29/2002)
11/27/2002	134	NOTICE by pla of certificate of service of pla's motion in limine, dfts exhibits,s, statements, memorandum in support of motion in limine, dfts exhibits (ABU) (Entered: 11/29/2002)
11/29/2002	135	MOTION in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1] (ABU) (Entered: 12/02/2002)
12/16/2002	136	RESPONSE by dft to motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1], motion to amend pretrial order [0-1] by pla [129-1] (ABU) (Entered: 12/17/2002)
12/16/2002	137	MOTION to exceed the page limit for doc(s) pla's opposition to dfts motion in limine by pla Peg Ball, pla Bennie James, pla Jeanne Spinka [137-1] (ABU) (Entered: 12/18/2002)
12/16/2002		LODGED pla's opposition to dft's motion in limine by pla Peg Ball, pla Bennie James, pla Jeanne Spinka (ABU) (Entered: 12/18/2002)
12/16/2002	138	NOTICE by pla of certificate of service (ABU) (Entered: 12/18/2002)
12/20/2002	139	ORDER by Judge Alfredo C. Marquez granting motion to exceed the page limit for doc(s) pla's opposition to dfts motion in limine by pla Peg Ball, pla Bennie James, pla Jeanne Spinka [137-1] (cc: all counsel) (KDT) (Entered: 12/20/2002)
12/20/2002	140	RESPONSE by pla Peg Ball, pla Bennie James, pla Jeanne Spinka to motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1] (KDT) (Entered: 12/20/2002)
12/20/2002	141	REPLY by pla to response to motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1], motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1], motion to amend pretrial order [0-1] by pla [129-1] (ABU) (Entered: 12/23/2002)
12/23/2002	142	MOTION to exceed the page limit for doc(s) reply to the motion in limine by dfts [142-1] (BAR) (Entered: 12/26/2002)
12/23/2002		LODGED defendants' reply in support of motion in limine by dfts (BAR) (Entered: 12/26/2002)
01/07/2003	143	ORDER by Judge Alfredo C. Marquez granting motion to exceed the page limit for doc(s) reply to the motion in limine by dfts [142-1] (cc: all counsel) (ABU) (Entered: 01/07/2003)
01/07/2003	144	REPLY by dft to response to motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1] (ABU) (Entered: 01/07/2003)
01/10/2003	145	ORDER by Judge Alfredo C. Marquez setting motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1] at 10:00 1/17/03, re: motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1] [131-1], re: motion to amend pretrial order [0-1] by pla [129-1] [129-1], re: motion to produce documents by pla [72-1] [72-1] (cc: all counsel) (REC) (Entered: 01/10/2003)
01/17/2003	146	MINUTE ENTRY before Judge Alfredo C. Marquez . . re motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1], re motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1], re motion to amend pretrial order [0-1] by pla [129-1] Counsel will be filing supplemental documents. The court will issue its ruling upon review of the supplement documents. [cc: all cnsl] [146-1] (ABU) (Entered: 01/21/2003)
01/17/2003	147	RESPONSE by pla to motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1] (ABU) (Entered: 01/23/2003)

01/23/2003	148	REPLY by dft to response to motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1] (ABU) (Entered: 01/24/2003)
01/27/2003	149	TRIAL BRIEF FILED by pla's (ABU) (Entered: 01/28/2003)
01/29/2003	150	ORDER by Judge Alfredo C. Marquez granting in part and denied in part motion in limine re to exclude certain witnesses and evidence the pla's seek to introduce at trial by dfts [135-1], denying motion in limine re concerning dfts exhibits, and statements re difficult plas by plas [131-1], denying motion to amend pretrial order [0-1] by pla [129-1] (cc: all counsel) (ABU) (Entered: 01/29/2003)
01/31/2003	151	ORDER by Judge Alfredo C. Marquez ; prel scheduling conf set for 2:00 2/3/03 (cc: all counsel) (ABU) (Entered: 01/31/2003)
01/31/2003		Noice of LODGED Deposition of Yvonne Powell by pla Peg Ball, pla Bennie James, pla Jeanne Spinka (LMF) (Entered: 02/04/2003)
01/31/2003	152	Trial BRIEF FILED by dft Phyllis Biedess, dft AHCCCS, dft Arizona, State of (LMF) (Entered: 02/04/2003)
01/31/2003		LODGED Deposition Transcript of Yvonne Powell by pla Peg Ball, pla Bennie James, pla Jeanne Spinka (LMF) (Entered: 02/04/2003)
02/03/2003	153	MINUTE ENTRY Telephonic Status Conference before Judge Alfredo C. Marquez . . . ; prel scheduling conf held Telephonic status hearing continued to 2/4/03 at 11:00. [cc: all cnsl]] [153-3] (ABU) (Entered: 02/06/2003)
02/04/2003	154	MINUTE ENTRY Telephonic Status Conference before Judge Alfredo C. Marquez . . Status report due 2/14/03 and every two weeks thereafter;; bench trial reset for 10:00 4/14/03 [cc: all cnsl]] [154-2] (ABU) (Entered: 02/07/2003)
02/13/2003	155	First Joint REPORT of parties concerning settlement progress by plas, dfts (ABU) (Entered: 02/18/2003)
02/27/2003	156	SECOND JOINT REPORT OF PARTIES CONCERNING SETTLEMENT PROGRESS by pla, dft (ABU) (Entered: 02/28/2003)
03/14/2003	157	JOINT SETTLEMENT STATUS REPORT by pla, dft (KDT) (Entered: 03/18/2003)
03/26/2003	158	ORDER by Judge Alfredo C. Marquez ; bench trial vacated (cc: all counsel) (ABU) (Entered: 03/26/2003)
03/28/2003	159	Fourth Joint STATUS REPORT by pla, dft concerning Settlement Progress (former emp) (Entered: 03/31/2003)
04/11/2003	160	JOINT STATUS REPORT concerning settlement progress by pla, dft (KDT) (Entered: 04/14/2003)
04/25/2003	161	SIXTH JOINT SETTLEMENT STATUS REPORT by pla, dft (KDT) (Entered: 04/28/2003)
05/09/2003	162	SEVENTH JOINT SETTLEMENT STATUS REPORT by pla, dft (KDT) (Entered: 05/12/2003)
05/23/2003	163	Eighth Joint REPORT of parties concerning settlement progress by plas (ABU) (Entered: 05/27/2003)
06/09/2003	164	Ninth Joint Settlement STATUS REPORT Progress by pla, dft (former emp) (Entered: 06/10/2003)
06/10/2003	165	CERTIFICATE of Service of Ninth Joint Reportre: Settlement Progress by pla (former emp) (Entered: 06/10/2003)
06/26/2003	166	ORDER by Judge Alfredo C. Marquez ; prel scheduling conf set for 11:00 7/8/03 Ordered that counsel are to file a brief memorandum setting forth what they believe to be the remaining issues. (cc: all counsel) (ABU) (Entered: 06/26/2003)
07/14/2003	167	ORDER by Judge Alfredo C. Marquez ; prel scheduling conf reset for 11:30 8/1/03 Ordered that counsel are to file a brief memorandum setting forth what they believe to be the remaining issues by July 28, 2003. (cc: all counsel) (ABU) (Entered: 07/14/2003)

		07/14/2003)
07/28/2003	168	BRIEF FILED re: remaining issues by dfts (ABU) (Entered: 07/29/2003)
07/28/2003	169	MEMORANDUM by plare brief (non–appeal) [168–1]re remaing issues for trial (ABU) (Entered: 07/29/2003)
08/05/2003	170	MINUTE ENTRY before Judge Alfredo C. Marquez . . ; prel scheduling conf held , all matters having been satisfied, bench trial is set for 10/20/03 at 9:00 ; bench trial set for 9:00 10/20/03 [cc: all cns] [170–3] (LMF) (Entered: 08/05/2003)
08/26/2003		RETURNED MAIL addressed to: Therese E Yanan re minute entry [170–3] box closed (ABU) (Entered: 08/26/2003)
09/17/2003	171	Transcript Designation and Ordering Form by intervenor–plaintiffs (ABU) (Entered: 09/18/2003)
09/24/2003	172	TRANSCRIPT of motions hearing by Court Reporter: Sandra Fuller for the following date(s): 1/17/03 (ABU) (Entered: 09/26/2003)
10/07/2003	173	MINUTE ENTRY before Judge Earl H. Carroll . Crt Rptr: Candy Potter. TELEPHONIC APPEARANCES: Sarah Lock, Sally Hart and Stephen Palevitz on behalf of plaintiffs, Logan Johnston on behalf of defendants. Telephonic pretrial conference held. Trial date of 10/20/03 is discussed. IT IS ORDERED vacating the 10/20/03 trial date, resetting the bench trial for Tuesday, 10/21/03 at 9:00 a.m. in Tucson, Arizona. IT IS FURTHER ORDERED setting a telephonic pretrial conference for 8:30 a.m. MST, 10/17/03. Plaintiffs counsel to initiate the telephone call to chambers at 602–322–7530 at the date and time of the hearing. [173–2] (BAH) (Entered: 10/07/2003)
10/07/2003	174	STIPULATION for order that pla's exhibits #233, 234, 236 and 266 are public records of Pima County and admissible evidence under Federal Rules of Evidence and that plas' will no longer be calling Mr Huckleberry as a witness by pla, dft (former emp) (Entered: 10/08/2003)
10/08/2003	175	ORDER by Judge Alfredo C. Marquez Case reassigned to Judge Earl H. Carroll, all future documents shall carry the following case number and designation: CV–00–067–TUC–EHC (with notice sent) (cc: all counsel) (ABU) (Entered: 10/08/2003)
10/09/2003	176	MOTION to quash subpoena by Debra K Davenport Arizona, State of pursuant to Rule 45 served on her by the plas the 7th day of October 2003. [176–1] (ABU) (Entered: 10/10/2003)
10/15/2003	177	Second STIPULATION to documents to be introduced at trial to which there is no longer any objection by pla, dft (ABU) (Entered: 10/16/2003)
10/16/2003	178	ORDER by Judge Earl H. Carroll granting stipulation for order that pla's exhibits #233, 234, 236 and 266 are public records of Pima County and admissible evidence under Federal Rules of Evidence by pla, dft (cc: all counsel) (LAD) (Entered: 10/16/2003)
10/17/2003	179	MINUTE ENTRY before Judge Earl H. Carroll. Crt Rptr: D. Lee. Telephonic appearances: Sarah Lock, Sally Hart, Steve Talabet for plas, Logan Johnston for dft Pretrial conference held. Parties by Noon on 10/20/03 to provide Court with a list of witnesses and a summary of their testimony. Trial will begin at 9:00 a.m. on 10/21/03 in Tucson, Arizona. [179–2] (TCA) (Entered: 10/20/2003)
10/20/2003	180	LIST OF WITNESSES AND EXPECTED TESTIMONY by dfts (LAD) (Entered: 10/20/2003)
10/20/2003	181	ORDER by Judge Earl H. Carroll granting stipulation to documents to be introduced at trial to which there is no longer any objection by pla, dft; ORDERED that the parties' stipulation re plas' exhibits 38/39 (1 document to be renumbered 38), 55, 56, 70, 71, 73, 116, 117, 131, 203, 224, 265 (as redacted) and 268 is hereby approved and those exhibits shall be admitted into evidence at the trial of this matter (cc: all counsel) (LAD) (Entered: 10/20/2003)

10/21/2003	182	NOTICE by pla of withdrawing certain exhibits numbered 18–27, 29, 127–129, 138, 146–148, 150, 218, 237, 270–277 (ABU) (Entered: 10/22/2003)
10/21/2003	183	NOTICE by pla of certificate of service of summaries of witness testimony and notice of withdrawing certain exhibits on 10/20/03 to Logan T. Johnston. (ABU) (Entered: 10/22/2003)
10/21/2003	184	Plas's summaries of witness testimony by pla (ABU) (Entered: 10/22/2003)
10/21/2003	185	MINUTE ENTRY before Judge Earl H. Carroll . Crt Rptr: Candy Potter. APPEARANCES: Sarah Lenz Lock Sally Hart, Stephen Pakvitz on behalf of plaintiffs; Logan Johnston on behalf of defendants 09:00 Court convenes, civil bench trial begins. Opening statements presented, Peg Ball testifies via video conferencing. Jeanne Spinka sworn/examined. 12:00 Noon Recess until 1:00 p.m. 01:15 Trial resumes, a copy of Ms. Spinka's care notes have been marked as exhibit 283 and moved for admission. IT IS ORDERED admitting exhibit 283. Ms. Spinka resumes the stand on continued cross examination. Melissa Richardson and Susan Luark are sworn/examined. Exhibits 108, 112, 30, 5, 115, 118, 95, 182 are admitted. The parties have reached a stipulation, placing on the record the admissibility of the following exhibits: 88, 35, 36, 37, 38, 39, 40, 46, 184, 149, 93, 102, 107, 111, 116, 117, 91, 90, and 89. The parties agree to take a witness out of order excusing Ms. Luark from further testimony until tomorrow morning. Judeth Hinton is sworn and examined and excused. 05:18 The Court stands in recess until 9AM, 10/22/03. 185 (BAH) (Entered: 10/22/2003)
10/22/2003	186	MINUTE ENTRY–COURT TRIAL DAY 2 before Judge Earl H. Carroll . Crt Rptr: Candy Potter. ; bench trial set for 9:00 10/23/03 parties stipulate to the admission of exhibits 1,2,8,10–11,13–19; exhibits admitted 186,203,219,136,156,268,11,134,15,16,7 [cc: all cnsl]] [186–2] (former emp) (Entered: 10/24/2003)
10/24/2003	187	MINUTE ENTRY–COURT TRIAL DAY 3 before Judge Earl H. Carroll . Crt Rptr: Candy Potter. ; bench trial set for 9:00 10/24/03 exhibits admitted 240–242,70,80,82,235,265,233,131,132,268,238,235 [cc: all cnsl]] [187–2] (former emp) (Entered: 10/24/2003)
10/24/2003	197	MINUTE ENTRY Court Trial day 4 before Judge Earl H. Carroll . Crt Rptr: Candy Potter. Ordered exhibits E and F are taken under advisement. Ordered within 20 days the parties shall file an amended exhibit list, identifying the exhibits and what is relevant about them. Ordered within 20 days the pla is directed to file a memorandum with the court setting forth what issues are being advocated, dfts shall file their response 20 days thereafter. [cc: all cnsl]] [197–1] re: minute entry [197–1] (ABU) (Entered: 11/04/2003)
10/24/2003	198	WITNESS LIST by dft Phyllis Biedess (ABU) (Entered: 11/04/2003)
10/24/2003	199	WITNESS LIST by plas (ABU) (Entered: 11/04/2003)
10/27/2003	189	Transcript Designation and Ordering Form by plas (ABU) (Entered: 10/31/2003)
10/27/2003	190	TRANSCRIPT of proceedings testimony of Mark Hoyt by Court Reporter: Candy L Potter for the following date(s): 10/22/03 (ABU) (Entered: 10/31/2003)
10/27/2003	191	Transcript Designation and Ordering Form by plas (ABU) (Entered: 10/31/2003)
10/27/2003	192	TRANSCRIPT of proceedings dfts' opening statement by Court Reporter: Candy L Potter for the following date(s): 10/21/03 (ABU) (Entered: 10/31/2003)
10/29/2003	188	ORDER by Judge Earl H. Carroll that Defendants' Motion to Quash Subpoena by Debra K Davenport Arizona, State of pursuant to Rule 45 served on her by the plas the 7th day of October 2003 [176–1] is DENIED as moot. (cc: all counsel) (SAT) (Entered: 10/29/2003)
11/03/2003	193	TRANSCRIPT of Proceedings – Bench Trial – Volume I, Pages 1–183 by Court Reporter: Candy L Potter, RMR, CRR for the following date(s): 10/21/03 (SAT) (Entered: 11/03/2003)
11/03/2003	194	TRANSCRIPT of Proceedings – Bench Trial – Volume 2, Pages 184–358 by Court Reporter: Candy L. Potter, RMR, CRR for the following date(s): 10/22/03

		(SAT) (Entered: 11/03/2003)
11/03/2003	195	TRANSCRIPT of Proceedings – Bench Trial – Volume 3, Pages 359–550 by Court Reporter: Candy L. Potter, RMR, CRR for the following date(s): 10/23/03 (SAT) (Entered: 11/03/2003)
11/03/2003	196	TRANSCRIPT of Proceedings – Bench Trial – Volume 4, Pages 551–645 by Court Reporter: Candy L. Potter, RMR, CRR for the following date(s): 10/24/03 (SAT) (Entered: 11/03/2003)
11/04/2003	200	Transcript Designation and Ordering Form by dft Phyllis Biedess re Whole Trial from 10/21/03 to 10/24/03 (SAT) (Entered: 11/05/2003)
11/06/2003	201	ORDER by Judge Earl H. Carroll setting a telephonic hearing for 11/12/03 at 4:30 PM ; telephonic hearing set for 4:30 11/12/03 (cc: all counsel) (SAT) (Entered: 11/06/2003)
11/12/2003	202	MINUTE ENTRY before Judge Earl H. Carroll . Crt Rptr: Candy Potter. APPEARANCES: Sarah Lock, Sally Hart, Steven Palevitz and Logan Johnston. Teleconference status hearing re clarification of the Court's order of 10/24/03 held. Written order to issue. [202–3] (BAH) (Entered: 11/12/2003)
11/13/2003	203	Revised EXHIBIT LIST with explanations of relevance submitted by plas (ABU) (Entered: 11/14/2003)
11/13/2003	204	Amended EXHIBIT LIST and Explanation of Relevance submitted by dfts (SAT) (Entered: 11/14/2003)
11/14/2003	205	ORDER by Judge Earl H. Carroll that both parties shall file proposed findings of fact and conclusions of law by 12/3/03 at 4:00 p.m.; FURTHER ORDERED that both parties shall file a memorandum identifying the authorities, including case law, which support the conclusions of law by 12/3/03 at 4:00 p.m.; FURTHER ORDERED that no responses to be filed to same without further order of the Court (cc: all counsel) re: order filed [205–1] (SAT) (Entered: 11/14/2003)
12/03/2003	206	Proposed findings of fact and conclusions of law by plas (ABU) (Entered: 12/04/2003)
12/03/2003	207	MEMORANDUM IN SUPPORT of declaratory and injunctive relief by pla as to order filed [205–1] (ABU) (Entered: 12/04/2003)
12/03/2003	208	Proposed Findings of Fact and Conclusions of Law by dfts (SAT) (Entered: 12/04/2003)
12/03/2003	209	Post–Trial MEMORANDUM by dfts in support of their Proposed Findings of Fact and Conclusions of Law [208–1] (SAT) (Entered: 12/04/2003)
12/04/2003	210	NOTICE by pla of table of contents to pla's proposed findings of fact and conclusions of law. (ABU) (Entered: 12/05/2003)
12/11/2003	211	OBJECTIONS by pla to post–trial memorandum concerning pla's positions and actions in prior proceedings and events in this litigation [209–1] (ABU) (Entered: 12/12/2003)
08/13/2004	212	FINDINGS OF FACT; CONCLUSIONS OF LAW; AND ORDER by Judge Earl H. Carroll that the AHCCCS program must provide each individual who qualifies for its services with those services for which the individual qualifies without gaps in service; FURTHER ORDERED that the AHCCCS program must develop adequate alternative or contingency plans for instances when a service is unable to be provided; FURTHER ORDERED that the AHCCCS program must offer a rate of pay to health care workers so as to deliver adequately those services for which each individual qualifies; that is, to attract enough health care workers to deliver all of the services for which an individual qualifies; FURTHER ORDERED that AHCCCS program need not offer a particular rate of pay (i.e., a minimum), just a rate of pay which guarantees that each individual will receive the services for which he or she qualifies; FURTHER ORDERED that AHCCCS must monitor its entire program such that any services that are not being provided will be detected as a gap in service in enough time to implement the alternative or contingency plan and eliminate the gap in service in less than four (4) hours; FURTHER ORDERED

		that AHCCCS implement a grievance process whereby each individual 1) may call a hotline and speak with a live operator to report any gap in service; 2) is provided with a standardized form to complete and mail to report any gap in service; and 3) receives a response, via telephone or the mail, acknowledging the gap in service and providing a detailed explanation as to a) the reason for the gap in service; and b) the alternative plan being created to rectify the particular gap in service and any possible future gaps in service; FURTHER ORDERED that AHCCCS inform each of its members as to his or her rights pursuant to this Order; FURTHER ORDERED that the parties file schedules by 9/30/04, outlining the proposed deadlines for carrying out the directives of this Order. (cc: all counsel) (SAT) Modified on 4/24/2009 ANY REFERENCE TO THE MEDICAID ACT'S EQUAL ACCESS PROVISION IS STRICKEN (REW,). (Entered: 08/13/2004)
08/20/2004	213	MOTION (Unopposed) for Extension of Time to File Motion for Attorneys' Fees and Costs by plas [213-1] (SAT) Modified on 08/20/2004 (Entered: 08/20/2004)
08/26/2004	214	MOTION for New Trial by dfts [214-1] or, in the alternative, Stay (pending appeal of the Court's 8/12/04 order) by dfts [214-2] (SAT) (Entered: 08/27/2004)
08/31/2004	215	ORDER by Judge Earl H. Carroll pursuant to Plaintiffs' Motion (Unopposed) for Extension of Time to File Motion for Attorneys' Fees and Costs by plas [213-1], IT IS HEREBY ORDERED that the motion is granted, and Plaintiffs' Motion for Attorneys' Fees and Costs shall not be due until fourteen (14) days after the Court has ruled on the deadlines for carrying out the directives of the Findings of Fact; Conclusions of Law; and Order of 8/13/04 212 (cc: all counsel) (SAT) (Entered: 08/31/2004)
09/10/2004	216	ATTORNEY SUBSTITUTION: terminating attorney Steven Frederick Palevitz for Jeanne Spinka, attorney Anne C Ronan for Bennie James, attorney Tami Lynn Johnson for Jeanne Spinka, attorney Anne C Ronan for Virginia Haskell, attorney Anne C Ronan for Judeth Hinton, attorney Anne C Ronan for Grace Collier, attorney Anne C Ronan for Peggy Williams, attorney Anne C Ronan for Kim Bowman, attorney Anne C Ronan for Vennetta Graham, attorney Anne C Ronan for Jeanne Spinka, attorney Tami Lynn Johnson for Bennie James, attorney Steven Frederick Palevitz for Bennie James, attorney Anne C Ronan for Peg Ball, attorney Tami Lynn Johnson for Peg Ball, attorney Steven Frederick Palevitz for Peg Ball and substituting attorney Jennifer Lynne Nye (ABU) (Entered: 09/13/2004)
09/10/2004	217	RESPONSE by pla to motion for New Trial by dfts [214-1], motion Stay (pending appeal of the Court's 8/12/04 order) by dfts [214-2] (ABU) (Entered: 09/13/2004)
09/13/2004	218	NOTICE by pla of withdrawal of Anne Ronan for plas (ABU) (Entered: 09/14/2004)
09/16/2004	220	NOTICE of Interlocutory Appeal by Phyllis Biedess, AHCCCS from District Court Findings of Fact [212-1] (cc: 9CCA/all counsel/judge) (JKM) (Entered: 09/29/2004)
09/16/2004		Received \$255.00 appeal fee re NOTICE of Interlocutory Appeal [220-1] (JKM) (Entered: 09/29/2004)
09/20/2004	219	REPLY by dfts to response in Support of Defendants' Motion for New Trial by dfts [214-1], or, in the Alternative, Stay (pending appeal of the Court's order) by dfts [214-2] (SAT) (Entered: 09/22/2004)
09/29/2004		Docket Fee Notification form sent to 9th Circuit re NOTICE of Interlocutory Appeal [220-1] (JKM) (Entered: 09/29/2004)
09/29/2004		APPEAL PACKET forwarded to all parties and 9th Circuit re: NOTICE of Interlocutory Appeal [220-1] (JKM) (Entered: 09/29/2004)
09/30/2004	221	Proposed schedule for carrying out the directives of the court's order MEMORANDUM re order of 8/12/04 by plare Findings of Fact [212-1] (ABU) (Entered: 10/01/2004)
09/30/2004	222	Proposed schedule to implement ordered relief (MEMORANDUM re order on 8/12/04) by dftre Findings of Fact [212-1] (ABU) (Entered: 10/01/2004)

10/05/2004	223	Certified Copy of 9th Circuit Order re NOTICE of Interlocutory Appeal; TIME SCHEDULE ORDER; Appellant/petitioner shall immediately file the civil appeals docketing statement (CADS), pursuant to Circuit Rule 33-1; Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to Circuit Rule 10-3.1(a); by 9/27/04 Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to Circuit Rule 10-3.1(b); by 10/6/04 Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to Circuit Rule 10-3.1; by 10/18/04 Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and Circuit rule 11-1.1; by 11/16/04 Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and Circuit Rule 32-1; by 1/3/05 The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and Circuit Rule 32-1; by 2/1/05 The optional appellant/petitioner reply brief shall be filed and served within 14 days of service of the appellee/respondent's brief, pursuant to FRAP 32 and Circuit Rule 32-1. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. Circuit Rule 42-1. Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard. [220-1] (cc: judge) (JKM) (Entered: 10/15/2004)
10/15/2004		Notification by 9th Circuit of Appellate Docket Number 04-16963 re NOTICE of Interlocutory Appeal [220-1] (JKM) (Entered: 10/15/2004)
10/18/2004	224	Transcript Designation and Ordering Form by all dfts re NOTICE of Interlocutory Appeal [220-1]; no additional transcripts being ordered; all on file (REW) (Entered: 10/19/2004)
10/18/2004		Certificate of Record Transmitted to 9th Circuit NOTICE of Interlocutory Appeal [220-1] (REW) (Entered: 10/19/2004)
10/20/2004	225	SUPPLEMENTAL Authority by pla in support of plas proposed schedule for carrying out the directives of the court's order (ABU) (Entered: 10/21/2004)
10/20/2004	226	OBJECTIONS by all dfts to plas' supplemental authority in support [225-1] of plas' proposed schedule for carrying out the directives of the court's order, re: memorandum [221-1] (REW) (Entered: 10/21/2004)
11/22/2004	229	Certified Copy of 9th Circuit Order re NOTICE of Interlocutory Appeal [220-1] Due to the post-trial motion still pending in the district court, the briefing schedule is vacated and the assessment conference currently scheduled for 11/22/04 is postponed. Within 10 days of the district court ruling on the pending post-trial motion appellant shall advise the circuit mediator with a copy to appellees counsel of the ruling and notify her whether the appellant intends to pursue the appeal. After such notice, the circuit mediator will reschedule the assessment conference if appropriate. (cc: judge) (ABU) (Entered: 11/30/2004)
11/23/2004	230	SUPPLEMENTAL AUTHORITY by all dfts to motion for New Trial by dfts [214-1], motion Stay (pending appeal of the Court's 8/12/04 order) by dfts [214-2] (REW) (Entered: 12/03/2004)
11/24/2004	227	ORDER by Judge Earl H. Carroll ; status hearing set for 9:30 12/20/04 ; parties may appear telephonically (cc: all counsel) (REW) (Entered: 11/24/2004)
11/29/2004	228	MINUTE ORDER IT IS ORDERED resetting the time of the status hearing from 9:30 to Monday, December 20, 2004 at 10:30 a.m. (cc: all counsel) [228-2] (BAH) (Entered: 11/29/2004)
12/20/2004	231	MINUTE ENTRY before Judge Earl H. Carroll . Crtr Rptr: Candy Potter. Appearances: Sally Hart, Jennifer Bye and telphonically, Sarah Lock, on behalf of plaintiffs; Logan Johnston and telephonically Matthew Devlin on behalf of defendant. Status hearing and argument heard. IT IS ORDERED taking under advisement on 12/20/04 the motion for New Trial by dfts. [214-1] [231-2] (BAH) (Entered: 12/20/2004)

12/20/2004	232	MINUTE ENTRY before Judge Earl H. Carroll . Crtr: Candy Potter. Status hearing and argument heard. It is ordered taking under advisement on 12/20/04 the motion for New Trial by dfts [214-1] [cc: ALL CNSL] [232-2] (KDT) (Entered: 12/22/2004)
01/04/2005	233	ORDER by Judge Earl H. Carroll denying without prejudice motion for New Trial by dfts [214-1]; denying without prejudice alternative motion to stay pending appeal of the Court's 8/12/04 order by dfts [214-2]; dfts directed to file a report by 1/21/05 describing the extent to which they are complying with each provision of the court's order of 8/13/04; plas shall have until 2/4/05 to file a response, re: Findings of Fact [212-1] ; status hearing set for 10:00 2/22/05 to determine effective dates for carrying out the directives of the court's order of 8/13/04 (cc: all counsel) (REW) (Entered: 01/04/2005)
01/14/2005	234	Transcript Designation and Ordering Form by dft Phyllis Biedess, dft AHCCCS, dft Arizona, State of re NOTICE of Interlocutory Appeal [220-1]; ordering transcript for hearing of 12/20/04 (REW) (Entered: 01/20/2005)
01/18/2005	235	Court Reporter's Transcript of Proceedings of Status Hearing by Court Reporter: Candy Potter; for the following date(s): 12/20/04 re NOTICE of Interlocutory Appeal [220-1] (REW) (Entered: 01/20/2005)
01/21/2005	236	REPORT, re: compliance with ordered relief, by all dfts (REW) (Entered: 01/24/2005)
02/02/2005	237	Unopposed MOTION to extend time for plas to respond to dfts report re compliance with ordered relief by pla [237-1] (ABU) (Entered: 02/03/2005)
02/09/2005	238	ORDER by Judge Earl H. Carroll granting motion to extend time until 2/9/05 for plas to respond to dfts report re compliance with ordered relief by pla [237-1], re: report [236-1] (cc: all counsel) (REW) (Entered: 02/09/2005)
02/09/2005	239	RESPONSE by pla to report re compliance with ordered relief [236-1] (ABU) (Entered: 02/10/2005)
02/22/2005	240	MINUTE ENTRY before Judge Earl H. Carroll . Crtr: Candy Potter. Appearances: Sally Hart, Jennifer Nye and Sarah Lock on behalf of plaintiffs. Logan Johnston on behalf of defendants, Matthew Devlin, the assistant director at AHCCCS for the Office of Legal Assistance. Status hearing held. A transcript of this proceeding be prepared and the cost of preparing the transcript be billed to the defendants by order of court. [240-2] (BAH) (Entered: 02/22/2005)
02/25/2005	241	Transcript of status hearing by Court Reporter: Candy L Potter held on date(s): 2/22/05 as to Phyllis Biedess (ABU) (Entered: 03/04/2005)
05/17/2005	242	Certified Copy of 9th Circuit Order re NOTICE of Interlocutory Appeal [220-1] the court sua sponte changes the docket to reflect that Anthony D. Rogers, Director of the Arizona Health Care Cost Containment System, is the proper respondent. The clerk shall amend the docket to reflect the above caption. Appellants motion for stay of the district courts August 13, 2004 order pending appeal i denied. The opening brief and excerpts of record are due June 20, 2005; the answering brief is due July 20, 2005; an the optional reply brief is due within 14 days after service of the answering brief. (cc: judge) (ABU) (Entered: 05/20/2005)
05/25/2005	243	ORDER by Judge Earl H. Carroll ; in court hearing set for 9:45 6/27/05 to discuss the court's proposed modified injunction and determine the dates for carrying out the court's order of 8/13/04; parties may file memoranda concerning the court's proposed modified injunction by 6/17/05 (cc: all counsel) (REW) (Entered: 05/25/2005)
06/17/2005	244	MEMORANDUM by pla re the court's proposed modified injunction (ABU) (Entered: 06/20/2005)
06/17/2005	245	MEMORANDUM by all dfts, re: proposed modified injunction, re: order [243-2] (REW) (Entered: 06/21/2005)
06/23/2005	246	RESPONSE by pla to memorandum re May 25, 2005 order [245-1] (ABU) (Entered: 06/24/2005)

06/27/2005	247	MINUTE ENTRY before Judge Earl H. Carroll . Crtr Rptr: Candy Potter. Telephonic appearances: Jennifer Bye, Sally Hart and Sarah Lock for plaintiff, Logan Johnson for dft. Status hearing held. Order to issue. [247-2] (BAH) (Entered: 06/27/2005)
06/28/2005	248	ORDER by Judge Earl H. Carroll; AHCCCS shall provide each individual who qualifies for critical services with those critical services for which the individual qualifies without gaps in critical services in accordance with this order; by 8/15/05 AHCCCS program shall develop adequate alternative or contingency plans for instances when a critical service is unable to be provided; AHCCCS program shall provide a rate of pay to health care workers so as to deliver those critical services for which each individual qualifies in accordance with this order; AHCCCS program need not offer a particular rate of pay, just a rate of pay which guarantees that each qualified individual will receive critical services without gaps; AHCCCS shall monitor its entire program so that any critical services that are not being provided can be detected in enough time to implement the alternative or contingency plan and eliminate the gap in less than 2 hours in accordance with this order; AHCCCS shall implement an expedited grievance process by 8/15/05; AHCCCS shall inform all qualified individuals of their rights pursuant to this order by 8/15/05; the Court shall retain jurisdiction of this case through 12/31/08; plas shall have until 7/29/05 to file a fee petition, re: Findings of Fact [212-1] (cc: all counsel/9CCA) (REW) Modified on 06/28/2005 (Entered: 06/28/2005)
07/21/2005	249	NOTICE of Appearance by Michael T Liburdi, Paul F Eckstein on behalf of all plaintiffs (KDT,) (Entered: 07/22/2005)
07/25/2005		Copy of document number 249, mailed to Sally Hart, Sarah Lenz Lock, Anne Cecile Longo, Jennifer Lynne Nye, Southern Arizona Legal Aide Inc., Bruce B Vignery, Therese E Yanan on this date. (MSC,) (Entered: 07/25/2005)
07/29/2005	250	MOTION for Attorney Fees by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (KCS) (Entered: 08/02/2005)
07/29/2005	251	BILL OF COSTS by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (KCS) (Entered: 08/02/2005)
08/15/2005	<u>252</u>	STIPULATION re 250 MOTION for Attorney Fees <i>re extension of time to file memorandum in support of motion for attorneys fees</i> by Grace Collier, Judeth Hinton, Virginia Haskell, Larry Williams, Peg Ball, Bennie James, Jeanne Spinka, Phyllis Biedess, AHCCCS, Arizona, State of, Vennetta Graham, Kim Bowman, Peggy Williams. (Liburdi, Michael) (Entered: 08/15/2005)
08/18/2005	<u>253</u>	ORDER granting <u>252</u> STIPULATION to extend time to file Memorandum in support of 250 MOTION for Attorney Fees filed by Grace Collier, Judeth Hinton, Virginia Haskell, Larry Williams, Peg Ball, Bennie James, Jeanne Spinka, Phyllis Biedess, AHCCCS, Arizona, State of, Vennetta Graham, Kim Bowman, Peggy Williams. (Liburdi, Michael); memorandum shall be filed no later than 60 days after resolution of the appeal in this matter . Signed by Judge Earl H Carroll on 8/17/05. (REW,) (Entered: 08/18/2005)
08/19/2005		Copy of document number 253, mailed to Bruce B. Vignery and Sarah Lenz Lock on this date. (RDS) (Entered: 08/19/2005)
08/23/2005	<u>254</u>	REPORT of Annual Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Contract Language# <u>2</u> Exhibit Policy Manual# <u>3</u> Exhibit Policy Manual# <u>4</u> Exhibit Policy Manual# <u>5</u> Exhibit Correspondence# <u>6</u> Exhibit Correspondence# <u>7</u> Exhibit Correspondence# <u>8</u> Exhibit Correspondence# <u>9</u> Exhibit Correspondence# <u>10</u> Exhibit Correspondence# <u>11</u> Exhibit Wage Levels# <u>12</u> Exhibit Wage Levels# <u>13</u> Exhibit Gap Form)(Johnston, Logan) (Entered: 08/23/2005)
09/01/2005	<u>255</u>	REPORT of Notice of Filing Monthly Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report# <u>2</u> Exhibit Redacted data)(Johnston, Logan) (Entered: 09/01/2005)
09/08/2005	<u>256</u>	STIPULATION <i>To Extend Time For Filing Monthly Report</i> by AHCCCS. (Johnston, Logan) (Entered: 09/08/2005)

09/09/2005	<u>257</u>	ORDER granting re <u>256</u> STIPULATION <i>To Extend Time For Filing Monthly Report</i> by AHCCCS. (Johnston, Logan) filed by AHCCCS. IT IS ORDERED extending the date for the gap report from October 1, 2005 to October 14, 2005. Signed by Judge Earl H Carroll on September 8th, 2005. (KCS) (Entered: 09/09/2005)
09/12/2005		Copy of document number 257, mailed to Bruce Vignery, Sarah Lock on this date. (CAD,) (Entered: 09/12/2005)
10/14/2005	<u>258</u>	REPORT of Notice of Filing <i>Monthly Report</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 10/14/2005)
10/17/2005	<u>259</u>	REPORT of Notice of Filing <i>Independent Study</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit EPPStudy, segment 1# <u>2</u> Exhibit EPPstudy, segment 2# <u>3</u> Exhibit EPPstudy, segment 3# <u>4</u> Exhibit EPPstudy, segment 4# <u>5</u> Exhibit EPPstudy, segment 5)(Johnston, Logan) (Entered: 10/17/2005)
11/01/2005	<u>260</u>	REPORT of Gaps <i>September 2005</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit September 2005 report)(Johnston, Logan) (Entered: 11/01/2005)
11/16/2005	<u>261</u>	ORDER of 9th Circuit, appeal case number 04-16963, as to 220 Notice of Interlocutory Appeal filed by AHCCCS., Phyllis Biedess, Appellees' opposed motion to stay scheduling of oral argument pending disposition of the petitions for rehearing en banc is granted. Case stayed until 12/30/05.(JKM,) (Entered: 11/16/2005)
12/05/2005	<u>262</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 12/05/2005)
12/30/2005	<u>263</u>	REPORT of Gaps <i>for November 2005</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 12/30/2005)
01/10/2006	<u>264</u>	MOTION to Enforce Court Orders by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 01/10/2006)
01/10/2006	<u>265</u>	MEMORANDUM re: Memorandum in Support of Plaintiffs' Motion for Enforcement of Court Orders by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Exhibits 1-7)(Nye, Jennifer) (Entered: 01/10/2006)
01/12/2006	<u>266</u>	ORDER of 9th Circuit, appeal case number 04-16963, as to 220 Notice of Interlocutory Appeal filed by AHCCCS., Phyllis Biedess, The Court is in receipt of appellees' status report regarding resolution of Sanchez v. Johnson, no 04-15228. The stay of appellate proceedings is lifted. This case is ready for calendaring.(JKM,) (Entered: 01/12/2006)
01/20/2006	<u>267</u>	RESPONSE in Opposition re <u>264</u> MOTION to Enforce Court Orders <i>and Cross-Motion to Modify Injunction</i> filed by AHCCCS. (Attachments: # <u>1</u> Exhibit Policy Manual# <u>2</u> Exhibit Contract Amendment# <u>3</u> Exhibit Ninth Circuit order)(Johnston, Logan) (Entered: 01/20/2006)
02/01/2006	<u>268</u>	STIPULATION <i>to Continue Reply and Response Times for Motion for Enforcement of Orders and Cross Motion to Modify Injunction</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 02/01/2006)
02/01/2006	<u>269</u>	Notice re Of Filing Monthly Gap Report by AHCCCS (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 02/01/2006)
02/03/2006	<u>270</u>	ORDER granting stipulation <u>268</u> ; ORDERED that plas' reply and response to plas' motion for enforcement of orders <u>264</u> and dfts' motion to modify injunction <u>267</u> respectively shall be due Friday, 2/17/06; FURTHER ORDERED that dfts' reply to their motion to modify injunction <u>267</u> shall be due Friday, 3/3/06. Signed by Judge Earl H Carroll on 2/1/2006. (LAD) (Entered: 02/03/2006)
02/17/2006	<u>271</u>	Reply re <u>267</u> Response in Opposition to Motion (<i>Reply to Defendants' Response to Plaintiffs' Motion for Enforcment of Court Orders and Response in Opposition to</i>

		<i>Defendants' Cross–Motion to Modify Injunction</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Exhibits 1–6)(Nye, Jennifer) (Entered: 02/17/2006)
02/17/2006	<u>272</u>	RESPONSE re <u>267</u> Response in Opposition to Motion (<i>Response in Opposition to Defendants' Cross–Motion to Modify Injunction</i>) by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Exhibits 1–6)(Nye, Jennifer) (Entered: 02/17/2006)
02/17/2006	<u>273</u>	First MOTION for Leave to File Excess Pages for Motion by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 02/17/2006)
02/22/2006	<u>274</u>	ORDER granting <u>273</u> Motion for Leave to File Excess Pages . Signed by Judge Earl H Carroll on 2/21/06. (LSP) (Entered: 02/22/2006)
02/23/2006	<u>275</u>	Notice re of Filing by AHCCCS re: <i>Report of Gaps January 2006</i> (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 02/23/2006)
03/03/2006	<u>276</u>	MOTION to Strike <u>271</u> Reply, by AHCCCS. (Johnston, Logan) (Entered: 03/03/2006)
03/03/2006	<u>277</u>	REPLY to Response to Motion re <u>264</u> MOTION to Enforce Court Orders <i>In Support of Cross–motion to Modify Injunction</i> filed by AHCCCS. (Johnston, Logan) (Entered: 03/03/2006)
03/20/2006	<u>278</u>	RESPONSE re <u>276</u> MOTION to Strike <u>271</u> Reply, by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Hart, Sally) (Entered: 03/20/2006)
03/26/2006	<u>279</u>	REPLY to Response to Motion re <u>276</u> MOTION to Strike <u>271</u> Reply, filed by AHCCCS. (Johnston, Logan) (Entered: 03/26/2006)
03/27/2006	<u>280</u>	IT IS ORDERED denying <u>276</u> Defendants' Motion to Strike. Defendants may file a sur–reply to Plaintiffs' Reply (dkt. 271) on or before April 14, 2006. IT IS FURTHER ORDERED setting a motion hearing on April 24, 2006 at 8:30 a.m.. Signed by Judge Earl H Carroll on 3/24/06. (TLJ,) (Entered: 03/27/2006)
03/31/2006	<u>281</u>	Notice re of Monthly Report by AHCCCS Re: <i>Service Gaps</i> (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 03/31/2006)
04/24/2006	282	Minute Entry for proceedings held before Judge Earl H. Carroll : Appearances: Jennifer Nye, Sarah Lock, and Sally Hart on behalf of plaintiffs; Logan Johnston on behalf of defendants. Status Conference held on 4/24/2006. Discussion held, order to follow. (This is a TEXT ONLY ENTRY. There is no PDF document associated with this entry.) (Court Reporter Candy Potter.) (BAH) (Entered: 04/24/2006)
05/01/2006	<u>283</u>	Notice re Monthly Gap Report by AHCCCS for <i>March 2006</i> (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 05/01/2006)
05/31/2006	<u>284</u>	Notice re Gap Report by AHCCCS for <i>April 2006</i> (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 05/31/2006)
06/02/2006	<u>285</u>	RESPONSE in Opposition re <u>264</u> MOTION to Enforce Court Orders <i>Supplemental Response</i> filed by AHCCCS. (Johnston, Logan) (Entered: 06/02/2006)
06/09/2006	<u>286</u>	RESPONSE re <u>285</u> Response in Opposition to Motion <i>Plaintiffs' Response To Defendants' Supplement To Response To Motion For Enforcement</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit A)(Hart, Sally) (Entered: 06/09/2006)
06/30/2006	<u>287</u>	Notice re Monthly Report by AHCCCS (Attachments: # <u>1</u> Exhibit Monthly Gap Report# <u>2</u> Exhibit Monthly Gap Analysis)(Johnston, Logan) (Entered: 06/30/2006)

08/01/2006	<u>288</u>	REPORT re of Monthly Gaps by AHCCCS (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) Modified on 8/2/2006 (PAB, INCORRECT EVENT SELECTED. THIS ENTRY HAS BEEN MODIFIED FROM NOTICE TO REPORT). (Entered: 08/01/2006)
08/02/2006	<u>289</u>	NOTICE TO FILER OF DEFICIENCY re <u>288</u> Other Notice filed by AHCCCS,. Description of deficiency: INCORRECT EVENT SELECTED. (PAB,) (Entered: 08/02/2006)
08/08/2006	<u>290</u>	ORDER Status Conference set for 8/22/2006 04:00 PM before Judge Earl H Carroll.. Signed by Judge Earl H Carroll on 8/7/06. (MAP) (Entered: 08/08/2006)
08/14/2006	<u>291</u>	Supplement to <u>264</u> <i>Plaintiffs' Enforcement of Court Orders</i> by Peg Ball. (Attachments: # <u>1</u> Exhibit Exhibits A to G)(Hart, Sally) Modified on 8/15/2006 (JKM,)INCORRECT EVENT SELECTED, ATTORNEY NOTIFIED, CLERK TERMINATES PENDING MOTION, CLERK MODIFIES TEXT. (Entered: 08/14/2006)
08/15/2006	<u>292</u>	NOTICE TO FILER OF DEFICIENCY re <u>291</u> MOTION to Supplement <i>Plaintiffs' Enforcement of Court Orders</i> filed by Peg Ball,. Description of deficiency: INCORRECT EVENT SELECTED. (JKM,) (Entered: 08/15/2006)
08/15/2006		Transmitted Record on Appeal to 9th Circuit re 220 Notice of Appeal – Interlocutory. Number of Volumes of Clerks Records: 8; Number of Bulky Documents: 3; Docket Numbers of Bulky Documents: 132, 135, Notice of Lodging; Number of Transcripts: 9; Docket Numbers of Transcripts: 172, 190, 192, 193, 194, 195, 196, 235, 241; (TAD,) (Entered: 08/15/2006)
08/17/2006	<u>293</u>	SUPPLEMENT of Additional Exhibits to Supplement to Plaintiffs' Motion for Enforcement of Court Orders re <u>292</u> Notice of Filer of Deficiency <u>291</u> <i>Supplement to Plaintiffs' Motion for Enforcement of Court Orders</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Exhibits C, I, J, and K)(Nye, Jennifer) (Entered: 08/17/2006)
08/18/2006	<u>294</u>	SUPPLEMENT of Additional Exhibit to Supplement to Plaintiffs' Motion for Enforcement of Court Orders re <u>293</u> Supplement, by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit H)(Nye, Jennifer) (Entered: 08/18/2006)
08/18/2006	<u>295</u>	RESPONSE re <u>294</u> Supplement,, <u>293</u> Supplement,, <u>292</u> Notice of Filer of Deficiency re: <i>Motion for Enforcement</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 08/18/2006)
08/22/2006	296	Minute Entry for proceedings held before Judge Earl H. Carroll : Appearances: Sally Hart and Jennifer Nye on behalf of plaintiffs; Logan Johnston on behalf of defendants. Status Conference held on 8/22/2006. IT IS ORDERED that a transcript of this proceeding be prepared and filed at the cost of the defendants. (This is a TEXT ONLY ENTRY. There is no PDF document associated with this entry.) (Court Reporter Candy Potter.) (BAH) (Entered: 08/22/2006)
08/22/2006	297	*** CORRECTED MINUTE ENTRY FOR 8/22/06 PROCEEDINGS held before Judge Earl H. Carroll : Appearances: Sally Hart and Jennifer Nye on behalf of plaintiffs; Logan Johnston on behalf of defendants. Status Conference held on 8/22/2006. IT IS ORDERED that a transcript of the hearing held before this Court on 4/24/06 be prepared and filed at the cost of the defendants. (This is a TEXT ONLY ENTRY. No PDF document associated with this entry.) (Court Reporter Candy Potter.) (BAH) (Entered: 08/28/2006)
08/29/2006	<u>298</u>	TRANSCRIPT of In-Court Hearing Proceedings held on 4/24/06 before Judge Earl H Carroll. Court Reporter: Candy L Potter. (BAS,) (Entered: 08/29/2006)
08/31/2006	<u>299</u>	Notice re Gap Report by AHCCCS (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 08/31/2006)
08/31/2006	<u>300</u>	Notice re Annual Report by AHCCCS (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> # <u>6</u> Exhibit # <u>7</u> # <u>8</u>)(Johnston, Logan) (Entered: 08/31/2006)

		08/31/2006)
09/29/2006	<u>301</u>	ORDER denying <u>264</u> Plaintiff's Motion to Enforce Court Orders without prejudice to refile; denying <u>267</u> Defendants' Cross-Motion to Modify Injunction. Signed by Judge Earl H Carroll on 9/28/06. (REW,) (Entered: 09/29/2006)
10/02/2006	<u>302</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 10/02/2006)
10/30/2006	<u>303</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 10/30/2006)
01/07/2007	<u>304</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) Modified on 1/9/2007 (DNO, DOCUMENT IS ILLEGIBLE. ATTORNEY NOTICED TO REFILE). (Entered: 01/07/2007)
01/09/2007	<u>305</u>	NOTICE TO FILER OF DEFICIENCY re <u>304</u> Report filed by AHCCCS. Description of deficiency: DOCUMENT IS ILLEGIBLE, PAGE IS BLANK. (DNO,) (Entered: 01/09/2007)
01/09/2007	<u>306</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 01/09/2007)
01/31/2007	<u>307</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 01/31/2007)
02/14/2007	<u>308</u>	MOTION to Withdraw as Attorney by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Hart, Sally) (Entered: 02/14/2007)
02/28/2007	<u>309</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 02/28/2007)
04/02/2007	<u>310</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report# <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 04/02/2007)
05/03/2007	<u>311</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis# <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 05/03/2007)
06/09/2007	<u>312</u>	REPORT of Monthly Gaps <i>with Report and Analysis</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 06/09/2007)
07/02/2007	<u>313</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 07/02/2007)
07/30/2007	<u>314</u>	ORDER granting <u>308</u> Motion to Withdraw as Attorney. Attorney Sally Hart shall be allowed to withdraw as counsel for Plaintiffs herein. Attorney Sally Hart terminated. Signed by Judge Earl H Carroll on 07/27/07.(DNH) (Entered: 07/30/2007)
07/31/2007	<u>315</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> # <u>2</u> Exhibit)(Johnston, Logan) (Entered: 07/31/2007)
08/10/2007	<u>316</u>	MANDATE of 9th Circuit (Certified Copy), case number 04-16963, (REVERSED IN PART; AFFIRMED IN PART; REMANDED). (Attachments: # <u>1</u> OPINION)(JKM,) (Entered: 08/15/2007)
08/20/2007	<u>317</u>	STIPULATION <i>to Extend Time for Plaintiffs to File Memorandum in Support of Attorneys' Fees and Nontaxable Expenses</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Nye, Jennifer) (Entered: 08/20/2007)
08/20/2007	<u>319</u>	ORDER of 9th Circuit, appeal case number 04-16963, Plaintiff-Appellees' unopposed motion under Ninth Circuit Rule 39-1.8 to transfer the consideration of attorneys' fees on appeal to the district court of Arizona is granted. (JKM,) (Entered: 08/23/2007)

08/22/2007	<u>318</u>	ORDER granting <u>317</u> STIPULATION to Extend Time for Plaintiffs to File Memorandum in Support of Attorneys' Fees and Nontaxable Expenses. The Memorandum shall be filed no later than 60 days after the issues on remand are fully resolved by the Court. Signed by Judge Earl H Carroll on 08/20/07. (DNH) (Entered: 08/22/2007)
09/01/2007	<u>320</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report# <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 09/01/2007)
09/01/2007	<u>321</u>	REPORT of Annual Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit)(Johnston, Logan) (Entered: 09/01/2007)
09/04/2007	<u>322</u>	NOTICE TO FILER OF DEFICIENCY re <u>320</u> Report filed by AHCCCS. Description of deficiency: Main Document Not Attached. Atty noticed to refile (DNO,) (Entered: 09/04/2007)
09/04/2007	<u>323</u>	REPORT of Notice of Filing Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap report# <u>2</u> Exhibit Gap analysis)(Johnston, Logan) (Entered: 09/04/2007)
09/17/2007	324	Minute Order – setting a Status Conference for Friday, 10/12/2007 at 03:00 PM before Judge Earl H Carroll. IT IS FURTHER ORDERED that the parties file a joint status report 7 days before the hearing. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Entered: 09/17/2007)
09/25/2007		Appeal Record Returned:, Number of Volumes of Clerks Records: 8, Number of Bulky Documents: 3, Number of Transcripts: 9 (JKM,) (Entered: 09/25/2007)
10/03/2007	<u>325</u>	REPORT of Monthly Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report# <u>2</u> Exhibit Gap report)(Johnston, Logan) (Entered: 10/03/2007)
10/05/2007	<u>326</u>	STATUS REPORT <i>Joint Status Report</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 10/05/2007)
10/12/2007	327	Minute Entry. Proceedings held before Judge Earl H. Carroll : Appearances: Jennifer Nye and Telephonic appearance by Sarah Lock on behalf of plaintiffs, Logan Johnston on behalf of defendants. Status Conference held on 10/12/2007. The Court adopts the proposed briefing schedule included in the joint Status Report. [Doc. 326]. (Court Reporter Laurie Adams.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Entered: 10/12/2007)
10/16/2007	<u>328</u>	ORDER that the parties shall file Cross-Motions for Summary Judgment regarding the issues on remand on or before 12/21/07; response briefs shall be filed on or before 02/01/08; and reply briefs shall be filed on or before 02/22/08. Signed by Judge Earl H Carroll on 10/15/07. (DNH) (Entered: 10/16/2007)
10/30/2007	<u>329</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap report# <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 10/30/2007)
12/09/2007	<u>330</u>	REPORT of Monthly Report <i>Of Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 12/09/2007)
12/21/2007	<u>331</u>	MOTION for Summary Judgment <i>Upon Remand</i> by AHCCCS. (Johnston, Logan) (Entered: 12/21/2007)
12/21/2007	<u>332</u>	STATEMENT of Statement of Facts re <u>331</u> MOTION for Summary Judgment <i>Upon Remand</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit 1–3, # <u>2</u> Exhibit 4–8)(Johnston, Logan) (Entered: 12/21/2007)
12/21/2007	<u>333</u>	MOTION for Judgment on Remanded Issues by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 12/21/2007)
12/21/2007	<u>334</u>	MEMORANDUM re: Plaintiffs' Memorandum in Support of Motion for Judgment on Remanded Issues re <u>333</u> MOTION for Judgment on Remanded Issues by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim

		Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Plaintiffs Remand Exh. 1, # <u>2</u> Exhibit Plaintiffs' Remand Exh. 2, # <u>3</u> Exhibit Plaintiffs' Remand Exh. 3, # <u>4</u> Exhibit Plaintiffs' Remand Exh. 4, # <u>5</u> Exhibit Plaintiffs' Remand Exh. 5)(Nye, Jennifer) (Entered: 12/21/2007)
12/21/2007	<u>335</u>	PROPOSED FINDINGS OF FACT, <i>Conclusions of Law and Modifications to the Injunction Addressing the Remanded Issues</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 12/21/2007)
12/21/2007	<u>336</u>	MOTION for Leave to File Excess Pages for to Exceed Page Limit for Memorandum in Support of Motion for Judgment on Remanded Issues by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion to Exceed Page Limit)(Nye, Jennifer) (Entered: 12/21/2007)
01/02/2008	<u>337</u>	ORDER granting <u>336</u> Motion for Leave to File Excess Pages and accepting Plaintiffs' Memorandum in Support of Motion for Judgment on Remanded Issues <u>334</u> . Signed by Judge Earl H Carroll on 12/27/07.(DNH) (Entered: 01/02/2008)
01/02/2008	<u>338</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 01/02/2008)
02/01/2008	<u>339</u>	RESPONSE in Opposition re <u>331</u> MOTION for Summary Judgment <i>Upon Remand</i> filed by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 02/01/2008)
02/01/2008	<u>340</u>	RESPONSE re <u>332</u> <i>Statement of Facts in Support of Motion for Summary Judgment Upon Remand</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 02/01/2008)
02/01/2008	<u>341</u>	RESPONSE to Motion re <u>333</u> MOTION for Judgment on Remanded Issues filed by AHCCCS. (Johnston, Logan) (Entered: 02/01/2008)
02/01/2008	<u>342</u>	STATEMENT of Supplemental Statement of Facts re <u>341</u> Response to Motion <i>for Judgment on Remanded Issues</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2-part 1, # <u>3</u> Exhibit 2-part 2, # <u>4</u> Exhibit 3)(Johnston, Logan) (Entered: 02/01/2008)
02/04/2008	<u>343</u>	REPORT of Monthly <i>Report of Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 02/04/2008)
02/22/2008	<u>344</u>	REPLY in Support re <u>331</u> MOTION for Summary Judgment <i>Upon Remand</i> filed by AHCCCS. (Johnston, Logan) (Entered: 02/22/2008)
02/22/2008	<u>345</u>	REPLY to Response to Motion re <u>333</u> MOTION for Judgment on Remanded Issues filed by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 02/22/2008)
02/22/2008	<u>346</u>	Reply <i>Objecting to Defendants' Supplemental Statement of Facts and Exhibits</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 02/22/2008)
03/03/2008	<u>347</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap report, # <u>2</u> Exhibit Gap analysis)(Johnston, Logan) (Entered: 03/03/2008)
03/31/2008	<u>348</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 03/31/2008)
04/03/2008	<u>349</u>	NOTICE of Attorney Substitution by Jill Louise Ripke (Ripke, Jill) (Entered: 04/03/2008)
04/30/2008	<u>350</u>	REPORT of Notice of Filing <i>Monthly Gap Report</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 04/30/2008)

05/22/2008	<u>351</u>	SUPPLEMENT of Supplemental Authority in Support of Plaintiffs' Motion for Judgment on Remanded Issues and Plaintiffs' Opposition and Reply to Defendants' Motion for Summary Judgment by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Supplement Radaszewski v. Maram)(Nye, Jennifer) (Entered: 05/22/2008)
05/27/2008	<u>352</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 05/27/2008)
07/01/2008	<u>353</u>	REPORT of Monthly Gaps in Service by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 07/01/2008)
07/29/2008	<u>354</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Monthly Report, # <u>2</u> Exhibit Monthly Analysis)(Johnston, Logan) (Entered: 07/29/2008)
08/20/2008	<u>355</u>	NOTICE of Change of Address by Logan T Johnston (Johnston, Logan) (Entered: 08/20/2008)
08/24/2008	<u>356</u>	REPORT of Annual <i>Report of Gaps, Rates and Wages</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Annual Report, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D)(Johnston, Logan) (Entered: 08/24/2008)
08/28/2008	<u>357</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 08/28/2008)
09/10/2008	<u>358</u>	MOTION for To Extend Injunction Pending Ruling on Remanded Issues by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 09/10/2008)
09/15/2008	<u>359</u>	MOTION for Admission Pro Hac Vice as to attorney Kenneth Zeller on behalf of plaintiffs Peg Ball, Bennie James, and Jeanne Spinka. (BAS,) (Entered: 09/16/2008)
09/16/2008		PRO HAC VICE FEE PAID. \$ 100, receipt number PHX075626 as to Kenneth Zeller. (BAS,) (Entered: 09/16/2008)
09/16/2008	360	ORDER pursuant to General Order 05-25 granting <u>359</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS,)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 09/16/2008)
09/17/2008	<u>361</u>	ORDER Status Conference set for 9/25/2008 10:30 AM before Judge Earl H Carroll. The parties should be prepared to discuss compliance with the Courtsorder issued on 6/28/05 248 . Signed by Judge Earl H Carroll on 9/16/08. (MAP) (Entered: 09/17/2008)
09/18/2008	<u>362</u>	NOTICE of Appearance by Michael T Liburdi on behalf of all plaintiffs (Liburdi, Michael) (Entered: 09/18/2008)
09/25/2008	363	Minute Entry. Proceedings held before Judge Earl H. Carroll: Appearances: Jennifer Nye, appearing telephonically is Sarah Lock and Kenneth Zeller on behalf of the plaintiffs. The Court notes Logan T. Johnston, counsel for defendants' is not present. Status Hearing held on 9/25/08. IT IS ORDERED that a transcript of today's proceeding be prepared and distributed to the parties. The Court suggest the parties meet and file within twenty (20) days of this date. a Joint Report informing the Court of any conclusions they may have reached with respect to the issues on remand. (Court Reporter Candy Potter.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Entered: 09/25/2008)
09/26/2008	<u>364</u>	TRANSCRIPT of Proceedings re: Status Hearing held on 9/25/08 before Judge Earl H Carroll. Court Reporter: Candy L Potter. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be

		obtained through PACER. Redaction Request due 10/17/2008. Redacted Transcript Deadline set for 10/27/2008. Release of Transcript Restriction set for 12/26/2008. (BAS,) (Entered: 09/26/2008)
09/26/2008	<u>365</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 09/26/2008)
10/03/2008	<u>366</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 10/03/2008)
10/06/2008	<u>367</u>	Notice re Apology by AHCCCS re 363 Status Conference,, (Johnston, Logan) (Entered: 10/06/2008)
10/07/2008	<u>368</u>	NOTICE of Change of Address by Logan T Johnston (Johnston, Logan) (Entered: 10/07/2008)
10/15/2008	<u>369</u>	STATUS REPORT <i>Joint Status Report Re: Prospect of Settlement</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 10/15/2008)
10/31/2008	<u>370</u>	STATUS REPORT <i>Joint Status Report Re: Prospect of Settlement</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Nye, Jennifer) (Entered: 10/31/2008)
11/01/2008	<u>371</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 11/01/2008)
11/10/2008	<u>372</u>	IT IS ORDERED setting a hearing for 11/17/2008 at 01:30 PM before Judge Earl H. Carroll. Ordered Judge Earl H. Carroll on 11/10/08. (BAH) (Entered: 11/10/2008)
11/14/2008	373	TEXT-ONLY Minute Order: On Court's motion, hearing set 11/17/08 at 1:30 PM is vacated. Hearing will be reset at a later date. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (SJF) (Entered: 11/14/2008)
11/14/2008	<u>374</u>	MEMORANDUM re: Plaintiffs' Memorandum Regarding Defendants' Compliance with the Court's Orders by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit 1-7, # <u>2</u> Exhibit 8 and 9)(Nye, Jennifer) (Entered: 11/14/2008)
11/14/2008	<u>375</u>	SUPPLEMENT of Supplemental Authority in Support of Plaintiffs' Motion for Judgment on Remanded Issues and Plaintiffs' Opposition and Reply to Defendants' Motion for Summary Judgment by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit Grooms v. Maram, # <u>2</u> Exhibit Sidell v. Maram, # <u>3</u> Exhibit Fisher v. Maram)(Nye, Jennifer) (Entered: 11/14/2008)
11/17/2008	<u>376</u>	IT IS ORDERED setting a Status Conference for THURSDAY, 11/20/2008 at 01:30 PM before Judge Earl H. Carroll. Ordered by Judge Earl H. Carroll on 11/17/08. (BAH) (Entered: 11/17/2008)
11/18/2008	<u>377</u>	Memorandum re: Compliance <i>with Injunction and Citation of Supplemental Authority</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit AHCCCS Policy Excerpts)(Johnston, Logan) Modified on 11/19/2008 INCORRECT EVENT SELECTED (SGG,). (Entered: 11/18/2008)
11/19/2008	378	TEXT ONLY Minute Order. The Status Conference set for 11/20/2008 at 1:30 PM is reset to 11/20/2008 at 10:30 AM before Judge Earl H Carroll. THIS IS A CHANGE IN TIME ONLY! This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (CLB) (Entered: 11/19/2008)
11/19/2008	379	TEXT ONLY Minute Order. The Status Conference set for 11/20/2008 at 10:30 AM is reset for 12/4/2008 at 02:00 PM before Judge Earl H Carroll. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (CLB) (Entered: 11/19/2008)
11/19/2008	<u>380</u>	MOTION to Continue Hearing Set for 12/4/08 by AHCCCS. (Attachments: # <u>1</u> Text of Proposed Order)(Johnston, Logan) Modified on 11/20/2008 DOCUMENT

		NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED (SGG,). (Entered: 11/19/2008)
11/21/2008	<u>381</u>	ORDER granting <u>380</u> Motion to Continue. Status Conference reset for 12/3/2008 11:30 AM before Judge Earl H Carroll. Parties may appear by telephone after making arrangements with chambers. Signed by Judge Earl H Carroll on 11/20/08.(DMT,) (Entered: 11/21/2008)
11/25/2008	<u>382</u>	REPORT of <i>Monthly Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 11/25/2008)
12/01/2008	<u>383</u>	SUPPLEMENT of Defendant to Memorandum re: Compliance with Injunction re <u>377</u> Report by Defendant AHCCCS. (Johnston, Logan) Modified on 12/2/2008 DOCUMENT NOT IN COMPLIANCE WITH LRCiv7.1(c). ATTORNEY NOTICED (SGG,). (Entered: 12/01/2008)
12/03/2008	<u>384</u>	Minute Entry. Proceedings held before Judge Earl H. Carroll. Appearances: Jennifer Nye is present and Kenneth Zeller appears telephonically on behalf of plaintiffs. Logan Johnston on behalf of defendants. Status Conference held on 12/3/08. Plaintiffs counsel is concerned that the defendants have failed to install a centralized mechanism for collecting all of the complaints from plaintiffs, i.e. a hot line, as previously ordered by the Court. After further discussion, the Court directs that the parties may file within ten days of today's date any supplemental memorandum or information with respect to this hot line issue. IT IS ORDERED that the court reporter prepare a transcript of today's proceedings and file it in the case so that it will be a matter of record, and be compensated for that as well. (Court Reporter Candy Potter.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Entered: 12/03/2008)
12/08/2008	<u>385</u>	TRANSCRIPT of Proceedings re: Status Hearing held on 12/3/08 before Judge Earl H Carroll. Court Reporter: Candy L Potter. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/29/2008. Redacted Transcript Deadline set for 1/8/2009. Release of Transcript Restriction set for 3/9/2009. (BAS,) (Entered: 12/08/2008)
12/08/2008	<u>386</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 12/08/2008)
12/15/2008	<u>387</u>	MEMORANDUM re: Issues Raised at December 3, 2008 Status Conference by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 12/15/2008)
12/16/2008	<u>388</u>	SUPPLEMENT re <u>377</u> Report <i>Re: Compliance with Injunction, Second</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 12/16/2008)
12/23/2008	<u>389</u>	ORDER granting plas' <u>358</u> Motion to Extend Injunction Pending Ruling on Remanded Issues. FURTHER ORDERED that the Injunction (212 and 248) is extended from its present expiration date of 12/31/08. FURTHER ORDERED that the Court retains jurisdiction of this case through resolution of the issues on remand or until 6/30/09. Signed by Judge Earl H Carroll on 12/23/2008.(LAD) (Entered: 12/23/2008)
01/02/2009	<u>390</u>	REPORT of Of Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 01/02/2009)
01/29/2009	<u>391</u>	REPORT of <i>Monthly Gaps in Service</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 01/29/2009)
02/28/2009	<u>392</u>	REPORT of <i>Monthly Gaps in Service</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 02/28/2009)
03/26/2009	<u>393</u>	REPORT of <i>Gaps in Service</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Monthly Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 03/26/2009)

		03/26/2009)
04/24/2009	<u>394</u>	ORDER; granting Plaintiffs' <u>333</u> Motion for Judgment according to this order; denying Defendants' <u>331</u> Motion for Summary Judgment; striking any reference to the Medicaid Act's equal access provision in the Court's 8/12/04 Findings of Fact, Conclusions of Law and order 212 ; the Court incorporates by reference the Court's 8/12/04 Order 212 , 6/28/05 Order 248 and 12/23/08 Order <u>389</u> with this Order; a Status Conference is set for 6/1/09 at 3:00 p.m. Signed by Judge Earl H Carroll on 4/24/09.(REW,) (Entered: 04/24/2009)
04/29/2009	<u>395</u>	REPORT of Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Errata Gap Analysis)(Johnston, Logan) (Entered: 04/29/2009)
05/08/2009	<u>396</u>	MOTION for Attorney Fees <i>and NonTaxable Costs (Renewed)</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Liburdi, Michael) (Entered: 05/08/2009)
05/08/2009	<u>397</u>	BILL OF COSTS <i>and Memorandum of Costs and Necessary Disbursements</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Exhibit Bill of Costs & Supporting Documentation)(Liburdi, Michael) (Entered: 05/08/2009)
05/11/2009	<u>398</u>	ERRATA by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman re <u>396</u> MOTION for Attorney Fees <i>and NonTaxable Costs (Renewed)</i> (Liburdi, Michael) Modified on 5/12/2009 (LSI,). INCORRECT EVENT TYPE SELECTED; ENTRY HAS BEEN MODIFIED FROM NOTICE TO ERRATA. (Entered: 05/11/2009)
05/13/2009	<u>399</u>	NOTICE OF INTERLOCUTORY APPEAL to 9th Circuit by AHCCCS. Filing fee received: \$ 455.00, receipt number 09700000000002816162 (Attachments: # <u>1</u> Appeal Information Representation Statement)(Johnston, Logan) (Entered: 05/13/2009)
05/13/2009	<u>400</u>	Appeal Document by AHCCCS <i>Civil Appeals Docketing Statement</i> (Attachments: # <u>1</u> Exhibit Order of April 24, 2009, # <u>2</u> Exhibit Order of December 23, 2008, # <u>3</u> Exhibit Order of June 28, 2005, # <u>4</u> Exhibit Order of August 13, 2004)(Johnston, Logan) (Entered: 05/13/2009)
05/14/2009	<u>401</u>	APPEAL PROCESSED to Ninth Circuit re: <u>399</u> Notice of Appeal – Interlocutory filed by AHCCCS. Filed dates for: Notice of Appeal *5/13/2009*, *Complaint* *1/27/2000*, Appealed Order *4/24/09***. Court Reporter *Candy L Potter 602–322–7246, Laurie Adams 602–322–7256* Fee Status: *Paid on 5/13/2009 in the amount of \$455.00* .*****. Appellant Attorney: *Logan Johnston* *(ret)* *LTJohnston@JohnstonLawOffices.net*. Appellee Attorney: *Jennifer Nye* *(ret)* *jnye@azdisabilitylaw.org*. COA Status: *No COA Required (1983)*.. Copies sent to all parties and 9th Circuit. (KMF,) (Entered: 05/14/2009)
05/14/2009	<u>402</u>	ORDER that Pla's 07/29/05 250 Motion for Attorney Fees is dismissed without prejudice as moot. Signed by Judge Earl H Carroll on 05/14/09.(ESL,) (Entered: 05/14/2009)
05/19/2009	<u>403</u>	MOTION for Extend and Modify Injunction and Appoint Master by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Nye, Jennifer) (Entered: 05/19/2009)
05/19/2009	<u>404</u>	MEMORANDUM re: Memorandum Regarding Issues to be Discussed at June 1, 2009 Status Conference and In Support of Motion to Extend and Modify Injunction and Appoint Master re <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit 2)(Nye, Jennifer) (Entered: 05/19/2009)
05/19/2009	<u>405</u>	9TH CIRCUIT COURT OF APPEALS Case Number 09–16022 for <u>399</u> Notice of Appeal – Interlocutory. (JKM,) (Entered: 05/20/2009)
05/19/2009	<u>406</u>	ORDER of 9th Circuit, appeal case number 09–16022, as to <u>399</u> Notice of Appeal – Interlocutory filed by AHCCCS ; The appeal filed 5/13/2009 is a preliminary

		injunction appeal. Within 7 calendar days of the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. ***SEE ATTACHED PDF FOR COMPLETE INFORMATION*** (JKM,) (Entered: 05/20/2009)
05/22/2009	<u>407</u>	RESPONSE to Motion re <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master <i>and Memorandum re: Compliance with, and Future of, Existing Injunction</i> filed by AHCCCS. (Attachments: # <u>1</u> Exhibit Exhibit A: March 2009 Gap Report, # <u>2</u> Exhibit Exhibit B Declaration of Schoenstene, Exhibit C Contract Clauses, Exhibit D Arizona HCBS Trends)(Johnston, Logan) Modified on 5/26/2009 (CLJ,DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED.). (Entered: 05/22/2009)
05/28/2009	<u>408</u>	STIPULATION <i>to Extend Time for Plaintiffs to File Memorandum in Support of Attorneys' Fees and Nontaxable Expenses</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Nye, Jennifer) (Entered: 05/28/2009)
05/28/2009	<u>409</u>	Notice re Errata by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman re <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master, <u>404</u> Memorandum, (Attachments: # <u>1</u> Text of Proposed Order Corrected)(Nye, Jennifer) (Entered: 05/28/2009)
05/29/2009	<u>410</u>	RESPONSE to Notice <u>409</u> Notice of Errata <i>Defendants' Response to Notice of Errata</i> filed by AHCCCS. (Johnston, Logan) INCORRECT EVENT SELECTED. TEXT HAS BEEN MODIFIED FROM Response to Motion TO Response to Notice, AND CORRECTED LINKAGE. Modified on 6/1/2009 (SSU,). (Entered: 05/29/2009)
05/31/2009	<u>411</u>	REPORT of Monthly Report <i>of Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 05/31/2009)
05/31/2009	<u>412</u>	SUPPLEMENT <i>to Response to Plaintiffs' Motion to Extend and Modify Injunction and Appoint Master</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Declaration of S. Hawley, # <u>2</u> Exhibit Declaration of P. Hindricksen, # <u>3</u> Exhibit Declaration of L. Collins, # <u>4</u> Exhibit Declaration of R. Vermeal, # <u>5</u> Exhibit Declaration of K. Bergerhuff, # <u>6</u> Exhibit Declaration of K. Guerrirero)(Johnston, Logan) (Entered: 05/31/2009)
06/01/2009	413	Minute Entry. Proceedings held before Judge Earl H. Carroll: Apr: Jennifer Nye and Kenneth Zeller on behalf of plaintiffs. Logan Johnston on behalf of defendants. Status Conference held on 6/1/09. The Court discusses issues included in its April 24, 2009 Order. With respect to the Preliminary Injunction, the Court clarified that the Injunction is a permanent injunction and not a preliminary injunction. Discussion held regarding the Defendants monthly Gap Reports. The Court DIRECTS defendants to continue filing the monthly Gap Reports. Pending further order of court, plaintiffs motion to appoint a special master is denied, suggesting that a expert witness could essentially provide the same purpose and if appropriate, could seek fees. Plaintiffs Stipulation for an Extension to File Memorandum In Support of Attorneys Fees and Nontaxable Expenses [Dkt. 408] is granted and extended to 7/31/09. On the issue of jurisdiction, this Courts jurisdiction will continue for whatever period is necessary for enforcement purposes. The plaintiffs express concern regarding defendants compliance of the injunction in three areas. Discussion held. IT IS ORDERED the plaintiffs have twenty (20) in which to file a REPLY to the RESPONSE filed by defendants with respect to those issues. Order to follow. (Court Reporter Candy Potter.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Court Reporter Candy Potter.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAH) (Entered: 06/02/2009)
06/03/2009	<u>414</u>	ORDER that the Court's Injunction (dks. 212 , 248 , <u>389</u> & <u>394</u>) is a permanent injunction. FURTHER ORDERED that the Court's jurisdiction will not expire on 6/30/09. The Court's jurisdiction will not expire on 6/30/09. The Court's jurisdiction will continue for whatever period is necessary for enforcement purposes. FURTHER ORDERED that dfts shall continue to file monthly gap

		reports and annual reports until the Court determines that these reports are no longer necessary. FURTHER ORDERED that plas shall file their objections, if necessary, to dfts' monthly gap reports and annual reports within 10 days after dfts file the reports. FURTHER ORDERED that plas' reply in support of their <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master shall be filed no later than 20 days from the date of this order. Signed by Judge Earl H Carroll on 6/2/2009. (LAD) (Entered: 06/03/2009)
06/03/2009	<u>415</u>	ORDER pursuant to <u>408</u> Stipulation: ORDERED that plas' memorandum of points and authorities in support of motion for attorneys' fees and costs shall be filed no later than 7/31/09. Signed by Judge Earl H Carroll on 6/3/2009. (LAD) (Entered: 06/03/2009)
06/22/2009	<u>416</u>	Reply re <u>407</u> Response to Motion, <i>Plaintiffs' Response to Defendants' Memorandum Re: Compliance and Reply to Defendants' Response to Motion to Modify and Extend Injunction and Appoint Master</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 06/22/2009)
06/23/2009	<u>417</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 06/23/2009)
06/24/2009	<u>418</u>	Taxation of Costs – Plaintiff filed a Bill of Costs seeking the taxation of #9,392.89. The Clerk finds that under LRCiv. 54.1(a) the matter is denied. The Bill of Costs is determined to be untimely filed as no judgment has been issued in the case. The Bill of Costs may be refiled after judgment has been entered. Signed by Chief Deputy Clerk Michael O'Brien on 06/24/09. (BJW,) (Entered: 06/24/2009)
07/01/2009	<u>419</u>	First MOTION for Modify Taxation of Costs Order by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Liburdi, Michael) (Entered: 07/01/2009)
07/02/2009	<u>420</u>	ORDER, Hearing set as to <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master: Motion Hearing set for 7/22/2009 at 09:00AM before Judge Earl H Carroll. The parties should be prepared to address plas' motion and whether an evidentiary hearing is necessary to determine whether to further modify the Injunction. Signed by Judge Earl H Carroll on 7/1/2009. (LAD) (Entered: 07/02/2009)
07/08/2009	<u>421</u>	OBJECTION to <i>Defendants' Gap Reports from March 2009 to May 2009</i> by Intervenor Plaintiffs Judeth Hinton, Virginia Haskell, Vennetta Graham, Kim Bowman, Plaintiffs Peg Ball, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 07/08/2009)
07/10/2009	<u>422</u>	MOTION to Vacate re Permanent Injunction <i>Cross–Motion to Vacate or Modify</i> by AHCCCS. (Attachments: # <u>1</u> Affidavit of Matthew Devlin)(Johnston, Logan) DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c), ATTORNEY NOTICED. Modified on 7/13/2009 (SSU,). (Entered: 07/10/2009)
07/11/2009	<u>423</u>	RESPONSE to <i>Plaintiffs' Objection to Defendants' Gap Reports</i> by Defendant AHCCCS. (Johnston, Logan) DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c), ATTORNEY NOTICED. Modified on 7/13/2009 (SSU,). (Entered: 07/11/2009)
07/15/2009	424	IT IS ORDERED the motion hearing for <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master filed by Jeanne Spinka, Kim Bowman, Virginia Haskell, Peg Ball, Vennetta Graham, Judeth Hinton, Bennie James presently set for 7/22/2009 at 9:00 AM, is RESET. THIS IS A TIME CHANGE ONLY! Motion Hearing set for 7/22/2009 at 01:30 PM in Courtroom 501, 401 West Washington Street, Phoenix, AZ 85003 before Judge Earl H Carroll. Ordered by Judge Earl H Carroll. (CLB)(This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry.) (Entered: 07/15/2009)
07/21/2009	<u>425</u>	OBJECTION re <u>422</u> MOTION to Vacate re Permanent Injunction <i>Cross–Motion to Vacate or Modify Plaintiffs' Objection to Defendants' Cross Motion to Vacate or Modify Injunction</i> by Plaintiff Peg Ball. (Nye, Jennifer) (Entered: 07/21/2009)

07/22/2009	<u>426</u>	Minute Entry (TEXT ONLY). Proceedings held before Judge Earl H Carroll: Motion Hearing held on 7/22/2009 re <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master filed by Jeanne Spinka, Kim Bowman, Virginia Haskell, Peg Ball, Vennetta Graham, Judeth Hinton, Bennie James. Appearances: Jennifer Nye and Kenneth Zeller (telephonically) for the Plaintiffs. Logan Johnston for the Defendants. IT IS ORDERED taking under advisement <u>403</u> Motion Extend and Modify Injunction and Appoint Master. (Court Reporter Candy Potter.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (CLB) (Entered: 07/22/2009)
07/23/2009	<u>427</u>	ORDER denying without prejudice Plaintiffs' <u>419</u> Motion to Modify Taxation of Costs Order. Signed by Judge Earl H Carroll on 7/23/09.(REW,) (Entered: 07/23/2009)
07/23/2009	<u>428</u>	STIPULATION re: <i>Plaintiffs' Renewed Motion for Attorneys' Fees</i> by Judeth Hinton, Virginia Haskell, Peg Ball, Bennie James, Jeanne Spinka, Vennetta Graham, Kim Bowman. (Attachments: # <u>1</u> Text of Proposed Order)(Liburdi, Michael) (Entered: 07/23/2009)
07/23/2009	<u>429</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by AHCCCS for proceedings held on 07/22/2009 before Judge Carroll. (Johnston, Logan) (Entered: 07/23/2009)
07/24/2009	<u>430</u>	ORDER granting the parties' <u>428</u> Stipulation; Plaintiffs' Renewed Motion for Attorneys' Fees and Nontaxable Costs <u>396</u> is withdrawn without prejudice; Plaintiffs may file a Second Renewed Motion for Attorneys' Fees after the Court enters a final judgment or an order in this case resolving all pending issues. Signed by Judge Earl H Carroll on 7/24/09. (REW,) (Entered: 07/24/2009)
07/28/2009	<u>431</u>	TRANSCRIPT of Proceedings re: Motion Hearing held on 07/22/09 before Judge Earl H. Carroll. Court Reporter: Candy L. Potter. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/18/2009. Redacted Transcript Deadline set for 8/28/2009. Release of Transcript Restriction set for 10/26/2009. (Cady, Elizabeth) (Entered: 07/28/2009)
07/28/2009	<u>432</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT <u>431</u> . (Cady, Elizabeth) (Entered: 07/28/2009)
07/31/2009	<u>433</u>	REPORT of Monthly <i>Gaps</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 07/31/2009)
08/14/2009	<u>434</u>	ORDER; the parties shall submit any substantive evidence in support of their position on whether to further modify the injunction within 30 days, re: <u>403</u> , <u>422</u> MOTIONS to Modify (see order for further details). Signed by Judge Earl H Carroll on 8/14/09. (REW,) (Entered: 08/14/2009)
08/14/2009	<u>435</u>	OBJECTION re <u>414</u> Order,,, <u>433</u> Report <i>Plaintiff's Objections to Defendant's GAP Report for June 2009</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Grace Collier, Vennetta Graham, Virginia Haskell, Judeth Hinton, Larry Williams, Peggy Williams. (Nye, Jennifer) (Entered: 08/14/2009)
08/20/2009	<u>436</u>	RESPONSE re <u>435</u> Objection, <u>433</u> Report <i>Response to Plaintiffs' Objections to Defendants' Gap Report for June 2009</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 08/20/2009)
09/03/2009	<u>437</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by AHCCCS for proceedings held on 4/26/2006 before Judge Carroll. (Johnston, Logan) (Entered: 09/03/2009)
09/14/2009	<u>438</u>	Second MOTION to Appoint Special Master by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Text of Proposed Order)(Nye, Jennifer) (Entered: 09/14/2009)
09/14/2009	<u>439</u>	MEMORANDUM re: in Support of Renewed Motion to Appoint a Special Master re <u>438</u> Second MOTION to Appoint Special Master by Plaintiffs Peg Ball, Bennie

		James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Nye, Jennifer) (Entered: 09/14/2009)
09/14/2009	<u>440</u>	MEMORANDUM re: Second Memorandum in Support of Motion to Modify Injunction re <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Nye, Jennifer) (Entered: 09/14/2009)
09/14/2009	<u>441</u>	MEMORANDUM re: Memorandum re: Order of 8/14/09 re <u>422</u> MOTION to Vacate re Permanent Injunction <i>Cross-Motion to Vacate or Modify</i> , <u>403</u> MOTION for Extend and Modify Injunction and Appoint Master by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Hotline and contract documents, # <u>2</u> Exhibit Contract documents, # <u>3</u> Exhibit Member declarations, # <u>4</u> Exhibit Member preference, statistics, and annual report documents)(Johnston, Logan) (Entered: 09/14/2009)
09/14/2009	<u>442</u>	Exhibit List <i>Plaintiffs' Appendix of Exhibits in Support of Second Memorandum in Support of Motion to Modify Injunction</i> by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15)(Nye, Jennifer) (Entered: 09/14/2009)
09/28/2009	<u>443</u>	OBJECTION re <u>441</u> Memorandum, <i>Plaintiffs' Objections to Defendants' Memorandum in Response to Court's Order of August 14, 2009</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit Exhibits 1-4)(Nye, Jennifer) (Entered: 09/28/2009)
09/28/2009	<u>444</u>	RESPONSE in Opposition re <u>438</u> Second MOTION to Appoint Special Master filed by AHCCCS. (Johnston, Logan) (Entered: 09/28/2009)
09/28/2009	<u>445</u>	MOTION TO STRIKE EXPERT AND OBJECTION re <u>442</u> Exhibit List,, <i>Objections to Plaintiffs' Appendix of Exhibits</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Affidavit Declaration of A. Schafer, # <u>2</u> Exhibit Flowchart, # <u>3</u> Affidavit Declaration of PJ Shoenstene)(Johnston, Logan) Modified on 9/29/2009 (LSI,).INCORRECT EVENT SELECTED. THIS IS BOTH A MOTION AND OBJECTION. CLERK CHANGED TO MOTION FOR THE CALENDAR. (Entered: 09/28/2009)
09/30/2009	<u>446</u>	REPORT of Notice of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 09/30/2009)
10/08/2009	<u>447</u>	REPLY to Response to Motion re <u>438</u> Second MOTION to Appoint Special Master <i>Plaintiffs' Reply to Defendants' Response to Renewed Motion to Appoint a Special Master</i> filed by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 10/08/2009)
10/08/2009	<u>448</u>	REPORT of Monthly Gap Report for July 2009 by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Analysis, # <u>2</u> Exhibit Gap Report)(Johnston, Logan) (Entered: 10/08/2009)
10/13/2009	<u>449</u>	OBJECTION to <i>Defendants' Gap Report for July and August 2009</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit 1-4)(Nye, Jennifer) (Entered: 10/13/2009)
10/16/2009	<u>450</u>	RESPONSE to Motion re <u>445</u> MOTION to Strike <i>Expert Report</i> filed by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Nye, Jennifer) (Entered: 10/16/2009)
10/21/2009	<u>451</u>	REPLY to Response to Motion re <u>445</u> MOTION to Strike <i>Expert Report</i> filed by AHCCCS. (Johnston, Logan) (Entered: 10/21/2009)

10/23/2009	<u>452</u>	RESPONSE re <u>449</u> Objection, to <i>Gap Reports for July and August 2009</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Chart re Gaps 08–09, # <u>2</u> Exhibit DES data)(Johnston, Logan) (Entered: 10/23/2009)
10/26/2009	<u>453</u>	REPORT of Monthly Gaps <i>Notice of Filing</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 10/26/2009)
10/29/2009	<u>454</u>	OBJECTION re <u>453</u> Report for <i>September 2009</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit 1 – Summary of Gap Reports)(Nye, Jennifer) (Entered: 10/29/2009)
11/20/2009	<u>455</u>	RESPONSE re <u>454</u> Objection, to <i>September Gap Report</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 11/20/2009)
12/24/2009	<u>456</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Monthly Gap Report, # <u>2</u> Exhibit Monthly Gap Analysis)(Johnston, Logan) (Entered: 12/24/2009)
12/24/2009	<u>457</u>	REPORT of Monthly Gaps for <i>November 2009</i> by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Monthly gap report, # <u>2</u> Exhibit Monthly gap analysis)(Johnston, Logan) (Entered: 12/24/2009)
01/11/2010	<u>458</u>	OBJECTION <i>Plaintiffs' Objections to Defendants' Gap Reports for October and November 2009</i> by Plaintiff Peg Ball. (Attachments: # <u>1</u> Exhibit Exhibit 1 Summary of Gap Reports)(Nye, Jennifer) (Entered: 01/11/2010)
01/21/2010	<u>459</u>	RESPONSE re <u>458</u> Objection to <i>October and November Gap Reports</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 01/21/2010)
01/28/2010	<u>460</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 01/28/2010)
02/09/2010	<u>461</u>	OBJECTION re <u>460</u> Report <i>Gap Report for December 2009</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit 1– Summary of Gap Reports)(Nye, Jennifer) (Entered: 02/09/2010)
02/09/2010	<u>462</u>	ORDER of 9th Circuit, appeal case number 09–16022, as to <u>399</u> Notice of Appeal – Interlocutory filed by AHCCCS. Panel will retain jurisdiction of this appeal. (CLJ) (Entered: 02/12/2010)
02/18/2010	<u>463</u>	RESPONSE re <u>461</u> Objection, to <i>December 2009 Gap Report</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 02/18/2010)
02/21/2010	<u>464</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report January 2010, # <u>2</u> Exhibit Gap Analysis January 2010)(Johnston, Logan) (Entered: 02/21/2010)
02/25/2010	<u>465</u>	OBJECTION re <u>464</u> Report <i>Plaintiffs' Objections to Defendants' Gap Report for January 2010</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit 1 Summary of Gap Reports)(Nye, Jennifer) (Entered: 02/25/2010)
03/01/2010	<u>466</u>	RESPONSE re <u>465</u> Objection, to <i>Defendants' Gap Report for January 2010</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 03/01/2010)
03/08/2010	<u>467</u>	ORDER that Plas' <u>403</u> Motion to Modify Injunction is granted in part and denied in part, according to this Order. Dfts' <u>422</u> Cross–Motion to Vacate or Modify the Injunction is denied. Plas' Second <u>438</u> Motion to Appoint Special Master is denied without prejudice to re–urging as appropriate. Dfts' <u>445</u> Motion to Strike Expert Report is denied. Dfts shall establish a hotline, pursuant to the Court's 06/28/05 248 Order, within 30 days of the date of this Order. Dfts shall revise all relevant contracts, policies, forms, notification, etc. Dfts shall submit a Notice of Compliance within 30 days of the date of this Order. Signed by Judge Earl H Carroll on 03/05/10.(NOTE: see attached pdf for complete details) (ESL) (Entered: 03/08/2010)

03/12/2010	<u>468</u>	MOTION for Judgment Pursuant to Rule 58(d) by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Nye, Jennifer) (Entered: 03/12/2010)
03/16/2010	<u>469</u>	Joint MOTION for Clarification re: Plaintiffs' Second Renewed Motion for Attorneys' Fees and Supporting Memorandum by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Liburdi, Michael) (Entered: 03/16/2010)
04/05/2010	<u>470</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report 2 2010, # <u>2</u> Exhibit Gap Analysis 2 2010)(Johnston, Logan) (Entered: 04/05/2010)
04/07/2010	<u>471</u>	MOTION for Extension of Time to Implement Hotline <i>and Notice of Compliance</i> by AHCCCS. (Attachments: # <u>1</u> Exhibit Contract Changes, # <u>2</u> Exhibit Policy and Form Changes, # <u>3</u> Text of Proposed Order)(Johnston, Logan) (Entered: 04/07/2010)
04/12/2010	<u>472</u>	OBJECTION re <u>470</u> Report <i>Plaintiffs' Objections to Defendants' Gap Report for February 2010</i> by Plaintiffs Peg Ball, Bennie James, Jeanne Spinka, Intervenor Plaintiffs Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton. (Attachments: # <u>1</u> Exhibit Summary of Gap Reports)(Nye, Jennifer) (Entered: 04/12/2010)
04/12/2010	<u>473</u>	ORDER granting <u>471</u> Defendants' Motion for Extension of Time and allowing them until 5/8/10 to implement the hotline as required by the Court's 3/8/10 Order <u>467</u> . Defendants shall file a notice of compliance on or before 5/8/10. Signed by Judge Earl H Carroll on 4/12/10.(TLJ) (Entered: 04/12/2010)
04/14/2010	<u>474</u>	ORDER granting <u>468</u> Plaintiffs' Motion for Judgment Pursuant to Rule 58(d). ORDER that Plaintiffs shall file a proposed form of judgment for the Court's consideration within 20 days of the date of this Order. Signed by Judge Earl H Carroll on 4/13/10.(TLJ) (Entered: 04/14/2010)
04/14/2010	<u>475</u>	ORDER granting <u>469</u> Joint Motion for Clarification according to this order. The Court will extend Plaintiffs' time to file their Bill of Costs, Motion for Attorneys' Fees and Non-Taxable Expenses, and Memorandum in Support until after Defendants' pending appeal has been resolved. That Plaintiffs shall have fourteen (14) days after the mandate from the Ninth Circuit in Ball v. Rodgers, No. 09-16022, is issued and the appeal is resolved to file a motion notifying the Court that the appeal has been resolved and requesting new deadlines for filing a Bill of Costs, Motion for Attorneys' Fees and Non-Taxable Expenses, and Memorandum in Support. Signed by Judge Earl H Carroll on 4/13/10.(DMT) (Entered: 04/14/2010)
04/24/2010	<u>476</u>	RESPONSE re <u>472</u> Objection, to <i>Defendants' February 2010 Gap Report</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 04/24/2010)
04/28/2010	<u>477</u>	REPORT of Monthly Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 04/28/2010)
05/03/2010	<u>478</u>	MOTION for Extension of Time to File Proposed Form of Judgment <i>Stipulated Motion to Extend Time for Plaintiffs to File Proposed Judgment</i> by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Text of Proposed Order)(Nye, Jennifer) (Entered: 05/03/2010)
05/03/2010	<u>479</u>	ORDER – IT IS ORDERED that the Court notes Plaintiffs' objections and will not take any further action regarding the monthly gap reports. IT IS FURTHER ORDERED that Plaintiffs shall review Defendants' monthly and annual gap reports and may file objections to Defendants' reports if Plaintiffs need to clarify an ambiguity, correct any misinformation, or bring something new to the Court's attention. Plaintiffs shall support any objections with legal authority and, if appropriate, substantive evidence. Signed by Judge Earl H Carroll on 4/30/10. (LAD) (Entered: 05/03/2010)
05/04/2010	<u>480</u>	ORDER granting <u>478</u> Motion (Stipulation) for Extension of Time. ORDERED that plas' proposed form of judgment shall be filed no later than 5/5/10. Signed by

		Judge Earl H Carroll on 5/4/10.(LAD) (Entered: 05/04/2010)
05/05/2010	<u>481</u>	LODGED Proposed Judgment. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by Peg Ball, Kim Bowman, Vennetta Graham, Virginia Haskell, Judeth Hinton, Bennie James, Jeanne Spinka. (Attachments: # <u>1</u> Proposed Judgment)(Nye, Jennifer) (Entered: 05/05/2010)
05/07/2010	<u>482</u>	REPORT of Notice of Compliance by Defendant AHCCCS. (Johnston, Logan) (Entered: 05/07/2010)
05/14/2010	<u>483</u>	RESPONSE re <u>481</u> Lodged Proposed Document, <i>Notice of Approval of Form of Judgment Pursuant to Stipulation</i> by Defendant AHCCCS. (Johnston, Logan) (Entered: 05/14/2010)
05/14/2010	<u>484</u>	ORDER substituting Thomas J. Betlach, the current Director of the Arizona Health Care Cost Containment System, for Phyllis Biedess as a Defendant in this case, according to Fed.R.Civ.P. 25(d). Signed by Judge Earl H Carroll on 5/14/10. (DMT) (Entered: 05/14/2010)
05/14/2010	<u>485</u>	JUDGMENT entered pursuant to the Court's August 12, 2004 Order 212 , June 28, 2005 Order 248 , April 24, 2009 Order <u>394</u> , and March 8, 2010 Order <u>467</u> , in favor of the Plaintiffs and against the Defendants. Signed by Judge Earl H Carroll on 5/14/10. (DMT) (Entered: 05/14/2010)
05/19/2010	<u>486</u>	Notice re of Appeal by AHCCCS re <u>485</u> Judgment, (Johnston, Logan) (Entered: 05/19/2010)
05/20/2010	<u>487</u>	REPORT of Monthly Gap Report by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Gap Report, # <u>2</u> Exhibit Gap Analysis)(Johnston, Logan) (Entered: 05/20/2010)
05/25/2010	<u>488</u>	9th Circuit Court of Appeals Case Number 10-16187 for <u>486</u> Notice of Appeal - Interlocutory. (MLH) Modified on 6/9/2010 (JKM). (Entered: 05/26/2010)
05/25/2010	<u>489</u>	TIME SCHEDULE ORDER of 9th Circuit, appeal case number 10-16187, as to <u>486</u> Notice of Appeal - Interlocutory filed by AHCCCS (MLH) Modified on 6/9/2010 (JKM). (Entered: 05/26/2010)
06/02/2010		Appeal to 9th Circuit Court of Appeals Fee Received: \$ 455.00 receipt number 0970-3976093 (Johnston, Logan) (Entered: 06/02/2010)
06/02/2010	<u>490</u>	Appeal Document by AHCCCS <i>Civil Docketing Statement and copy of Notice of Appeal filed with 9th Circuit on 5/19/10</i> (Attachments: # <u>1</u> Appeal Information civil docketing statement)(Johnston, Logan) (Entered: 06/02/2010)
06/24/2010	<u>491</u>	REPORT of Monthly Report of Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Exhibit Monthly Gap Report, # <u>2</u> Exhibit Monthly Gap Analysis)(Johnston, Logan) (Entered: 06/24/2010)
06/28/2010	<u>492</u>	NOTICE of Appearance by Paul E Steen on behalf of AHCCCS, Arizona, State of, Thomas J Betlach (Steen, Paul) (Entered: 06/28/2010)
06/30/2010	<u>493</u>	STIPULATION <i>for Order Allowing Withdrawal and Substitution of Counsel</i> by AHCCCS, Arizona, State of, Thomas J Betlach. (Attachments: # <u>1</u> Text of Proposed Order)(Steen, Paul) (Entered: 06/30/2010)
07/06/2010	<u>494</u>	ORDER granting the <u>493</u> Stipulation and substituting David L Niederdeppe and Paul E Steen in place of Logan T Johnston as counsel for AHCCCS. Signed by Judge Earl H Carroll on 7/6/10. (REW) (Entered: 07/06/2010)
07/23/2010	<u>495</u>	REPORT of June 2010 Monthly Report of Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Supplement Gap in Service Analysis, # <u>2</u> Supplement June 2010 Gap in Service Report)(Steen, Paul) (Entered: 07/23/2010)
07/23/2010	<u>496</u>	REPORT of Notice of Filing Monthly Report of Gaps by Defendant AHCCCS. (Attachments: # <u>1</u> Supplement June 2010 Gap in Service Analysis, # <u>2</u> Supplement June 2010 Gap in Service Report)(Steen, Paul) (Entered: 07/23/2010)

08/27/2010	<u>497</u>	NOTICE re Notice of Filing Monthly Report of Gaps by AHCCCS. (Attachments: # <u>1</u> Supplement Gap in Svc Analysis for July 2010, # <u>2</u> Supplement Redacted July 2010 Gap in Service Report)(Steen, Paul) (Entered: 08/27/2010)
09/29/2010	<u>498</u>	NOTICE re Filing Monthly Report of Gaps by AHCCCS, Thomas J Betlach. (Attachments: # <u>1</u> Supplement Gap in Service Analysis, # <u>2</u> Supplement 0810 Redacted Gap Report)(Steen, Paul) (Entered: 09/29/2010)
10/27/2010	<u>499</u>	NOTICE re Notice of Filing Monthly Report of Gaps by AHCCCS re 248 Order,,,,,. (Attachments: # <u>1</u> Supplement 2010_09 Gap in Service Analysis, # <u>2</u> Supplement 2010_09 Redacted)(Steen, Paul) (Entered: 10/27/2010)
10/29/2010	<u>500</u>	NOTICE of Attorney Substitution by Jose de Jesus Rico (Rico, Jose) (Entered: 10/29/2010)