

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:02-cv-00255-KAJ**

The Arc of Delaware, et al v. Meconi, et al  
Assigned to: Judge Kent A. Jordan  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 04/08/2002  
Date Terminated: 06/13/2005  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Arc of Delaware**  
*TERMINATED: 04/01/2004*

represented by **Daniel Gary Atkins**  
Community Legal Aid Society, Inc.  
100 West 10th Street  
Suite 801  
Wilmington, DE 19801  
(302) 575-0660  
Email: [datkins@declasi.org](mailto:datkins@declasi.org)  
*TERMINATED: 04/01/2004*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Homes for Life Foundation**  
*TERMINATED: 04/01/2004*

represented by **Daniel Gary Atkins**  
(See above for address)  
*TERMINATED: 04/01/2004*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Delaware People First**  
*TERMINATED: 04/01/2004*

represented by **Daniel Gary Atkins**  
(See above for address)  
*TERMINATED: 04/01/2004*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Kirk Van Alstine**  
*by his parents and next friends, Robert  
and Rose Van Alstine*

represented by **Daniel Gary Atkins**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Gwen Van Alstine**  
*by her parents and next friends, Robert  
and Rose Van Alstine*

represented by **Daniel Gary Atkins**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Terry Hagan**  
*by his mother and legal guardian, Norma  
Hagan*

represented by **Daniel Gary Atkins**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Kenneth F. Schroeder**  
*by his father and legal guardian, Kenneth  
H. Schroeder*

represented by **Daniel Gary Atkins**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Jane Doe**

represented by **Daniel Gary Atkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Garry Pryor**

*by his brother and sister-in-law, and  
next friends, Barry and Connie Pryor*

represented by **Daniel Gary Atkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Diana Roe**

*by her parents and next friends, John and  
Martha Roe*

represented by **Daniel Gary Atkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Brenda Simms**

*by her brother and legal guardian Morris  
Simms*

represented by **Daniel Gary Atkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Julie Desmond**

*by her mother and legal guardian Marcy  
Desmond*

represented by **Daniel Gary Atkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Vincent Meconi**

*Secretary, Delaware Department of  
Health & Social Services, in his official  
capacity*

represented by **Aleph Ann Woolfolk**  
Department of Justice  
820 N. French Street, 6th Floor  
Wilmington, DE 19801  
(302) 577-8400  
Email: [ann.woolfolk@state.de.us](mailto:ann.woolfolk@state.de.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John H Newcomer , Jr.**

Morris James LLP  
500 Delaware Avenue, Suite 1500  
P.O. Box 2306  
Wilmington, DE 19899-2306  
(302) 888-6975  
Fax: (302) 657-4901  
Email: [jnewcomer@morrisjames.com](mailto:jnewcomer@morrisjames.com)  
*TERMINATED: 04/30/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard G. Placey**

Montgomery, McCracken, Walker  
& Rhoads, LLP  
1105 N. Market Street  
15th Floor  
Wilmington, DE 19801

(302) 504-7880  
Fax: (302) 504-7820  
Email: [rplacey@mmwr.com](mailto:rplacey@mmwr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Marianne Smith**  
*Director, Division of Developmental  
Disabilities Services, in her official  
capacity*

represented by **Aleph Ann Woolfolk**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John H Newcomer , Jr.**  
(See above for address)  
*TERMINATED: 04/30/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard G. Placey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**State of Delaware, Department of  
Health and Social Services**

represented by **Aleph Ann Woolfolk**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John H Newcomer , Jr.**  
(See above for address)  
*TERMINATED: 04/30/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard G. Placey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Division of Developmental Disability  
Services, Delaware Department of  
Health and Social Services**

represented by **Aleph Ann Woolfolk**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John H Newcomer , Jr.**  
(See above for address)  
*TERMINATED: 04/30/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard G. Placey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/08/2002	1	COMPLAINT filed; Mag consent notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 132194 (mwm) (Entered: 04/08/2002)

04/08/2002		SUMMONS(ES) issued for Vincent Meconi, Marianne Smith, Dept of Health (mwm) (Entered: 04/08/2002)
04/08/2002	2	MOTION by The Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond for Judith A. Gran, Barbara E. Ransom to Appear Pro Hac Vice re: [2-1] motion (mwm) (Entered: 04/08/2002)
04/08/2002		SUMMONS(ES) issued for Dept of Health, Div of Developmental copies to: counsel (bkb) (Entered: 04/08/2002)
04/09/2002	5	RETURN OF SERVICE executed as to Dept of Health 4/9/02 Answer due on 4/29/02 for Dept of Health (bkb) (Entered: 04/15/2002)
04/12/2002	3	RETURN OF SERVICE executed 4/8/02 upon Atty. General (bkb) (Entered: 04/15/2002)
04/12/2002	4	RETURN OF SERVICE executed as to Div of Developmental 4/10/02 Answer due on 4/30/02 for Div of Developmental (bkb) (Entered: 04/15/2002)
04/12/2002	6	RETURN OF SERVICE executed as to Vincent Meconi 4/8/02 Answer due on 4/29/02 for Vincent Meconi (bkb) (Entered: 04/15/2002)
04/12/2002	7	RETURN OF SERVICE executed as to Marianne Smith 4/8/02 Answer due on 4/29/02 for Marianne Smith (bkb) (Entered: 04/15/2002)
04/29/2002	8	MOTION by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability for Enlargement of Time Answer Brief due 5/13/02 re: [8-1] motion (dab) (Entered: 04/29/2002)
05/01/2002	9	CASE assigned to Judge Roderick R. McKelvie . Notice to all parties. (rjb) (Entered: 05/01/2002)
05/06/2002	10	STIPULATION: the defendants shall respond to complaint by 6/13/02. (ntl) (Entered: 05/07/2002)
05/06/2002		Deadline updated; reset Answer deadline to 6/13/02 for Develop Disability, for Dept of Health, for Marianne Smith, for Vincent Meconi (ntl) (Entered: 05/07/2002)
05/06/2002	11	Letter from A. Ann Woolfolk, Esq. to Judge McKelvie re dfts' motion for enlargement of time is withdrawn. (ntl) (Entered: 05/07/2002)
05/06/2002		WITHDRAWAL of [8-1] motion for Enlargement of Time (ntl) (Entered: 05/07/2002)
06/11/2002	12	NOTICE of attorney appearance for Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability, filed by John H Newcomer Jr. (rwc) (Entered: 06/12/2002)
06/14/2002	13	CASE reassigned to Vacant Judgeship . Notice to all parties. (rjb) (Entered: 06/14/2002)
06/14/2002		CASE REFERRED to Judge Mary P. Thyng (rjb) (Entered: 06/14/2002)
06/24/2002	14	MOTION by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond for Temporary Restraining Order , and for Preliminary Injunction Answer Brief due 7/8/02 re: [14-1] motion, Answer Brief due 7/8/02 re: [14-2] motion (ntl) (Entered: 06/24/2002)
06/24/2002	15	Opening Brief Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond [14-1] motion for Temporary Restraining Order, [14-2] motion for Preliminary Injunction (ntl) (Entered: 06/24/2002)
06/24/2002	16	Appendix to Brief Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond Appending [15-1]

		opening brief (ntl) (Entered: 06/24/2002)
06/27/2002	17	MOTION by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability with Proposed Order for David J. MacMain, Michael D. Epstein and Patrick T. Ryan to Appear Pro Hac Vice (ntl) (Entered: 06/28/2002)
06/28/2002		So Ordered granting [17-1] motion for David J. MacMain, Michael D. Epstein and Patrick T. Ryan to Appear Pro Hac Vice ( signed by Judge Mary P. Thyng ) Notice to all parties. (ntl) (Entered: 07/01/2002)
07/10/2002	18	MOTION with OPENING BRIEF in support by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability to Dismiss (ntl) (Entered: 07/11/2002)
07/10/2002	19	Appendix to Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability Appending D.I. 18. (ntl) (Entered: 07/11/2002)
07/24/2002	20	Answer Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability [14-1] motion for Temporary Restraining Order – Reply Brief due 7/31/02, [14-2] motion for Preliminary Injunction – Reply Brief due 7/31/02 (maw) (Entered: 07/26/2002)
07/24/2002	21	Appendix to Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability Appending [20-1] answer brief (maw) (Entered: 07/26/2002)
07/31/2002	22	ORDER, set Status Report deadline to 8/20/02 ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 07/31/2002)
08/08/2002	23	Letter dated 8/7/02 from Patrick Ryan, Esq. to clerk re corrected tab 4 to D.I. 21. (ntl) (Entered: 08/09/2002)
08/12/2002	24	Answer Brief Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond [18-1] motion to Dismiss (ntl) (Entered: 08/13/2002)
08/12/2002	25	Appendix to Brief Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond Appending [24-1] answer brief (ntl) (Entered: 08/13/2002)
08/20/2002	26	JOINT STATUS REPORT by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond, Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability (ntl) (Entered: 08/21/2002)
08/20/2002	27	Letter from Patrick Ryan, Esq. to Judge Thyng re D.I. 26. (ntl) (Entered: 08/21/2002)
08/26/2002	28	Letter dated 8/23/02 from Barbara Ransom to Judge Thyng re ptf's will not file reply brief in support of its motion for TRO or preliminary injunction; request for oral argument. (ntl) (Entered: 09/06/2002)
08/26/2002	29	Letter dated 8/23/02 from Barbara Ransom to Judge Thyng re supplemental precedential opinions on the jurisdictional issues briefed by the parties on the dfts' motion to dismiss. (ntl) (Entered: 09/06/2002)
09/06/2002	30	Reply Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability [18-1] motion to Dismiss (ntl) (Entered: 09/09/2002)
09/06/2002	31	Appendix to Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability Appending [30-1] reply brief (ntl) (Entered: 09/09/2002)
09/12/2002	32	ORDER, Motion Hearing set for 11:00 9/19/02 for [14-1] motion for Temporary Restraining Order, set for 11:00 9/19/02 for [14-2] motion for Preliminary Injunction ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 09/12/2002)
09/19/2002	33	ORDER, Motion Hearing reset for 2:00 10/2/02 for [14-1] motion for Temporary Restraining Order, reset for 2:00 10/2/02 for [14-2] motion for Preliminary

		Injunction ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 09/19/2002)
09/25/2002	34	Notice of Additional Evidence Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond Appending [15-1] opening brief in support of motion for preliminary injunction (ntl) (Entered: 09/26/2002)
10/02/2002		Motion hearing held re: [14-1] motion for Temporary Restraining Order, [14-2] motion for Preliminary Injunction; rprtr. K. Maurer (ntl) (Entered: 10/02/2002)
10/02/2002	35	Supplemental Declaration of Valerie J. Smith in response to ptf's motion for preliminary injunction. (ntl) (Entered: 10/02/2002)
10/02/2002	36	Letter from Patrick Ryan, Esq. to Judge Thyng re D.I. 35. (ntl) (Entered: 10/02/2002)
10/03/2002	37	Steno Notes for 10/2/02; rprtr. K. Maurer (ntl) (Entered: 10/03/2002)
10/07/2002	38	ORDER, set Telephone Status/Scheduling Conference for 9:30 10/21/02 ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 10/07/2002)
10/10/2002	39	Letter from Daniel Atkins, Esq. to Judge Thyng re teleconference scheduled for 10/21/02 at 9:30. (ntl) (Entered: 10/15/2002)
10/21/2002		Tele-conference held (J. Thyng); rprtr. B. Gaffigan (ntl) (Entered: 10/21/2002)
10/21/2002	40	Steno Notes for 10/21/02; rprtr. B. Gaffigan (ntl) (Entered: 10/21/2002)
10/22/2002	41	FINAL PRETRIAL and TRIAL MANAGEMENT ORDER ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 10/22/2002)
10/22/2002	42	SCHEDULING ORDER: discovery cutoff to be completed 60 days after rebuttal expert disclosures; case dispositive motions due within 21 days after the close of discovery; ptf's motion and opening brief on class certification due 11/6/02, dfts' answering brief due 1/29/03, ptf's reply brief due 3/3/03; the dates for the pretrial conference and trial will be discussed during the next scheduling conference; ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 10/22/2002)
11/01/2002	43	TRANSCRIPT filed [0-0] telephone conference for dates of 10/21/02 (ntl) (Entered: 11/01/2002)
11/01/2002	44	MOTION by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond with Proposed Order For Class Certification Answer Brief due 11/15/02 re: [44-1] motion (ntl) (Entered: 11/04/2002)
11/01/2002	45	Opening Brief Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond [44-1] motion For Class Certification (ntl) (Entered: 11/04/2002)
11/01/2002	46	Appendix to Brief (unreported decisions) Filed by Arc of Delaware, Homes for Life, Delaware People, Kirk Van Alstine, Gwen Van Alstine, Terry Hagan, Kenneth F. Schroeder, Jane Doe, Garry Pryor, Diana Roe, Brenda Simms, Julie Desmond Appending [45-1] opening brief (ntl) (Entered: 11/04/2002)
11/04/2002	47	TRANSCRIPT filed [0-0] motion hearing for dates of 10/2/02 (ntl) (Entered: 11/04/2002)
11/08/2002	48	Letter from Daniel Atkins, Esq. to Judge Thyng re page limitation. (ntl) (Entered: 11/12/2002)
11/12/2002	49	ORDER: the form and length of the class certification briefs shall be in conformity with the local rules; ( signed by Judge Mary P. Thyng ) copies to: cnsl. (ntl) (Entered: 11/13/2002)



11/29/2002		So Ordered granting [2-1] motion for Judith A. Gran, Barbara E. Ransom to Appear Pro Hac Vice ( signed by Judge Mary P. Thyng ) Notice to all parties. (ntl) (Entered: 11/29/2002)
12/30/2002	50	CERTIFICATE OF SERVICE by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability, Re: Deft's 1st set of Req. for Admissions and Interrogatories, were served. (rwc) (Entered: 01/02/2003)
01/06/2003	51	CASE reassigned to Judge Kent A. Jordan (CASE NO LONGER REFERRED TO Magistrate Judge Mary P. Thyng ) Notice to all parties. (ntl) (Entered: 01/06/2003)
01/31/2003	52	STIPULATION with proposed order extending time to 2/12/03 for Deft's to file response to Pltf's Motion [DI#44] for Class Certification. (rwc) (Entered: 02/03/2003)
02/03/2003		So Ordered granting [52-1] stipulation reset Answer Brief Deadline to 2/12/03 re: [44-1] motion For Class Certification ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 02/04/2003)
02/12/2003	53	Answer Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability, in opposition to [44-1] motion For Class Certification – Reply Brief due 2/19/03 (rwc) (Entered: 02/13/2003)
02/12/2003	54	Appendix of Materials and Unreported Decisions Cited in [DI# 53] Answering Brief. Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability Appending [53-1] answer brief (rwc) (Entered: 02/13/2003)
02/28/2003	55	STIPULATION with proposed order for Revision of 10/21/02 Scheduling Order Re: Motion [DI#44] for Class Certification: (1) Pltf's shall file Reply Brief by 4/3/03; (2) Deft's shall respond to Pltf's Req. for Prod. by 3/21/03; and (3) Deft's will have 10-days from receipt of Reply Brief to file Surreply. (rwc) (Entered: 03/03/2003)
03/03/2003		So Ordered granting [55-1] stipulation reset Reply Brief Deadline to 4/3/03 re: [44-1] motion For Class Certification ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 03/04/2003)
03/21/2003	56	CERTIFICATE OF SERVICE by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability re objections and responses to ptfs' 1st set of requests for prod. of docs. (ntl) (Entered: 03/24/2003)
04/03/2003	57	STIPULATION with proposed order Regarding Confidentiality. (rwc) (Entered: 04/04/2003)
04/04/2003		So Ordered granting [57-1] Stipulated Protective Order ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 04/04/2003)
04/04/2003	58	STIPULATION with proposed order for a Revision to the 10/21/02 Scheduling Order Regarding Plaintiff's Motion for Class Certification: (1) Deft will complete document production by 4/17/03; (2) Pltf shall file Reply Brief by 5/2/03 Re: Motion [44-1] for Class Certification; Defts shall file Surreply by 5/14/03. (rwc) (Entered: 04/04/2003)
04/07/2003		So Ordered granting [58-1] stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 04/08/2003)
04/21/2003	59	Letter dated 4/15/03 from Barbara Ransom, Esq. to Judge Jordan encl. copy of Bruggeman v. Blagojevich decision from the Seventh Circuit. (ntl) (Entered: 04/24/2003)
04/30/2003	60	Letter dated 4/25/03 to Judge Jordan by Patrick T. Ryan, Esq., enclosing two recent decisions supplementing Deft's Motion to Dismiss. (rwc) (Entered: 04/30/2003)
04/30/2003	61	Notice of Deficiency from the court to defendant Vincent Meconi, defendant Marianne Smith, defendant Dept of Health, defendant Develop Disability, Re: Letter DI#60 not signed by local counsel or copy provided to Clerk of Court. (rwc) (Entered: 04/30/2003)

04/30/2003	62	Notice of Substitution of Counsel: **Terminated attorney John H Newcomer for Develop Disability, Dept of Health, Marianne Smith, and for Vincent Meconi; entry of attorney appearance for above Defts filed by Richard G. Placey (rwc) (Entered: 05/01/2003)
05/09/2003	63	STIPULATION with proposed order extending time to 5/12/03 for Pltf's to file Reply Brief; and to 5/29/03 for Def't's to file any Surreply, Re: Motion [44-1] for Class Certification. (rwc) (Entered: 05/12/2003)
05/12/2003	64	Reply Brief Filed by Arc of Delaware, et al., in support of [44-1] motion For Class Certification (rwc) (Entered: 05/12/2003)
05/12/2003	65	Appendix to Brief Filed by Arc of Delaware; Appending [64-1] reply brief (rwc) (Entered: 05/12/2003)
05/13/2003		So Ordered granting [63-1] stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 05/13/2003)
05/29/2003	66	SUR-REPLY BRIEF filed by Vincent Meconi, Marianne Smith in further opposition to [44-1] Motion For Class Certification (rwc) (Entered: 05/29/2003)
05/29/2003	67	Appendix of Unreported Decisions Filed by Vincent Meconi, Marianne Smith Appending [66-1] Sur-Reply Brief (rwc) (Entered: 05/29/2003)
07/08/2003	68	STIPULATION Regarding Compromise Negotiations with proposed order filed by the parties. (rwc) (Entered: 07/09/2003)
07/10/2003		So Ordered granting [68-1] stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 07/10/2003)
09/22/2003	69	ORDER, set Telephone Conference for 9:00 on 9/30/03 to discuss outstanding motions ( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) (Entered: 09/22/2003)
09/30/2003		Tele-conference held before Judge Jordan. All pending motions are denied without prejudice. Order to issues (Ct Rptr V. Gunning). (rwc) Modified on 09/30/2003 (Entered: 09/30/2003)
09/30/2003	70	ORDER - denying the following motions without prejudice: [44-1] motion For Class Certification, denying [18-1] motion to Dismiss, denying [14-1] motion for Temporary Restraining Order, denying [14-2] motion for Preliminary Injunction. The parties shall notify the Court by 10/30/03 regarding the status of negotiations. ( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) (Entered: 09/30/2003)
10/30/2003	71	STATUS LETTER dated 10/30/03 to Judge Jordan by Richard M. Donaldson, Esq., requesting deferrment from entry of scheduling order for 30-days. (rwc) (Entered: 10/31/2003)
11/26/2003	72	Letter from Richard Donaldson to Judge Jordan re request to defer entry of scheduling order for 60 days; settlement pending. (ntl) (Entered: 11/26/2003)
12/02/2003	73	ORDER, set Notice of Compliance deadline to 1/26/04 for parties to either file a stipulation of dismissal or call to set-up a scheduling conference. ( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) (Entered: 12/02/2003)
01/29/2004	74	Letter dated 1/28/04 to Judge Jordan by Richard M. Donaldson, Esq., Re: Request for extension of time to 2/27/04 to finalize settlement. (rwc) (Entered: 01/29/2004)
03/01/2004	75	ORDER, set Tele-Scheduling Conference for 9:30 3/15/04 ( signed by Judge Kent A. Jordan ) copies to: cnsl. (ntl) (Entered: 03/01/2004)
03/11/2004	76	Letter dated 3/10/04 to Judge Jordan by Richard M. Donaldson, Esq., Re: Proposed scheduling order dates and briefing schedule submitted for 3/15/04 teleconference. (rwc) (Entered: 03/11/2004)
03/15/2004		Scheduling teleconference held before Judge Jordan. (Ct Rptr K. Maurer) (rwc) (Entered: 03/15/2004)
03/16/2004	77	Steno Notes filed by Ct Rptr K. Maurer for 3/15/04 (rwc) (Entered: 03/16/2004)



03/18/2004	78	Letter dated 3/17/04 to Judge Jordan by Barbara E. Ransom, Esq., enclosing joint proposed scheduling order for approval. (rwc) (Entered: 03/18/2004)
03/18/2004	79	Notice of Deficiency from the court to Barbara E. Ransom, Esq., Re: DI#78 was not signed by local counsel; insufficient number of copies rec'd. (rwc) (Entered: 03/18/2004)
03/19/2004	80	SCHEDULING ORDER: setting Discovery cutoff to 9/15/04; Status Report is due on 8/3/04; Status Conference set for 4:30 on 8/10/04; Deadline for filing dispositive motions is 10/15/04; Pretrial conference set for 4:30 on 2/15/05; Proposed Pretrial Order due on 2/10/05; Bench Trial (5-days) set for 9:00 on 3/7/05; Case is referred to the U.S. Magistrate for ADR. ( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) Modified on 03/19/2004 (Entered: 03/19/2004)
03/19/2004	81	TRIAL MANAGEMENT ORDER – (see Order for details).( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) (Entered: 03/19/2004)
03/19/2004		Deadline updated per docketing error; reset Scheduling Order Deadlines: Trial Date Deadline 9:00 3/7/05 (rwc) (Entered: 03/19/2004)
03/19/2004	82	ORDER, set Telephone Conference for 8:30 on 3/23/04 to discuss scheduling of mediation. ( signed by Judge Mary P. Thyng ) copies to: cnsl. (rwc) (Entered: 03/19/2004)
03/23/2004	83	ORDER, set Mediation Conference for 9:00 on 3/27/04 ( signed by Judge Mary P. Thyng ) copies to: cnsl. (rwc) (Entered: 03/23/2004)
04/01/2004	84	NOTICE of voluntary dismissal without prejudice as to Plaintiff People First of DE. (rwc) (Entered: 04/02/2004)
04/01/2004	85	NOTICE of voluntary dismissal without prejudice as to Plaintiff Homes for Life Foundation. (rwc) (Entered: 04/02/2004)
04/01/2004	86	NOTICE of voluntary dismissal without prejudice as to Plaintiff Arc of Delaware. (rwc) (Entered: 04/02/2004)
04/05/2004	87	Letter dated 4/5/04 by Judge Jordan to parties enclosing a revised Trial Management Order. (rwc) (Entered: 04/05/2004)
04/05/2004	88	REVISED TRIAL MANAGEMENT ORDER – (see Order for details).( signed by Judge Kent A. Jordan ) copies to: cnsl. (rwc) (Entered: 04/05/2004)
08/03/2004	89	Letter dated 8/3/04 to Judge Jordan by Daniel Atkins, Esq., Re: NOTICE OF SETTLEMENT (rwc) (Entered: 08/04/2004)
08/24/2004	90	STIPULATION and Order Approving Settlement and Dismissing Plaintiffs' Claims – filed by the parties. (rwc) (Entered: 08/25/2004)
08/26/2004		So Ordered granting [90–1] dismiss/dismissal stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 08/26/2004)
08/26/2004		Case closed per DI#90 (rwc) (Entered: 08/26/2004)
09/16/2004	91	MOTION by Kirk Van Alstine, et al., with Proposed Order for Attorney Fees Answer Brief due 9/30/04 re: [91–1] motion (rwc) (Entered: 09/16/2004)
09/16/2004		Case reopened per DI#91. (rwc) (Entered: 09/16/2004)
09/28/2004	92	STIPULATION with proposed order for extension of briefing Re: Motion [DI#91] for Attorney Fees: Deft's Answer Brief is due 10/19/04; Pltf's Reply Brief is due 11/1/04. (rwc) (Entered: 09/29/2004)
09/29/2004		So Ordered granting [92–1] stipulation reset Answer Brief Deadline to 10/19/04 re: [91–1] motion for Attorney Fees , and reset Reply Brief Deadline to 11/1/04 re: [91–1] motion for Attorney Fees ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 09/29/2004)
10/19/2004	93	Letter dated 10/19/04 to Judge Jordan by Richard M. Donaldson, Esq., enclosing copy of Defendant's Answering Brief [DI#94]. (rwc) (Entered: 10/20/2004)

10/19/2004	94	Answer Brief Filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability, in support of [91-1] motion for Attorney Fees – Reply Brief due 11/1/04 (rwc) (Entered: 10/20/2004)
11/01/2004	95	Reply Brief Filed by Kirk Van Alstine, et al., in support of [91-1] motion for Attorney Fees (rwc) (Entered: 11/01/2004)
11/12/2004	96	Letter dated 11/12/04 to Judge Jordan by Richard M. Donaldson, Esq., enclosing Stipulation [DI#97]. (rwc) (Entered: 11/15/2004)
11/12/2004	97	STIPULATION with proposed order for Additional Submissions Regarding Plaintiff's Motion [91-1] for Attorney Fees & Costs: Deft's Supplemental Brief is due 11/15/04; Pltf's Supplemental Brief is due 11/22/04. (rwc) (Entered: 11/15/2004)
11/15/2004		So Ordered granting [97-1] stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 11/16/2004)
11/15/2004	98	SUPPLEMENTAL BRIEF filed by Vincent Meconi, Marianne Smith, Dept of Health, Develop Disability in further response to [91-1] motion for Attorney Fees (rwc) (Entered: 11/16/2004)
11/22/2004	99	RESPONSE by Kirk Van Alstine et al., in opposition to [98-1] Supplemental Brief, Re: [91-1] motion for Attorney Fees (rwc) (Entered: 11/23/2004)
11/23/2004	100	Letter dated 11/23/04 to Clerk by Daniel G. Atkins, Esq., enclosing the original-signed Affidavit of Judith Gran for replacement in DI#99. (rwc) (Entered: 11/24/2004)
06/13/2005	<u>101</u>	MEMORANDUM ORDER – granting 91 Motion for Attorney Fees . Signed by Judge Kent A. Jordan on 6/13/05. (rwc, ) (Entered: 06/13/2005)
06/13/2005		CASE CLOSED per DI# 101. (rwc, ) (Entered: 06/13/2005)