

CLOSED, NEBRASKA-DEFENDANT, NEBRASKADOCKET, PROTECTIVEORDER,
TRIAL-LINCOLN

**U.S. District Court
District of Nebraska (4 Lincoln)
CIVIL DOCKET FOR CASE #: 4:03-cv-03189-RGK-DLP**

M. et al v. Nebraska Department of Health and Human Services Finance and Support et al
Assigned to: Judge Richard G. Kopf
Referred to: Magistrate Judge David L. Piester
Case in other court: USCA 8th Circuit, 08-02586
Cause: 42:12101 Americans with Disabilities Act
Date Filed: 05/20/2003
Date Terminated: 04/28/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Bill M.

by and through his father and natural guardian, William M., and on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
KINSEY, ROWE LAW FIRM
Firm Name Updated 1/9/2006
P.O. Box 85778
Lincoln, NE 68501-5778
(402) 438-1313
Fax: (402) 438-1654
Email: bkistler@krbkllaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
MASON LAW FIRM - OMAHA
1505 South 108th Street
Omaha, NE 68144
(402) 397-1050
Fax: (402) 397-0517
Email: Bmasonlaw@cox.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
KINSEY, ROWE LAW FIRM
Firm Name Updated 1/9/2006
P.O. Box 85778
Lincoln, NE 68501-5778
(402) 438-1313
Fax: (402) 438-1654
Email: drowe@krbkllaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
NEBRASKA ADVOCACY SERVICES
134 South 13th Street
Suite 600
Lincoln, NE 68508
(402) 474-3183
Fax: (402) 474-3274
Email: dianne@nas-pa.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
NEBRASKA ADVOCACY SERVICES
134 South 13th Street
Suite 600
Lincoln, NE 68508
(402) 474-3183

Fax: (402) 474-3274
Email: shirley@nas-pa.org
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

John Doe

by and through his mother and natural guardian, Jane Doe, and on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Heather V.

by and through her mother and guardian, Marcia V., and on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Jane S.

on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Kevin V.
by and through his mother and legal guardian, Kathy V., and on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Jennifer T.
by and through her parents and legal guardians, Sharon and Greg T., and on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

William M.
on behalf of his son, Bill M.

represented by **Bradford E. Kistler**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

David W. Rowe
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dianne D. DeLair
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

Jane Doe
on behalf of her son, John Doe

represented by **Bradford E. Kistler**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
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David W. Rowe
(See above for address)
*LEAD ATTORNEY
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(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

Marcia V.
on behalf of her daughter, Heather V.

represented by **Bradford E. Kistler**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
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(See above for address)
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(See above for address)
*LEAD ATTORNEY
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Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

Patricia S.
*on behalf of her daughter, Jane S.
TERMINATED: 06/20/2006*

represented by **Bradford E. Kistler**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

David W. Rowe
(See above for address)
*LEAD ATTORNEY
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(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

Kathy V.
on behalf of her son, Kevin V.

represented by **Bradford E. Kistler**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

David W. Rowe
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Sharon T.
on behalf of her daughter, Jennifer T.

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
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Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Greg T.
on behalf of his daughter, Jennifer T.

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
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(See above for address)
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(See above for address)
LEAD ATTORNEY
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Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Leslie H.
*on behalf of themselves and all other
persons similarly situated*

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Catherine M.
*on behalf of themselves and all other
persons similarly situated*

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Stephanie B.
*on behalf of themselves and all other
persons similarly situated*

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Conrad J.
by and through his legal guardian,
C.W.J., and on behalf of themselves and
all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Christopher H.
by and through his legal guardian, Sue
H., on behalf of themselves and all other
persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)

TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Michael R.

by and through his legal guardian Susan R. on behalf of themselves and all other persons similarly situated

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

C.W.J.

on behalf of Conrad J.

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David W. Rowe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dianne D. DeLair
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shirley A. Mora James
(See above for address)
TERMINATED: 07/02/2009
LEAD ATTORNEY

Plaintiff

Sue H.

on behalf of Christopher H.

represented by **Bradford E. Kistler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce G. Mason
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

David W. Rowe
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dianne D. DeLair
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

Plaintiff

Susan R.
on behalf of Michael R.

represented by **Bradford E. Kistler**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce G. Mason
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

David W. Rowe
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dianne D. DeLair
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Shirley A. Mora James
(See above for address)
*TERMINATED: 07/02/2009
LEAD ATTORNEY*

V.

Defendant

**Nebraska Department of Health and
Human Services Finance and Support**

represented by **Douglas D Dexter**
ATTORNEY GENERAL'S OFFICE –
NEBRASKA
2115 State Capitol Building
P.O. Box 98920
Lincoln, NE 68509–8920
(402) 471–3833
Fax: (402) 471–4725
Email: doug.dexter@ago.ne.gov
*TERMINATED: 06/26/2006
LEAD ATTORNEY*

Michael J. Rumbaugh
ATTORNEY GENERAL'S OFFICE –
NEBRASKA
1221 N Street

Suite 500
Lincoln, NE 68508
(402) 471-2989
Fax: (402) 471-4725
Email: mike.rumbaugh@nebraska.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Nebraska Department of Health
& Human Services**

represented by **Douglas D Dexter**
(See above for address)
TERMINATED: 06/26/2006
LEAD ATTORNEY

Michael J. Rumbaugh
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Stephen B. Curtiss
*in his official capacity as the Director of
Nebraska Department of Health & Human
Services Finance and Support*
TERMINATED: 06/20/2006

represented by **Douglas D Dexter**
(See above for address)
TERMINATED: 06/26/2006
LEAD ATTORNEY

Michael J. Rumbaugh
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ron Ross
*in his official capacity as the Director of
Nebraska Department of Health & Human
Services*
TERMINATED: 06/20/2006

represented by **Douglas D Dexter**
(See above for address)
TERMINATED: 06/26/2006
LEAD ATTORNEY

Michael J. Rumbaugh
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard Nelson
*in his official capacity as the Director of
Nebraska Department of Health & Human
Services Finance and Support*

represented by **Douglas D Dexter**
(See above for address)
TERMINATED: 06/26/2006
LEAD ATTORNEY

Michael J. Rumbaugh
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Nancy Montanez
*in her official capacity as the Director of
Nebraska Department of Health & Human
Services*

represented by **Douglas D Dexter**
(See above for address)
TERMINATED: 06/26/2006
LEAD ATTORNEY

Michael J. Rumbaugh
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/20/2003	<u>1</u>	COMPLAINT filed by Attorneys Dianne D. DeLair Canto, Bradford E. Kistler, Bruce G. Mason, Shirley A. Mora James and David W. Rowe on behalf of John Doe, Bill M., Jane S., Jennifer T., Heather V. and Kevin V. against Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support and Ron Ross. No Summons issued, with receipt number 404609, in the amount of \$150. (Attachments: # <u>1</u> E-mail to Clerk)(JAR,) (Entered: 05/20/2003)
05/20/2003	<u>2</u>	CIVIL COVER SHEET (JAR,) (Entered: 05/20/2003)
05/27/2003	<u>3</u>	SUMMONS (Never actually issued) Returned Unexecuted upon defendant Ron Ross on 5/21/2003. (JAR) Modified on 5/30/2003 per JLS to reflect that summons was unexecuted. (RDB) (Entered: 05/28/2003)
05/27/2003	<u>4</u>	SUMMONS (Never actually issued) Returned Unexecuted upon defendant Stephen B. Curtiss on 5/21/2003. (JAR) Modified on 5/30/2003 per JLS to reflect that summons was unexecuted. (RDB) (Entered: 05/28/2003)
05/27/2003	<u>5</u>	SUMMONS (Never actually issued) Returned Unexecuted upon defendant Nebraska Department of Health & Human Services on 5/21/2003; Nebraska Department of Health and Human Services Finance and Support on 5/21/2003. Jon Bruning served. (JAR) Modified on 5/30/2003 per JLS to reflect that summons was unexecuted. (RDB) (Entered: 05/28/2003)
05/30/2003	<u>6</u>	Summons Issued (COPY) as to defendant Stephen B. Curtiss; defendant Ron Ross; and Jon Bruning, Nebraska Attorney General. (RDB) (Entered: 05/30/2003)
06/06/2003	<u>7</u>	MOTION for Extension of Time to File Answer by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 06/06/2003)
06/06/2003	<u>8</u>	ORDER granting Defendants' Motion for Extension of Time to Answer <u>7</u> . Answer Deadline set for 07/09/2003, as to Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health and Human Services, Stephen B. Curtiss, and Ron Ross. Signed by Deputy Clerk on 06/06/2003. (RDB) (Entered: 06/06/2003)
06/09/2003	<u>9</u>	SCHEDULING PACKET Rule 26 Meeting Report Deadline set signed by Magistrate Judge David L. Piester on 6/9/2003. (CCB,) (Entered: 06/09/2003)
06/11/2003	<u>10</u>	SUMMONS Returned Executed upon Defendant Ron Ross on 06/02/2003. (RDB) (Entered: 06/12/2003)
06/11/2003	<u>11</u>	SUMMONS Returned Executed upon Defendant Stephen B. Curtiss on 06/02/2003. (RDB) (Entered: 06/12/2003)
06/11/2003	<u>12</u>	SUMMONS Returned Executed upon Attorney General Jon Bruning on 06/02/2003, regarding Defendant Nebraska Department of Health & Human Services and Nebraska Department of Health and Human Services Finance and Support. (RDB) (Entered: 06/12/2003)
06/19/2003	<u>13</u>	JOINT MOTION AND STIPULATION for Extension of Time regarding Rule 26 Report Deadline, filed by Attorney Shirley A. Mora James and Attorney David W. Rowe on behalf of the Plaintiffs, and by Attorney Douglas D. Dexter on behalf of the Defendants. (RDB) (Entered: 06/20/2003)
06/23/2003	<u>14</u>	ORDER that the parties' Joint Motion for an Extension of Time <u>13</u> is hereby granted in part. The parties' Rule 26 report shall be due 30 days after defendants file an Answer or September 8, 2003, whichever FIRST occurs. Signed by Magistrate Judge David L. Piester on 06/23/2003. (RDB) (Entered: 06/23/2003)
07/09/2003	<u>15</u>	MOTION for Extension of Time to File Answer by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and

		Support, Ron Ross (Dexter, Douglas) (Entered: 07/09/2003)
07/14/2003	<u>16</u>	ORDER granting <u>15</u> Motion for Extension of Time to Answer. Answer Deadline set for 7/18/2003, as to all Defendants. Signed by Magistrate Judge David L. Piester on 7/14/2003. (JAR,) (Entered: 07/14/2003)
07/18/2003	<u>17</u>	MOTION to Dismiss by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 07/18/2003)
07/18/2003	<u>18</u>	BRIEF In Support of Motion to Dismiss <u>17</u> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 07/18/2003)
08/07/2003	<u>19</u>	REPLY BRIEF In Opposition to Motion to Dismiss <u>17</u> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/07/2003)
08/19/2003	<u>20</u>	Unopposed MOTION to Amend <i>Complaint</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/19/2003)
08/19/2003	<u>21</u>	BRIEF In Support Motion to Amend <u>20</u> <i>Plaintiffs' Complaint</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/19/2003)
08/20/2003	<u>22</u>	ORDER granting <u>20</u> Plaintiffs' Motion to Amend Complaint. Amended Complaint due by 9/1/2003. Signed by Magistrate Judge David L. Piester on 8/20/2003. (GJG,) (Entered: 08/20/2003)
08/28/2003	<u>23</u>	AMENDED COMPLAINT against Defendant all defendants, by Attorney Shirley A. Mora James on behalf of Bill M. (Mora James, Shirley) (Entered: 08/28/2003)
08/29/2003	<u>24</u>	MOTION for Extension of Time to File Answer by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 08/29/2003)
09/02/2003	<u>25</u>	ORDER granting <u>24</u> Motion for Extension of Time to Answer. Answer Deadline set for 10/17/2003, as to Defendant State of Nebraska Department of Health and Human Services. Signed by Magistrate Judge David L. Piester on 9/2/2003. (GJG,) (Entered: 09/02/2003)
09/03/2003	<u>26</u>	ORDER NUNC PRO TUNC – regarding Defendant's Motion for Enlargement of Time <u>24</u> is granted as to ALL Defendants. Signed by Magistrate Judge David L. Piester on 9/3/2003. (GJG,) (Entered: 09/03/2003)
09/08/2003	<u>27</u>	Joint MOTION to Extend <i>Time for Fed. R. Civ. P. 26 Report of Parties</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 09/08/2003)
09/08/2003	<u>28</u>	ORDER granting <u>27</u> Joint Motion to Extend time to file their Rule 26 Report. The parties have until November 16, 2003. Signed by Magistrate Judge David L. Piester on 9/8/2003. (GJG,) (Entered: 09/09/2003)
09/08/2003	<u>29</u>	MOTION AND ORDER FOR PROTECTIVE ORDER. Signed by Magistrate Judge David L. Piester on 9/8/2003. (GJG,) (Entered: 09/09/2003)
10/17/2003	<u>30</u>	MOTION to Dismiss <i>Amended Complaint</i> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 10/17/2003)
10/17/2003	<u>31</u>	BRIEF In Support of Motion to Dismiss, <u>30</u> <i>Amended Complaint</i> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 10/17/2003)

10/20/2003	<u>32</u>	MEMORANDUM AND ORDER—denied as moot <u>17</u> Motion to Dismiss. Plaintiffs shall file their brief, if any, opposing the motion to dismiss the amended complaint <u>30</u> no later than November 10, 2003. Signed by Judge Richard G. Kopf on 10/20/2003. (GJG,) (Entered: 10/20/2003)
10/27/2003	<u>33</u>	Mail Returned as Undeliverable addressed to Dianne D. DeLair Canto regarding Order on Motion to Dismiss <u>32</u> . Mail resent to Dianne D. DeLair Canto, Nebraska Advocacy Services, 134 South 13th Street, Suite 600, Lincoln, Nebraska 68508. (GJG,) (Entered: 10/27/2003)
11/10/2003	<u>34</u>	REPLY BRIEF In Opposition to <i>Defendants' Motion to Dismiss</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 11/10/2003)
11/10/2003	<u>35</u>	REPLY BRIEF In Opposition to <i>Defendants' Motion to Dismiss</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 11/10/2003)
11/10/2003	<u>36</u>	REPLY BRIEF In Opposition to <i>Defendants' Motion to Dismiss</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 11/10/2003)
11/17/2003	<u>37</u>	MOTION to File Reply Brief in Support of Motion to Dismiss Amended Complaint by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 11/17/2003)
11/17/2003	<u>38</u>	REPORT of Rule 26(f) Planning Meeting by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 11/17/2003)
11/18/2003	<u>39</u>	MEMORANDUM AND ORDER granting <u>37</u> Motion to submit reply brief. Defendants are granted leave to submit a reply brief on or before 12/01/03. Defendant's <u>30</u> Motion to Dismiss the amended complaint shall be ripe for decision on 12/02/03. Signed by Judge Richard G. Kopf on 11/18/2003. (CS,) (Entered: 11/18/2003)
11/24/2003	<u>40</u>	BRIEF In Support of Motion to Dismiss, <u>30</u> <i>Amended Complaint</i> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 11/24/2003)
12/04/2003	<u>41</u>	ORDER A Rule 26 Planning Conference set for 12/12/2003 10:30 AM before Magistrate Judge David L. Piester. Signed by Magistrate Judge David L. Piester on 12/4/2003. (GJG,) (Entered: 12/04/2003)
12/05/2003	<u>42</u>	<i>Certificate of Service—Plaintiff's Rule 26(a)(1) Initial Disclosures</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 12/05/2003)
12/15/2003	<u>43</u>	MEMORANDUM AND ORDER regarding Report of Rule 26(f) Planning Meeting <u>38</u> filed by Bill M. Planning Conference set for 8/10/2004 09:00 AM before Magistrate Judge David L. Piester. Signed by Magistrate Judge David L. Piester on 12/15/2003. (GJG,) (Entered: 12/15/2003)
12/30/2003	<u>44</u>	<i>Certificate of Service</i> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 12/30/2003)
01/26/2004	<u>45</u>	<i>Certificate of Service</i> by Attorney Douglas D. Dexter on behalf of Defendants Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 01/26/2004)
02/12/2004	<u>46</u>	NOTICE to Take Deposition of Records by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 02/12/2004)

02/17/2004	<u>47</u>	RETURN of service of Subpoena on 2/13/2004 upon Doug Dexter of the Attorney General's Office by Attorney Shirley A. Mora James (GJG,) (Entered: 02/17/2004)
02/24/2004	<u>48</u>	NOTICE to Take Deposition of Ron Ross by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 02/24/2004)
02/26/2004	<u>49</u>	<i>Certificate of Service of Notice to Take Deposition of Roger Stortenbecker</i> by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 02/26/2004)
02/27/2004	<u>50</u>	NOTICE to Take Deposition of Carla Sorensen <i>and inspection of documents</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 02/27/2004)
03/04/2004	<u>51</u>	<i>Certificate of Service</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 03/04/2004)
03/04/2004	<u>52</u>	<i>Certificate of Service of Amended Notice to Take Deposition Duces Tecum of Roger Stortenbecker</i> by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 03/04/2004)
03/12/2004	<u>53</u>	RETURN of service of Subpoena on 3/8/2004 upon Roger Stortenbecker, Developmental Services of NE, Inc., by Attorney David W. Rowe (GJG,) (Entered: 03/15/2004)
03/31/2004	<u>54</u>	RETURN of service of Subpoena on 3/8/2004 upon Roger Stortenbecker by Attorney David W. Rowe (GJG,) (Entered: 03/31/2004)
04/29/2004	<u>55</u>	MOTION to Continue <i>Progression Order Deadlines</i> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Dexter, Douglas) (Entered: 04/29/2004)
05/03/2004	<u>56</u>	ORDER granting <u>55</u> Motion to Continue. This case is stayed in all respects for a period of sixty days from this date. All deadlines, dates for disclosures, all discovery, conferences and the like are continued for sixty days from their original date. The planning conference with counsel is continued to October 4, 2004 at 10:00 a.m. in the chambers of the undersigned. In the event that counsel agree to re-activate this case prior to the expiration of the sixty days, they may jointly so inform the office of the undersigned of that agreement and request a conference with the court for the purpose of considering matters of progression. Signed by Magistrate Judge David L. Piester on 5/3/2004. (GJG,) (Entered: 05/03/2004)
05/05/2004	<u>57</u>	CERTIFICATE of Court Reporter regarding: Deposition of Roger Stortenbecker of April 13, 2004 (BMH) (Entered: 05/05/2004)
07/01/2004	<u>58</u>	MOTION to Certify Class by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 07/01/2004)
07/01/2004	<u>59</u>	BRIEF In Support of <i>Motion to Certify Class</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 07/01/2004)
07/19/2004	<u>61</u>	MOTION Enlargement of Time to Respond to Motion for Certification of Class regarding MOTION to Certify Class <u>58</u> by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Attachments: # <u>1</u> Affidavit)(Dexter, Douglas) (Entered: 07/19/2004)
07/21/2004	<u>62</u>	MEMORANDUM AND ORDER granting <u>61</u> Motion for additional time to respond to the motion for class certification, The deadline for Defendants to respond to the motion for class certification is extended to July 30, 2004. Signed by Judge Richard G. Kopf on 7/21/2004. (GJG,) (Entered: 07/21/2004)
07/30/2004	<u>63</u>	MOTION for Enlargement of Time by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 07/30/2004)

07/30/2004	<u>64</u>	MOTION for Enlargement of Time (<i>supersedes Document 63</i>) by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 07/30/2004)
08/02/2004	<u>65</u>	BRIEF In Opposition to Certification of Class by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 08/02/2004)
08/06/2004	<u>66</u>	MEMORANDUM AND ORDER denying <u>30</u> Motion to Dismiss Signed by Judge Richard G. Kopf on 8/6/2004. (GJG,) (Entered: 08/06/2004)
08/06/2004	<u>67</u>	Unopposed MOTION to Extend <i>time to file reply brief</i> by Attorney Dianne D. DeLair on behalf of Plaintiff Bill M. (Attachments: # <u>1</u>)(DeLair, Dianne) (Entered: 08/06/2004)
08/09/2004	<u>68</u>	ORDER granting <u>67</u> Motion to Extend time to file reply brief to MOTION to Certify Class <u>58</u> . Signed by Magistrate Judge David L. Piester on 8/9/2004. (GJG,) (Entered: 08/09/2004)
08/16/2004	<u>69</u>	Unopposed MOTION to Extend <i>time to file reply brief</i> by Attorney Dianne D. DeLair on behalf of Plaintiff Bill M. (Attachments: # <u>1</u>)(DeLair, Dianne) (Entered: 08/16/2004)
08/17/2004	<u>70</u>	ORDER granting <u>69</u> Motion to Extend time to file reply brief. Plaintiff is granted until 8/27/2004 to file reply. Signed by Magistrate Judge David L. Piester on 8/17/2004. (JAR) (Entered: 08/17/2004)
08/27/2004	<u>71</u>	REPLY BRIEF In support of <i>Class Certification</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/27/2004)
09/07/2004	<u>72</u>	NOTICE OF APPEAL (INTERLOCUTORY) by Attorney Douglas D. Dexter, Stephen B. Curtiss on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross, Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross. by Attorney Douglas D. Dexter, Stephen B. Curtiss on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross, Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) Modified on 9/8/2004 to add the word "interlocutory" (GJG,). (Entered: 09/07/2004)
09/07/2004	<u>73</u>	REQUEST FOR TRANSCRIPT by Attorney Douglas D. Dexter on behalf of Defendants Stephen B. Curtiss, Nebraska Department of Health & Human Services, Nebraska Department of Health and Human Services Finance and Support, Ron Ross (Dexter, Douglas) (Entered: 09/07/2004)
09/07/2004		APPEAL fee paid with receipt number 406099 in the amount of \$ 255 regarding Notice of Appeal to USCA, <u>72</u> . THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. (GJG,) (Entered: 09/08/2004)
09/13/2004	<u>74</u>	2 CERTIFIED COPIES of Notice of Appeal, <u>72</u> , Memorandum and Order <u>66</u> , Request for Transcript <u>73</u> and certified Docket Sheet to Clerk, USCA – 8th Circuit. (GJG,) (Entered: 09/13/2004)
09/17/2004	<u>75</u>	SCHEDULING LETTER (e-mail) from USCA – 8th Circuit as to Notice of Appeal to USCA <u>72</u> ; Appellate Docket Number: 04–3263. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 09/17/2004)
09/28/2004	<u>76</u>	MEMORANDUM AND ORDER–The planning conference that was set for October 4, 2004 is cancelled. Within ten days of any ruling by the Eighth Circuit on defendants' interlocutory appeal, plaintiffs' counsel shall advise the undersigned regarding the need for and any rescheduling of the planning conference. Signed by

		Magistrate Judge David L. Piester on 9/28/2004. (GJG,) (Entered: 09/28/2004)
10/12/2004	<u>77</u>	Joint MOTION to Seal <i>Filing #60 [Index of Evidence]</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 10/12/2004)
10/14/2004	<u>78</u>	ORDER granting <u>77</u> . The joint motion of the parties to seal is granted and Filing #60 shall be shall be sealed. Signed by Magistrate Judge David L. Piester on 10/14/2004. (GJG,) (Entered: 10/14/2004)
05/27/2005	<u>79</u>	E-mail COPY of Opinion of USCA – 8th Circuit(04–3263) regarding Notice of Interlocutory Appeal to USCA, <u>72</u> . The denial of Nebraska's motion to dismiss based on sovereign immunity with respect to Plaintiffs' Title II claim is reversed, and the case is remanded to the district court with direction to dismiss the Title II claim against Nebraska. (Attachments: # <u>1</u> Letter by Clerk)(JAR) (Entered: 05/27/2005)
05/31/2005	<u>80</u>	MAIL COPY of Opinion of USCA – 8th Circuit(04–3263) regarding Notice of Interlocutory Appeal to USCA, <u>72</u> . The denial of Nebraska's motion to dismiss based on sovereign immunity with respect to Plaintiffs' Title II claim is reversed, and the case is remanded to the district court with direction to dismiss the Title II claim against Nebraska. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 05/31/2005)
06/02/2005	<u>81</u>	Letter by Clerk regarding Opinion (Copy) of USCA, <u>80</u> . On May 27, 2005, the opinion of this court was filed. Our cover letter indicated the petition for rehearing was due within 14 days. The due date is in error and the parties will have 45 days from the date of the opinion to file a petition for rehearing, up to and including, July 11, 2005. (GJG,) (Entered: 06/02/2005)
06/06/2005	<u>82</u>	Mail copy of Letter by Clerk regarding Opinion (Copy) of USCA, <u>80</u> . On May 27, 2005, the opinion of this court was filed. Our cover letter indicated the petition for rehearing was due within 14 days. The due date is in error and the parties will have 45 days from the date of the opinion to file a petition for rehearing, up to and including, July 11, 2005. (JAR) (Entered: 06/06/2005)
06/09/2005	<u>83</u>	ORDER–Upon the representations of counsel IT IS ORDERED: A planning conference will be held November 2, 2005 at 9:00 a.m. in the chambers of the undersigned, Room 566 Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Planning Conference set for 11/2/2005 09:00 AM before Magistrate Judge David L. Piester. Signed by Magistrate Judge David L. Piester on 6/9/2005. (GJG,) (Entered: 06/09/2005)
06/16/2005	<u>84</u>	ANSWER to Complaint by Attorney Douglas D. Dexter on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross(Dexter, Douglas) (Entered: 06/16/2005)
06/16/2005	<u>85</u>	Certificate of Service by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 06/16/2005)
06/20/2005	<u>86</u>	REPORT AND RECOMMENDATION regarding the MOTION to Certify Class <u>58</u> . IT THEREFORE HEREBY IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, pursuant to 28 U.S.C. sec. 636(b) that the plaintiffs' motion to certify a class, filing <u>58</u> be denied in all respects. The parties are notified that a failure to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation. Signed by Magistrate Judge David L. Piester on 6/20/2005. (GJG,) (Entered: 06/20/2005)
06/22/2005	<u>87</u>	NOTICE to Take Deposition of Nancy Montanez by Attorney Dianne D. DeLair on behalf of Plaintiff Bill M. (DeLair, Dianne) (Entered: 06/22/2005)
06/28/2005	<u>88</u>	Unopposed MOTION to Extend <i>Time to Object to Magistrate's Report and Recommendation</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 06/28/2005)

07/01/2005	<u>89</u>	ORDER granting <u>88</u> Motion to Extend. Plaintiffs shall have until August 4, 2005 to object to the report and recommendation regarding class certification filing <u>86</u> . Signed by Judge Richard G. Kopf on 7/1/2005. (GJG,) (Entered: 07/01/2005)
07/20/2005	<u>90</u>	Letter from Clerk, USCA 8th Circuit(04-3263) to Attorney Douglas D. Dexter regarding filing of petitions. (JAR) (Entered: 07/20/2005)
07/22/2005	<u>91</u>	NOTICE of Appearance by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross (Rumbaugh, Michael) (Entered: 07/22/2005)
07/22/2005	<u>92</u>	Letter by USCA Clerk (04-3263) requesting counsel to respond to the petitions by 08/01/2005 regarding Interlocutory Notice of Appeal to USCA <u>72</u> (CS,) (Entered: 07/22/2005)
08/01/2005	<u>93</u>	NOTICE to Take Deposition of Nancy Montanez by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/01/2005)
08/01/2005	<u>94</u>	NOTICE to Take Deposition of Chris Peterson by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/01/2005)
08/01/2005	<u>95</u>	NOTICE to Take Deposition of Dick Nelson by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/01/2005)
08/04/2005	<u>96</u>	OBJECTION to Report and Recommendation,, <u>86</u> by Attorney David W. Rowe on behalf of Plaintiff Bill M.(Rowe, David) (Entered: 08/04/2005)
08/04/2005	<u>97</u>	BRIEF In Support of Plaintiff's Statement of Objection to Magistrate Judge's Recommendation to Deny Class Certification by Attorney David W. Rowe on behalf of Plaintiff Bill M.(Rowe, David) (Entered: 08/04/2005)
08/09/2005	<u>98</u>	NOTICE of Service by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross (Rumbaugh, Michael) (Entered: 08/09/2005)
08/12/2005	<u>99</u>	BRIEF In Opposition to Objection to Report and Recommendation <u>96</u> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross(Rumbaugh, Michael) (Entered: 08/12/2005)
08/18/2005	<u>100</u>	E-mail COPY of Order from USCA - 8th Circuit(04-3263): The petitions for rehearing en banc are denied. The petitions for rehearing by the panel are also denied. Judge Murphy, Judge Bye and Judge Melloy would grant the petitions for rehearing en banc. (Attachments: # <u>1</u> Letter by Clerk)(JAR) (Entered: 08/18/2005)
08/22/2005	<u>101</u>	COPY of Order from USCA - 8th Circuit (via U.S. Mail) that the petitions for rehearing en banc are denied; the petitions for rehearing by the panel are also denied; Judge Murphy, Judge Bye and Judge Melloy would grant the petitions for rehearing en banc. (Attachment # <u>1</u> Letter by Clerk, USCA)(BMH) (Entered: 08/22/2005)
08/25/2005	<u>102</u>	Letter (e-mail) by Clerk USCA 8th-Circuit regarding Notice of Appeal to USCA, <u>72</u> . The mandate of this Court is being sent to the clerk of the district court, together with a receipt. The clerk of the district court is requested to sign, date, and return the receipt to this office. Any district court records in this court's possession will be returned shortly (GJG,) (Entered: 08/25/2005)
08/29/2005	<u>103</u>	CERTIFIED copy of Opinion of USCA - 8th Circuit (04-3263) regarding Notice of Appeal to USCA <u>72</u> . (GJG,) (Entered: 08/29/2005)
08/29/2005	<u>104</u>	JUDGMENT from USCA - 8th Circuit (04-3293 reversing the decision of the District Court regarding Interlocutory Notice of Appeal to USCA <u>72</u> . The cause is remanded to the district court for proceedings consistent with the opinion <u>103</u> of this court. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 08/29/2005)

09/02/2005	<u>105</u>	MEMORANDUM AND ORDER regarding: Opinion (Certified Copy) of USCA, 8th Circuit <u>103</u> . For the reasons stated by the Court of Appeals, 408 F.3d at 1098–1100, I will dismiss the first claim for relief of the Amended Complaint (filing <u>23</u>), which asserts a violation of Title II of the ADA. IT IS ORDERED that the first claim for relief of the Amended Complaint (filing <u>23</u>), which asserts a violation of Title II of the ADA, is dismissed with prejudice. Signed by Judge Richard G. Kopf on 9/2/2005. (JAR) (Entered: 09/02/2005)
09/08/2005	<u>106</u>	MEMORANDUM AND ORDER – The Magistrate Judge's Report and Recommendation <u>86</u> is adopted. Plaintiffs' objection to the Magistrate Judge's Report and Recommendation <u>96</u> is denied. Plaintiffs' motion for class certification and appointment of class counsel <u>58</u> is denied. Signed by Judge Richard G. Kopf on 9/8/2005. (GJG,) (Entered: 09/08/2005)
09/22/2005	<u>107</u>	NOTICE of <i>Serving Defendants' Supplemental Responses</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross (Rumbaugh, Michael) (Entered: 09/22/2005)
10/14/2005	<u>108</u>	ORDER SETTING INITIAL PROGRESSION OF A CIVIL CASE – Although a progression order was previously entered in this case, the deadlines set forth in that order were stayed pending the August 29, 2005 ruling of the United States Court of Appeals for the Eighth Circuit on the defendants' interlocutory appeal. A new progression order must now be entered. Rule 26 Meeting Report Deadline set for 10/27/2005. Signed by Magistrate Judge David L. Piester on 10/14/2005. (JAR) (Entered: 10/14/2005)
10/27/2005	<u>109</u>	ORDER granting Joint Oral Motion. The parties' joint oral motion for a continuance is granted. The parties are given until December 23, 2005 to either advise the court that this case is settled or file a Rule 26(f) Report of Parties Planning Conference in accordance with my October 14, 2005 order, filing <u>108</u> . Signed by Magistrate Judge David L. Piester on 10/27/2005. (JAR) (Entered: 10/27/2005)
10/28/2005	<u>110</u>	ORDER granting Oral Motion. The preliminary planning conference that was set for November 2, 2005 is cancelled. Signed by Magistrate Judge David L. Piester on 10/28/2005. (GJG,) (Entered: 10/28/2005)
12/23/2005	<u>111</u>	Joint MOTION to Continue by Attorney Michael J. Rumbaugh on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T., Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross (Rumbaugh, Michael) (Entered: 12/23/2005)
12/23/2005	<u>112</u>	ORDER – The parties' joint motion for continuance, filing <u>111</u> is granted and the Rule 26 report deadline is extended to January 23, 2006. No further extensions of time will be granted. Signed by Magistrate Judge David L. Piester on 12/23/2005. (GJG,) (Entered: 12/23/2005)
01/03/2006	<u>113</u>	LETTER (COPY) from USCA – 8th Circuit that petition for writ of certiorari has been filed – U.S. Supreme Court Number: 05–777. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 01/03/2006)
01/23/2006	<u>114</u>	REPORT of Rule 26(f) Planning Meeting by Attorney David W. Rowe on behalf of Plaintiff Bill M.(Rowe, David) (Entered: 01/23/2006)
01/31/2006	<u>115</u>	AMENDED ORDER SETTING SCHEDULE FOR INITIAL PROGRESSION OF A CIVIL CASE – Telephone Planning Conference set for 5/15/2006 at 09:00 AM before Magistrate Judge David L. Piester. Signed by Magistrate Judge David L. Piester on 1/31/2006. (GJG,) (Entered: 02/01/2006)
02/01/2006	<u>116</u>	ORDER regarding Order Setting Schedule for Initial Progression of a Civil Case <u>115</u> . Paragraph 6 of the amended initial progression order is amended as follows: 6. Adding Parties; Amending Pleadings. Any motion to amend pleadings and/or add parties shall be filed not later than April 23, 2006. Signed by Magistrate Judge David L. Piester on 2/1/2006. (GJG,) (Entered: 02/01/2006)

04/24/2006	<u>117</u>	MOTION for Leave <i>to amend complaint</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 04/24/2006)
04/24/2006	<u>118</u>	BRIEF In Support of Plaintiffs' <i>Motion for Leave to Amend Complaint</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 04/24/2006)
04/24/2006	<u>119</u>	AMENDED COMPLAINT (<i>Proposed</i>)(<i>linked to filing #117</i>) against Defendant all defendants, by Attorney David W. Rowe on behalf of Bill M.(Rowe, David) (Entered: 04/24/2006)
05/04/2006	<u>120</u>	LETTER (COPY) from USCA – 8th Circuit(04–3263) that petition for writ of certiorari has been GRANTED – U.S. Supreme Court Number: 05–777. The judgment is vacated and the case is remanded to the U.S. Court of Appeals for further consideration. (Attachments: # <u>1</u> Letter from Clerk, USCA 8th Circuit)(JAR) (Entered: 05/04/2006)
05/12/2006	<u>121</u>	ORDER– The telephone planning conference that was set for May 15, 2006, is continued until further order pending the decision from the Court of Appeals. Signed by Magistrate Judge David L. Piester on 5/12/2006. (GJG,) (Entered: 05/12/2006)
05/25/2006	<u>122</u>	COPY (e–mail) of Order from USCA – 8th Circuit (04–3263). In consideration of the United States Supreme Court's judgment dated April 17, 2006, the mandate in this matter is hereby recalled and the case is reopened. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 05/25/2006)
05/30/2006	<u>123</u>	COPY (mail) of Order from USCA – 8th Circuit (04–3263). In consideration of the United States Supreme Court's judgment dated April 17, 2006, the mandate in this matter is hereby recalled and the case is reopened. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 05/31/2006)
06/02/2006	<u>124</u>	RESPONSE regarding MOTION for Leave <i>to amend complaint 117 and Add Parties</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross(Rumbaugh, Michael) (Entered: 06/02/2006)
06/14/2006	<u>125</u>	ORDER – Motion for Leave to Amend Complaint and Add Parties, filing <u>117</u> is granted. Plaintiff is given five days to file the amended complaint. Amended Complaint due by 6/21/2006. Signed by Magistrate Judge David L. Piester on 6/14/2006. (GJG,) (Entered: 06/14/2006)
06/16/2006	<u>126</u>	AMENDED COMPLAINT <i>SECOND</i> against Defendant all defendants, by Attorney Shirley A. Mora James on behalf of Bill M.(Mora James, Shirley) (Entered: 06/16/2006)
06/22/2006	<u>127</u>	MOTION to Withdraw as Attorney by Attorney Douglas D Dexter on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross, Richard Nelson, Nancy Montanez(Dexter, Douglas) (Entered: 06/22/2006)
06/26/2006	<u>128</u>	ORDER granting <u>127</u> Motion to Withdraw as Attorney. IT IS ORDERED: The "Withdrawal of Counsel" (interpreted by the court to be a motion to withdraw) filed by Douglas D. Dexter, counsel for the Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross, Richard Nelson, and NancyMontanez, filing <u>127</u> , is granted. Signed by Magistrate Judge David L. Piester on 6/26/2006. (JAR) (Entered: 06/26/2006)
06/30/2006	<u>129</u>	MOTION for Extension of Time to File Answer by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross, Richard Nelson, Nancy Montanez(Rumbaugh, Michael) (Entered: 06/30/2006)

07/03/2006	<u>130</u>	ORDER granting <u>129</u> Motion for Extension of Time to Answer. Nebraska Department of Health and Human Services Finance and Support answer due 8/4/2006; Nebraska Department of Health & Human Services answer due 8/4/2006; Richard Nelson answer due 8/4/2006; Nancy Montanez answer due 8/4/2006. Signed by Magistrate Judge David L. Piester on 7/3/2006. (JAE,) (Entered: 07/03/2006)
07/13/2006	<u>131</u>	COPY (e-mail) of Order from USCA – 8th Circuit (04–3263). The joint motion to voluntarily dismiss this appeal has been considered and is granted. The appeal is hereby dismissed with prejudice, with the parties bearing their own costs, in accordance with the agreement. The Court's mandate shall issue forthwith. (Attachments: # <u>1</u> Cover Letter)(GJG,) (Entered: 07/13/2006)
07/17/2006	<u>132</u>	MANDATE/JUDGMENT from USCA – 8th Circuit (04–3263) Notice of Appeal to USCA <u>72</u> . The joint motion to voluntarily dismiss this appeal has been considered and is granted. The appeal is hereby dismissed with prejudice, with the parties bearing their own costs, in accordance with the agreement. The Court's mandate shall issue forthwith. (Attachments: # <u>1</u> Transmittal Letter)(JAE,) (Entered: 07/17/2006)
07/28/2006	<u>133</u>	MOTION for Extension of Time to File Answer by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Stephen B. Curtiss, Ron Ross, Richard Nelson, Nancy Montanez (Attachments: # <u>1</u> Affidavit Affidavit of Counsel)(Rumbaugh, Michael) (Entered: 07/28/2006)
07/31/2006	<u>134</u>	ORDER – Defendants' motion for time to plead, filing <u>133</u> , is granted and defendants are given to August 18, 2006 to answer or otherwise plead to the Second Amended Complaint. Nebraska Department of Health and Human Services Finance and Support answer due 8/18/2006; Nebraska Department of Health & Human Services answer due 8/18/2006; Richard Nelson answer due 8/18/2006; Nancy Montanez answer due 8/18/2006. Signed by Magistrate Judge David L. Piester on 7/31/2006. (GJG,) (Entered: 08/01/2006)
08/17/2006	<u>135</u>	<i>Defendants'</i> ANSWER to Amended Complaint <i>Second</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Richard Nelson, Nancy Montanez Amended Complaint <u>126</u> filed by Bill M., (Rumbaugh, Michael) (Entered: 08/17/2006)
01/11/2007	<u>136</u>	ORDER – A conference with counsel shall be held, by telephone, at 11:00 a.m. on January 29, 2007 for the purpose of scheduling this matter to trial or other disposition, pursuant to Fed. R. Civ. P. 16. Plaintiffs' counsel shall place the call. Prior to the conference counsel shall confer with respect to discovery plans, motions, and the like, and shall be prepared to propose a progression schedule to the court, keeping in mind that the case is over three years old, and must be resolved promptly. Telephone Conference set for 1/29/2007 11:00 AM in by Telephone before Magistrate Judge David L. Piester. Ordered by Magistrate Judge David L. Piester. (GJG,) (Entered: 01/11/2007)
01/30/2007	<u>137</u>	ORDER SETTING SCHEDULE FOR PROGRESSION OF A CIVIL CASE – Pretrial Conference set for 12/19/2007 at 09:00 AM in Chambers before Magistrate Judge David L. Piester. Non-jury trial is set to commence, at the court's call, during the week of January 22, 2008 for nine trial days, in Lincoln, Nebraska, before the Honorable Richard G. Kopf, United States District Judge. Ordered by Magistrate Judge David L. Piester. (GJG,) (Entered: 01/30/2007)
02/23/2007	<u>138</u>	MOTION to Certify Class by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 02/23/2007)
02/23/2007	<u>139</u>	BRIEF In Support of MOTION to Certify Class <u>138</u> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M.(Mora James, Shirley) (Entered: 02/23/2007)
02/23/2007	<u>140</u>	INDEX In Support of MOTION to Certify Class <u>138</u> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Attachments: # <u>1</u> Exhibit 1 (Filing 126) Second Amended Complaint# <u>2</u> Exhibit 4 Affidavit of Bruce G. Mason# <u>3</u> Exhibit 6 Affidavit of David Rowe)(Mora James, Shirley) (Entered: 02/23/2007)

03/14/2007	<u>141</u>	MOTION to Extend <i>Time to Respond to Plaintiffs'</i> MOTION to Certify Class <u>138</u> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Richard Nelson, Nancy Montanez. (Attachments: # <u>1</u> Affidavit Affidavit of Counsel)(Rumbaugh, Michael) (Entered: 03/14/2007)
03/16/2007	<u>142</u>	ORDER – Defendants' motion for time, filing <u>141</u> , is granted and the deadline for responding to plaintiffs' motion to certify class is extended to April 16, 2007. Ordered by Magistrate Judge David L. Piester.(CS,) (Entered: 03/16/2007)
04/16/2007	<u>143</u>	BRIEF in Opposition to <i>Motion for Class Certification and Appointment of Class Counsel</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Stephen B. Curtiss. (Attachments: # <u>1</u> Exhibit Evidence Index# <u>2</u> Exhibit Exhibit 1)(Rumbaugh, Michael) (Entered: 04/16/2007)
04/16/2007	<u>144</u>	BRIEF In Opposition <i>Amended Brief in Opposition to Motion for Class Certification and Appointment of Class Council</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Richard Nelson, Nancy Montanez. (Attachments: # <u>1</u> Exhibit Evidence Index# <u>2</u> Exhibit Exhibit 1)(Rumbaugh, Michael) (Entered: 04/16/2007)
04/17/2007	145	TEXT NOTICE OF FILING INDEX ATTACHED TO BRIEF regarding Brief, <u>144</u> , and Brief, <u>143</u> by Deputy Clerk. Indexes shall be electronically filed as a separate document using the index event. The index must identify the document to which it relates. This notice is for your information for future filings.(JAR) (Entered: 04/17/2007)
04/30/2007	<u>146</u>	Unopposed MOTION to Extend <i>Time</i> by Attorney David W. Rowe on behalf of Plaintiff William M..(Rowe, David) (Entered: 04/30/2007)
05/02/2007	<u>147</u>	ORDER granting <u>146</u> Motion to Extend deadline. Plaintiffs are given to May 18, 2007 to file their brief in response to defendants' amended brief in opposition to motion for class certification. Ordered by Magistrate Judge David L. Piester.(CAR,) (Entered: 05/02/2007)
05/18/2007	<u>148</u>	STRICKEN PER ORDER 149 BRIEF In Support of <i>Motion for Class Certification and Appointment of Class Counsel</i> by Attorney David W. Rowe on behalf of Plaintiff Bill M.. (Attachments: # <u>1</u> Plaintiffs' reply brief in support of motion for class certification and appointment of class counsel)(Rowe, David) Modified on 5/18/2007 to add stricken text (BMH). (Entered: 05/18/2007)
05/18/2007	149	TEXT STRIKE ORDER ordered by Deputy Clerk that Pursuant to General Order Number 2006–01, the Brief <u>148</u> is stricken for the following reason(s): incorrect PDF (duplicate attachment). The party is directed to re–file the document. (BMH) (Entered: 05/18/2007)
05/18/2007	<u>150</u>	REPLY BRIEF In Support of <i>Motion for Class Certification and Appointment of Class Counsel</i> by Attorney David W. Rowe on behalf of Plaintiff Bill M..(Rowe, David) (Entered: 05/18/2007)
05/23/2007	<u>151</u>	NOTICE of <i>Serving Expert Witness Disclosure</i> by Attorney Michael J. Rumbaugh on behalf of Defendant Nebraska Department of Health and Human Services Finance and Support (Rumbaugh, Michael) (Entered: 05/23/2007)
06/20/2007	<u>152</u>	NOTICE of <i>Serving Expert Witness Disclosure</i> by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 06/20/2007)
06/22/2007	<u>153</u>	REPORT AND RECOMMENDATION – IT THEREFORE HEREBY IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, pursuant to 28 U.S.C. § 636(b) that the plaintiffs' motion to certify a class, filing <u>138</u> , be denied. The parties are notified that a failure to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation. Ordered by Magistrate Judge David L. Piester. (CS,) (Entered: 06/22/2007)

07/17/2007	<u>154</u>	ORDER adopting Magistrate Judge's Report and Recommendation <u>153</u> and denying Plaintiffs' motion for class certification and appointment of class counsel <u>138</u> . Ordered by Judge Richard G. Kopf.(KLL,) (Entered: 07/17/2007)
07/23/2007	<u>155</u>	Mail Returned as Undeliverable addressed to drowe@c13-ss-2-lb.cnet.com regarding Order on Motion to Certify Class, Order on Report and Recommendation <u>154</u> . E-mail address corrected and resent to drowe@krbkllaw.com. (JAB) (Entered: 07/23/2007)
08/01/2007	<u>156</u>	NOTICE of Service of Plaintiffs' Rule 26 Disclosure of Non-expert Witnesses by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/01/2007)
08/09/2007	<u>157</u>	NOTICE to Take Deposition of Rene Ferdinand by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 08/09/2007)
08/09/2007	<u>158</u>	NOTICE to Take Deposition of Don Severance by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 08/09/2007)
08/09/2007	<u>159</u>	NOTICE to Take Deposition of Rene Ferdinand Amended Notice to Take Deposition by Attorney David W. Rowe on behalf of Plaintiff Bill M. (Rowe, David) (Entered: 08/09/2007)
08/16/2007	<u>160</u>	NOTICE to Take Deposition of Willard Bouwens by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 08/16/2007)
09/19/2007	<u>161</u>	NOTICE to Take Deposition of Mary Steiner by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 09/19/2007)
09/19/2007	<u>162</u>	NOTICE to Take Deposition of Pam Hovis by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 09/19/2007)
09/19/2007	<u>163</u>	NOTICE to Take Deposition of Willard Bouwens by Attorney Shirley A. Mora James on behalf of Plaintiff Bill M. (Mora James, Shirley) (Entered: 09/19/2007)
10/18/2007	<u>164</u>	NOTICE of Serving Non-Expert Witness Disclosure by Attorney Michael J. Rumbaugh on behalf of Defendant Nebraska Department of Health and Human Services Finance and Support (Rumbaugh, Michael) (Entered: 10/18/2007)
11/27/2007	<u>165</u>	AMENDED ORDER SETTING FINAL SCHEDULE FOR PROGRESSION OF A CIVIL CASE – Pretrial Conference set for 2/7/2008 at 09:00 AM in Chambers before Magistrate Judge David L. Piester. Non-Jury Trial set to commence during the week of 3/10/2008 in Courtroom 1 (Lincoln) before Judge Richard G. Kopf for 9 days.Ordered by Magistrate Judge David L. Piester. (CS,) (Entered: 11/27/2007)
02/01/2008	<u>166</u>	SETTLEMENT ORDER. It is ordered that: (1) Within thirty (30) calendar days of the date of this order, the parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court (and provide a copy to the magistrate judge and to United States District Judge Richard G. Kopf, the trial judge to whom this case is assigned), together with submitting to the trial judge a draft order which will fully dispose of the case; (2) Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice; (3) This case is removed from the court's March 10, 2008 trial docket upon representation by the parties that the case has settled.***Set Dismissal Papers Deadline: due by 3/3/2008. Termed 2/7/2008 Pretrial Trial Conference date and 3/10/2008 trial date. Ordered by Judge Richard G. Kopf. (KLL,) (Entered: 02/01/2008)
02/28/2008	<u>167</u>	Joint MOTION to Extend Time (for filing Settlement Agreement and other Dispositive Papers) by Attorney David W. Rowe on behalf of Plaintiff Bill M..(Rowe, David) (Entered: 02/28/2008)
02/28/2008	<u>168</u>	INDEX in support of Joint MOTION to Extend Time (for filing Settlement Agreement and other Dispositive Papers) <u>167</u> by Attorney David W. Rowe on behalf of Plaintiff Bill M.. (Attachments: # <u>1</u> Affidavit of Counsel (Defendants'), # <u>2</u> Affidavit of Plaintiff's Counsel)(Rowe, David) (Entered: 02/28/2008)
03/03/2008	<u>169</u>	ORDER granting <u>167</u> parties' joint motion to extend Time (for filing Settlement Agreement and other Dispositive Papers) <u>167</u> to 4/2/08. Ordered by Magistrate

		Judge David L. Piester. (CCB) (Entered: 03/03/2008)
03/04/2008	<u>170</u>	MEMORANDUM AND ORDER regarding Order on Motion to Extend <u>169</u> . No further extensions will be granted, and in the event of noncompliance with the order in filing <u>166</u> , as amended by the order in filing <u>169</u> , this action may be dismissed without further notice. Ordered by Judge Richard G. Kopf. (Copy to Judge Piester)(JAB) (Entered: 03/04/2008)
04/02/2008	<u>171</u>	Joint MOTION for Settlement <i>Approval</i> by Attorney Shirley A. Mora James on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Stephanie B., Michael R., Sue H., Susan R., William M., Jane Doe, Marcia V., Kathy V., Sharon T., John Doe, Greg T.. (Attachments: # <u>1</u> Exhibit Settlement Agreement)(Mora James, Shirley) (Entered: 04/02/2008)
04/09/2008	<u>172</u>	MEMORANDUM AND ORDER regarding Joint MOTION for Settlement <i>Approval</i> <u>171</u> . IT IS ORDERED that: No later than the close of business on April 17, 2008, a lawyer for the plaintiffs shall file in the court file a response regarding the statements described herein. Failure to timely comply with this memorandum and order may result in the imposition of sanctions including, but not limited to, those detailed in Federal Rule of Civil Procedure 37(b)(2). Ordered by Judge Richard G. Kopf. (JAB) (Entered: 04/09/2008)
04/16/2008	<u>173</u>	STRICKEN – RESPONSE of <i>Plaintiffs to Memorandum and Order</i> by Attorney David W. Rowe on behalf of Plaintiff Bill M..(Rowe, David) Modified on 4/17/2008 to add "stricken" text pursuant to Order 176 . (JAB) (Entered: 04/16/2008)
04/16/2008	<u>174</u>	RESPONSE TO THE APRIL 9, 2008 MEMORANDUM AND ORDER by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health & Human Services, Richard Nelson, Nancy Montanez.(Rumbaugh, Michael) (Entered: 04/16/2008)
04/16/2008	<u>175</u>	RESPONSE of <i>Plaintiffs to Memorandum and Order</i> by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Kathy V., Sharon T., John Doe, Greg T..(Rowe, David) (Entered: 04/16/2008)
04/17/2008	176	TEXT STRIKE ORDER that Pursuant to General Order Number 2006–01, the Response <u>173</u> is stricken for the following reason(s): the document is a duplicate of document number <u>175</u> . Ordered by Deputy Clerk. (JAB) (Entered: 04/17/2008)
04/21/2008	<u>177</u>	MEMORANDUM AND ORDER granting <u>171</u> Joint Motion for Settlement. The settlement agreement (attachment 1 to filing <u>171</u>) is approved subject to the terms of the Courts earlier memorandum and order (filing <u>172</u>). The plaintiffs shall file their joint motion to dismiss with prejudice within three working days. As soon as that motion is filed, the Court will enter a judgment pursuant to Federal Rule of Civil Procedure 54(b) dismissing the entirety of this case, except for the issue of attorney fees, with prejudice. At the request of the parties, the Court retains jurisdiction to rule on the anticipated motion of the plaintiffs for attorneys fees. Plaintiffs shall have 21 days from the entry of this order to file such a motion, supporting affidavits and supporting brief. The defendants shall have 21 days thereafter to respond. Plaintiffs shall have 7 days thereafter to file a reply. To the extent that the plaintiffs response (filing <u>175</u>) contains any equivocation or request for additional relief, such equivocation is rejected and any request for additional relief is denied. Failure to comply in a timely manner with this memorandum and order may result in the imposition of sanctions including dismissal of the entirety of this case with prejudice. Ordered by Judge Richard G. Kopf. (LKL) (Entered: 04/21/2008)
04/24/2008	<u>178</u>	Joint MOTION to Dismiss <i>with Prejudice</i> by Attorney Shirley A. Mora James on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Kathy V., Sharon T., John Doe, Greg T..(Mora James, Shirley) (Entered: 04/24/2008)

04/28/2008	<u>179</u>	JUDGMENT– Joint MOTION to Dismiss <i>with Prejudice</i> <u>178</u> is granted and JUDGMENT is entered dismissing the entirety of this case with prejudice except for the issue of attorney fees. The Court retains jurisdiction to resolve the issue of attorney fees and to enter an award of fees if appropriate. Pursuant to Federal Rule of Civil Procedure 54 (b), the court expressly determines that there is no just reason for delay regarding the entry of a judgment on all claims save for the issue of attorney fees. Ordered by Judge Richard G. Kopf. (LKL) (Entered: 04/28/2008)
05/12/2008	<u>180</u>	MOTION for Attorney Fees by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T..(Rowe, David) (Entered: 05/12/2008)
05/12/2008	<u>181</u>	INDEX in support of MOTION for Attorney Fees <u>180</u> by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T.. (Attachments: # <u>1</u> Affidavit of Counsel, David W. Rowe, # <u>2</u> Exhibit Statement of legal services provided)(Rowe, David) (Entered: 05/12/2008)
05/12/2008	<u>182</u>	BRIEF in support of MOTION for Attorney Fees <u>180</u> by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T..(Rowe, David) (Entered: 05/12/2008)
05/23/2008	<u>183</u>	BRIEF in opposition to MOTION for Attorney Fees <u>180</u> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health &Human Services, Richard Nelson, Nancy Montanez.(Rumbaugh, Michael) (Entered: 05/23/2008)
05/27/2008	<u>184</u>	STRICKEN – MOTION for Leave <i>to File Supplemental Brief</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health &Human Services, Richard Nelson, Nancy Montanez. (Attachments: # <u>1</u> Motion for Leave to File Supplemental Brief)(Rumbaugh, Michael) Modified on 5/27/2008 to add "stricken" text pursuant to Order 185 . (JAB) (Entered: 05/27/2008)
05/27/2008	185	TEXT STRIKE ORDER that Pursuant to General Order Number 2006–01, the Motion for Leave, <u>184</u> is stricken for the following reason(s): incorrect PDF document attached. The party is directed to re–file the document. Ordered by Deputy Clerk. (JAB) (Entered: 05/27/2008)
05/27/2008	<u>186</u>	MOTION for Leave <i>to File Supplemental Brief</i> , MOTION to Extend <i>Time to File Supplemental Brief</i> , <u>183</u> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health &Human Services, Richard Nelson, Nancy Montanez.(Rumbaugh, Michael) (Entered: 05/27/2008)
05/28/2008	<u>187</u>	MEMORANDUM AND ORDER regarding motion. The motion in filing <u>186</u> is granted, and the briefing schedule established in the court's April 21, 2008 order (filing <u>177</u>) is modified as set forth in this order; Defendants shall have until June 2, 2008 to submit a supplemental brief; and Plaintiff shall have until June 11, 2008 to file a reply. Ordered by Judge Richard G. Kopf. (LKL) (Entered: 05/28/2008)
05/30/2008	<u>188</u>	BRIEF in opposition to MOTION for Attorney Fees <u>180</u> <i>Defendant's Supplemental</i> by Attorney Michael J. Rumbaugh on behalf of Defendants Nebraska Department of Health and Human Services Finance and Support, Nebraska Department of Health &Human Services, Richard Nelson, Nancy Montanez.(Rumbaugh, Michael) (Entered: 05/30/2008)
06/11/2008	<u>189</u>	REPLY BRIEF in support of MOTION for Attorney Fees <u>180</u> by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T..(Rowe, David) (Entered: 06/11/2008)

06/20/2008	<u>190</u>	ORDER denying <u>180</u> Motion for Attorney Fees. A separate judgment will be issued. Ordered by Judge Richard G. Kopf. (LKL) (Entered: 06/20/2008)
06/20/2008	<u>191</u>	JUDGMENT—Pursuant to the memoranda and orders entered in this case, JUDGMENT is entered for the defendants and against the plaintiffs providing that the plaintiffs shall take nothing on their claim of attorney fees. Ordered by Judge Richard G. Kopf. (LKL) (Entered: 06/20/2008)
07/17/2008	<u>192</u>	NOTICE OF APPEAL regarding Memorandum and Order, <u>172</u> , Judgment, <u>191</u> , Order on Motion for Attorney Fees <u>190</u> by Attorney David W. Rowe on behalf of Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, Greg T.. Filing fee \$ 455, receipt number 0867000000001246329. (Rowe, David) (Entered: 07/17/2008)
07/17/2008	<u>193</u>	REQUEST FOR TRANSCRIPT (Rowe, David) (Entered: 07/17/2008)
07/18/2008	<u>194</u>	NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by Clerk to USCA regarding Notice of Appeal to USCA, <u>192</u> , of Memorandum and Order, <u>172</u> , Order on Motion for Attorney Fees <u>190</u> and Judgment, <u>191</u> . Notice of Appeal filed on 7/17/2008 by Plaintiffs Heather V., Jane S., Kevin V., Bill M., Jennifer T., Leslie H., Catherine M., Stephanie B., Conrad J., Christopher H., Michael R., C.W.J., Sue H., Susan R., William M., Jane Doe, Marcia V., Patricia S., Kathy V., Sharon T., John Doe, and Greg T. NOTIFICATION TO COUNSEL – SUBMIT FORMS A & B TO EIGHTH CIRCUIT CLERKS OFFICE. (JAB) (Entered: 07/18/2008)
07/18/2008	<u>195</u>	SCHEDULING LETTER from USCA – 8th Circuit regarding Notice of Appeal to USCA, <u>192</u> . Case has been docketed under the number 08–2586. (Attachments: # <u>1</u> Transmittal Letter)(JAB) (Entered: 07/18/2008)
07/02/2009	<u>196</u>	COPY of Opinion of USCA – 8th Circuit (08–2586) regarding Notice of Appeal to USCA <u>192</u> . The judgment of the district court is affirmed. (Attachments: # <u>1</u> Transmittal Letter)(JAE) (Entered: 07/02/2009)
07/02/2009	<u>197</u>	COPY of Judgment from USCA – 8th Circuit (08–2586) regarding Notice of Appeal to USCA <u>192</u> . It is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court. (JAE) (Entered: 07/02/2009)
07/06/2009	<u>198</u>	COPY (regular mail) of Opinion of USCA – 8th Circuit (08–2586) regarding Notice of Appeal to USCA, <u>192</u> . The judgment of the District Court is affirmed. (Attachments: # <u>1</u> Cover Letter)(GJG) (Entered: 07/06/2009)
07/06/2009	<u>199</u>	COPY (regular mail) of Order (Judgment) from USCA – 8th Circuit (08–2586) After consideration, it is hereby ordered and adjudged tht the judgment of the district court is affirmed in accordance with the opinion of this Court. (GJG) (Entered: 07/06/2009)
07/27/2009	<u>200</u>	MANDATE/JUDGMENT from USCA – 8th Circuit (08–2586) In accordance with the opinion and judgment of 07/02/2009, filings <u>196</u> and <u>197</u> and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above–styled matter regarding Notice of Appeal to USCA, <u>192</u> . (GJG) (Entered: 07/27/2009)