

**United States District Court
Middle District of Pennsylvania (Harrisburg)
CIVIL DOCKET FOR CASE #: 1:00-cv-01582-WWC**

Pennsylvania Protect, et al v. PA Dept. of Public, et al
Assigned to: Judge William W. Caldwell
Demand: \$0
Cause: 42:1396 – Tort Negligence

Date Filed: 09/06/2000
Date Terminated: 12/27/2005
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**Pennsylvania Protection & Advocacy,
Inc.**

represented by **Carol A. Horowitz**
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V.

Defendant

**Pennsylvania Department of Public
Welfare**

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TERMINATED: 03/14/2001
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Feather O. Houstoun
*in her official capacity as Secretary of
Public Welfare for the Commonwealth of
Pennsylvania .*

represented by **Howard Ulan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Kane
(See above for address)
TERMINATED: 03/14/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael L. Harvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Susan J. Forney

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Blazusiak
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Charles G. Curie
*in his official capacity as Deputy
Secretary for Mental Health and
Substance Abuse Services
TERMINATED: 11/29/2001*

represented by **Howard Ulan**
(See above for address)
TERMINATED: 11/29/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Kane
(See above for address)
TERMINATED: 03/14/2001
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Susan J. Forney
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TERMINATED: 11/29/2001
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Thomas Blazusiak
(See above for address)
TERMINATED: 11/29/2001
LEAD ATTORNEY
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Defendant

Ph.D. S. Reeves Power
*in his official capacity as Superintendent
of South Mountain Restoration Center*

represented by **Howard Ulan**
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LEAD ATTORNEY
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John Kane
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Thomas Blazusiak
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Thomas J. Ridge

*in his official capacity as Governor of the
Commonwealth of Pennsylvania;
TERMINATED: 11/29/2001*

Defendant

Mark S. Schweiker

*in his official capacity as Governor of the
Commonwealth of Pennsylvania*

Defendant

Gerald . Radke

*in his official capacity as Deputy
Secretary for Mental Health and
Substance Abuse Services; and*

represented by **Howard Ulan**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michael L. Harvey
(See above for address)
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Susan J. Forney
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Thomas Blazusiak
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Date Filed	#	Docket Text
09/06/2000	1	COMPLAINT – protection of the disabled. Receipt #: 333 81012 Amt: \$150.00 (rm) (Entered: 09/06/2000)
09/06/2000		SUMMONS ISSUED as to defendant PA Dept. of Public, defendant Feather O. Houstoun, defendant Charles G. Curie, defendant S. Reeves Power (rm) (Entered: 09/06/2000)
09/13/2000	2	LETTER – dtd. 9/13/00 to counsel from court re: case mgmt. & procedure. (am) (Entered: 09/13/2000)
09/28/2000	3	RETURN OF SERVICE executed upon defendants Curie, Houstoun, Dept of Public Welfare 9/12/00 by personal service. (pm) (Entered: 09/29/2000)
09/28/2000	3	RETURN OF SERVICE executed upon defendant S. Reeves Power 9/18/00 by personal service. (pm) (Entered: 09/29/2000)
09/29/2000	4	MOTION by defendants to extend time to respond to the complaint by 45 days or until 11/17/00 ; with cert. of non–conc., exh., c/s and propo. (sc) (Entered: 10/02/2000)
10/04/2000	5	RESPONSE by plaintiff Pennsylvania Protection and Advocacy, Inc., to defts' mtg for enlargement of time in which to respond to complt. C/S. (pm) (Entered: 10/05/2000)
10/05/2000	6	MINUTE SHEET of Telephone Conference held by Judge Caldwell on 10/5/00 from 9:00am until 9:10am. Rmks: To discuss option re: continuance of claim, etc. (sc) (Entered: 10/06/2000)

10/10/2000	7	ORDER by Judge William W. Caldwell Case Management Conference set for 12:00 noon on 11/30/00 (cc: all counsel court, Ctrm. Dep., Ctrptr.) (vg) (Entered: 10/11/2000)
10/23/2000	8	MOTION by defendants to dismiss ; with cert. of non-conc, c/s and propo. (sc) (Entered: 10/24/2000)
10/30/2000	9	ORDER by Judge William W. Caldwell: Upon consideration of Dfts' mtn. for enlargement of time in which to resp. to cmp. and pltf's resp. thereto, it is ORDERED: 1. Dfts' motion to extend time to respond to the cmp. is GRANTED as modified. 2. Dfts. shall resp. to cmp. on or before 11/17/00. 3. Pltf's claims pursuant to Americans with Disabilities Act are stayed pending U.S. Supreme Court's decision in Bd. of Trustees of the University of Alabama v. Garrett, No. 99-1240. 4. An initial CMC pursuant to FRCP 16 and LR 16.1 is sched. for 11/30/00. See order dated 10/10/00. [4-1] 11/17/00 for S. Reeves Power, for Charles G. Curie, for Feather O. Houstoun, for PA Dept. of Public Welfare. See order for further details. (cc: all counsel court, Ctrm. Dep.) (vg) (Entered: 10/31/2000)
11/06/2000	10	PRAECIPE to Withdraw Dfts' Mtn to Dismiss filed by defendants; with c/s. (sc) (Entered: 11/07/2000)
11/17/2000	11	ANSWER by defendants to pltf's complaint and c of s. (jc) (Entered: 11/20/2000)
11/28/2000	12	JOINT CASE MANAGEMENT FORM returned by counsel. (c/s) (am) (Entered: 11/28/2000)
11/30/2000	13	MINUTE SHEET of case mgmt. conf. held by Judge William W. Caldwell on 11/30/00 from 9:00am until 9:15am. Term ddl (sc) (Entered: 12/01/2000)
11/30/2000	14	CASE MANAGEMENT ORDER by Judge William W. Caldwell – IT IS ORDERED THAT: A)Discovery shall be completed by 6/1/01; Jury trial set for 11/1/01. Case placed on STANDARD Case Mgmt. Track. See order for details. (cc: all counsel court) (sc) (Entered: 12/01/2000)
01/10/2001	15	MOTION by plaintiff Pennsylvania Protection and Advocacy, Inc. for leave to file first amd. cmp. ; C/S; Propo. (vg) (Entered: 01/11/2001)
01/10/2001	16	MEMORANDUM by plaintiff Pennsylvania Protection and Advocacy, Inc., IN SUPPORT OF motion for leave to file first amd. cmp. [15-1]; Cert. of Non-Conc. (vg) (Entered: 01/11/2001)
01/10/2001	17	EXHIBITS by pltf. in supp. of pltf's mtn. for leave to file first amd. cmp. (vg) (Entered: 01/11/2001)
01/26/2001	18	UNOPPOSED MOTION by defendants for an enlargement of time to file a brief opposing mtn to amend the complt. ; Certconcurr., C/S, Propo. (pm) (Entered: 01/29/2001)
01/30/2001	19	ORDER by Judge William W. Caldwell, AND NOW, this 30th day of January, 2001, upon consideration of defts' unopposed mtn for enlargement of time to file brief opposing pltf's mtn to amend complt., mtn is granted. Defts may file their brief on or before 2/5/01. [18-1], [15-1] 2/5/01 (cc: all counsel court) (pm) (Entered: 01/31/2001)
02/02/2001	20	BRIEF by defendants IN OPPOSITION to motion for leave to file first amd. cmp. [15-1]; reply brief due 2/15/01. C/S (pm) (Entered: 02/05/2001)
02/12/2001	21	REPLY BRIEF – by plaintiff Pennsylvania Protection & Advocacy, Inc. in support of motion for leave to file first amd. cmp. [15-1] (c/s) (am) (Entered: 02/12/2001)
02/12/2001	22	SUPPLEMENT/ATTACHMENTS – to reply brief filed by plaintiff Pennsylvania Protection & Advocacy, Inc. in support of plf.'s mtn. for leave to file first amended complt. [21-1] (c/s) (am) (Entered: 02/12/2001)
03/07/2001	23	MINUTE SHEET of Telephone Discovery Dispute Conference held by MJ Smyser on 3/7/01 from 2:25pm until 2:47pm. Rmks: After hearing cnsl, MJ advises there should be a 1-team inspection, not a multiple-team inspection. Dft would concur in successive days' inspections. MJ advises pltf cnsl, if successive days' inspections

		seems an inadequate approach after first 1–team inspection, to make a showing then to justify a multiple–team inspection. (sc) (Entered: 03/09/2001)
03/14/2001	24	ENTRY OF ATTORNEY APPEARANCE for all defendants by atty Howard Ulan w/ Dpmt of Public Welfare; with c/s. (sc) (Entered: 03/15/2001)
03/14/2001	25	APPLICATION for Leave to Withdraw Appearance for dfts filed by John A. Kane, Esquire; with c/s. (sc) (Entered: 03/15/2001)
03/20/2001	26	ENTRY OF ATTORNEY APPEARANCE for defendants by atty Thomas Blazusiak; C/S. (vg) (Entered: 03/21/2001)
03/30/2001	29	MOTION by defendants to file amended answer to the complaint NUNC PRO TUNC ; Certconcurr., Propo & Prop amended answer. (pm) (Entered: 04/04/2001)
04/03/2001	27	MEMORANDUM AND ORDER: by Judge William W. Caldwell, AND NOW, this 3rd day of April, 2001, upon consideration of pltf's mtn for leave to file an amended complt. (doc 15) it is ordered that: 1. pltf's mtn is granted. 2. Clerk of ct shall dkt first amended complt., attached as Exh B to pltf's exhibits (doc17) in support of its mtn, and issue summons for Gov Thomas J. Ridge. 3. Pltf is directed to serve summons on Gov Ridge. [15–1] (cc: all counsel court) (pm) (Entered: 04/04/2001)
04/03/2001	28	AMENDED complaint [1–1]; adding Thomas J. Ridge; answer due 4/16/01 for S. Reeves Power, for Charles G. Curie, for Feather O. Houstoun, for PA Dept. of Public. C/S (pm) (Entered: 04/04/2001)
04/03/2001		SUMMONS ISSUED as to defendant Thomas J. Ridge. (pm) (Entered: 04/04/2001)
04/04/2001	30	ORDER by Judge William W. Caldwell, AND NOW, this 4th day of April, 2001, upon consideration of deft's mtn to file amended ans. filed 3/30/01, it is ordered that w/in 20 days of date of this order, defts may file amended ans. to pltf's first amd complt filed on 4/3/01. [29–1] (cc: all counsel court) (pm) (Entered: 04/05/2001)
04/24/2001	31	MOTION by defendants for an enlargement of time to respond to the amended complt. ; C/S, Certconcurr/noncurr., Propo. (pm) (Entered: 04/25/2001)
04/25/2001	32	RETURN OF SERVICE by US Mail executed upon defendant Thomas J. Ridge 4/23/01. (pm) (Entered: 04/26/2001)
04/25/2001	33	CERTIFICATE of CONCURRENCE by defendants. C/S (pm) (Entered: 04/26/2001)
04/26/2001	34	ORDER by Judge William W. Caldwell, AND NOW, this 26th day of April, 2001, upon consideration of defts' mtn for an enlargement of time to respond to amended complt., mtn is GRANTED. Defts shall file ans on or before 5/1/01. [31–1] (cc: all counsel court) (pm) (Entered: 04/27/2001)
05/01/2001	35	ANSWER by defendants to amd cmp; C/S. (vg) (Entered: 05/02/2001)
05/25/2001	36	JOINT MOTION by plaintiff, defendants to amend scheduling order ; Decl. of Robert W. Meek; C/S; Propo. (vg) (Entered: 05/29/2001)
06/01/2001	37	ORDER by Judge William W. Caldwell, upon consideration of parties' joint motion to amend scheduling order [36–1], IT IS ORDERED THAT: a) Discovery shall be completed by 9/4/01 b) All pre–trial mtns due 12/3/01, accompanied by supp. brief. c) Case shall be scheduled for trial upon resolution of any pre–trial mtns that may be filed, or, if none are filed, promptly after 12/3/01. (cc: all counsel court) (vg) (Entered: 06/06/2001)
07/10/2001	38	ORDER by Judge William W. Caldwell, The above case has been placed on November 2001 trial list. Juries will be drawn in Ct Rm 1 beginning at 9:30 am on 11/19/01. Pretrial conference will be held at 11:00am on 11/15/01 (cc:ctrptr, ctrmdeputy, all counsel court) (pm) (Entered: 07/11/2001)
07/17/2001	39	ORDER by Judge William W. Caldwell that case is removed from 11/01 trial list. Trial will be scheduled upon resolution of any pre–trial mtns that may be filed, or,

		if none are filed, promptly after 12/3/01. termed ddls (cc: all counsel court, Ctrm. Dep., Ctrptr.) (vg) (Entered: 07/18/2001)
11/14/2001	40	UNOPPOSED MOTION by defendants to amend the scheduling order with cert of conc, proposed order and c of s. (jc) (Entered: 11/15/2001)
11/16/2001	41	ORDER by Judge William W. Caldwell, upon consideration of dfts' mtn (doc. 40) to amend most recent scheduling order in this case (June 1, 2001), it is Ordered as follows: 1) Dfts' expert reports shall be served by 12/3/01. 2) Supplementations, if any, shall be served by 12/17/01. 3) Pre-trial mtns. shall be filed and briefed on or before 2/4/02. 4) Trial will be scheduled after 2/4/02, or upon disposition of any pre-trial mtns. whichever is later. [40-1] (cc: all counsel court) (vg) (Entered: 11/20/2001)
11/29/2001	42	MOTION by plaintiff Pennsylvania Protection and Advocacy, Inc. for leave to file second amd complt ; C/S; Propo. (vg) (Entered: 11/30/2001)
11/29/2001	43	EXHIBITS by plaintiff Pennsylvania Protection and Advocacy, Inc., in support of pltf's motion for leave to file second amd complt [42-1] (vg) (Entered: 11/30/2001)
11/29/2001	44	ORDER by Judge William W. Caldwell, upon consideration of pltf's unopposed motion for leave to file second amd complt, it is ORDERED as follows: 1. Pltf's mtn is GRANTED. 2. Clerk of Court directed to file Second Amended Compl (Exh. B to Pltf's Mtn). [42-1] (cc: all counsel court) (vg) (Entered: 11/30/2001)
11/29/2001	45	SECOND AMENDED complaint [28-1] terming party Thomas J. Ridge, terming party Charles G. Curie, complaint [1-1]; adding Mark S. Schweiker, adding Gerald Radke; C/S. (vg) (Entered: 11/30/2001)
01/07/2002	46	MOTION by plaintiff Pennsylvania Protect for leave to file Documents under seal ; with cert. of conc., c/s and propo. (sc) (Entered: 01/08/2002)
01/07/2002	47	MOTION by plaintiff Pennsylvania Protection & Advocacy, Inc. to exceed 15 page limitation ; with cert. of conc., c/s and propo. (sc) (Entered: 01/08/2002)
01/07/2002	48	ORDER by Judge William W. Caldwell - Upon consideration of Pltf's mtn for fexcpg in support of its mtn for psumjgm, IT IS ORDERED that the mtn is GRANTED. The Pltf may file a br, not to exc 37 pages, in support of its mtn for psumjgm. [47-1] (cc: all counsel court) (sc) (Entered: 01/08/2002)
01/07/2002	49	ORDER by Judge William W. Caldwell - Upon consideration of Pltf's mtn for lvf docs under seal, IT IS ORDERED that the mtn is GRANTED. The pltf may file its br and exhs in supp of its mtn for psumjgm under seal. [46-1] (cc: cnsl, ct) (sc) (Entered: 01/08/2002)
01/11/2002	50	MOTION by defendants to dismiss the second amended complaint ; Cert. of Non-Conc. (pltf's cnsl unavailable); C/S; Propo. (vg) (Entered: 01/14/2002)
01/14/2002	51	MOTION by plaintiff for partial summary judgment with cert of nonconc, proposed order and c of s. (jc) (Entered: 01/15/2002)
01/14/2002	52	DOCUMENT SEALED (pursuant to Court Order) BRIEF of plaintiff IN SUPPORT of mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/14/2002	53	DOCUMENT SEALED (pursuant to Court Order) STATEMENT OF UNDISPUTED MATERIAL FACTS by plaintiff in support of mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/14/2002	54	DOCUMENT SEALED (pursuant to Court Order) EXHIBITS 1 TO 23 by plaintiff IN SUPPORT of mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/14/2002	55	DOCUMENT SEALED (pursuant to Court Order) EXHIBIT 24 (PART A) by plaintiff IN SUPPORT of pltf's mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/14/2002	56	DOCUMENT SEALED (pursuant to Court Order) EXHIBIT 24 (PART B) by plaintiff IN SUPPORT of pltf's mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)

01/14/2002	57	DOCUMENT SEALED (pursuant to Court Order) EXHIBIT 24 (PART C) by plaintiff IN SUPPORT of pltf's mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/14/2002	58	DOCUMENT SEALED (pursuant to Court Order) EXHIBITS 31 TO 63 by plaintiff IN SUPPORT of pltf's mtn for partial S/J and c of s. [51-1] (jc) (Entered: 01/15/2002)
01/22/2002	59	MINUTE SHEET from tele discovery conf held by Judge Caldwell on 1/22/02. (vg) (Entered: 01/23/2002)
01/22/2002	60	ORDER by Judge William W. Caldwell as follows: 1. Dfts shall file their mtn for s/j on or before 2/11/02. 2. Dfts' brsup of their mtn for s/j, and in opp to pltf's mtn for s/j, shall be filed on or before 3/11/02. 3. Dfts' brsup of their mtn to dismiss shall be filed on or before 2/1/02. Pltf's br opposing said mtn shall be filed on or before 2/25/02. 4. Briefs may be filed that are beyond length permitted by local rules. 5. Sensitive docs may be filed under seal. (cc: all counsel court) (vg) (Entered: 01/23/2002)
02/05/2002	<u>61</u>	BRIEF by defendants IN SUPPORT of motion to dismiss the second amended complaint and c of s. [50-1] (jc) (Entered: 02/06/2002)
02/11/2002	<u>62</u>	MOTION by defendants for summary judgment with cert of nonconc, proposed order and c of s. (jc) (Entered: 02/12/2002)
02/11/2002	<u>63</u>	MOTION by defendants for stay of proceedings or, in the alternative, enlargement of time in which to file defts' statement of undisputed facts, defts' brief in opp. to pltf's mtn for partial S/J and defts' brief in support of defts' mtn for S/J with cert of nonconc, proposed order and c of s. (jc) (Entered: 02/12/2002)
02/15/2002	<u>64</u>	MEMORANDUM by defendants IN SUPPORT OF motion for stay of proceedings or, in the alternative, enlargement of time in which to file defts' statement of undisputed facts, defts' brief in opp. to pltf's mtn for partial S/J and defts' brief in support of defts' mtn for S/J [63-1]; with c/s. (sc) (Entered: 02/19/2002)
02/19/2002	<u>65</u>	BRIEF by plaintiff IN OPPOSITION to motion to dismiss the second amended complaint and c of s; [50-1] reply brief due 3/4/02. (jc) (Entered: 02/20/2002)
02/19/2002	<u>66</u>	EXHIBITS by plaintiff IN SUPPORT of brief in opp. to defts' mtn to dismiss second amended complaint and c of s. [65-1] (jc) (Entered: 02/20/2002)
02/25/2002	<u>67</u>	BRIEF by plaintiff Pennsylvania Protect IN OPPOSITION to motion for stay of proceedings or, in the alternative, enlargement of time in which to file defts' statement of undisputed facts, defts' brief in opp. to pltf's mtn for partial S/J and defts' brief in support of defts' mtn for S/J [63-1] ;reply brief due 3/11/02; C/S (pm) (Entered: 02/26/2002)
02/25/2002	<u>68</u>	EXHIBITS by plaintiff Pennsylvania Protect in support of opposition to defts' application for stay of proceedings or, in the alternative, req for enlargement of time. [67-1]; C/S (pm) (Entered: 02/26/2002)
02/26/2002	<u>69</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 26th day of Feb., 2002, upon consideration of defts.' application [63-1] to stay proceedings, or in the alternative, for an ext. of time, it is ordered that: 1. A stay of proceedings is denied. 2. An enlargement of time is granted. 3. Defts. shall have until 4/11/02, to file their statement of undisputed facts, br. in opp. to plf.'s mtn. for partial SJ, &brief in support of defts.' mtn. for SJ. 4. Plf.'s ddls. for responding to these filings shall be determined upon mtn. of plf. [51-1] [62-1] (brief in opp. to plf.'s mtn. for partial SJ &brief in support of defts.' mtn. for SJ due 4/11/02 (cc: all counsel &court) (am) (Entered: 02/26/2002)
03/07/2002	<u>70</u>	MOTION by defendants for a one day extension of time until 3/8/02 to file their reply brief in support of their mtn to dismiss with cert of conc, proposed order and c of s. (jc) (Entered: 03/08/2002)
03/08/2002	<u>71</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 8th day of March, 2002, upon consideration of defts.' unopposed motion for an enlargement of time to file their reply brief in support of the defts.' mtn. to dismiss, it is hereby ordered that the mtn. is GRANTED. Defts. may file their brief on or before 3/8/02. [70-1]

		(cc: all counsel & court) (am) (Entered: 03/08/2002)
03/08/2002	<u>72</u>	REPLY BRIEF by defendants IN SUPPORT of motion to dismiss the second amended complaint [50-1]; with c/s. (sc) (Entered: 03/12/2002)
03/27/2002	<u>73</u>	MEMORANDUM – of Judge Caldwell: Defts.' motion to dismiss the second amended complaint [50-1] is granted in part & denied in part. 2. The ADA claim against deft. DPW is dismissed. 3. In all other respects, the motion is denied. cc: all counsel & Ct. (am) (Entered: 03/27/2002)
03/27/2002	<u>74</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 27th day of March, 2002, it is ordered that: 1. Defts.' motion [50-1] to dismiss the second amended complaint is granted in part and denied in part. 2. The ADA claim against deft. DPW is dismissed. 3. In all other respects, the motion is denied. (cc: all counsel & court) (am) (Entered: 03/27/2002)
04/10/2002	<u>75</u>	ANSWER by defendants to second amended complaint. (vg) (Entered: 04/11/2002)
04/11/2002	<u>76</u>	CERTIFICATE of Service from Michael Harvey re answer to second amended complaint on 4/10/02. (pm) (Entered: 04/12/2002)
04/11/2002	<u>77</u>	UNOPPOSED MOTION by defendants to extend time for filing brief and statements of material fact in support of their motion for summary judgment ; C/S (pm) (Entered: 04/12/2002)
04/15/2002	<u>78</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 15th day of April, 2002, upon consideration of the unopposed motion for second enlargement of time to file brief and statements of material facts, it is hereby ordered that the motion is GRANTED. Defts. may file their brief & statements of material facts in support of their motion for summary judgment in opposition to plaintiff's motion for partial summary judgment on or before 4/15/02. (brief in support due 4/15/02 (cc: all counsel & court) (am) (Entered: 04/16/2002)
04/15/2002	79	DOCUMENT SEALED (pursuant to Court Order) BRIEF by defendants IN SUPPORT of motion for summary judgment and IN OPPOSITION to plaintiff's motion for partial summary judgment and c of s. [62-1] [51-1] (jc) (Entered: 04/16/2002)
04/15/2002	80	DOCUMENT SEALED (pursuant to Court Order) RESPONSE to plaintiff's statement of undisputed material facts in support of plaintiff's motion for partial summary judgment and c of s. [53-1] (jc) (Entered: 04/16/2002)
04/15/2002	81	DOCUMENT SEALED (pursuant to Court Order) STATEMENT OF UNDISPUTED MATERIAL FACTS in support of depts' motion for summary judgment and IN OPPOSITION to plaintiff's motion for partial summary judgment and c of s. [62-1] (jc) (Entered: 04/16/2002)
04/15/2002	82	DOCUMENT SEALED (pursuant to Court Order) EXHIBITS by defendants to their motion for summary judgment and in opposition to plaintiff's motion for partial summary judgment. BOX I containing exhibits A(1-18), B(1-86). [62-1] (jc) Modified on 04/16/2002 (Entered: 04/16/2002)
04/15/2002	83	DOCUMENT SEALED (pursuant to Court Order) EXHIBITS by defendants to their motion for summary judgment and in opposition to plaintiff's motion for partial summary judgment. BOX II containing exhibits C(1-42), C(43-84), D-E, F-K, & L-R. [62-1] (jc) (Entered: 04/16/2002)
05/06/2002	<u>84</u>	MOTION by plaintiff Pennsylvania Protection and Advocacy, Inc. to strike certain exhibits to depts' Motion for Summary Judgment ; with cert. of non-conc., c/s and propo. (sc) (Entered: 05/07/2002)
05/06/2002	<u>85</u>	BRIEF by plaintiff IN SUPPORT of motion to strike certain exhibits to depts' Motion for Summary Judgment [84-1]; with c/s. (sc) (Entered: 05/07/2002)
05/06/2002	<u>86</u>	EXHIBITS by plaintiff IN SUPPORT of motion to strike certain exhibits to depts' Motion for Summary Judgment [84-1]; with c/s. (sc) (Entered: 05/07/2002)
05/06/2002	87	DOCUMENT SEALED (pursuant to Court Order) – Plaintiff's Brief In Opposition to Depts' Motion for Summary Judgment and Reply Brief in Support of Plaintiff's Motion for Partial Summary Judgment [62-1], [51-1]; with c/s. (sc) (Entered: 05/07/2002)

05/06/2002	88	DOCUMENT SEALED (pursuant to Court Order) – Pltf's Response to Dfts' Undiputed Facts in Support of Dfts' Mtn for SumJgm and In Opposition to Pltf's Mtn for Partial SumJgm [81–1]; with c/s. (sc) (Entered: 05/07/2002)
05/06/2002	89	DOCUMENT SEALED (pursuant to Court Order) – EXHIBITS 1–24 IN SUPPORT of Pltf's Bropp to Dfts' Mtn for Sumjgm and Rplybr in support of Pltf's mtn for psumjgm; with c/s. (sc) (Entered: 05/07/2002)
05/14/2002	<u>90</u>	UNOPPOSED MOTION by defendants for extension of time of four days to file reply br in support of mtn for s/j ; Cert. of Conc.; C/S; Propo. (vg) (Entered: 05/15/2002)
05/15/2002	<u>91</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 15th day of May, 2002, upon consideration of the defts.' unopposed motion for enlargement of time to file reply brief [90–1], it is hereby ordered that the mtn. is GRANTED. Defts. may file their reply brief in support of their motion for summary judgment [62–1] on or before 5/24/02. (cc: all counsel & court) (am) (Entered: 05/16/2002)
05/20/2002	<u>92</u>	UNOPPOSED MOTION by defendants for enlargement of time to file brief opposing plf.'s mtn. to strike exhs. to defts.' mtn. for SJ until 5/31/02 Cert. of conc. (c/s) (am) (Entered: 05/21/2002)
05/20/2002	<u>93</u>	SECOND UNOPPOSED MOTION – by defendants for enlargement of time to file reply brief in support of their mtn. for SJ until 5/31/02. Cert. of conc. (c/s) (am) (Entered: 05/21/2002)
05/21/2002	<u>94</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 21st day of May, 2002, upon consideration of the defts.' unopposed motion for enlargement of time to file brief opposing plf.'s mtn. to strike exhs., it is hereby ordered that the mtn. is GRANTED. [92–1] Defts. may file their brief opposing plf.'s mtn. to strike exhs. on or before 5/31/02. [84–1] (cc: all counsel & court) (am) (Entered: 05/21/2002)
05/21/2002	<u>95</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 21st day of May, 2002, upon consideration of the defts. second unopposed motion for enlargement of time to file reply brief, it is hereby ordered that the mtn. is GRANTED. [93–1] Defts. may file their reply brief in support of their motion for summary judgment [62–1] on or before 5/31/02. (cc: all counsel & court) (am) (Entered: 05/21/2002)
05/31/2002	96	DOCUMENT SEALED (pursuant to Court Order)–Exhibits in support of defts br in opp to pltfs mtn to strike certain exhibits to defts mtn for summary judgment; C/S (pm) (Entered: 06/03/2002)
05/31/2002	97	DOCUMENT SEALED (pursuant to Court Order) Defts br in opp to pltfs mtn to strike certain exhibits to defts mtn for summary judgment; C/S (pm) (Entered: 06/03/2002)
05/31/2002	98	DOCUMENT SEALED (pursuant to Court Order) Defts reply br in support of mtn for summary judgment; C/S (pm) (Entered: 06/03/2002)
05/31/2002	99	DOCUMENT SEALED (pursuant to Court Order) Exhibits in support of defts reply br in support of mtn for summary judgment; C/S (pm) (Entered: 06/03/2002)
06/03/2002	100	DOCUMENT SEALED (pursuant to Court Order) REPLY BRIEF by defendants IN SUPPORT of mtn for S/J and c of s. [62–1] (jc) (Entered: 06/04/2002)
06/10/2002	<u>101</u>	REPLY BRIEF by plaintiff in support of motion to strike certain exhibits to dfts' Mtn for Sumjgm [84–1]; C/S (pm) (Entered: 06/11/2002)
06/10/2002	<u>102</u>	EXHIBIT A by plaintiff in support of mtn to strike certain exh to defts mtn for sumjgm. [101–1]; C/S (pm) (Entered: 06/11/2002)
06/13/2002	<u>103</u>	MOTION by plaintiff for leave to file sur reply br in support of its mtn for partial summary judgment and in opp to defts mtn for summary judgment. ; C/S, Propo and proposed sur reply w/ exh (pm) (Entered: 06/14/2002)
06/27/2002	104	DOCUMENT SEALED (pursuant to Court Order) Dfts' Brief In Opp re motion for leave to file sur reply br in support of its mtn for summary judgment and in opp to defts mtn for summary judgment. [103–1]; C/S. (vg) (Entered: 06/28/2002)

07/22/2002	<u>105</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 22nd day of July, 2002, upon consideration of depts.' brief in opp. to plf.'s mtn. for leave to file sur-reply brief [103-1], it is ORDERED that plf.'s mtn. is denied. (cc: all counsel & court) (am) (Entered: 07/22/2002)
09/25/2002	<u>106</u>	MOTION by pltf to respond to newly-produced evidence relevant to pending summary judgment motions ; with c/s and propo. (rb) (Entered: 09/26/2002)
09/25/2002	<u>107</u>	BRIEF by pltf IN SUPPORT of mtn to respond to newly-produced evidence relevant to pending sum jgmt mtns [106-1]; with c/s. (rb) (Entered: 09/26/2002)
09/25/2002	<u>108</u>	CERTIFICATE of NON-CONCURRENCE by pltf re: motion to respond to newly-produced evidence [106-1]; with c/s. (rb) (Entered: 09/26/2002)
09/25/2002	109	DOCUMENT SEALED (pursuant to Court Order) Exhibits A-H in support of pltf's mtn to respond to newly-produced evidence relevant to pending summary judgment motions [106-1]. (rb) (Entered: 09/26/2002)
10/11/2002	110	DOCUMENT SEALED (pursuant to Court Order) Bropp to mtn to respond to newly-produced evidence relevant to pending summary judgment motions [106-1]; with c/s. (sc) (Entered: 10/15/2002)
10/11/2002	111	DOCUMENT SEALED (pursuant to Court Order) EXHIBITS in sup of bropp to mtn [110-1]; with c/s. (sc) (Entered: 10/15/2002)
01/15/2003	<u>112</u>	MEMORANDUM – by Judge William W. Caldwell: Defts.' mtn. [62-1] for SJ is granted as to the claims of plf., PA Protection & Advocacy, Inc., only &w/out prejudice to the claim of R.Y. for specialized services for mental retardation. 2. The Clerk of Crt. shall enter jgm. in favor of the depts. & against the plf. on all claims in the second amended complt. except as to any claim of R.Y. for specialized services for mental retardation. 3. Plf.'s mtn. [51-1] for SJ is denied. 4. Plf.'s mtn. [84-1] to strike certain exhs. to depts.' mtn. for SJ & plf.'s mtn. [106-1] to respond to newly-produced evidence relevant to pending SJ mtns. are dism'd as moot. 5. The Clerk of Crt. shall close this file. (cc: all counsel, Security & court) (am) (Entered: 01/15/2003)
01/15/2003	<u>113</u>	ORDER – by Judge William W. Caldwell: AND NOW, this 15th day of Jan., 2003, it is ordered that: 1. Defts.' mtn. [62-1] for SJ is granted as to the claims of plf., PA Protection & Advocacy, Inc., only &w/out prejudice to the claim of R.Y. for specialized services for mental retardation. 2. The Clerk of Crt. shall enter jgm. in favor of depts. & against plf. on all claims in the second amended complt. except as to any claim of R.Y. for specialized services for mental retardation. 3. Plf.'s mtn. [51-1] for SJ is denied. 4. Plf.'s mtn. [84-1] to strike certain exhs. to depts.' mtn. for SJ & plf.'s mtn. [106-1] to respond to newly-produced evidence relevant to pending SJ mtns. are dism'd as moot. 5. The Clerk of Crt. shall close this file. (cc: all counsel, Security & court) (am) (Entered: 01/15/2003)
01/15/2003	<u>114</u>	JUDGMENT: Entered by deputy clerk: IT IS ORDERED AND ADJUDGED THAT SJ BE & IS HEREBY ENTERED in favor of the depts. & against the plf. on all claims in the second amended complt. except as to any claim of R.Y. for specialized services for mental retardation. Case terminated (cc: all counsel, Crt. & Security) (am) (Entered: 01/15/2003)
02/13/2003	<u>115</u>	NOTICE OF APPEAL by pltf PA Protection & Advocacy, Inc. from Dist Crt Memorandum & Order & Jgm filed 1/15/03 [112-1] [113-1] [114-2] (Filing fee paid, TPO handed to attorney. Email w/ attachments to USCA. (cc: Not/app w/ info/ack ltr to cnsl, C/R, Ct.) Receipt No. & Amt: 111 138159 (sc) (Entered: 02/14/2003)
02/19/2003	<u>116</u>	ACKNOWLEDGEMENT RECEIVED that the COA has rec'd the Appeal in this case on 2/19/03 at 6:41am. (sc) (Entered: 02/19/2003)
02/21/2003	<u>119</u>	USCA Case Number 03-1461 for <u>115</u> Notice of Appeal, filed by Pennsylvania Protection & Advocacy, Inc.. (sc) (Entered: 03/27/2003)
02/24/2003	<u>117</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 03-1461. Case manager is carolyn_hicks@ca3.uscourts.gov (sc) (Entered: 02/25/2003)

03/10/2003	<u>118</u>	TRANSCRIPT PURCHASE ORDER by cnsl for appellant. COA No. 03-1461. No order for tn (vg,) (Entered: 03/11/2003)
04/15/2005	<u>120</u>	MANDATE of USCA as to <u>115</u> Notice of Appeal, filed by Pennsylvania Protection & Advocacy, Inc., (Attachments: # <u>1</u> # <u>2</u>)(Hicks, Carolyn) (Entered: 04/18/2005)
11/23/2005	<u>122</u>	SCHEDULING ORDER: AND NOW, this 23rd day of Nov., 2005, it is Ordered that unless this case is fully resolved on or before Friday, 12/9/05, a telephonic p.t. conf. will be held on Monday, 12/12/2005, at 10:30 AM. Plf. shall arrange the call to (717) 221-3970. A trial date will be set following said conf. Signed by Judge William W. Caldwell on 11/23/05. (am) (Entered: 11/23/2005)
12/23/2005	<u>124</u>	STIPULATION by Gerald. Radke, Pennsylvania Protection & Advocacy, Inc., Pennsylvania Department of Public Welfare, Feather O. Houstoun, S. Reeves Power, Mark S. Schweiker. (Attachments: # <u>1</u> Proposed Order)(Meek, Robert) (Entered: 12/23/2005)
12/27/2005	<u>125</u>	ORDER – AND NOW, this 27th day of Dec., 2005, it is ORDERED that: 1. This case shall be closed for administrative purposes only as of this dt. 2. The Clerk of Crt. in Hbg., PA shall retain custody of this file until further order. 3. This case may be reactivated upon cause shown, if and when appropriate. Signed by Judge William W. Caldwell on 12/27/05. (am) (Entered: 12/27/2005)
09/05/2008	<u>126</u>	Letter – dtd. 9/5/08 from dep. clerk ASM to counsel of record requesting a status report be submitted on or before 9/22/08. (am) (Entered: 09/05/2008)
09/22/2008	<u>127</u>	STATUS REPORT by Pennsylvania Protection & Advocacy, Inc.. (Meek, Robert) (Entered: 09/22/2008)
10/03/2008	<u>128</u>	STIPULATION of Dismissal by Gerald. Radke, Pennsylvania Protection & Advocacy, Inc., Pennsylvania Department of Public Welfare, Feather O. Houstoun, S. Reeves Power, Mark S. Schweiker. (Harvey, Michael) (Entered: 10/03/2008)
10/03/2008	<u>129</u>	CERTIFICATE of by Gerald. Radke, Pennsylvania Protection & Advocacy, Inc., Pennsylvania Department of Public Welfare, Feather O. Houstoun, S. Reeves Power, Mark S. Schweiker re <u>128</u> Stipulation of Dismissal. (Harvey, Michael) (Entered: 10/03/2008)
05/14/2009	<u>130</u>	Letter from clerk's office sent to counsel re. pickup of sealed documents (ma,) (Entered: 05/14/2009)
05/14/2009	<u>131</u>	Letter from Robert Meek, Esq. in response to the Clerk's letter re. sealed documents. (ma,) (Entered: 05/18/2009)
05/18/2009	<u>132</u>	RECEIPT LETTER signed by Lando on behalf of plt's acknowledging acceptance of Sealed Documents on 5/18/09 (ma,) (Entered: 05/18/2009)
05/26/2009	<u>133</u>	RECEIPT LETTER signed by a representative from Micheal Harvey's office (Elain Beck) acknowledging acceptance of sealed documents. (ma,) (Entered: 05/26/2009)