

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:04-cv-00193-LA**

Gerald Nelson et al v. Milwaukee County
Assigned to: Judge Lynn Adelman
Cause: 28:1441 Petition for Removal- Civil Rights Act

Date Filed: 02/25/2004
Date Terminated: 10/19/2007
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Gerald Nelson
TERMINATED: 10/13/2006

represented by **Martha Jane Perkins**
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Plaintiff

Joan Bzdawka

represented by **Martha Jane Perkins**
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Robert Theine Pledl
(See above for address)
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Sarah J Somers
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Plaintiff

Sandra Ehrlichman

represented by **Martha Jane Perkins**
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Plaintiff

Marilyn Berdikoff

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Plaintiff

Lenore Czarnecki
TERMINATED: 07/07/2006

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Plaintiff

John Gorton
TERMINATED: 10/13/2006

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Plaintiff

Classie Marcilis
TERMINATED: 04/25/2005

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Plaintiff

Constance Ewig
TERMINATED: 04/25/2005

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Plaintiff

Alberto Resendez
TERMINATED: 04/25/2005

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Plaintiff

Bert Siegel
TERMINATED: 04/25/2005

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Plaintiff

Kathleen Johnson
TERMINATED: 04/25/2005

represented by **Robert Theine Pledl**
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V.

Defendant

Milwaukee County

represented by **John F Jorgensen**
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Defendant

Wisconsin Department of Health and Family Services

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TERMINATED: 03/21/2005

Defendant

Helene Nelson
TERMINATED: 02/08/2007

represented by **Mary E Burke**
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ATTORNEY TO BE NOTICED

Maureen McGlynn Flanagan
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Maura F J Whelan
 (See above for address)
TERMINATED: 03/21/2005

Defendant

Kevin Hayden
 Secretary for Dept. of Health & Family
 Services

represented by **Mary E Burke**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/25/2004	<u>1</u>	NOTICE OF REMOVAL by Milwaukee County from Milwaukee County Circuit Court, Case Number: 04cv000862 with attached S/C. Consent Forms Distributed for Magistrate Judge Patricia Gorence. E-File Notification Distributed. (Filing fee \$ 150) (cms,) Modified on 3/15/2004 PDF disk received from filer.(cms,).
03/03/2004	<u>2</u>	Docket Annotation; emailed plaintiff's attorney re: the PDF document requirement. (cms,)
03/09/2004	<u>3</u>	ANSWER to Complaint by Milwaukee County.(cms,) (Entered: 03/15/2004)
03/09/2004	<u>4</u>	REFUSAL of Consent to Jurisdiction by US Magistrate Judge by Milwaukee County (cms,) (Entered: 03/15/2004)
03/15/2004		Case reassigned to Judge Lynn Adelman. Judge Patricia J Gorence no longer assigned to the case due to non-consent. (cms,)

04/01/2004	<u>5</u>	Minute Entry for proceedings held before Judge Lynn Adelman : Telephone Status Conference held on 4/1/2004 Motion hearing scheduled for 4/13/04 at 1:30. (ers,) (Entered: 04/02/2004)
04/01/2004		Set/Reset Deadlines/Hearings: Motion Hearing set for 4/13/2004 01:30 PM before Judge Lynn Adelman. (ers,) (Entered: 04/02/2004)
04/09/2004	<u>6</u>	MOTION to Amend/Correct Complaint by Gerald N. (Attachments: # <u>1</u> Supplement Proposed Complaint)(Pledl, Robert)
04/09/2004	<u>7</u>	MOTION for Preliminary Injunction by Gerald N. (Pledl, Robert)
04/09/2004	<u>8</u>	BRIEF in Support re <u>6</u> MOTION to Amend/Correct Complaint, <u>7</u> MOTION for Preliminary Injunction filed by all plaintiffs. (Pledl, Robert)
04/09/2004	<u>9</u>	AFFIDAVIT of Lincoln Burr (Attachments: # <u>1</u> Exhibit Burr Exhibits A-E)(Pledl, Robert)
04/09/2004	<u>10</u>	AFFIDAVIT of Richard Miller (Attachments: # <u>1</u> Exhibit Miller A-C)(Pledl, Robert)
04/09/2004	<u>11</u>	AFFIDAVIT of Robert Ple dl (Attachments: # <u>1</u> Exhibit Ple dl A)(Pledl, Robert)
04/09/2004	<u>12</u>	AFFIDAVIT of Nancy Steeves (Pledl, Robert)
04/13/2004	<u>13</u>	MOTION in Limine by Milwaukee County. (Poulos, Mary)
04/13/2004	<u>14</u>	AFFIDAVIT of Mary Ellen Poulos (Poulos, Mary)
04/13/2004	<u>15</u>	BRIEF in Opposition re <u>7</u> MOTION for Preliminary Injunction filed by Milwaukee County. (Poulos, Mary)
04/13/2004	<u>17</u>	Minute Entry for proceedings held before Judge Lynn Adelman : Motion Hearing held on 4/13/2004 re <u>13</u> DENYING AS MOOT MOTION in Limine filed by Milwaukee County, <u>6</u> GRANTING MOTION to Amend/Correct Complaint filed by Gerald N, <u>7</u> DENYING AS MOOT MOTION for Preliminary Injunction filed by Gerald N, Motions terminated:. (ers,) (Entered: 04/15/2004)
04/13/2004	<u>18</u>	AMENDED COMPLAINT against Milwaukee County filed by Joan B, Gerald N.(ers,) (Entered: 04/15/2004)
04/14/2004	<u>16</u>	SCHEDULING ORDER: Parties to serve state or state agency no later than 4/27/2004; discovery due 7/13/2004; summary judgment motions filed and served on or before 7/13/2004. See order for further instructions signed by Judge Lynn Adelman on 04/13/04. (cc: all counsel)(Wesolek, Marie)
04/21/2004		Party Sandra Ehrlichman rep by Robert Theine Ple dl, and Marilyn Berdikoff rep by Robert Theine Ple dl added. (ers,)
04/21/2004	<u>19</u>	Docket Annotation to Atty Ple dl regarding a two part motion that needs to be resubmitted (ers,)
04/22/2004	<u>20</u>	TRANSCRIPT of Agreement of the Parties (Motion hearing) held on 4/13/04 at 1:17 p.m. before Judge Adelman Court Reporter: Christine Petrie (ers,)
04/23/2004	<u>21</u>	INCORRECT DOCUMENT ATTACHED. ATTORNEY WILL REFILE IT CORRECTLY. MOTION to Amend/Correct Scheduling Order by all plaintiffs. (Pledl, Robert) Modified on 4/23/2004 (ers,).
04/23/2004	<u>22</u>	MOTION to Amend/Correct Scheduling Order by all plaintiffs. (Pledl, Robert)
04/26/2004		MARGIN ORDER signed by Judge Lynn Adelman on 4/26/04 granting <u>22</u> MOTION to Amend/Correct Scheduling Order filed by Gerald Nelson, Joan Bzdawka, Sandra Ehrlichman, Marilyn Berdikoff. (cc: all counsel) (Adelman, Lynn)
04/30/2004	<u>23</u>	AMENDED DOCUMENT by all plaintiffs. <i>Second Amended Complaint</i> (Pledl, Robert)
04/30/2004		Party Plaintiffs Lenore Czarnecki rep by Robert Theine Ple dl, and John Gorton rep by Robert Theine Ple dl, and Classie Marcilis rep by Robert Theine Ple dl, and

		Constance Ewig rep by Robert Theine Pledl, and Alberto Resendez rep by Robert Theine Pledl, and Defendants Wisconsin Department of Health and Family Services, and Helene Nelson added. (ers,)
04/30/2004		Summons Issued Re: Amended Complaint as to Defendants Helene Nelson, Wisconsin Department of Health and Family Services. (ers,)
05/03/2004	<u>24</u>	Docket Annotation regarding wrong event used (ers,)
05/20/2004	<u>25</u>	7.4 EXPEDITED NON-DISPOSITIVE MOTION for Extension of Time to Answer or otherwise plead to Second Amended Complaint by Helene Nelson, Wisconsin Department of Health and Family Services. (ers,) PDF Disk Received from Filer on 5/25/2004 (ers,).
05/20/2004	<u>26</u>	PDF Document Requirement form sent to Maura FJ Whelan regarding Expedited Non-Dispositive Motion for Extension of Time to Answer filed on 5/20/04. (ers,)
05/24/2004	<u>27</u>	ANSWER to Second Amended Complaint by Milwaukee County.(ers,) PDF Disk Received from Filer on 6/2/2004 (ers,).
05/24/2004	<u>28</u>	PDF Document Requirement form sent to John Jorgensen regarding Milwaukee County's Answer to Plaintiffs Second Amended Complaint filed on 5/24/04. (ers,)
05/25/2004	29	ORDER signed by Judge Lynn Adelman on 05/24/04 granting <u>25</u> Motion for Extension of Time . (cc: all counsel) (Wesolek, Marie)
06/02/2004	<u>30</u>	Docket Annotation sent to Attorney Jorgensen regarding signature on document # 27 (ers,)
06/18/2004	<u>31</u>	ANSWER to Amended Complaint by Helene Nelson, Wisconsin Department of Health and Family Services. (Attachments: # <u>1</u> # <u>2</u>)(Whelan, Maura)
07/13/2004	<u>32</u>	MOTION to Amend/Correct Complaint, MOTION for Extension of Time by all plaintiffs. (Pledl, Robert)
07/16/2004	<u>33</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 07/16/04. Telephone Conference set for 7/22/2004 02:30 PM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
07/22/2004	<u>34</u>	Minute Entry for proceedings held before Judge Lynn Adelman : Telephone Status Conference held on 7/22/2004. New Scheduling Order established. See Order for dates. (ers,) (Entered: 07/23/2004)
07/23/2004	<u>35</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 07/22/04. Plaintiffs Expert Witness List due by 9/20/2004. Defendants Expert Witness List due by 10/29/2004. Motions due by 1/14/2005. Plaintiffs third amended complaint due by 08/19/04. Defendants answer to third amended complaint due by 09/10/04. (cc: all counsel)(Wesolek, Marie) Additional attachment(s) added on 7/23/2004 (bet,).
07/23/2004	<u>36</u>	Docket Annotation -- attached Scheduling Order replaces the document e-filed with docket entry 35 (bet,)
08/19/2004	<u>37</u>	AMENDED COMPLAINT <i>Third - add Pltffs Siegel and Johnson</i> against all defendants filed by Marilyn Berdikoff, Joan Bzdawka, Lenore Czarnecki, Sandra Ehrlichman, Constance Ewig, John Gorton, Classie Marcilis.(Pledl, Robert)
09/10/2004	<u>38</u>	<i>Defendant's</i> ANSWER to Amended Complaint (<i>Third Amended</i>) by Milwaukee County.(Poulos, Mary)
09/17/2004	<u>39</u>	<i>To Plaintiffs' Third Amended Complaint</i> ANSWER to Amended Complaint by Helene Nelson, Wisconsin Department of Health and Family Services.(Flanagan, Maureen)
09/17/2004	<u>40</u>	SEE DOCUMENT # 42 CERTIFICATE OF SERVICE by Helene Nelson, Wisconsin Department of Health and Family Services (Flanagan, Maureen) Modified on 9/17/2004 (ers,).
09/17/2004	<u>41</u>	LETTER from Maureen Flanagan (Flanagan, Maureen)

09/17/2004	<u>42</u>	CERTIFICATE OF SERVICE by Helene Nelson, Wisconsin Department of Health and Family Services (Flanagan, Maureen)
12/29/2004	<u>43</u>	Letter REQUEST by plntfs' atty to vacate the current scheduling order and hold another scheduling conference (djd)
01/03/2005	<u>44</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 01/03/05. Telephone Conference set for 1/28/2005 04:00 PM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
01/28/2005	<u>45</u>	Minute Entry for status conference held before Judge Lynn Adelman on 1/28/2005. Plntf to answer state's discovery request by 2/28/05; Plntf to file motion for class certification by 3/30/05; Parties to complete the issue identification process by 3/30/05. (djd) (Entered: 01/31/2005)
01/31/2005	<u>46</u>	AMENDED SCHEDULING ORDER: plaintiffs answer to defendants' discovery requests due 2/28/05; plaintiffs' motion for class certification due 3/30/05 – defendants' response due by 5/31/05; parties stiplation as to issues in dispute due 3/30/05 signed by Judge Lynn Adelman on 1/28/05. (cc: all counsel)(Wesolek, Marie)
03/21/2005	<u>47</u>	LETTER from AAG Mary E. Burke (Burke, Mary)
03/21/2005	<u>48</u>	CERTIFICATE OF SERVICE by Wisconsin Department of Health and Family Services, Helene Nelson (Burke, Mary)
03/21/2005	<u>49</u>	NOTICE by Wisconsin Department of Health and Family Services, Helene Nelson <i>Of Substitution of Counsel</i> (Burke, Mary)
03/30/2005	<u>50</u>	STIPULATION <i>Regarding Issues in Dispute</i> by all plaintiffs (Pledl, Robert)
03/30/2005	<u>51</u>	MOTION to Amend/Correct Complaint by all plaintiffs. (Attachments: # <u>1</u> Proposed 4th Amended Complaint)(Pledl, Robert)
03/30/2005	<u>52</u>	BRIEF in Support re <u>51</u> MOTION to Amend/Correct Complaint filed by all plaintiffs. (Pledl, Robert)
03/30/2005	<u>53</u>	AFFIDAVIT of Robert Theine Ple dl (Attachments: # <u>1</u> A–SRCA 3–16–5 Memo# <u>2</u> B–CV)(Pledl, Robert)
03/30/2005	<u>54</u>	MOTION to Certify Class by all plaintiffs. (Pledl, Robert)
03/30/2005	<u>55</u>	BRIEF in Support re <u>54</u> MOTION to Certify Class filed by all plaintiffs. (Pledl, Robert)
03/30/2005	<u>56</u>	AFFIDAVIT of Lincoln Burr (Pledl, Robert)
04/19/2005	<u>57</u>	LETTER from AAG Maureen McGlynn Flanagan (Attachments: # <u>1</u>)(Flanagan, Maureen)
04/19/2005	<u>58</u>	MOTION for Order <i>Regarding Motion for Permission to File Fourth Amended Complaint and Modified Scheduling Order</i> by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
04/19/2005	<u>59</u>	LETTER from AAG Maureen McGlynn Flanagan (Flanagan, Maureen)
04/25/2005	<u>60</u>	SCHEDULING ORDER: see order for details signed by Judge Lynn Adelman on 4/21/05. (cc: all counsel)(Wesolek, Marie)
05/11/2005	<u>61</u>	LETTER from Maureen M Flanagan (Flanagan, Maureen)
05/11/2005	<u>62</u>	CERTIFICATE OF SERVICE by Wisconsin Department of Health and Family Services, Helene Nelson (Flanagan, Maureen)
05/11/2005	<u>63</u>	RESPONSE <i>Answer of Defendants Wisconsin Department of Health and Family Services and Helene Nelson to Plaintiffs' Fourth Amended Complaint</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
05/17/2005	<u>64</u>	<i>Milwaukee County</i> ANSWER to Complaint by Milwaukee County. (Attachments: # <u>1</u>)(Poulos, Mary)

05/24/2005	<u>65</u>	MOTION to Modify <i>Scheduling Order</i> by Milwaukee County, Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Burke, Mary)
06/10/2005	<u>66</u>	MOTION to Amend/Correct Stipulated Motion Regarding Modified Scheduling Order by all parties. (Attachments: # <u>1</u> Text of Proposed Order Third Amended Scheduling Order# <u>2</u> Cover Letter# <u>3</u> Certificate of Service)(Burke, Mary)
06/13/2005	<u>67</u>	STIPULATION & THIRD AMENDED SCHEDULING ORDER signed by Judge Lynn Adelman on 6/13/05. Motions to dismiss due 6/15/05; Responses due 7/15/05; Replies due 7/29/05; Plntfs' motion to certify class due 10 days after Court's Order on Motions to Dismiss; Responses to class motion due 45 days after plntfs' motion to certify class; Replies on class motion due 15 days after responses to motion for class certification. (cc: all counsel)(djd) (Entered: 06/14/2005)
06/14/2005		NOTICE by the Court reminding parties to provide paper copies of all documents electronically filed to chambers pursuant to Judge Adelman's standing order. (Wesolek, Marie)
06/15/2005	<u>68</u>	MOTION for Judgment on the Pleadings by Milwaukee County. (Poulos, Mary) PDF disk rec'd from filer 6/16/05. (djd)
06/15/2005	<u>69</u>	BRIEF in Support re <u>68</u> MOTION for Judgment on the Pleadings filed by Milwaukee County. (Poulos, Mary)
06/15/2005	<u>70</u>	MOTION to Dismiss <i>Fourth Amended Complaint</i> by Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>)(Flanagan, Maureen)
06/15/2005	<u>71</u>	BRIEF in Support re <u>70</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u>)(Flanagan, Maureen)
06/16/2005	<u>72</u>	Docket Annotation – Email sent to Atty Poulos re #68 and #69 (djd)
06/16/2005	<u>73</u>	Docket Annotation – Email sent to Atty Flanagan re #70 and #71 (djd)
07/08/2005	<u>74</u>	ORDER signed by Judge Lynn Adelman on 7/8/05 granting <u>66</u> Motion to Amend/Correct . (cc: all counsel) (Wesolek, Marie)
07/14/2005	<u>75</u>	STIPULATION to <i>Extend Briefing Schedule</i> by all plaintiffs (Pledl, Robert)
07/22/2005	<u>76</u>	<i>Second</i> AFFIDAVIT of Lincoln Burr (Pledl, Robert)
07/22/2005	<u>77</u>	BRIEF in Opposition re <u>70</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> , <u>68</u> MOTION for Judgment on the Pleadings filed by all plaintiffs. (Pledl, Robert)
07/22/2005	78	AFFIDAVIT of Gerald Kallas (with attachments A–J). FILED IN PAPER FORMAT – ORIGINAL IN COURT FILE. (rpz,) (Entered: 07/25/2005)
07/22/2005	79	AFFIDAVIT of Thomas Cook (with attachments A–I). FILED IN PAPER FORMAT – ORIGINAL IN COURT FILE. (rpz,) (Entered: 07/25/2005)
08/05/2005	<u>80</u>	REPLY BRIEF in Support re <u>68</u> MOTION for Judgment on the Pleadings filed by Milwaukee County. (Poulos, Mary)
08/05/2005	<u>81</u>	REPLY BRIEF in Support re <u>70</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u> Civil Cover Sheet Cover Letter# <u>2</u> Civil Cover Sheet Cert of Service)(Flanagan, Maureen)
09/09/2005	<u>82</u>	7.4 MOTION to Supplement <i>Brief in Opposition to Pending Defense Motions</i> by all plaintiffs. (Pledl, Robert)
09/09/2005	<u>83</u>	<i>Third</i> AFFIDAVIT of Robert Theine Ple dl (Pledl, Robert)
09/09/2005	<u>84</u>	BRIEF in Opposition re <u>70</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> , <u>68</u> MOTION for Judgment on the Pleadings – <i>Supplemental</i> filed by all plaintiffs. (Pledl, Robert)

09/16/2005	<u>85</u>	RESPONSE to Motion re <u>82</u> 7.4 MOTION to Supplement <i>Brief in Opposition to Pending Defense Motions</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u> Cover Letter# <u>2</u> Certificate of Service)(Burke, Mary)
02/07/2006	<u>86</u>	ORDER signed by Judge Lynn Adelman on 2/7/06 granting in part and denying in part <u>68</u> Motion for Judgment on the Pleadings, granting in part and denying in part <u>70</u> Motion to Dismiss. (cc: all counsel) (Wesolek, Marie)
02/09/2006	<u>87</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 2/9/06. Telephone Scheduling Conference set for 3/23/2006 10:30 AM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
02/15/2006	<u>88</u>	STIPULATION <i>for Extension of Class Motion Deadline</i> by all plaintiffs (Pledl, Robert)
02/16/2006	<u>89</u>	ORDER cancelling scheduling conference set for 3/23/06 signed by Judge Lynn Adelman on 2/16/06. (cc: all counsel)(Wesolek, Marie)
02/17/2006	<u>90</u>	ORDER: plaintiffs' deadline for filing motion to certify class with briefs extended to 3/1/06; defendants' deadline for response is 4/17/06; plaintiffs' deadline for reply brief is 5/1/06 signed by Judge Lynn Adelman on 2/17/06. (cc: all counsel)(Wesolek, Marie)
02/23/2006	<u>91</u>	LETTER from Maureen McGlynn Flanagan (Flanagan, Maureen)
02/23/2006	<u>92</u>	CERTIFICATE OF SERVICE by Wisconsin Department of Health and Family Services (Flanagan, Maureen)
02/23/2006	<u>93</u>	MOTION for Order <i>State Defendants' Motion for Certification of Interlocutory Order Pursuant to 28 U.S.C. sec. 1292(b)</i> by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
02/23/2006	<u>94</u>	BRIEF in Support re <u>93</u> MOTION for Order <i>State Defendants' Motion for Certification of Interlocutory Order Pursuant to 28 U.S.C. sec. 1292(b)</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
02/23/2006	<u>95</u>	MOTION to Stay <i>Pending Appeal</i> by Wisconsin Department of Health and Family Services, Helene Nelson. (Attachments: # <u>1</u>)(Flanagan, Maureen)
03/01/2006	<u>96</u>	STIPULATION <i>regarding partial dismissal</i> by all plaintiffs (Pledl, Robert)
03/01/2006	<u>97</u>	NOTICE of Appearance by Robert Theine Pledl on behalf of all plaintiffs. Attorney(s) appearing: Sarah Somers & Jane Perkins (Pledl, Robert)
03/01/2006	<u>98</u>	DECLARATION of Atty. Sarah Somers (Pledl, Robert)
03/01/2006	<u>99</u>	DECLARATION of Atty. Jane Perkins (Pledl, Robert)
03/01/2006	<u>100</u>	STIPULATION <i>of facts in connection with motion for class certification</i> by all plaintiffs (Pledl, Robert)
03/01/2006	<u>101</u>	Second MOTION to Certify Class by all plaintiffs. (Pledl, Robert)
03/01/2006	<u>102</u>	BRIEF in Support re <u>101</u> Second MOTION to Certify Class filed by all plaintiffs. (Pledl, Robert)
03/16/2006	<u>103</u>	BRIEF in Opposition re <u>93</u> MOTION for Order <i>State Defendants' Motion for Certification of Interlocutory Order Pursuant to 28 U.S.C. sec. 1292(b)</i> , <u>95</u> MOTION to Stay <i>Pending Appeal</i> filed by all plaintiffs. (Pledl, Robert)
03/30/2006	<u>104</u>	LETTER from AAG Mary E. Burke (Attachments: # <u>1</u> Certificate of Service)(Burke, Mary)
03/30/2006	<u>105</u>	REPLY BRIEF in Support re <u>93</u> MOTION for Order <i>State Defendants' Motion for Certification of Interlocutory Order Pursuant to 28 U.S.C. sec. 1292(b)</i> filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Burke, Mary)

04/06/2006	<u>106</u>	ORDER signed by Judge Lynn Adelman on 4/5/06 denying <u>93</u> Motion for Order, denying <u>95</u> Motion to Stay . (cc: all counsel) (Wesolek, Marie) Order with corrected date added on 4/6/2006 and e-mailed to counsel (bet)
04/11/2006	<u>107</u>	LETTER from DHFS and Helene Nelson (Attachments: # <u>1</u>)(Burke, Mary)
04/11/2006	<u>108</u>	STIPULATION <i>Motion Regarding Amended Order Extending Class Motion Deadlines</i> by Wisconsin Department of Health and Family Services, Helene Nelson (Attachments: # <u>1</u>)(Burke, Mary)
04/12/2006	<u>109</u>	ORDER extending class motion deadlines. Defendants' responses due 5/22/06; plaintiffs' reply due 6/12/06 signed by Judge Lynn Adelman on 4/12/06. (cc: all counsel)(Wesolek, Marie)
05/22/2006	<u>110</u>	STIPULATION <i>Amended Stipulation for Extension of Class Motion Deadlines</i> by Wisconsin Department of Health and Family Services, Helene Nelson (Flanagan, Maureen)
05/22/2006	<u>111</u>	PROPOSED Second Amended Order Extending Class Motion Deadlines filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
05/22/2006	<u>112</u>	CERTIFICATE OF SERVICE by Wisconsin Department of Health and Family Services, Helene Nelson (Attachments: # <u>1</u>)(Flanagan, Maureen)
05/24/2006	<u>113</u>	ORDER extending deadline to 5/25/06 for defendants' responses to class motion; to 6/16/06 for plaintiffs' reply brief on class motion signed by Judge Lynn Adelman on 5/24/06. (cc: all counsel)(Wesolek, Marie)
05/26/2006	<u>114</u>	BRIEF in Opposition re <u>101</u> Second MOTION to Certify Class filed by Wisconsin Department of Health and Family Services, Helene Nelson. (Flanagan, Maureen)
05/26/2006	<u>115</u>	AFFIDAVIT of James Hennen (Flanagan, Maureen)
05/26/2006	<u>116</u>	AFFIDAVIT of Maureen McGlynn Flanagan (Flanagan, Maureen)
05/26/2006	<u>117</u>	AFFIDAVIT of Charles Jones (Flanagan, Maureen)
05/26/2006	<u>118</u>	CERTIFICATE OF SERVICE by Wisconsin Department of Health and Family Services, Helene Nelson (Attachments: # <u>1</u>)(Flanagan, Maureen)
06/16/2006	<u>119</u>	REPLY BRIEF in Support re <u>101</u> Second MOTION to Certify Class filed by all plaintiffs. (Pledl, Robert)
06/16/2006	<u>120</u>	AFFIDAVIT of Jon Neal, CPA (Pledl, Robert)
06/16/2006	<u>121</u>	AFFIDAVIT of Andrew Holman, CPA (Pledl, Robert)
06/16/2006	<u>122</u>	AFFIDAVIT of Thomas A. Nowak, MSW (Pledl, Robert)
07/07/2006	<u>123</u>	STIPULATION <i>regarding dismissal of Lenore Czarnecki</i> by Lenore Czarnecki (Pledl, Robert)
07/07/2006	<u>124</u>	ORDER signed by Judge Lynn Adelman on 7/7/06 dismissing all claims by and on behalf of Lenore Czarnecki and Carolyn Cetnarowski with prejudice and without costs or attorneys fees to any party. (cc: all counsel) (Adelman, Lynn) (Entered: 07/11/2006)
10/13/2006	<u>125</u>	DECISION AND ORDER signed by Judge Lynn Adelman on 10/13/06 granting <u>101</u> plaintiff's motion for class certification. (cc: all counsel) (Adelman, Lynn)
10/19/2006	<u>126</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 10/18/06. Telephone Scheduling Conference set for 11/30/2006 10:30 AM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
11/21/2006	<u>127</u>	<i>Proposed Discovery Plan and Preconference Report</i> REPORT of Rule 26(f) Plan by all parties. (Attachments: # <u>1</u> Protective Order Regarding Disclosure and Use of Health Records and Other Individually Identifiable Health Information)(Flanagan, Maureen)

11/21/2006	<u>128</u>	LETTER from Maureen McGlynn Flanagan <i>filing Proposed Discovery Plan and Preconference Report</i> . (Attachments: # <u>1</u> Certificate of Service by Electronic Filing)(Flanagan, Maureen)
11/29/2006	<u>129</u>	Docket Annotation – Email sent to Atty Flanagan re Certificate of Service <u>128</u> (djd)
11/30/2006	<u>130</u>	PROTECTIVE ORDER signed by Judge Lynn Adelman on 11/30/06. (cc: all counsel)(Wesolek, Marie)
11/30/2006	<u>131</u>	Minute Entry for telephonic scheduling conference held 11/30/06 before Judge Lynn Adelman: State to submit proposed scheduling order; Case referred to Magistrate Judge Patricia J Gorence for settlement conference. (djd) (Entered: 12/01/2006)
12/01/2006	<u>132</u>	PROPOSED Rule 16(b) Scheduling Order filed by all parties. (Attachments: # <u>1</u> Cover Letter to proposed Rule 16(b) Scheduling Order)(Burke, Mary)
12/01/2006	<u>133</u>	CERTIFICATE OF SERVICE by all parties <i>proposed Rule 16(b) Scheduling Order</i> (Burke, Mary)
12/04/2006	<u>134</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 12/4/06. Discovery due by 1/4/2007, Plaintiffs Expert Witness List due by 4/16/2007, Defendants Expert Witness List due by 7/16/2007, summary judgment motions due by 11/1/2007. See order for more dates. (cc: all counsel)(Wesolek, Marie)
12/04/2006	<u>135</u>	ORDER REFERRING CASE to Magistrate Judge Patricia J Gorence to conduct mediation signed by Judge Lynn Adelman on 12/4/06. (cc: all counsel)(Wesolek, Marie)
12/05/2006	<u>136</u>	ORDER signed by Judge Patricia J Gorence on 12/5/06. Mediation Hearing set for 1/5/2007 09:15 AM before Magistrate Judge Patricia J Gorence. (cc: all counsel)(cms) (Entered: 12/06/2006)
12/15/2006	<u>137</u>	LETTER from Robert Pledl <i>regarding Mediation Schedule</i> . (Pledl, Robert)
12/18/2006	<u>138</u>	NOTICE of Hearing: (cc: all counsel) Telephone Status Conference set for 12/19/2006 03:00 PM before Magistrate Judge Patricia J Gorence. (cms)
12/19/2006	<u>139</u>	Minute Entry for proceedings held before Judge Patricia J Gorence : Telephone Conference held on 12/19/2006 Mediation Hearing reset for 2/26/2007 10:00 AM before Magistrate Judge Patricia J Gorence. Court discusses the case and preparation for mediation however another telephone conference was set for 12/20/06 to discuss matters further.(Tape #3:09:24 – 3:34:23) (cms) (Entered: 12/20/2006)
12/21/2006	<u>140</u>	Minute Entry for proceedings held before Judge Patricia J Gorence : Telephone Conference held on 12/21/2006; court discusses the mediation. Plaintiff shall provide the names of possible participants in the mediation to the defendants' by 1/3/07. The defendants shall provide a response by 1/10/07. (Tape #2:36:20 – 2:57:01) (cms) Modified on 12/21/2006 to attach correct minute entry (cms).
12/21/2006	<u>141</u>	ORDER signed by Judge Patricia J Gorence on 12/21/06. Mediation Hearing set for 2/26/2007 10:00 AM before Magistrate Judge Patricia J Gorence. (cc: all counsel)(cms)
01/04/2007	<u>142</u>	LETTER from Atty Pledl re correcting ECF (ECF corrected – Plntfs John Gorton and Gerald Nelson termed) (djd)
02/02/2007	<u>143</u>	MOTION to Substitute Party <i>Motion to Substitute Named Defendant</i> by Helene Nelson. (Burke, Mary)
02/02/2007	<u>144</u>	PROPOSED Order Substituting Kevin Hayden as Defendant filed by Helene Nelson. (Burke, Mary)
02/02/2007	<u>145</u>	CERTIFICATE OF SERVICE by Helene Nelson (Burke, Mary)
02/02/2007	<u>146</u>	Docket Annotation – Email sent to Atty Burke re <u>143</u> and <u>144</u> (djd)

02/08/2007	<u>147</u>	ORDER signed by Judge Lynn Adelman on 2/7/07 granting <u>143</u> Motion to Substitute Party. Kevin Hayden added. Helene Nelson terminated. (cc: all counsel) (Wesolek, Marie)
02/15/2007	<u>148</u>	LETTER. (Jorgensen, John)
02/26/2007	<u>149</u>	NOTICE of Hearing: (cc: all counsel) Mediation Hearing continued to 3/27/2007 10:00 AM before Magistrate Judge Patricia J Gorence. (cms) (Entered: 02/27/2007)
02/26/2007	<u>150</u>	Minute Entry for proceedings held before Judge Patricia J Gorence : Mediation Hearing held on 2/26/2007. Mediation continued to 03/27/07 at 10:00 a.m. (jac, Patricia J Gorence) (Entered: 02/27/2007)
03/27/2007	<u>151</u>	Minute Entry for proceedings held before Judge Patricia J Gorence : Telephone Conference held on 3/27/2007; parties have settled the case except for the attorneys fees. They are still trying to work that part out. The parties will notify the court in writing by 4/26/07 as to whether or not they have settled the case. (Tape #10:05:58 - 10:15:20) (cms)
03/27/2007	<u>152</u>	ORDER signed by Judge Patricia J Gorence on 3/27/07. (cc: all counsel)(cms)
04/25/2007	<u>153</u>	LETTER from Mary E. Burke <i>Attorney's fees settlement discussions</i> . (Burke, Mary)
05/24/2007	<u>154</u>	LETTER from Mary E. Burke <i>re: conference call on 5/25/07 at 2:00 p.m.</i> . (Burke, Mary)
05/25/2007	<u>155</u>	Minute Entry for proceedings held before Judge Patricia J Gorence : Telephone Conference held on 5/25/2007; the parties agree on the atty's fees and costs. The county needs to get approval from the county board. Parties will notify the court upon completion of that. Parties will also email the Judge the proposed settlement order. (Tape #2:05:10 - 2:15:41) (cms) (Entered: 05/29/2007)
06/27/2007	<u>156</u>	LETTER from John Jorgensen. (Jorgensen, John)
07/16/2007	<u>157</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 7/16/07. Telephonic Status Conference set for 7/31/2007 11:30 AM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
07/27/2007	<u>158</u>	LETTER from Milwaukee County. (Jorgensen, John)
07/31/2007	<u>159</u>	Minute Entry for telephonic status conference held 7/31/07 before Judge Lynn Adelman: Parties to file joint motion for preliminary approval by 8/14/07; Assuming Court grants motion, Fairness Hearing will be set for 10/19/2007 01:30 PM before Judge Lynn Adelman. (djd) (Entered: 08/01/2007)
08/01/2007	<u>160</u>	ORDER signed by Judge Patricia J. Gorence on 08/01/07 returning case to Judge Adelman for entry of dismissal order. Case no longer referred to Patricia J Gorence. (cc: all counsel)(jac, Patricia J Gorence)
08/14/2007	<u>161</u>	Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing</i> by Kevin Hayden, Wisconsin Department of Health and Family Services. (Burke, Mary)
08/14/2007	<u>162</u>	BRIEF in Support filed by Kevin Hayden, Wisconsin Department of Health and Family Services re <u>161</u> Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing</i> . (Burke, Mary)
08/14/2007	<u>163</u>	PROPOSED Proposed Order Preliminarily Approving the Proposed Settlement Agreement, Directing Distribution of the Notice of Proposed Settlement Agreement, and Scheduling Fairness Hearing filed by Kevin Hayden, Wisconsin Department of Health and Family Services. (Burke, Mary)
08/14/2007	<u>164</u>	CERTIFICATE OF SERVICE by Kevin Hayden, Wisconsin Department of Health and Family Services <i>filing Joint Motion and Memorandum for Preliminary and Final Approval of the Settlement Agreement</i> (Burke, Mary)

08/21/2007	<u>165</u>	ORDER preliminarily approving proposed settlement, directing distribution of notice of proposed settlement and schedule of fairness hearing signed by Judge Lynn Adelman on 8/21/07. See order for dates and deadlines. (cc: all counsel)(Wesolek, Marie)
08/21/2007		Set/Reset Hearings: Fairness Hearing set for 10/19/2007 01:30 PM in Courtroom 390 before Judge Lynn Adelman. (djd) (Entered: 08/22/2007)
09/19/2007	<u>166</u>	AFFIDAVIT of of Mailing by Robert Theine Pledl. (Pledl, Robert)
09/21/2007	<u>167</u>	MOTION to Modify <i>Schedule</i> by all plaintiffs. (Pledl, Robert)
09/24/2007	<u>168</u>	Letter REQUEST by Estella Stewart to speak at hearing. (djd)
09/24/2007		MARGIN ORDER to doc. #167 approving dates set forth, WITH EXCEPTION OF telephone status conference, signed by Judge Lynn Adelman on 9/24/07. Telephone conference is set for 10/12/07 at 4:00 p.m. The court will initiate the call. (cc: all counsel) (Wesolek, Marie)
09/24/2007	<u>169</u>	LETTER from Rinda McClendon. (djd)
09/25/2007	<u>170</u>	LETTER from Jessie Larson, POA for Edna Craven. (djd)
09/25/2007	171	LETTERS from Bonnie Vanlandingham. (djd) (Entered: 09/26/2007)
09/26/2007	<u>172</u>	BRIEF in Support filed by Kevin Hayden, Wisconsin Department of Health and Family Services re <u>161</u> Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing State Defendants' Memorandum in Support of Joint Motion for Approval of Settlement Agreement.</i> (Burke, Mary)
09/26/2007	<u>173</u>	Proposed Findings of Fact by Kevin Hayden, Wisconsin Department of Health and Family Services (Burke, Mary)
09/26/2007	<u>174</u>	AFFIDAVIT of Mary E. Burke. (Burke, Mary)
09/26/2007	<u>175</u>	AFFIDAVIT of Hollister Chase. (Burke, Mary)
09/26/2007	<u>176</u>	AFFIDAVIT of Patricia Chiazor. (Burke, Mary)
09/26/2007	<u>177</u>	AFFIDAVIT of David Dudley. (Burke, Mary)
09/26/2007	<u>178</u>	AFFIDAVIT of Maureen McGlynn Flanagan. (Burke, Mary)
09/26/2007	<u>179</u>	CERTIFICATE OF SERVICE by Kevin Hayden, Wisconsin Department of Health and Family Services (Burke, Mary)
09/26/2007	<u>180</u>	BRIEF in Support filed by Milwaukee County re <u>161</u> Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing.</i> (Jorgensen, John)
09/26/2007	<u>181</u>	AFFIDAVIT of James Hennen <i>re: notice to class members.</i> (Jorgensen, John)
09/26/2007	<u>182</u>	<i>Fourth</i> AFFIDAVIT of Robert Theine Pledl. (Pledl, Robert)
09/26/2007	<u>183</u>	BRIEF in Support filed by all plaintiffs re <u>161</u> Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing.</i> (Pledl, Robert)
10/02/2007	<u>184</u>	LETTER from Patricia Bernethy. (djd) (Entered: 10/03/2007)
10/09/2007	<u>185</u>	AFFIDAVIT of Monica Deignan. (Burke, Mary)
10/09/2007	<u>186</u>	REPLY BRIEF in Support filed by Kevin Hayden, Milwaukee County, Wisconsin Department of Health and Family Services re <u>161</u> Joint MOTION for Settlement <i>Preliminary and Final Approval of the Settlement Agreement, and for an Order Directing Distribution of Notice of Proposed Settlement Agreement and Scheduling Fairness Hearing State Defendants' Supplemental Proposed Findings of Fact and</i>

		<i>Supplemental Argument in Support of the Proposed Settlement Agreement.</i> (Burke, Mary)
10/09/2007	<u>187</u>	CERTIFICATE OF SERVICE by Kevin Hayden, Milwaukee County, Wisconsin Department of Health and Family Services (Burke, Mary)
10/09/2007	<u>188</u>	<i>Fifth</i> AFFIDAVIT of Robert Theine Pledl. (Pledl, Robert)
10/12/2007	<u>189</u>	Minute Entry for telephonic status conference held 10/12/07 before Judge Lynn Adelman: Parties and Court agreed on procedure for next week's hearing (djd) (Entered: 10/15/2007)
10/18/2007	<u>190</u>	Minute Entry for settlement conference/fairness hearing held 10/18/07 before Judge Lynn Adelman. Court adopted parties' proposed findings of fact & conclusions of law. Court approved class settlement. This case is closed. (Court Reporter Cheryl Stawski) (djd) (Entered: 10/22/2007)
10/19/2007	<u>191</u>	SETTLEMENT AGREEMENT signed by Judge Lynn Adelman on 10/19/07. Case Terminated. (cc: all counsel)(djd) (Entered: 10/22/2007)