

CLOSED

**U.S. District Court**  
**Alabama Middle District (Montgomery)**  
**CIVIL DOCKET FOR CASE #: 2:99-cv-00486-ID-CSC**

Prison Legal News, et al v. Haley  
Assigned to: Judge Ira De Ment  
Referred to: Mag. Judge Charles S. Coody  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/13/1999  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Prison Legal News, Inc.**

represented by **Catherine Smith**  
Southern Poverty Law Center  
PO Box 2087  
Montgomery, AL 36102-2087  
334-956-8200  
Fax: 956-8481  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**J. Richard Cohen**  
Southern Poverty Law Center  
PO Box 2087  
Montgomery, AL 36102-2087  
334-956-8200  
Fax: 956-8481  
Email: richard@splcenter.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter John Tepley**  
Haskell Slaughter Young & Rediker,  
LLC  
1400 Park Place Tower  
2001 Park Place North  
Birmingham, AL 35203  
205-251-1000  
Fax: 324-1133  
Email: pt@hsy.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rhonda C. Brownstein**  
Southern Poverty Law Center  
PO Box 2087  
Montgomery, AL 36102-2087  
334-956-8200

Fax: 956-8481  
Email: rbrownstein@splcenter.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Aven H. Cotton**

represented by **Catherine Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**J. Richard Cohen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter John Tepley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rhonda C. Brownstein**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Michael W. Haley**  
*Commissioner of the Alabama*  
*Department of Corrections*

represented by **Andrew Weldon Redd**  
Alabama Department of Transportation  
Legal Bureau  
1409 Coliseum Boulevard  
Montgomery, AL 36110  
(334) 24-26350  
Fax: (334) 264-4359  
Email: redda@dot.state.al.us  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William F. Addison**  
Alabama Department of Corrections  
Legal Division  
PO Box 301501  
Montgomery, AL 36130-1501  
334-353-3883  
Fax: 353-3891  
Email: courtorders@doc.state.al.us  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/13/1999	1	COMPLAINT; permanent injunction Filing Fee \$ 150.00 Receipt # 76724 (djy) (Entered: 06/02/1999)
05/13/1999	2	SUMMONS issued for Michael W. Haley and returned to counsel for personal service (djy) (Entered: 06/02/1999)
05/14/1999	3	SUMMONS Returned Executed as to Michael W. Haley 5/13/99 by process server (Lynn Gomillion-legal secretary). Answer due on 6/2/99 for Michael W. Haley (djy) (Entered: 06/02/1999)
06/02/1999		Notice of assignment to US Mag Judge mailed to counsel for plaintiff. (djy) (Entered: 06/02/1999)
06/02/1999		File referred to Mag. Judge Coody. (djy) (Entered: 06/02/1999)
06/02/1999	4	MOTION by Michael W. Haley to Transfer Venue ; referred to Mag. Judge Charles S. Coody (ajr) (Entered: 06/03/1999)
06/02/1999	5	BRIEF by Michael W. Haley in support of [4-1] motion to Transfer Venue referred to Mag. Judge Charles S. Coody (ajr) (Entered: 06/03/1999)
06/03/1999		"Notice of Assignment to U.S. Mag. Judge" mailed to counsel for defendant (ajr) (Entered: 06/03/1999)
06/07/1999		CASE reassigned to Judge Ira De Ment (ajr) (Entered: 06/08/1999)
06/08/1999		File referred to Judge De Ment (ajr) (Entered: 06/08/1999)
06/09/1999	6	RESPONSE by Prison Legal News, Aven H. Cotton to [4-1] motion to Transfer Venue by Michael W. Haley (with attachments); referred to Judge Ira De Ment (ajr) (Entered: 06/10/1999)
06/11/1999	7	ORDER setting Status Conference 10:00 6/16/99 before Judge Myron H. Thompson ( signed by Judge Ira De Ment ) , copies mailed and faxed to counsel. (ajr) (Entered: 06/11/1999)
06/14/1999	8	ORDER resetting Scheduling Conference for 10:30 6/16/99 before Judge Ira De Ment ( signed by Judge Ira De Ment ) , copies mailed to counsel; furnished to RL, DH, HC. (ajr) (Entered: 06/14/1999)
06/16/1999	9	MOTION by Prison Legal News, Aven H. Cotton for to Appear Pro Hac Vice FILING FEE \$ 10.00 RECEIPT # 77161 referred to Judge Ira De Ment (ajr) (Entered: 06/17/1999)
06/17/1999		Stamped ORDER granting [9-1] motion for to Appear Pro Hac Vice FILING FEE \$ 10.00 RECEIPT # 77161 ( by Judge Ira De Ment ) , copies mailed to counsel; furnished to RL. (war) (Entered: 06/17/1999)
06/30/1999	10	ORDER setting Status Conference 2:00 7/8/99 before Judge Ira De Ment ( signed by Judge Ira De Ment ) , copies mailed and faxed to counsel. (ajr) (Entered: 06/30/1999)

07/09/1999	11	MEMORANDUM OPINION AND ORDER denying [4-1] motion to Transfer Venue ( signed by Judge Ira De Ment ), copies mailed to counsel (ajr) (Entered: 07/09/1999)
07/21/1999	12	ANSWER to Complaint by Michael W. Haley; referred to Mag. Judge Charles S. Coody (ajr) (Entered: 07/22/1999)
07/26/1999	13	SCHEDULING ORDER setting Rule 16 Pretrial Conference for 11/30/99 before Judge Ira De Ment Motion Filing deadline on 8/31/99 ; Discovery cutoff 11/16/99 ; set amended pleading deadline for 10/9/99 Non-jury trial set for 1/10/00 before Judge Ira De Ment; Mediation Notice deadline on 11/4/99; form AO 85 attached (signed by Judge Ira De Ment), copies mailed to counsel; furnished to RL, YG, HC. (ajr) (Entered: 07/26/1999)
09/01/1999	14	MOTION by Michael W. Haley for Summary Judgment referred to Judge Ira De Ment (ajr) (Entered: 09/02/1999)
09/01/1999	15	BRIEF by Michael W. Haley in support of [14-1] motion for Summary Judgment (exhibits 1 and 2 attached); referred to Judge Ira De Ment (ajr) (Entered: 09/02/1999)
09/09/1999	16	ORDER Response to Motion set to 9/23/99 for [14-1] motion for Summary Judgment , setting reply brief deadline for 9/30/99 for Michael W. Haley [14-1] motion for Summary Judgment by Michael W. Haley set for submission on 9/30/99 (signed by Judge Ira De Ment), copies mailed to counsel. (ajr) (Entered: 09/09/1999)
09/13/1999	17	MOTION by Prison Legal News, Aven H. Cotton for leave to delay filing a response to defendant's motion for summary judgment until after the completion of discovery referred to Judge Ira De Ment (ajr) (Entered: 09/14/1999)
09/15/1999	18	Witness list by Prison Legal News (Exhibits A-E attached); referred to Judge De Ment (ajr) (Entered: 09/16/1999)
09/20/1999	19	JOINT MOTION by Prison Legal News, Aven H. Cotton, Michael W. Haley to continue pretrial conference and trial date referred to Judge Ira De Ment (ajr) (Entered: 09/21/1999)
09/23/1999		Stamped ORDER denying as moot [17-1] motion for leave to delay filing a response to defendant's motion for summary judgment until after the completion of discovery ( by Judge Ira De Ment ) , copies mailed to counsel. (ajr) (Entered: 09/23/1999)
09/23/1999	20	ORDER granting [19-1] joint motion to continue pretrial conference and trial date ; resetting Scheduling Order Deadlines: Pretrial Conference for 4/4/00 before Judge Ira De Ment; Non-jury trial set for 5/8/00 before Judge Ira De Ment ; (signed by Judge Ira De Ment), copies mailed to counsel; furnished to RL, YG, HC. (ajr) (Entered: 09/23/1999)
09/27/1999	21	Notice Concerning Settlement Conference and Mediation filed by Prison Legal News, Aven H. Cotton referred to Judge Ira De Ment (ajr) (Entered: 09/28/1999)

10/13/1999	22	MOTION by Prison Legal News, Aven H. Cotton to Amend [1-1] complaint (amended complaint attached); referred to Judge Ira De Ment (ajr) (Entered: 10/14/1999)
10/18/1999	23	ORDER TO SHOW CAUSE why motion for leave to amend complaint should not be granted; Response to Order to Show Cause due on 11/1/99 for Michael W. Haley, setting reply brief deadline for 11/8/99 for Aven H. Cotton, for Prison Legal News (signed by Judge Ira De Ment), copies mailed to counsel. (ajr) (Entered: 10/18/1999)
11/02/1999	24	RESPONSE by Michael W. Haley in opposition to [22-1] motion to Amend [1-1] complaint by Aven H. Cotton, Prison Legal News referred to Judge Ira De Ment (ajr) (Entered: 11/03/1999)
11/05/1999	25	RESPONSE by Prison Legal News to [24-1] opposition response by Michael W. Haley referred to Mag. Judge Charles S. Coody (ajr) (Entered: 11/08/1999)
11/10/1999	26	MEMORANDUM OPINION AND ORDER granting [22-1] motion to Amend [1-1] complaint ( signed by Judge Ira De Ment ), copies mailed to counsel (ajr) (Entered: 11/10/1999)
11/15/1999	27	AMENDED COMPLAINT by Prison Legal News amending [1-1] complaint (ajr) (Entered: 11/15/1999)
01/06/2000	28	CROSS-MOTION by Prison Legal News, Aven H. Cotton for Summary Judgment (Exhibits 1-27 maintained in separate binder with file); referred to Mag. Judge Charles S. Coody (ajr) (Entered: 01/07/2000)
01/06/2000	29	BRIEF by Prison Legal News, Aven H. Cotton in opposition to [14-1] motion for Summary Judgment referred to Mag. Judge Charles S. Coody (ajr) (Entered: 01/07/2000)
01/06/2000	29	BRIEF by Prison Legal News, Aven H. Cotton in support of [28-1] motion for Summary Judgment referred to Mag. Judge Charles S. Coody (ajr) (Entered: 01/07/2000)
01/11/2000	30	ORDER, dfts' Response to Motion set to 1/24/00 for [28-1] motion for Summary Judgment , set reply brief deadline for 1/31/00 for Aven H. Cotton, for Prison Legal News [28-1] motion for Summary Judgment by Aven H. Cotton, Prison Legal News set for submission on 1/31/00 ( signed by Judge Ira De Ment ) , copies mailed to counsel; furn: rl. (vmc) (Entered: 01/11/2000)
01/19/2000	31	MOTION by Prison Legal News, Aven H. Cotton to substitute original affidavit for unsigned copy referred to Judge Ira De Ment (ajr) (Entered: 01/20/2000)
01/24/2000		Stamped ORDER granting [31-1] motion to substitute original affidavit for unsigned copy ( by Judge Ira De Ment ) , copies mailed to counsel. (ajr) (Entered: 01/24/2000)
01/24/2000	32	BRIEF by Michael W. Haley in opposition to [28-1] motion for Summary Judgment (exhibit 6 attached); referred to Judge Ira De Ment

		(ajr) Modified on 01/27/2000 (Entered: 01/25/2000)
01/24/2000	33	REBUTTAL by Michael W. Haley to response to [14-1] motion for Summary Judgment by Michael W. Haley (exhibits 3-5 attached); referred to Judge Ira De Ment (ajr) Modified on 01/26/2000 (Entered: 01/25/2000)
01/25/2000	34	MOTION by Michael W. Haley to supplement [33-1] response reply by Michael W. Haley, [32-1] brief in opposition by Michael W. Haley (supplement attached); referred to Judge Ira De Ment (ajr) (Entered: 01/26/2000)
01/26/2000	35	MOTION by Michael W. Haley to substitute original affidavit for faxed copy which was attached to [32-1] brief in opposition by Michael W. Haley referred to Mag. Judge Charles S. Coody (dgy) (Entered: 01/27/2000)
01/27/2000		Stamped ORDER granting [34-1] motion to supplement [33-1] response reply by Michael W. Haley, [32-1] brief in opposition by Michael W. Haley ( by Judge Ira De Ment ) , copies mailed to counsel; furnished to RL. (war) (Entered: 01/27/2000)
01/27/2000	36	SUPPLEMENT TO REBUTTAL by Michael W. Haley to response to [14-1] motion for Summary Judgment by Michael W. Haley (w/attachments), referred to Judge Ira De Ment (war) (Entered: 01/28/2000)
01/28/2000		Stamped ORDER granting [35-1] motion to substitute original affidavit for faxed copy which was attached to [32-1] brief in opposition by Michael W. Haley ( by Judge Ira De Ment ). Copies mailed to counsel. (dgy) (Entered: 01/28/2000)
01/31/2000	37	BRIEF by Prison Legal News, Aven H. Cotton in support of [28-1] motion for Summary Judgment referred to Judge Ira De Ment (ajr) (Entered: 02/01/2000)
02/28/2000	38	NOTICE of Attorney Appearance for Prison Legal News, Aven H. Cotton by Peter John Tepley (ajr) (Entered: 02/29/2000)
03/02/2000	39	ORDER setting Scheduling Order Deadlines: Pretrial Conference for 10:30 4/2/00 before Judge Ira De Ment; Proposed Pretrial Order due 3/27/00; Jury Trial set for 5/8/00 before Judge Ira De Ment; (signed by Judge Ira De Ment), copies mailed to counsel; furnished to RL, YG, HC . (ajr) (Entered: 03/02/2000)
03/07/2000		Deadline updated; setting Pretrial Conference for 10:30 4/4/00 before before Judge Ira De Ment (ajr) (Entered: 03/07/2000)
03/14/2000	40	Witness list by Prison Legal News, Aven H. Cotton; referred to Judge De Ment (ajr) (Entered: 03/15/2000)
03/29/2000	41	ORDER (STIPULATION) that in order to resolve this lawsuit the defendant agrees to permit inmates to receive free and gift publications as further set out; (signed by Judge Ira De Ment), copies mailed to counsel;

	furnished to RL, HC, YG (ajr) (Entered: 03/29/2000)
03/29/2000	Case closed (ajr) (Entered: 03/29/2000)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
03/13/2007 15:59:30			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	ddalton
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:99-cv-00486-ID-CSC
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.32