

CLOSED,MHT-ClerkA,MHT-ClerkD

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:11-cv-00224-MHT-WC**

Henderson, et al. v. Dunn, et al.
Assigned to: Honorable Judge Myron H. Thompson
Referred to: Honorable Judge Wallace Capel, Jr
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 03/28/2011
Date Terminated: 09/30/2013
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Louis Henderson

*on behalf of themselves and of all those
similarly situated*

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Defendant

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Defendant

Billy Sharp
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Mitesh Bansilal Shah
(See above for address)
TERMINATED: 05/01/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott Lee Rouse
(See above for address)
TERMINATED: 05/01/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Richard Lunsford
(See above for address)
TERMINATED: 05/01/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jefferson S. Dunn
in his official capacity, Commissioner,
Alabama Department of Corrections

represented by **Anne Adams Hill**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Berman Block
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Anne Sees
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Janine McKinnon McAdory
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitchell David Greggs
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mitesh Bansilal Shah
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Scott Lee Rouse
(See above for address)
LEAD ATTORNEY
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William Richard Lunsford
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bobby Barrett

represented by **Anne Adams Hill**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Berman Block
(See above for address)
LEAD ATTORNEY
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Elizabeth Anne Sees
(See above for address)
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Janine McKinnon McAdory

(See above for address)
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Mitchell David Greggs
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Mitesh Bansilal Shah
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Scott Lee Rouse
(See above for address)
LEAD ATTORNEY
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William Richard Lunsford
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Christopher Gordy

represented by **Anne Adams Hill**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Berman Block
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Anne Sees
(See above for address)
LEAD ATTORNEY
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Janine McKinnon McAdory
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Mitchell David Greggs
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Mitesh Bansilal Shah
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Richard Lunsford
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

Ronald Evans
TERMINATED: 07/24/2012

Movant

Ralph Davis

TERMINATED: 03/03/2015

Movant

Jaquine Roberto Taylor

TERMINATED: 04/08/2016

represented by **Jaquine Roberto Taylor**
AIS 167813
ADOC STATON
Staton Correctional Facility
2690 Marion Spillway Road
Elmore, AL 36025
PRO SE

Movant

Dewayne Estes

TERMINATED: 10/06/2015

represented by **Anne Adams Hill**
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Berman Block
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Anne Sees
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Janine McKinnon McAdory
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
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Mitchell David Greggs
(See above for address)
TERMINATED: 10/06/2015
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Mitesh Bansilal Shah
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TERMINATED: 10/06/2015
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ATTORNEY TO BE NOTICED

Scott Lee Rouse
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Richard Lunsford
(See above for address)
TERMINATED: 10/06/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/28/2011	<u>1</u>	CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Thomas (Filing fee \$ 350.00 receipt number 4602017920.), filed by John Hicks, Dana Harley, Louis Henderson, Roosevelt James, Darrell Robinson, Ashley Dotson, April Stagner, Dwight Smith, Melinda Washington, Albert Knox. (Attachments: # <u>1</u> Receipt) (wcl,) (Entered: 03/30/2011)
03/28/2011	<u>2</u>	MOTION for Class Certification by Ashley Dotson, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, Dwight Smith, April Stagner, Melinda Washington. (Attachments: # <u>1</u> Proposed Order)(wcl,) (Entered: 03/30/2011)
03/28/2011	<u>3</u>	MEMORANDUM of Law in Support of <u>2</u> MOTION for Class Certification filed by Ashley Dotson, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, Dwight Smith, April Stagner, Melinda Washington. (wcl,) (Entered: 03/30/2011)
03/28/2011	<u>4</u>	Motion for Admission of Margaret Winter as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602017924.) by Ashley Dotson, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, Dwight Smith, April Stagner, Melinda Washington. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Good Standing, # <u>4</u> Receipt) (wcl,) (Entered: 03/30/2011)
03/28/2011	<u>5</u>	Motion for Admission of Carl Takei as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602017924.) by Ashley Dotson, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, Dwight Smith, April Stagner, Melinda Washington. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Good Standing, # <u>4</u> Receipt) (wcl,) (Entered: 03/30/2011)
03/30/2011	<u>6</u>	Summons Issued as to Robert Bentley, Kim Thomas, Billy Mitchem, Frank Albright, Bettina Carter, Edward Ellington and mailed CMRRR with copy of Complaint, Motions <u>2</u> , <u>4</u> , & <u>5</u> , and <u>3</u> Memorandum. (wcl,) (Entered: 03/30/2011)
03/30/2011	<u>7</u>	Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement sent to Louis Henderson, Dana Harley, Darrell Robinson, Dwight Smith, Albert Knox, Roosevelt James, John Hicks, April Stagner, Ashley Dotson, Melinda Washington; Corporate Disclosures due by 4/11/2011. (Attachments: # <u>1</u> Corporate/Conflict Attachment)(wcl,) (Entered: 03/30/2011)
03/31/2011	<u>8</u>	ORDER granting <u>4</u> and <u>5</u> Motions for Admission Pro Hac Vice. Signed by Honorable Myron H. Thompson on 3/31/2011. (wcl,) (Entered: 03/31/2011)
04/04/2011	<u>9</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by C. Thornton for Edward Ellington served on 3/31/2011, answer due 4/21/2011. (wcl,) (Entered: 04/04/2011)
04/04/2011	<u>10</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by illegible for Robert Bentley served on 3/29/2011, answer due 4/19/2011. (wcl,) (Entered: 04/04/2011)
04/04/2011	<u>11</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by Susie Mims for Frank Albright served on 4/1/2011, answer due 4/22/2011. (wcl,) (Entered: 04/04/2011)
04/05/2011	<u>12</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by B.S. Artis for Kim Thomas served on 4/1/2011, answer due 4/22/2011. (wcl,) (Entered: 04/05/2011)
04/06/2011	<u>13</u>	Corporate/Conflict Disclosure Statement by Ashley Dotson re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement., (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>14</u>	Corporate/Conflict Disclosure Statement by Dana Harley re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement., (Neal, Allison) (Entered: 04/06/2011)

		04/06/2011)
04/06/2011	<u>15</u>	Corporate/Conflict Disclosure Statement by Louis Henderson re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>16</u>	Corporate/Conflict Disclosure Statement by John Hicks re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>17</u>	Corporate/Conflict Disclosure Statement by Albert Knox re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>18</u>	Corporate/Conflict Disclosure Statement by Darrell Robinson re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>19</u>	Corporate/Conflict Disclosure Statement by Dwight Smith re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/06/2011	<u>20</u>	Corporate/Conflict Disclosure Statement by Melinda Washington re <u>7</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement,. (Neal, Allison) (Entered: 04/06/2011)
04/07/2011	<u>21</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by F. Roper for Bettina Carter served on 4/4/2011, answer due 4/25/2011. (wcl,) (Entered: 04/07/2011)
04/07/2011	<u>22</u>	Return Receipt Card showing service of Summons, Complaint, <u>2</u> , <u>4</u> & <u>5</u> Motions, and <u>3</u> Memorandum signed by H. Whitacre for Billy Mitchem served on 4/4/2011, answer due 4/25/2011. (wcl,) (Entered: 04/07/2011)
04/11/2011	<u>23</u>	NOTICE by Roosevelt James <i>voluntary dismissal</i> (Neal, Allison) (Entered: 04/11/2011)
04/11/2011	<u>24</u>	NOTICE by April Stagner <i>voluntary dismissal</i> (Neal, Allison) (Entered: 04/11/2011)
04/11/2011	<u>25</u>	Motion for Admission of Rose A. Saxe as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602018134.) by Ashley Dotson, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, Dwight Smith, April Stagner, Melinda Washington. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Good Standing, # <u>4</u> Receipt) (wcl,) (Entered: 04/12/2011)
04/12/2011	<u>26</u>	ORDER: pursuant to the <u>23</u> & <u>24</u> Notices of Voluntary Dismissal, it is the ORDER, JUDGMENT, and DECREE of the court that plfs Roosevelt James and April Stagner are dismissed and terminated as parties. Signed by Honorable Myron H. Thompson on 4/12/2011. (Attachments: # <u>1</u> Civil Appeals Checklist) (wcl,) (Entered: 04/12/2011)
04/12/2011	<u>27</u>	ORDER granting <u>25</u> Motion for Admission Pro Hac Vice. Signed by Honorable Myron H. Thompson on 4/12/2011. (wcl,) (Entered: 04/12/2011)
04/18/2011	<u>28</u>	MOTION for Extension of Time to File Special Report & Answer by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Thomas. (Rouse, Scott) (Entered: 04/18/2011)
04/18/2011	<u>29</u>	Corporate/Conflict Disclosure Statement by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Thomas. (Rouse, Scott) (Entered: 04/18/2011)
04/19/2011	<u>30</u>	ORDER granting <u>28</u> Motion for Extension of Time to Respond. Signed by Honorable Myron H. Thompson on 4/19/2011. (wcl,) (Entered: 04/19/2011)
05/11/2011	<u>31</u>	FIRST AMENDED CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Thomas, filed by John Hicks, Dana Harley, Louis Henderson, Darrell Robinson, James Douglas, David Smith, Dwight Smith,

		Melinda Washington, Albert Knox.(Neal, Allison) Modified on 5/12/2011 to remove the erroneous filer Ashley Dotson and to add as also filed on behalf of James Douglas and David Smith (wcl,). (Entered: 05/11/2011)
05/11/2011	<u>32</u>	NOTICE by Ashley Dotson of <i>Voluntary Dismissal</i> (Neal, Allison) Modified on 5/11/2011 to reflect as filed only on behalf of Ashley Dotson (wcl,). (Entered: 05/11/2011)
05/13/2011	<u>33</u>	ORDER, pursuant to the <u>32</u> Notice of voluntary dismissal, it is the ORDER, JUDGMENT and DECREE of the court that plaintiff Ashley Dotson is dismissed and terminated as a party. Signed by Honorable Myron H. Thompson on 5/13/11. (Attachments: # <u>1</u> civil appeals checklist)(dji,) Modified on 5/16/2011 to correct the docket text to reflect the correct name as Dotson and not Dotxon (wcl,). (Entered: 05/13/2011)
05/25/2011	<u>34</u>	MOTION to Dismiss by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Thomas. (Lunsford, William) (Entered: 05/25/2011)
05/25/2011	<u>35</u>	BRIEF/MEMORANDUM in Support re <u>34</u> MOTION to Dismiss filed by Frank Albright, Robert Bentley, Bettina Carter, Billy Mitchem, Kim Thomas. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Tonitta Reese, # <u>2</u> Exhibit 2 – Affidavit of Debbie Hunt, # <u>3</u> Exhibit 3 – Leatherwood – Second Amended Complaint)(Lunsford, William) Modified on 5/26/2011 to add as also filed on behalf of Frank Albright, Robert Bentley, and Bettina Carter (wcl,). (Entered: 05/25/2011)
05/25/2011		***Attorney Anne Adams Hill, David Berman Block, Mitesh Shah, Janine Alicia McKinnon for Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, and Kim Thomas added pursuant to <u>34</u> Motion. (No PDF Attached) (wcl,) (Entered: 05/26/2011)
05/27/2011	<u>36</u>	ORDER re <u>34</u> MOTION to Dismiss. Motion Submission Deadline set for 7/8/2011 without oral argument, with any opposition brief due by 6/24/2011, and any reply to the opposition due by 7/8/2011. Signed by Honorable Judge Myron H. Thompson on 5/27/2011. (dmn) (Entered: 05/27/2011)
06/24/2011	<u>37</u>	BRIEF/MEMORANDUM in Opposition re <u>35</u> BRIEF/MEMORANDUM in Support, <u>34</u> MOTION to Dismiss filed by James Douglas, Dana Harley, Louis Henderson, John Hicks, Albert Knox, Darrell Robinson, David Smith, Dwight Smith, Melinda Washington. (Attachments: # <u>1</u> Table of Exhibits, # <u>2</u> Exhibit 1: DHHS website, # <u>3</u> Exhibit 2: Correspondence, # <u>4</u> Exhibit 3: Neal Declaration, # <u>5</u> Exhibit 4: Hatcher Declaration, # <u>6</u> Exhibit 5: Harley Declaration, # <u>7</u> Exhibit 6: Hunt Affidavit, # <u>8</u> Exhibit 7: Reese Affidavit, # <u>9</u> Exhibit 8: Limestone Instr., # <u>10</u> Exhibit 9: Tutwiler Instr., # <u>11</u> Exhibit 10: Limestone grievances, # <u>12</u> Exhibit 11: Tutwiler grievances)(Takei, Carl) (Main Document 37 replaced on 6/27/2011 to attach a corrected PDF document to include an e–signature and a certificate of service page) (wcl,). Modified on 6/27/2011 to remove the previously terminated plfs Ashley Dotson, Roosevelt James, and April Stagner as filers (wcl,). (Entered: 06/24/2011)
06/27/2011	<u>38</u>	NOTICE of Correction re <u>37</u> BRIEF/MEMORANDUM in Opposition, to attach a corrected PDF document to include an e–signature and a certificate of service page. Previously terminated plfs Ashley Dotson, Roosevelt James, and April Stagner have been removed as filers. (Attachments: # <u>1</u> Corrected Main PDF Document to Docket Entry <u>37</u>)(wcl,) (Entered: 06/27/2011)
07/08/2011	<u>39</u>	REPLY BRIEF re <u>37</u> BRIEF/MEMORANDUM in Opposition,, filed by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 07/08/2011)
07/08/2011	<u>40</u>	MOTION to Strike re <u>37</u> BRIEF/MEMORANDUM in Opposition, by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) Modified on 7/11/2011 to add link to <u>37</u> Memorandum of Law (wcl,). (Entered: 07/08/2011)
07/11/2011	<u>41</u>	ORDERED that all pending motions are set for oral argument on 8/30/2011, at 10:00 AM, in Courtroom 2FMJ before Honorable Judge Myron H. Thompson. Signed by Honorable Judge Myron H. Thompson on 7/11/2011. (furn: Calendar, ag) (wcl,) (Entered: 07/11/2011)

07/11/2011	<u>42</u>	ORDER TO SHOW CAUSE, if any there be, in writing, as to why the <u>40</u> Motion to Strike should not be granted; Show Cause Response due by 7/25/2011 for the plfs. Signed by Honorable Judge Myron H. Thompson on 7/11/2011. (wcl,) (Entered: 07/11/2011)
07/15/2011	<u>43</u>	MOTION to Clarify re <u>41</u> Order Setting Hearing on Motion, MOTION to Continue <i>date for oral argument to September 12, 2011</i> by Louis Henderson. (Winter, Margaret) (Entered: 07/15/2011)
07/15/2011	<u>44</u>	ORDERED that, on or before 8/1/2011, dfts are to show cause, if any there be, in writing, as to why plfs' <u>2</u> Motion for Class Certification should not be granted. Signed by Honorable Judge Myron H. Thompson on 7/15/2011. (wcl,) (Entered: 07/15/2011)
07/15/2011	<u>45</u>	ORDERED as follows: (1) Plfs' <u>43</u> Motion for Clarification is granted; (2) Plfs' <u>2</u> Motion for Class Certification is included in the oral argument on "all" pending motions; (3) Plfs' <u>43</u> Motion for Postponement is granted; (4) Oral argument on all pending motions is reset for 9/16/2011, at 11:00 AM in Courtroom 2FMJ before Honorable Judge Myron H. Thompson. Signed by Honorable Judge Myron H. Thompson on 7/15/2011. (furn: Calendar, ag) (wcl,) (Entered: 07/15/2011)
07/25/2011	<u>46</u>	MEMORANDUM OF LAW in Opposition re <u>40</u> MOTION to Strike filed by James Douglas, Dana Harley, Louis Henderson, John Hicks, Albert Knox, Darrell Robinson, David Smith, Dwight Smith, Melinda Washington. (Takei, Carl) Modified on 7/26/2011 to remove the previously terminated plfs Ashley Dotson, Roosevelt James, and April Stagner as filers (wcl,). (Entered: 07/25/2011)
08/01/2011	<u>47</u>	MOTION to Stay <i>Or, In the Alternative, Opposition to Plaintiffs' Motion for Class Certification</i> by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit 1 – Atchison Affidavit, # <u>2</u> Exhibit 2 – Mitchem Affidavit, # <u>3</u> Exhibit 3 – Naglich Affidavit)(Lunsford, William) (Entered: 08/01/2011)
08/01/2011		RESPONSE in Opposition re <u>2</u> MOTION to Certify Class filed by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No PDF Attached–See Docket Entry <u>47</u>) (wcl,) (Entered: 08/02/2011)
08/03/2011	<u>48</u>	ORDER TO SHOW CAUSE by the plfs, if any there be, in writing, as to why the <u>47</u> Motion to Stay should not be granted; Show Cause Response due by 8/15/2011. Signed by Honorable Judge Myron H. Thompson on 8/3/2011. (wcl,) (Entered: 08/03/2011)
08/15/2011	<u>49</u>	RESPONSE to Motion re <u>47</u> MOTION to Stay <i>Or, In the Alternative, Opposition to Plaintiffs' Motion for Class Certification Plaintiffs' Response to Defendants' Motion to Stay or, In the Alternative, Opposition to Plaintiffs' Motion for Class Certification</i> filed by Louis Henderson. (Winter, Margaret) (Entered: 08/15/2011)
09/15/2011	<u>50</u>	NOTICE by James Douglas, Dana Harley, Louis Henderson, John Hicks, Albert Knox, Darrell Robinson, David Smith, Dwight Smith, Melinda Washington re <u>37</u> BRIEF/MEMORANDUM in Opposition,,, (Attachments: # <u>1</u> Exhibit)(Neal, Allison) (Entered: 09/15/2011)
09/16/2011	<u>51</u>	MOTION to Strike <i>Plaintiffs' Declaration for Failure to Comply with Court's Order</i> by Frank Albright, Robert Bentley, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Shah, Mitesh) (Entered: 09/16/2011)
09/16/2011	<u>52</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Motion Hearing held on 9/16/2011 re <u>40</u> MOTION to Strike filed by Edward Ellington, Billy Mitchem, Kim Tobias Thomas, Frank Albright, Bettina Carter, Robert Bentley, <u>34</u> MOTION to Dismiss filed by Edward Ellington, Billy Mitchem, Kim Tobias Thomas, Frank Albright, Bettina Carter, Robert Bentley, <u>2</u> MOTION to Certify Class filed by April Stagner, Roosevelt James, Louis Henderson, Darrell Robinson, Dwight Smith, Albert Knox, John Hicks, Ashley Dotson, Melinda Washington, Dana Harley (PDF available for court use only). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/16/2011)
09/19/2011	<u>53</u>	ORDERED that defendant Robert Bentley is dismissed as a party without prejudice. Signed by Honorable Judge Myron H. Thompson on 9/19/2011. (Attachments: # <u>1</u> Civil Appeals Checklist) (wcl,) (Entered: 09/19/2011)

09/21/2011	<u>54</u>	RULE 26(F) ORDER directing that the Rule 26(f) report containing the discovery plan shall be filed as soon as practicable, as further set out in order; Rule 26 Meeting Report due by 10/3/2011. Signed by Honorable Judge Myron H. Thompson on 9/21/2011. (wcl,) (Entered: 09/21/2011)
09/28/2011	<u>55</u>	MOTION for Extension of Deadline re <u>54</u> Order, Set Deadlines,, by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 09/28/2011)
09/29/2011	<u>56</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Oral Argument Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on September 16, 2011, before Judge Myron H. Thompson. Court Reporter/Transcriber Patricia G. Starkie, Telephone number 334-262-1221. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 10/20/2011. Redacted Transcript Deadline set for 10/31/2011. Release of Transcript Restriction set for 12/28/2011. (dmn,) (Entered: 09/29/2011)
09/29/2011	<u>57</u>	NOTICE by James Douglas, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith <i>Notice of Voluntary Dismissal</i> (Neal, Allison) (Entered: 09/29/2011)
09/29/2011	<u>58</u>	NOTICE by James Douglas, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith <i>Notice of Voluntary Dismissal of Hicks</i> (Neal, Allison) (Entered: 09/29/2011)
09/29/2011	<u>59</u>	NOTICE by James Douglas, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith <i>Notice of Voluntary Dismissal of Washington</i> (Neal, Allison) (Entered: 09/29/2011)
09/29/2011	<u>60</u>	Second MOTION to Amend/Correct <i>Complaint</i> by James Douglas, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Neal, Allison) (Entered: 09/29/2011)
09/29/2011	<u>61</u>	SECOND AMENDED COMPLAINT against All Defendants, filed by Dana Harley, Louis Henderson, Darrell Robinson, James Douglas, Dwight Smith, Albert Knox, Alqadeer Hamlet, Jeffery Beyer, Bonita Graham.(Neal, Allison) Modified on 9/30/2011 (qc/djy,). Modified on 10/3/2011 to add as also filed on behalf of Alqadeer Hamlet, Jeffery Beyer, Bonita Graham (wcl,). (Entered: 09/29/2011)
09/30/2011	<u>62</u>	BRIEF/MEMORANDUM in Opposition re <u>55</u> MOTION for Extension of Deadline re <u>54</u> Order, Set Deadlines, filed by James Douglas, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) Modified on 10/3/2011 to remove the previously terminated plfs Ashley Dotson, John Hicks, Roosevelt James, David Smith, April Stagner, and Melinda Washington as filers (wcl,). (Entered: 09/30/2011)
09/30/2011	<u>63</u>	CLERK'S NOTICE of Voluntary Dismissal of Plaintiff John Hicks from this case. (djy,) (Entered: 09/30/2011)
09/30/2011	<u>64</u>	CLERK'S NOTICE of Voluntary Dismissal of Plaintiff David Smith from this case. (djy,) (Entered: 09/30/2011)
09/30/2011	<u>65</u>	CLERK'S NOTICE of Voluntary Dismissal of Plaintiff Melinda Washington from this case. (djy,) (Entered: 09/30/2011)
09/30/2011		NOTICE of Docket Correction re <u>61</u> Amended Complaint to indicate that leave of court has not yet been granted for filing this document (NO PDF document attached to this notice). (djy,) (Entered: 09/30/2011)
10/03/2011	<u>66</u>	ORDERED that: (1) The dfts' <u>55</u> Motion for Extension of Deadline for the Rule 26(f) Report is granted; (2) The Rule 26(f) discovery plan shall be filed as soon as practicable but not later than 10/17/2011; (3) The plfs' <u>60</u> Motion for Leave to File Second Amended Complaint is granted, as further set out in order; (4) Any response to the <u>61</u> Second Amended Complaint is due on 10/17/2011, as further set out in order; (5) Finally, the dfts are allowed until 10/17/2011, to file any statement as to how the addition of the three plfs will affect, if at all, class certification. Signed by Honorable

		Judge Myron H. Thompson on 10/3/2011. (wcl,) (Main Document 66 replaced on 10/3/2011 to attach the correct PDF document due to a clerical error) (wcl,). Modified on 10/3/2011 (wcl,). (Entered: 10/03/2011)
10/03/2011	<u>67</u>	NOTICE of Correction re <u>66</u> Order, to attach the correct PDF document due to a clerical error. (Attachments: # <u>1</u> Correct Main PDF Document to Docket Entry <u>66</u>)(wcl,) (Main Document 67 replaced on 10/4/2011 to attach a corrected PDF document to include the correct case number) (wcl,). Modified on 10/4/2011 (wcl,). (Entered: 10/03/2011)
10/04/2011	<u>68</u>	NOTICE of Correction re <u>67</u> Notice of Correction, to attach a corrected PDF document to include the correct case number. (Attachments: # <u>1</u> Corrected Main PDF Document to Docket Entry <u>67</u>)(wcl,) (Entered: 10/04/2011)
10/10/2011	<u>69</u>	RESPONSE to Motion re <u>60</u> Second MOTION to Amend/Correct <i>Complaint pursuant to the Court's October 3, 2011 Order</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (McKinnon, Janine) (Entered: 10/10/2011)
10/17/2011	<u>70</u>	REPORT of Rule 26(f) Planning Meeting. (Lunsford, William) (Entered: 10/17/2011)
10/17/2011	<u>71</u>	Supplemental RESPONSE in Opposition re <u>2</u> MOTION to Certify Class <i>based on the Second Amended Complaint</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Affidavit Supplemental Affidavit of Stephanie Atchison, # <u>2</u> Exhibit ADOC File for Jeffery Beyer, # <u>3</u> Exhibit ADOC File for Bonita Graham)(McKinnon, Janine) Modified on 10/18/2011 to clarify the docket text to reflect as a supplemental opposition (wcl,). (Entered: 10/17/2011)
11/23/2011	<u>72</u>	Joint MOTION for Protective Order by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order On Consent of the Parties Regarding HIV Disclosure, # <u>2</u> Text of Proposed Order On Consent of the Parties Regarding Confidential Discovery Materials)(Takei, Carl) Modified on 11/28/2011 to reflect as also filed on behalf of defendants (qc/djy,). (Entered: 11/23/2011)
11/28/2011		NOTICE of Docket Text Correction re <u>72</u> Joint MOTION for Protective Order to clarify text to indicate the motion was also filed on behalf of defendants (NO PDF Document attached to this notice). (djy,) (Entered: 11/28/2011)
12/02/2011	<u>73</u>	PROTECTIVE ORDER ON CONSENT OF THE PARTIES REGARDING CONFIDENTIAL DISCOVERY MATERIALS granting <u>72</u> Joint MOTION for Protective Order, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 12/2/2011. (wcl,) (Entered: 12/02/2011)
12/02/2011	<u>74</u>	PROTECTIVE ORDER ON CONSENT OF THE PARTIES REGARDING HIV DISCLOSURE granting <u>72</u> Joint MOTION for Protective Order, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 12/2/2011. (wcl,) (Entered: 12/02/2011)
12/06/2011	<u>75</u>	First MOTION to Compel <i>Production</i> by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> List of Exhibits, # <u>3</u> Exhibit 1: Plaintiffs' Request for Production, Sept. 20, 2011, # <u>4</u> Exhibit 2: Defendants' Responses and Objections, Nov. 29, 2011)(Takei, Carl) (Entered: 12/06/2011)
12/07/2011	<u>76</u>	ORDERED that the disputes in the <u>70</u> Rule 26(f) Report are referred to Magistrate Judge Wallace Capel for consideration and recommendation, with the understanding that the pretrial is set for 8/16/2012, and the trial is set for the term of court beginning on 9/17/2012, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 12/7/2011. (furn: Calendar, ag)(wcl,) (Entered: 12/07/2011)
12/08/2011	<u>77</u>	ORDER directing that a hearing on Plaintiff's <u>75</u> Motion to Compel and any disputed issue in the <u>70</u> Rule 26(f) Report is set for December 15, 2011 at 10:00 a.m., in Courtroom 5A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama, before the undersigned Magistrate Judge; further ORDERED that the parties shall meet and confer prior to the hearing in a good faith effort to resolve the disputed issues, as further set out. Signed by Honorable Judge

		Wallace Capel, Jr on 12/8/11. (Furnished to Calendar and KG.)(scn,) (Entered: 12/08/2011)
12/13/2011	<u>78</u>	MOTION for Protective Order <i>and Response to Plaintiffs' Motion to Compel Production</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H, # <u>9</u> Exhibit Exhibit I, # <u>10</u> Exhibit Exhibit J)(McKinnon, Janine) (Entered: 12/13/2011)
12/13/2011		RESPONSE to Motion re <u>75</u> First MOTION to Compel <i>Production</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No pdf attached--See docket entry <u>78</u>) (wcl,) (Entered: 12/14/2011)
12/15/2011		ORAL MOTION to Withdraw <u>75</u> First MOTION to Compel Production by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (cb,) (Entered: 12/15/2011)
12/15/2011		ORAL ORDER granting ORAL Motion to Withdraw <u>75</u> First MOTION to Compel Production. (<u>75</u> Motion to Compel terminated per this Order). Signed by Honorable Judge Wallace Capel, Jr on 12/15/2011. (cb,) (Entered: 12/15/2011)
12/15/2011	<u>79</u>	Minute Entry for Motion Hearing re <u>75</u> First Motion to Compel Production held before Honorable Judge Wallace Capel, on 12/15/2011 (PDF available for court use only). (Recording Time 10:07-12:09.) (cb,) (Entered: 12/15/2011)
12/20/2011	<u>80</u>	ORDER denying <u>78</u> Motion for Protective Order. Signed by Honorable Judge Wallace Capel, Jr on 12/20/2011. (wcl,) (Entered: 12/20/2011)
12/20/2011	<u>81</u>	MOTION for Leave to File <i>STIPULATED ORDER REGARDING IMMEDIATE DISCOVERY AND AMENDED RULE 26(f) REPORT</i> by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas. (Lunsford, William) (Entered: 12/20/2011)
01/25/2012	<u>82</u>	RESPONSE in Opposition re <u>2</u> MOTION to Certify Class (<i>The State's Second Supplemental Opposition to Plaintiffs' Motion for Class Certification</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 01/25/2012)
01/25/2012	<u>83</u>	BRIEF/MEMORANDUM in Support re <u>35</u> BRIEF/MEMORANDUM in Support, <u>34</u> MOTION to Dismiss (<i>Supplemental Memorandum in Support of the State's Motion to Dismiss</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 01/25/2012)
01/27/2012	<u>84</u>	Joint MOTION to Continue by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas. (Lunsford, William) (Entered: 01/27/2012)
02/17/2012	<u>85</u>	RESPONSE to Motion re <u>34</u> MOTION to Dismiss, <u>2</u> MOTION to Certify Class in <i>Response to <u>82</u> State's Second Supplemental Opposition to the Plaintiffs' Motion for Class Certification and to <u>83</u> State's Supplemental Memorandum in Support of the State's Motion to Dismiss</i> filed by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 02/17/2012)
02/17/2012	<u>86</u>	Second MOTION to Compel <i>Production</i> by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1: Plaintiffs' First Request for Production of Documents, # <u>2</u> Exhibit 2: Defendants' Objections and Responses, # <u>3</u> Exhibit 3: Letter from Carl Takei to William Lunsford, January 27, 2012, # <u>4</u> Exhibit 4: Email from William Lunsford to Carl Takei, February 8, 2012, # <u>5</u> Exhibit 5: ADOC Classification Manual, # <u>6</u> Exhibit 6: Declaration of James Austin, # <u>7</u> Exhibit 7: Louis Henderson Classification Summary, # <u>8</u> Text of Proposed Order)(Takei, Carl) (Entered: 02/17/2012)

02/22/2012	<u>87</u>	MOTION for Protective Order <i>Motion for Entry of Qualified HIPAA Protective Order</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 02/22/2012)
02/23/2012	<u>88</u>	ORDERED that Dft shall, on or before 3/1/2012, show cause as to why the <u>86</u> Motion to Compel should not be granted; and Plf shall, on or before 3/1/2012, show cause as to why the Qualified HIPAA Protective Order as proposed by Dft should not be entered. Signed by Honorable Judge Wallace Capel, Jr on 2/23/2012. (wcl,) (Entered: 02/23/2012)
02/28/2012	<u>89</u>	RESPONSE in Opposition re <u>87</u> MOTION for Entry of Qualified HIPAA Protective Order, <i>Plaintiffs' Opposition to Defendants' Motion for Entry of Qualified HIPAA Protective Order</i> , filed by Louis Henderson, Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit QUALIFIED HIPAA PROTECTIVE ORDER)(Takei, Carl) (Additional attachment(s) added on 2/29/2012: # <u>2</u> Corrected Certificate of Service) (wcl,). Modified on 2/29/2012 to add as also filed on behalf of Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Albert Knox, Darrell Robinson, Dwight Smith (wcl,). (Entered: 02/28/2012)
03/01/2012	<u>90</u>	RESPONSE in Opposition re <u>86</u> Second MOTION to Compel <i>Production</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 03/01/2012)
03/02/2012	<u>91</u>	REPLY BRIEF re <u>85</u> Response to Motion, <i>The State's Reply to Plaintiffs' Response to the State's Second Supplemental Opposition to Plaintiffs' Motion for Class Certification and to the State's Supplemental Memorandum in Support of the State's Motion to Dismiss</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 03/02/2012)
03/05/2012	<u>92</u>	ORDER denying as moot <u>86</u> Motion to Compel; ORDER granting in part and denying in part <u>87</u> Motion for Protective Order, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 3/5/2012. (wcl,) (Entered: 03/05/2012)
03/12/2012	<u>93</u>	QUALIFIED HIPAA PROTECTIVE ORDER, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 3/12/12. (dji,) (Entered: 03/12/2012)
03/13/2012	<u>94</u>	(WITHDRAWN PURSUANT TO <u>97</u> ORDER) Motion for Admission of Jennifer Wedekind as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602022050.) by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> NY State Supreme Court Certificate of Good Standing, # <u>4</u> Receipt)(wcl,) Modified on 3/19/2012 (wcl,). (Entered: 03/14/2012)
03/14/2012	<u>95</u>	NOTICE of Deficiency re <u>94</u> Motion for Admission of Jennifer Wedekind as Visiting Attorney, Pro Hac Vice.(wcl,) (Entered: 03/14/2012)
03/16/2012	<u>96</u>	NOTICE of Withdrawal by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith re <u>94</u> Motion for Admission of Jennifer Wedekind as Visiting Attorney, Pro Hac Vice. (Takei, Carl) Modified on 3/19/2012 to clarify the docket text (wcl,). (Entered: 03/16/2012)
03/16/2012		MOTION to Withdraw <u>94</u> Motion for Jennifer Wedekind to Appear Pro Hac Vice by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (NO PDF Document attached--See Docket Entry <u>96</u>). (dji,) (Entered: 03/16/2012)
03/19/2012	<u>97</u>	ORDERED as follows: (1) The <u>96</u> notice of withdrawal is treated as a motion to withdraw and said motion is granted; (2) The <u>94</u> motion for admission pro hac vice is withdrawn. Signed by Honorable Judge Myron H. Thompson on 3/19/2012. (wcl,) (Entered: 03/19/2012)
03/19/2012		***Attorney Jennifer Alicia Wedekind terminated pursuant to <u>97</u> Order. (No pdf attached) (wcl,) (Entered: 03/19/2012)

03/20/2012	<u>98</u>	MOTION to Compel <i>Response to Plaintiffs' First Set of Interrogatories</i> by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1: Plaintiffs' First Interrogatory, # <u>2</u> Exhibit 2: Cover letter accompanying Plaintiffs' First Interrogatory, # <u>3</u> Exhibit 3: Defendants' Objections and Response to Plaintiffs' First Interrogatory, # <u>4</u> Exhibit 4: Email from Takei to Lunsford, # <u>5</u> Text of Proposed Order)(Takei, Carl) (Entered: 03/20/2012)
03/22/2012	<u>99</u>	MOTION for Protective Order <i>Regarding Written and Document Discovery</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit A – Plaintiffs' First Request for Production of Documents, # <u>2</u> Exhibit B – Plaintiffs' First Set of Interrogatories, # <u>3</u> Exhibit C – Plaintiffs' Second Set of Interrogatories & Request for Production, # <u>4</u> Exhibit D – Plaintiffs' Second Request for Production of Documents, # <u>5</u> Exhibit E – Plaintiffs' Third Request for Production of Documents, # <u>6</u> Exhibit F – E-mail Correspondence from Bill Lunsford to Named Plaintiffs dated December 23, 2011, # <u>7</u> Exhibit G – E-mail Correspondence from Carl Takei to Defendants dated Feb. 1, 2012)(Lunsford, William) (Entered: 03/22/2012)
03/23/2012	<u>100</u>	ORDERED that Dfts shall, on or before 4/2/2012, show cause as to why the <u>98</u> Motion to Compel a Response to Plfs' First Set of Interrogatories should not be granted. Signed by Honorable Judge Wallace Capel, Jr on 3/23/2012. (wcl,) (Entered: 03/23/2012)
03/29/2012	<u>101</u>	ORDER TO SHOW CAUSE by the Plfs as to why the <u>99</u> Motion for Protective Order should not be granted; Show Cause Response due by 4/2/2012. Signed by Honorable Judge Wallace Capel, Jr on 3/29/2012. (wcl,) (Entered: 03/29/2012)
03/30/2012	<u>102</u>	ORDER denying <u>47</u> Motion to Stay. Signed by Honorable Judge Myron H. Thompson on 3/30/12. (djt,) (Entered: 03/30/2012)
03/30/2012	<u>103</u>	ORDER denying <u>40</u> Motion to Strike, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 3/30/12. (djt,) (Entered: 03/30/2012)
04/02/2012	<u>104</u>	ORDER Setting Hearing on Motion re <u>98</u> MOTION to Compel a Response to Plfs' First Set of Interrogatories and <u>99</u> MOTION for Protective Order; Motion Hearing set for 4/3/2012, at 09:00 AM by telephone before Honorable Judge Wallace Capel Jr.. Signed by Honorable Judge Wallace Capel, Jr on 4/2/2012. (furn: Calendar, kg)(wcl,) (Entered: 04/02/2012)
04/02/2012	<u>105</u>	RESPONSE in Opposition re <u>98</u> MOTION to Compel <i>Response to Plaintiffs' First Set of Interrogatories</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit A – Cover Letter to First Set of Interrogatories, # <u>2</u> Exhibit B – Plaintiff's First Request for Production of Documents, # <u>3</u> Exhibit C – State' Objections and Responses to Plaintiffs' First Request for Production of Documents, # <u>4</u> Exhibit D – Request for Entry Upon Land for Inspection and Other Purposes by Ms. Madeleine LaMarre, MN, FNP-BC, # <u>5</u> Exhibit E – First Set of Interrogatories, # <u>6</u> Exhibit F – Objections and Response to Plaintiffs First Set of Interrogatories)(Lunsford, William) (Entered: 04/02/2012)
04/02/2012	<u>106</u>	BRIEF/MEMORANDUM in Opposition re <u>99</u> MOTION for Protective Order <i>Regarding Written and Document Discovery</i> filed by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1: Defendants' objections and responses to Plaintiffs' Second Set of Interrogatories and Request for Production, # <u>2</u> Exhibit 2: Letter from Neal to Lunsford, # <u>3</u> Exhibit 3: Defendants' Objections and Responses to Plaintiffs' Request for Entry Upon Land for Inspection and Other Purposes)(Takei, Carl) (Entered: 04/02/2012)
04/03/2012	<u>107</u>	ORDERED that, on or before 4/6/2012, the parties shall conduct a face-to-face meeting in a good faith effort to resolve the pending motions; The parties will notify the court of the results of the meeting in a joint notice, filed no later than 4/9/2012. Signed by Honorable Judge Wallace Capel, Jr on 4/3/2012. (wcl,) (Entered: 04/03/2012)
04/03/2012	<u>108</u>	Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Telephone Conference held Re: on 4/3/2012 re <u>99</u> MOTION for Protective Order <i>Regarding Written and Document Discovery</i> filed by Edward Ellington, Billy

		Mitchem, Kim Tobias Thomas, Frank Albright, Bettina Carter, <u>98</u> MOTION to Compel <i>Response to Plaintiffs' First Set of Interrogatories</i> filed by Jeffery Beyer, Louis Henderson, Darrell Robinson, Dwight Smith, Albert Knox, Bonita Graham, James Douglas, Alqadeer Hamlet, Dana Harley (PDF available for court use only). (Recording Time 9:04 – 9:15.) (kcg,) (Entered: 04/04/2012)
04/04/2012	<u>109</u>	MOTION to Clarify re <u>107</u> Order, by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 04/04/2012)
04/04/2012	<u>110</u>	ORDER granting <u>109</u> Motion for Clarification, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 4/4/2012. (wcl,) (Entered: 04/04/2012)
04/05/2012	<u>111</u>	NOTICE of Appearance by Mitchell David Greggs on behalf of Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas (Greggs, Mitchell) (Entered: 04/05/2012)
04/09/2012	<u>112</u>	NOTICE by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas (<i>JOINT REPORT OF PARTIES APRIL 6, 2012 MEET AND CONFER</i>) (Lunsford, William) (Entered: 04/09/2012)
04/10/2012	<u>113</u>	ORDERED that the Plfs' <u>98</u> Motion to Compel a Response to Plfs' First Set of Interrogatories and Dfts' <u>99</u> Motion for Protective Order are DENIED as moot. Signed by Honorable Judge Wallace Capel, Jr on 4/10/2012. (wcl,) (Entered: 04/10/2012)
04/17/2012	<u>114</u>	NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas re <u>107</u> Order, (<i>The State's Statement of Objection to Magistrate Judge's Order Dated April 3, 2012</i>) (Lunsford, William) (Entered: 04/17/2012)
04/20/2012	<u>115</u>	NOTICE by Bonita Graham of <i>Voluntary Dismissal of Bonita Graham</i> (Neal, Allison) Modified on 6/18/2012 to reflect as filed only on behalf of Bonita Graham (wcl,). (Entered: 04/20/2012)
04/20/2012		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Telephone Status Conference held on 4/20/2012 (No PDF attached). (kcg,) (Entered: 04/23/2012)
04/25/2012	<u>116</u>	BRIEF/MEMORANDUM in Opposition re <u>114</u> Notice (Other) filed by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 04/25/2012)
05/15/2012	<u>117</u>	RESPONSE in Opposition re <u>2</u> MOTION to Certify Class (<i>The State's Third Supplemental Response in Opposition to Plaintiffs' Motion for Class Certification</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 05/15/2012)
05/15/2012	<u>118</u>	(SEALED PURSUANT TO <u>128</u> ORDER) MOTION for Leave to Depose Inmates Incarcerated at Limestone Correctional Facility by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) Modified on 5/21/2012 (wcl,). (Entered: 05/15/2012)
05/15/2012	<u>119</u>	ORDER granting <u>118</u> Motion for Leave to Depose Inmates. Signed by Honorable Judge Wallace Capel, Jr on 5/15/2012. (wcl,) (Entered: 05/15/2012)
05/16/2012	<u>120</u>	(SEALED PURSUANT TO <u>128</u> ORDER) MOTION for Reconsideration re <u>119</u> Order by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Winter, Margaret) (Main Document 120 replaced on 5/16/2012 to attach a corrected PDF document to include the e-signatures which were previously omitted in error) (wcl,). Modified on 5/16/2012 (wcl,). Modified on 5/21/2012 (wcl,). (Entered: 05/16/2012)
05/16/2012	<u>121</u>	NOTICE of Correction re <u>120</u> MOTION for Reconsideration, to attach a corrected PDF document to include the e-signatures which were previously omitted in error. (Attachments: # <u>1</u> Corrected Main PDF Document to Docket Entry <u>120</u>)(wcl,) (Entered: 05/16/2012)

05/16/2012	<u>122</u>	ORDER re <u>120</u> MOTION for Reconsideration, that Dfts shall, on or before 5/18/2012, file a response. Signed by Honorable Judge Wallace Capel, Jr on 5/16/2012. (wcl,) (Entered: 05/16/2012)
05/17/2012	<u>123</u>	MOTION to Withdraw as Attorney by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Neal, Allison) (Entered: 05/17/2012)
05/18/2012	<u>124</u>	MOTION for Leave to File <i>Responsive Brief re Defendants' Third Supplemental Response 117 by June 1, 2012</i> by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 05/18/2012)
05/18/2012	<u>125</u>	MOTION to Seal re <u>118</u> MOTION for Leave to Depose Inmates Incarcerated by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) Modified on 5/21/2012 to add the link to the <u>118</u> Motion (wcl,). (Entered: 05/18/2012)
05/18/2012	<u>126</u>	RESPONSE in Opposition re <u>120</u> MOTION for Reconsideration re <u>119</u> Order filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Lunsford, William) Modified on 5/21/2012 to clarify the docket text (wcl,). (Entered: 05/18/2012)
05/18/2012		Amended MOTION (Request) for Leave to Conduct Additional Depositions by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No pdf attached – See docket entry <u>126</u>) (wcl,) (Entered: 05/21/2012)
05/21/2012	<u>127</u>	MOTION for Leave to File <i>Reply Brief re Defendants' Response in Opposition to Plaintiffs' Motion for Reconsideration and Amended Motion for Leave to Conduct Additional Depositions 126</i> by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 05/21/2012)
05/21/2012	<u>128</u>	ORDER granting <u>125</u> Motion to Seal, as further set out in order; granting <u>127</u> Motion for Leave to Submit Responsive Brief; Plfs shall have until on or before 5/25/2012 in which to file a Reply. Signed by Honorable Judge Wallace Capel, Jr on 5/21/2012. (wcl,) (Main Document 128 replaced on 5/21/2012) (wcl,). Modified on 5/21/2012 to attach the correct PDF document due to a clerical error (wcl,). (Entered: 05/21/2012)
05/21/2012	<u>129</u>	NOTICE of Correction re <u>128</u> Order, to attach the correct PDF document due to a clerical error. (Attachments: # <u>1</u> Correct Main PDF Document to Docket Entry <u>128</u>)(wcl,) (Entered: 05/21/2012)
05/25/2012	<u>130</u>	REPLY BRIEF in Opposition re defendants' <u>126</u> Response in Opposition to Plaintiffs' <u>120</u> Motion for Reconsideration of May 15, 2012 Order and Amended Request for Leave to Conduct Additional Depositions filed by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) Modified on 5/29/2012 to clarify text to add link to reflect as in opposition to <u>126</u> response (qc/djy,). (Entered: 05/25/2012)
05/25/2012	<u>131</u>	Motion for David M. Shapiro to Appear Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602022889.) by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Declaration, # <u>2</u> certificate of good standing, # <u>3</u> fee receipt, # <u>4</u> Text of Proposed Order)(djy,) (Entered: 05/29/2012)
06/01/2012	<u>132</u>	ORDER setting Discovery conference for 6/7/2012 @ 10:00 AM before Honorable Judge Wallace Capel Jr. in Courtroom 5A, FMJFB & USCC, Montgomery, AL, as furthr set out in order; directing that counsel for the parties shall meet and confer prior to the hearing to discuss the resolution of the matter surrounding the motion and discuss the future conduct of discovery and any issues that may arise. Signed by Honorable Judge Wallace Capel, Jr on 6/1/12. (djy,) (Entered: 06/01/2012)
06/01/2012	<u>133</u>	MOTION to Reschedule June 7, 2012 Discovery Conference by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) Modified on 6/4/2012 to clarify the docket text (wcl,). (Entered: 06/01/2012)

06/01/2012	<u>134</u>	REPLY BRIEF re <u>117</u> Response in Opposition to Motion, filed by Jeffery Beyer, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1: ADOC OHS Information for HIV+ Inmates to be Considered for or Housed at Work Release, # <u>2</u> Exhibit 2: ADOC Classification Manual sec. 4.4.5)(Takei, Carl) (Entered: 06/01/2012)
06/04/2012	<u>135</u>	ORDER denying <u>133</u> Motion to Reschedule the June 7, 2012 Discovery Conference, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 6/4/2012. (wcl,) (Entered: 06/04/2012)
06/07/2012	<u>136</u>	Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Discovery Hearing held on 6/7/2012 (PDF available for court use only). (Recording Time 10:00 – 10:36.) (kcg,) (Entered: 06/07/2012)
06/08/2012	<u>137</u>	ORDER granting <u>131</u> Motion for Admission Pro Hac Vice. Signed by Honorable Judge Myron H. Thompson on 6/8/2012. (wcl,) (Entered: 06/08/2012)
06/15/2012	<u>138</u>	Notice of Joint STIPULATION Regarding Remaining Discovery re <u>132</u> Order, by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith, Kim Tobias Thomas, Billy Mitchem, Edward Ellington, Bettina Carter, Frank Albright. (Winter, Margaret) Modified on 6/18/2012 to clarify the docket text and to add as also filed on behalf of the defendants (wcl,). (Entered: 06/15/2012)
06/15/2012	<u>139</u>	NOTICE by Louis Henderson, Dwight Smith, Darrell Robinson, Albert Knox, Dana Harley, Alqadeer Hamlet, James Douglas, Jeffery Beyer re <i>ESTIMATED NUMBER OF TRIAL DAYS</i> (Winter, Margaret) Modified on 6/18/2012 to add as filed on behalf of all plaintiffs (wcl,). (Entered: 06/15/2012)
06/18/2012	<u>140</u>	Clerk's NOTICE of Voluntary Dismissal of Plf Bonita Graham from this case pursuant to <u>115</u> Notice. (wcl,) (Entered: 06/18/2012)
06/18/2012	<u>141</u>	Motion for Admission of Amanda C. Goad as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602023165.) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Declaration of Amanda C. Goad, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order, # <u>4</u> Receipt)(wcl,) (Entered: 06/21/2012)
06/22/2012	<u>142</u>	ORDER granting <u>141</u> Motion for Admission Pro Hac Vice. Signed by Honorable Judge Myron H. Thompson on 6/22/2012. (dmn,) (Entered: 06/22/2012)
06/25/2012	<u>143</u>	Fourth MOTION to Compel by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Text of Proposed Order)(Shapiro, David) (Additional attachment(s) added on 6/25/2012 to redact personal information contained in original filing pursuant to the E-government rules: # <u>7</u> (Redacted) Exhibit 3, # <u>8</u> (Redacted) Exhibit 5) (wcl,). Modified on 6/25/2012 (wcl,). (Entered: 06/25/2012)
06/25/2012	<u>144</u>	ORDERED that Dfts shall, on or before 7/5/2012, show cause as to why the <u>143</u> Motion to Compel should not be granted. Signed by Honorable Judge Wallace Capel, Jr on 6/25/2012. (wcl,) (Entered: 06/25/2012)
06/27/2012	<u>145</u>	ORDER SETTING PRETRIAL HEARING: Final Pretrial Conference set for 8/16/2012, at 10:30 AM in chambers 200FMJ before Honorable Judge Myron H. Thompson; the parties are DIRECTED to prepare JOINTLY a proposed pretrial order, as further set out in order; Proposed Pretrial Order due by 8/13/2012; Non-Jury Trial set for 9/17/2012 before Honorable Judge Myron H. Thompson. Signed by Honorable Judge Myron H. Thompson on 6/27/2012. (furn: Calendar, ag)(wcl,) (Entered: 06/27/2012)
07/02/2012	<u>146</u>	Fifth MOTION to Compel by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Table of Exhibits, # <u>3</u> Exhibit 1: Plaintiffs' First Set of Interrogatories, # <u>4</u> Exhibit 2: State's Objections and Responses, # <u>5</u> Exhibit 3: State's Supplemental Responses, # <u>6</u> Exhibit 4: Email Takei to Lunsford,

		6/11/12, # <u>7</u> Exhibit 5: Email Lunsford to Takei 6/12/12, # <u>8</u> Exhibit 6: Email Takei to Lunsford, 6/22/12, # <u>9</u> Exhibit 7: Table of ADOC educational and vocational programs, # <u>10</u> Exhibit 8: Map of ADOC drug treatment programs and locations)(Takei, Carl) (Entered: 07/02/2012)
07/02/2012	<u>147</u>	MOTION to Compel <i>FRCP 30(b)(6) Deposition</i> by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit 1: Deposition notice (revised), # <u>3</u> Exhibit 2: Deposition notice (original), # <u>4</u> Exhibit 3: Takei email to Lunsford, 6/11/12, # <u>5</u> Exhibit 4: Shapiro email to Lunsford, 6/22/12, # <u>6</u> Exhibit 5: Lunsford email to Shapiro, 6/22/12, # <u>7</u> Exhibit 6: Shapiro email to Lunsford, 6/25/12, # <u>8</u> Exhibit 7: Shapiro email to Lunsford, 6/26/12, # <u>9</u> Exhibit 8: Lunsford email to Shapiro, 6/26/12, # <u>10</u> Exhibit 9: Shapiro email to Lunsford, 6/26/12, # <u>11</u> Exhibit 10: Lunsford email to Shapiro, 6/26/12, # <u>12</u> Exhibit 11: Shapiro email to Lunsford, 6/27/12, # <u>13</u> Exhibit 12: ADOC Classification Manual, # <u>14</u> Exhibit 13: Kim Thomas deposition (selected pages))(Takei, Carl) (Entered: 07/02/2012)
07/02/2012	<u>148</u>	MOTION to Quash re <u>119</u> Order by non-party inmate Ronald Evans. (wcl,) (Entered: 07/02/2012)
07/03/2012	<u>149</u>	ORDERED that Dft shall, on or before 7/9/2012, show cause as to why the <u>146</u> & <u>147</u> Motions to Compel should not be granted, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 7/3/2012. (wcl,) (Entered: 07/03/2012)
07/03/2012	<u>150</u>	ORDERED that Dft shall, on or before 7/11/2012, show cause as to why the <u>148</u> Motion to Quash should not be granted. Signed by Honorable Judge Wallace Capel, Jr on 7/3/2012. (wcl,) (Entered: 07/03/2012)
07/05/2012	<u>151</u>	RESPONSE in Opposition re <u>147</u> MOTION to Compel <i>FRCP 30(b)(6) Deposition</i> , <u>146</u> Fifth MOTION to Compel , <u>143</u> Fourth MOTION to Compel filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Additional attachment(s) added on 7/9/2012: # <u>1</u> Corrected Certificate of Service) (wcl,). (Entered: 07/05/2012)
07/06/2012	<u>152</u>	REPLY BRIEF re <u>151</u> Response in Opposition to Motion, <i>re Motions to Compel</i> <u>143</u> <u>146</u> <u>147</u> filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 07/06/2012)
07/11/2012	<u>153</u>	RESPONSE in Opposition re <u>148</u> MOTION to Quash filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit 1 – Redacted Subpoena to the inmate)(Lunsford, William) (Additional attachment(s) added on 7/12/2012: # <u>2</u> Corrected Certificate of Service) (wcl,). (Entered: 07/11/2012)
07/11/2012	<u>154</u>	STIPULATION <i>regarding discovery</i> by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Shapiro, David) (Entered: 07/11/2012)
07/11/2012		Joint Stipulated MOTION for Extension of Deadline Regarding Discovery by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas. (No pdf attached – See docket entry <u>154</u>) (wcl,) (Entered: 07/12/2012)
07/13/2012	<u>155</u>	MOTION for Extension of Deadline (<i>The State's Motion for Extension of Time to File Expert Report</i>) by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 07/13/2012)
07/13/2012	<u>156</u>	ORDER granting <u>154</u> Motion for Extension of Time. Signed by Honorable Judge Wallace Capel, Jr on 7/13/2012. (wcl,) (Entered: 07/13/2012)
07/13/2012	<u>157</u>	(STRICKEN PURSUANT TO LOCAL RULES RE: NON-FILING OF CIVIL DISCOVERY) NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas (<i>NOTICE OF SERVICE OF DISCOVERY</i>) (Lunsford, William) Modified on 7/13/2012 (wcl,). (Entered: 07/13/2012)

07/13/2012	<u>158</u>	NOTICE of Non-Compliance re <u>157</u> Notice of Service of Discovery, which is hereby STRICKEN pursuant to the local rules regarding non-filing of civil discovery. (wcl,) (Entered: 07/13/2012)
07/13/2012	<u>159</u>	RESPONSE in Opposition re <u>146</u> Fifth MOTION to Compel , <u>143</u> Fourth MOTION to Compel (<i>SUPPLEMENTAL</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 07/13/2012)
07/16/2012	<u>160</u>	Evidentiary Submission re <u>155</u> MOTION for Extension of Deadline (<i>The State's Motion for Extension of Time to File Expert Report</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit 1 – Email Chain)(Lunsford, William) (Entered: 07/16/2012)
07/18/2012	<u>161</u>	NOTICE of Stipulation by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas re <u>155</u> MOTION for Extension of Time to File Expert Report. (Attachments: # <u>1</u> Exhibit 1: Stipulation)(Takei, Carl) Modified on 7/19/2012 to clarify the docket text (wcl,). (Entered: 07/18/2012)
07/23/2012	<u>162</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith re <u>147</u> MOTION to Compel <i>FRCP 30(b)(6) Deposition</i> , <u>146</u> Fifth MOTION to Compel (Shapiro, David) (Entered: 07/23/2012)
07/24/2012	<u>163</u>	Sixth MOTION to Compel by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Text of Proposed Order)(Shapiro, David) (Entered: 07/24/2012)
07/24/2012	<u>164</u>	ORDERED denying as moot <u>146</u> & <u>147</u> Motions to Compel; denying as moot <u>143</u> Motion to Compel; denying <u>148</u> Motion to Quash. Signed by Honorable Judge Wallace Capel, Jr on 7/24/2012. (wcl,) (Entered: 07/24/2012)
07/30/2012	<u>165</u>	RESPONSE in Opposition re <u>163</u> Sixth MOTION to Compel filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 07/30/2012)
07/30/2012		MOTION for Protective Order by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No pdf attached – See docket entry <u>165</u>) (wcl,) (Entered: 07/31/2012)
07/31/2012	<u>166</u>	ORDER denying <u>163</u> Sixth Motion to Compel, as further set out in order; denying <u>165</u> Motion for Protective Order. Signed by Honorable Judge Wallace Capel, Jr on 7/31/2012. (wcl,) (Entered: 07/31/2012)
07/31/2012	<u>167</u>	MOTION Leave to present expert rebuttal witness by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1--report, # <u>2</u> Exhibit 2--email, # <u>3</u> Text of Proposed Order)(Winter, Margaret) (Entered: 07/31/2012)
08/02/2012	<u>168</u>	Motion for Admission of Gabriel B. Eber as Visiting Attorney, Pro Hac Vice (Filing fee \$ 50.00 receipt number 4602023665.) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Declaration of Gabriel B. Eber, # <u>2</u> Certificate of Good Standing, # <u>3</u> Proposed Order, # <u>4</u> Receipt)(wcl,) (Additional attachment(s) added on 8/8/2012: # <u>5</u> Corrected Certificate of Service) (wcl,). (Entered: 08/06/2012)
08/07/2012	<u>169</u>	RESPONSE in Opposition re <u>167</u> MOTION Leave to present expert rebuttal witness filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Lunsford, William) (Entered: 08/07/2012)
08/10/2012	<u>170</u>	ORDER that the motion for admission pro hac vice <u>168</u> is granted. Signed by Honorable Judge Myron H. Thompson on 8/10/2012. (jg,) (Entered: 08/10/2012)

08/13/2012	<u>171</u>	NOTICE of Appearance by Elizabeth Anne Sees on behalf of Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas (Sees, Elizabeth) (Entered: 08/13/2012)
08/16/2012	<u>172</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Pretrial Conference held on 8/16/2012 (PDF available for court use only). (Court Reporter Mitchell Reisner.) (ag,) (Entered: 08/17/2012)
08/17/2012	<u>173</u>	ORDER granting <u>124</u> Motion for Leave to submit responsive brief. Signed by Honorable Judge Myron H. Thompson on 8/17/12. (dgy,) (Entered: 08/17/2012)
08/17/2012	<u>174</u>	ORDER granting <u>123</u> Motion for Allison Neal to Withdraw as Attorney. Signed by Honorable Judge Myron H. Thompson on 8/17/12. (dgy,) . (Entered: 08/17/2012)
08/17/2012		*** Attorney Allison Eichenfeld Neal terminated pursuant to <u>174</u> order (NO PDF Document attached to this notice). (dgy,) (Entered: 08/17/2012)
08/17/2012	<u>175</u>	ORDER granting <u>167</u> Motion for leave to offer rebuttal expert testimony. Signed by Honorable Judge Myron H. Thompson on 8/17/12. (dgy,) (Entered: 08/17/2012)
08/17/2012	<u>176</u>	ORDER denying <u>84</u> Joint Motion to Continue. Signed by Honorable Judge Myron H. Thompson on 8/17/12. (dgy,) (Entered: 08/17/2012)
08/20/2012	<u>177</u>	PRETRIAL ORDER: Non-Jury Trial, which is to last 16 days, is set for 9/17/2012, at 10:00 AM in Montgomery, Alabama before Honorable Judge Myron H. Thompson; Trial Brief by plfs due by 8/31/2012, and by dfts due by 9/10/2012, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 8/20/2012. (furn: Calendar, ag) (wcl,) (Entered: 08/20/2012)
08/20/2012	<u>178</u>	ORDER denying as moot <u>155</u> Motion for Extension of Time. Signed by Honorable Judge Myron H. Thompson on 8/20/2012. (wcl,) (Entered: 08/20/2012)
08/22/2012	<u>179</u>	MOTION Concerning Upcoming Trial by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Block, David) (Entered: 08/22/2012)
08/22/2012	<u>180</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith of <i>Service and Filing of Plaintiffs' Pretrial Disclosures</i> (Attachments: # <u>1</u> Exhibit Plaintiffs' pretrial disclosures)(Takei, Carl) (Additional attachment(s) added on 8/23/2012: # <u>2</u> Corrected Certificate of Service for Notice, # <u>3</u> Corrected Certificate of Service for Pretrial Disclosures) (wcl,). (Entered: 08/22/2012)
08/22/2012		Witness List by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (No pdf attached – See docket entry <u>180</u>)(wcl,) (Entered: 08/23/2012)
08/22/2012		(STRICKEN AS A CLERICAL ERROR) Deposition Designations by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (No pdf attached – See docket entry <u>180</u>)(wcl,) Modified on 8/23/2012 (wcl,). (Entered: 08/23/2012)
08/22/2012		Exhibit List by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (No pdf attached – See docket entry <u>180</u>)(wcl,) (Entered: 08/23/2012)
08/23/2012	<u>181</u>	ORDER granting <u>179</u> Motion Concerning Upcoming Trial, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 8/23/2012. (wcl,) (Entered: 08/23/2012)
08/23/2012	<u>182</u>	NOTICE of ERROR re <u>180</u> Deposition Designations, which have been STRICKEN as a clerical error. (wcl,) (Entered: 08/23/2012)
08/23/2012	<u>183</u>	Amended Exhibit List (<i>Plaintiffs' Amended Pretrial Disclosures</i>) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith.. (Shapiro, David) Modified on 8/24/2012 to clarify the docket text (wcl,). (Entered: 08/23/2012)
08/23/2012		Amended Witness List by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (No pdf attached – See docket entry <u>183</u>)(wcl,) (Entered: 08/24/2012)

08/27/2012	<u>184</u>	MOTION Application for Assistance in Facilitating Plfs' Attendance at Trial by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order)(Winter, Margaret) Modified on 8/27/2012 to correct the docket text to reflect as an Application for Assistance and not a Motion for Writ of Habeas Corpus ad testificandum (wcl,). (Entered: 08/27/2012)
08/27/2012		NOTICE of Docket Text Correction re <u>184</u> MOTION Application for Assistance in Facilitating Plfs' Attendance at Trial, to correct the docket text to reflect as an Application for Assistance and not a Motion for Writ of Habeas Corpus ad testificandum. (No pdf attached) (wcl,) (Entered: 08/27/2012)
08/29/2012	<u>185</u>	RESPONSE to Motion re <u>184</u> MOTION Application for Assistance in Facilitating Plfs' Attendance at Trial filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 08/29/2012)
08/29/2012	<u>186</u>	MOTION for Leave to File Sealed Exhibits by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (wcl,) (Entered: 08/29/2012)
08/29/2012	<u>187</u>	MOTION in Limine Regarding Dfts' Exhibit List and Witness List by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1 (SEALED), # <u>2</u> Exhibit 2 (SEALED))(wcl,) (Entered: 08/29/2012)
08/30/2012	<u>188</u>	MEMORANDUM OPINION AND ORDER directing that (1) plaintiffs' <u>2</u> MOTION for class certification is GRANTED; (2) a plaintiff class is certified as consisting of all present and future prisoners diagnosed with HIV in the custody of the Alabama Department of Corrections; (3) the class representatives are Louis Henderson, Dana Harley, Darrell Robinson, Dwight Smith, Albert Knox, James Douglas, Alqadeer Hamlet, and Jeffery Beyer. Signed by Honorable Judge Myron H. Thompson on 8/30/12. (Attachments: # <u>1</u> civil appeals checklist)(dgy,) (Entered: 08/30/2012)
08/30/2012	<u>189</u>	ORDER, upon consideration of plaintiffs' <u>184</u> Application for Assistance in Facilitating Plfs' Attendance at Trial, it is ORDERED as follows: (1) Counsel for Plaintiffs and Defendants shall meet and confer to arrange for the attendance of Plaintiffs in ADOC custody at trial; The parties shall plan for and arrange the transportation of Plaintiffs in ADOC custody and allow for Counsels' consultation with Plaintiffs prior to and following court proceedings; The parties must have their plan for Plaintiffs' attendance and any meetings prior to and following court proceedings coordinated through and approved by the United States Marshals Service; The parties will submit their joint plan to the court no later than September 5, 2012, and certify that the plan has been approved by the United States Marshals Service; (2) DENYING plfs' request that the court "direct ADOC to issue a request to plf Smith's work release employer that Smith be excused from work in order to testify at trial and not be discharged from his employment for appearing in court to testify", as further set out in order; (3) DENYING plf's request that plf Knox be permitted to testify remotely by video-conferencing, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 8/30/12. (dgy,) (Entered: 08/30/2012)
08/31/2012	<u>190</u>	ORDER granting <u>186</u> Motion to Seal sealed exhibits. Signed by Honorable Judge Myron H. Thompson on 8/31/12. (dgy,) (Entered: 08/31/2012)
08/31/2012	<u>191</u>	RESPONSE in Opposition re <u>187</u> MOTION in Limine <i>Regarding Defendants' Exhibit List and Witness List</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Greggs, Mitchell) (Entered: 08/31/2012)
08/31/2012	<u>192</u>	ORDER directing that the parties meet and confer regarding plaintiffs' requests concerning the Exhibit and Witness Lists; further ORDERING that a telephonic hearing is set on the <u>187</u> MOTION in Limine for 9/4/2012 @ 11:00 AM before Honorable Judge Wallace Capel Jr.; directing counsel for plaintiffs to facilitate the joint call to chambers, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 8/31/12. Furnished to calendar group & KG.(dgy,) (Entered: 08/31/2012)
08/31/2012	<u>193</u>	BRIEF/MEMORANDUM in Support (<i>Pretrial Brief</i>) filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, David Smith, Dwight Smith. (Attachments: # <u>1</u> Exhibit A: LaMarre Report, # <u>2</u> Exhibit A-1: LaMarre CV, # <u>3</u> Exhibit B: Altice Report, # <u>4</u> Exhibit B-1: Altice

		CV, # <u>5</u> Exhibit C: Austin Report, # <u>6</u> Exhibit C-1: Austin CV, # <u>7</u> Exhibit C-2: Austin list of documents, # <u>8</u> Exhibit D: Taxman Report, # <u>9</u> Exhibit D-1: Attachment to Taxman Report, # <u>10</u> Exhibit E: Proposed Findings of Fact and Conclusions of Law)(Takei, Carl) (Entered: 08/31/2012)
09/04/2012	<u>194</u>	ORDER denying <u>51</u> Motion to Strike. Signed by Honorable Judge Myron H. Thompson on 9/4/12. (djt,) (Entered: 09/04/2012)
09/04/2012	<u>195</u>	ORDER granting <u>81</u> Motion to File. Signed by Honorable Judge Myron H. Thompson on 9/4/12. (djt,) (Entered: 09/04/2012)
09/04/2012	<u>196</u>	ORDER denying <u>120</u> Motion for Reconsideration ; and denying as moot <u>126</u> Motion for leave to conduct additional depositions. Signed by Honorable Judge Wallace Capel, Jr on 9/4/12. (djt,) (Entered: 09/04/2012)
09/04/2012	<u>197</u>	Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Motion Hearing held on 9/4/2012 re <u>187</u> MOTION in Limine filed by Jeffery Beyer, Louis Henderson, Darrell Robinson, Dwight Smith, Albert Knox, James Douglas, Alqadeer Hamlet, Dana Harley (PDF available for court use only). (Recording Time 11:05 – 11:11.) (kcg,) (Entered: 09/04/2012)
09/05/2012	<u>198</u>	ORDER denying <u>187</u> Motion in Limine; ORDER that the court adopts the parties' joint submission, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 9/5/2012. (wcl,) (Entered: 09/05/2012)
09/05/2012	<u>199</u>	OPINION AND ORDER that the dfts' <u>34</u> MOTION to Dismiss is denied with the understanding that the court will address the res judicata issue after the bench trial. Signed by Honorable Judge Myron H. Thompson on 9/5/2012. (Attachments: # <u>1</u> Civil Appeals Checklist) (wcl,) (Entered: 09/05/2012)
09/05/2012	<u>200</u>	Response to Order re <u>189</u> Order, <i>Parties' Joint Plan Regarding Plaintiffs' Attendance at Trial</i> by Frank Albright, Bettina Carter, Edward Ellington, Kim Tobias Thomas, Dwight Smith, Darrell Robinson, Billy Mitchem, Albert Knox, Louis Henderson, Dana Harley, Alqadeer Hamlet, James Douglas, Jeffery Beyer. (Rouse, Scott) Modified on 9/6/2012 to add as also filed on behalf of the Plfs (wcl,). (Entered: 09/05/2012)
09/05/2012	<u>201</u>	MOTION to Modify re <u>189</u> Order, (<i>Appeal Magistrate Judge's Order</i>) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 09/05/2012)
09/05/2012		APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith re <u>189</u> Order. (No pdf attached – See docket entry <u>201</u>) (wcl,) (Entered: 09/06/2012)
09/06/2012	<u>202</u>	Joint MOTION <i>Requesting Opening and Closing Statements</i> by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Darrell Robinson, Dwight Smith, Kim Tobias Thomas. (Greggs, Mitchell) (Entered: 09/06/2012)
09/06/2012	<u>203</u>	ORDERED that the <u>200</u> Joint Plan Regarding Plfs' Attendance at Trial is Adopted and Approved. Signed by Honorable Judge Wallace Capel, Jr on 9/6/2012. (wcl,) (Entered: 09/06/2012)
09/06/2012	<u>204</u>	ORDER Setting Hearing on Motion re <u>201</u> MOTION to Reconsider: Motion Hearing set for 9/10/2012 at 10:30 AM in Courtroom 5A before Honorable Judge Wallace Capel Jr., as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 9/6/2012. (furn: Calendar, kg)(wcl,) (Entered: 09/06/2012)
09/06/2012	<u>205</u>	MOTION Urgent Request for Ruling by District Judge re <u>201</u> APPEAL OF MAGISTRATE JUDGE ORDER by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Shapiro, David) Modified on 9/7/2012 to add the link to the Appeal (wcl,). (Entered: 09/06/2012)
09/06/2012		Set Hearings: Telephone Conference re <u>202</u> Joint Motion Requesting Opening and Closing Statements set for 9/7/2012 09:30 AM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 09/06/2012)

09/07/2012	<u>206</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference re <u>202</u> Joint Motion held on 9/7/2012 (PDF available for court use only). (Recording Time 9:41:14 – 10:19:30.) (ag,) (Entered: 09/07/2012)
09/07/2012	<u>207</u>	ORDERED that the hearing set for Monday, 9/10/2012, at 10:30 a.m. is CANCELED; ORDER denying as moot <u>201</u> Motion to Reconsider. Signed by Honorable Judge Wallace Capel, Jr on 9/7/2012. (furn: Calendar, kg) (wcl,) (Entered: 09/07/2012)
09/07/2012	<u>208</u>	ORDERED as follows: (1) The <u>202</u> Joint Motion Regarding Opening and Closing Statements is granted as orally set forth by the court; (2) The <u>201</u> Motion to Modify or Reconsider, etc. and the <u>205</u> Motion for Ruling, etc. are denied, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 9/7/2012. (wcl,) (Entered: 09/07/2012)
09/07/2012	<u>209</u>	CORRECTED ORDER re <u>208</u> Order; ORDERED as follows: (1) The <u>202</u> joint motion regarding opening and closing statements is granted as orally set forth by the court; (2) The <u>201</u> motion to modify or reconsider, etc. and the <u>205</u> motion for ruling, etc. are denied. The only remaining dispute between the parties is the handling of documents. By 9/12/2012, the parties are to resolve that issue (with the assistance of the courtroom deputy) and to file a joint statement reflecting the resolution. Signed by Honorable Judge Myron H. Thompson on 9/7/2012. (wcl,) (Entered: 09/07/2012)
09/10/2012	<u>210</u>	MOTION to File Under Seal <i>Legend for Pseudonyms Used in Dfts' Narrative Statement of Facts in Support of Pretrial Brief</i> by Frank Albright, Bettina Carter, Edward Ellington, Kim Tobias Thomas, Billy Mitchem. (McKinnon, Janine) Modified on 9/11/2012 to add as also filed on behalf of Billy Mitchem (wcl,). (Entered: 09/10/2012)
09/10/2012	<u>211</u>	PRE TRIAL BRIEF (<i>Defendants' Pretrial Brief</i>) by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Additional attachment(s) added on 9/11/2012: # <u>1</u> Corrected Certificate of Service) (wcl,). (Entered: 09/10/2012)
09/10/2012	<u>212</u>	MOTION Enforce Protective Order re <u>73</u> Protective Order by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Greggs, Mitchell) (Additional attachment(s) added on 9/11/2012: # <u>3</u> Corrected Certificate of Service) (wcl,). (Entered: 09/10/2012)
09/10/2012	<u>213</u>	Narrative Statement of Facts in Support of <u>211</u> Pretrial Brief by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Additional attachment(s) added on 9/11/2012: # <u>1</u> Corrected Certificate of Service) (wcl,). Modified on 9/11/2012 (wcl,). (Additional attachment(s) added on 9/12/2012: # <u>2</u> Exhibit A (SEALED)) (wcl,). (Entered: 09/10/2012)
09/11/2012		Set Hearings: Telephone Conference re <u>212</u> M/enforce protective order set for 9/11/2012 03:00 PM by telephone before Honorable Judge Myron H. Thompson. (ag,) Modified on 9/11/2012 (ag,). (Entered: 09/11/2012)
09/11/2012	<u>214</u>	ORDER granting <u>210</u> Motion to File Under Seal. Signed by Honorable Judge Myron H. Thompson on 9/11/2012. (wcl,) (Entered: 09/11/2012)
09/11/2012	<u>215</u>	BRIEF/MEMORANDUM in Opposition re <u>212</u> MOTION Enforce Protective Order re <u>73</u> Protective Order filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 09/11/2012)
09/11/2012	<u>216</u>	Statement Regarding Custody Levels of Named Plaintiffs by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Shapiro, David) Modified on 9/12/2012 to clarify the docket text (wcl,). (Entered: 09/11/2012)
09/11/2012	<u>217</u>	NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas <i>Notice of Service regarding Exhibit A to Defendants' Narrative Summary of Facts in Support of Pretrial Brief</i> (McKinnon, Janine) (Entered: 09/11/2012)
09/11/2012	<u>218</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference re <u>212</u> M/enforce protective order held on 9/11/2012 (PDF

		available for court use only). (Recording Time 3:09:36 – 3:39:22.) (ag,) (Entered: 09/11/2012)
09/11/2012	<u>219</u>	ORDER REGARDING DEPOSITION OF PLAINTIFF ALBERT KNOX, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 9/11/2012. (wcl,) (Entered: 09/11/2012)
09/11/2012	<u>220</u>	Exhibit List <i>Objections to Plaintiffs' Amended Pre-Trial Disclosures</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Greggs, Mitchell) Modified on 9/12/2012 to correct the exhibit docket text (wcl,). (Entered: 09/11/2012)
09/11/2012	<u>221</u>	Objection to <i>Defendants' "will use" exhibits</i> filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit A: Table of objections to "will use" exhibits)(Takei, Carl) (Entered: 09/11/2012)
09/11/2012		Objections to <u>183</u> Plfs' Amended Pretrial Disclosures filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No pdf attached – See docket entry <u>220</u> which was incorrectly e-filed as an Exhibit List) (wcl,) (Entered: 09/12/2012)
09/12/2012	<u>222</u>	Exhibit List <i>Supplement to Plaintiffs' "May Use" Exhibit List</i> by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith.. (Attachments: # <u>1</u> Exhibit Supplement)(Takei, Carl) (Entered: 09/12/2012)
09/14/2012	<u>223</u>	ORDER granting <u>212</u> Motion to Enforce, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 9/14/2012. (wcl,) (Entered: 09/14/2012)
09/14/2012	<u>224</u>	ANSWER to <u>61</u> Amended Complaint, by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas.(Lunsford, William) (Entered: 09/14/2012)
09/17/2012		Renewed ORAL MOTION to Dismiss plaintiff Darrell Robinson by Kim Tobias Thomas. (ag,) (Entered: 09/17/2012)
09/17/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial (commenced) on 9/17/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/17/2012)
09/17/2012	<u>225</u>	RESPONSE to Motion re MOTION to Dismiss <i>and Plaintiffs' Motion in Limine to Admit Deposition of Darrell Robinson into Evidence</i> filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Attachments: # <u>1</u> Exhibit 1: Wedekind Decl., # <u>2</u> Exhibit 2: Turner Decl., # <u>3</u> Exhibit 3: Takei Decl., # <u>4</u> Exhibit 4: Krase Decl., # <u>5</u> Exhibit 5: Heim Decl.)(Takei, Carl) (Entered: 09/17/2012)
09/17/2012		MOTION in Limine to Admit Deposition of Darrell Robinson into Evidence by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (No pdf attached – See docket entry <u>225</u>) (wcl,) Modified on 9/19/2012 to correct the docket text (wcl,). (Entered: 09/18/2012)
09/18/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/18/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/18/2012)
09/18/2012	<u>226</u>	BRIEF/MEMORANDUM in Support (<i>Plaintiffs' Brief Regarding Intentional Discrimination</i>) filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Darrell Robinson, Dwight Smith. (Takei, Carl) (Entered: 09/18/2012)
09/18/2012		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 9/18/2012 (No PDF attached). (kcg,) (Entered: 10/10/2012)

09/19/2012	<u>227</u>	BRIEF/MEMORANDUM in Support <i>Memorandum of Law regarding Intentional Discrimination Claim under Title II of the ADA</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Greggs, Mitchell) (Entered: 09/19/2012)
09/19/2012	<u>228</u>	ORDERED that plf Darrell Robinson is dismissed and terminated as a party. Signed by Honorable Judge Myron H. Thompson on 9/19/2012. (wcl,) (Entered: 09/19/2012)
09/19/2012	<u>229</u>	ORDER granting <u>225</u> Motion in Limine and that the deposition of Darrell Robinson is admitted under the conditions to which the parties agreed. Signed by Honorable Judge Myron H. Thompson on 9/19/2012. (wcl,) (Entered: 09/19/2012)
09/19/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/19/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/19/2012)
09/20/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/20/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/20/2012)
09/21/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/21/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/21/2012)
09/24/2012	<u>230</u>	Motion to Appear Pro Hac Vice by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Exhibit Declaration of Jennifer Wedekind, # <u>2</u> Exhibit Certificate of Good Standing)(Takei, Carl) (Entered: 09/24/2012)
09/24/2012	<u>231</u>	MOTION for Judgment on Partial Findings by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 09/24/2012)
09/24/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/24/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/24/2012)
09/24/2012		MOTION for Waiver of Pro Hac Vice Admission Requirements by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (No pdf attached – See docket entry <u>230</u>) (wcl,) (Entered: 09/28/2012)
09/25/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/25/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/25/2012)
09/26/2012	<u>232</u>	ORDER denying without prejudice <u>231</u> Motion for Partial Judgment on the Findings. Signed by Honorable Judge Myron H. Thompson on 9/26/2012. (wcl,) (Entered: 09/26/2012)
09/26/2012	<u>233</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith <i>Plaintiffs' Final Group of Exhibits</i> (Takei, Carl) (Entered: 09/26/2012)
09/27/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/27/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/27/2012)
09/28/2012	<u>234</u>	ORDER granting <u>230</u> Motion for Waiver, etc. and Motion for Admission Pro Hac Vice. Signed by Honorable Judge Myron H. Thompson on 9/28/2012. (wcl,) (Entered: 09/28/2012)
09/28/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 9/28/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 09/28/2012)
10/01/2012	<u>235</u>	MOTION to Withdraw as Attorney (<i>David M. Shapiro</i>) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Shapiro, David) (Entered: 10/01/2012)

10/01/2012	<u>236</u>	Objection to re <u>233</u> Notice (Other) <i>The State's Objections and Responses to Plaintiffs' Final Group of Exhibits</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Greggs, Mitchell) (Entered: 10/01/2012)
10/01/2012		***Attorney Elizabeth Anne Sees added pursuant to <u>236</u> Objections. (No pdf attached) (wcl,) (Entered: 10/02/2012)
10/03/2012	<u>237</u>	ORDER granting <u>235</u> Motion to Withdraw. Signed by Honorable Judge Myron H. Thompson on 10/3/2012. (wcl,) (Entered: 10/03/2012)
10/03/2012		***Attorney David M. Shapiro terminated pursuant to <u>237</u> Order. (No pdf attached) (wcl,) (Entered: 10/03/2012)
10/03/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/3/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/03/2012)
10/04/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/4/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/04/2012)
10/09/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/9/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/09/2012)
10/10/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/10/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/10/2012)
10/10/2012		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 10/10/2012 (No PDF attached). (kcg,) (Entered: 11/09/2012)
10/11/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/11/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/11/2012)
10/11/2012	<u>238</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith <i>PLAINTIFFS SUMMARY OF VISIT TO LIMESTONE CORRECTIONAL FACILITY WITH RESPONSES TO THE COURTS QUESTIONS</i> (Takei, Carl) (Entered: 10/11/2012)
10/11/2012	<u>239</u>	NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas <i>State's Summary of October 5, 2012 Tour of Limestone Correctional Facility</i> (McKinnon, Janine) (Entered: 10/11/2012)
10/11/2012	<u>240</u>	NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas <i>of The State's Response to Judicial Request</i> (Attachments: # <u>1</u> Exhibit A)(Greggs, Mitchell) (Entered: 10/11/2012)
10/12/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/12/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/12/2012)
10/15/2012	<u>241</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith <i>PLAINTIFFS SUMMARY OF VISIT TO JULIA TUTWILER PRISON FOR WOMEN</i> (Takei, Carl) (Entered: 10/15/2012)
10/15/2012	<u>242</u>	NOTICE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas <i>Summary of October 11, 2012 Tour of the Julia Tutwiler Prison for Women</i> (McKinnon, Janine) (Entered: 10/15/2012)
10/16/2012		Renewed ORAL MOTION for Judgment as a Matter of Law by Kim Tobias Thomas et al. (ag,) (Entered: 10/16/2012)
10/16/2012		ORAL ORDER denying Renewed ORAL Motion for Judgment as a Matter of Law. Entered by Honorable Judge Myron H. Thompson on 10/16/2012. (ag,) (Entered: 10/16/2012)

10/16/2012		ORAL ORDER that the state provide the medical records of the inmate involved in the biting incident. Entered by Honorable Judge Myron H. Thompson on 10/16/2012. (ag,) (Entered: 10/16/2012)
10/16/2012		Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial continues on 10/16/2012 (No PDF attached, See Final Minute Entry). (Court Reporter Patricia Starkie.) (ag,) (Entered: 10/16/2012)
10/17/2012	<u>243</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Non-Jury Trial completed on 10/17/2012 (PDF available for court use only). (Court Reporter Patricia Starkie.) (Attachments: # <u>1</u> Witness List, # <u>2</u> Plaintiffs' Exhibit List, # <u>3</u> Defendants' Exhibits List, # <u>4</u> Joint Exhibits List) (ag,) (Entered: 10/17/2012)
10/24/2012	<u>244</u>	Proposed Findings of Fact by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Wedekind, Jennifer) (Entered: 10/24/2012)
10/24/2012	<u>245</u>	TRIAL BRIEF (<i>PLAINTIFFS' POST-TRIAL BRIEF REGARDING WORK RELEASE CRITERIA</i>) by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Takei, Carl) (Entered: 10/24/2012)
10/31/2012	<u>246</u>	Proposed Findings of Fact by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 10/31/2012)
10/31/2012	<u>247</u>	TRIAL BRIEF <i>REGARDING WORK RELEASE</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 10/31/2012)
11/06/2012		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 11/6/2012 (No PDF attached). (kcg,) (Entered: 12/12/2012)
11/21/2012	<u>248</u>	NOTICE TO COUNSEL, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 11/21/2012. (wcl,) (Entered: 11/21/2012)
12/21/2012	<u>249</u>	OPINION. Signed by Honorable Judge Myron H. Thompson on 12/21/12. (djj,) (Entered: 12/21/2012)
12/21/2012	<u>250</u>	JUDGMENT, in accordance with the <u>249</u> opinion entered this date, it is the ORDER, JUDGMENT and DECREE of the court as follows: (1) judgment is entered in favor the plaintiffs and against the defendants; (2) it is DECLARED that, with the exception of the Alabama Department of Corrections' work-release policy, its segregation policy with regard to HIV-positive prisoners violates Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq., and 504 of the Rehabilitation Act, 29 U.S.C. 794; (3) the parties will be given a reasonable opportunity, jointly or separately, to propose relief to the court; (4) by a later separate order, the court will address the unresolved challenge to the work-release policy. Signed by Honorable Judge Myron H. Thompson on 12/21/12. (Attachments: # <u>1</u> civil appeals checklist)(djj,) (Entered: 12/21/2012)
01/04/2013	<u>251</u>	MOTION for Attorney Fees by Louis Henderson, Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Albert Knox, Dwight Smith. (Winter, Margaret) Modified on 1/7/2013 to add as filed on behalf of all plfs (wcl,). (Entered: 01/04/2013)
01/07/2013	<u>252</u>	ORDERED as follows: (1) Plfs' <u>251</u> MOTION for Attorneys' Fees and costs is set for final submission, without oral argument, on 3/8/2013; (2) To the extent the plfs' initial submissions do not meet the requirements of this order, the plfs are to file a supplemental brief and evidentiary materials by 2/15/2013; (3) Dfts are to file their brief and evidentiary materials by 3/1/2013; (4) Plfs may file a reply brief by 3/8/2013, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 1/7/2013. (wcl,) (Entered: 01/07/2013)
01/18/2013		Set Hearings: Telephone Conference set for 1/31/2013 03:00 PM by telephone before Honorable Judge Myron H. Thompson. (Plaintiffs to set up the call) (ag,) (Entered: 01/18/2013)

01/24/2013	<u>253</u>	BILL OF COSTS by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Memorandum in Support of Bill of Costs, # <u>2</u> Exhibit A: Documentation supporting fees for printed or electronically recorded transcripts from Part I, # <u>3</u> Exhibit B: Documentation supporting fees for exemplification and the costs for making copies from Part II)(Takei, Carl) (Entered: 01/24/2013)
01/31/2013	<u>254</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 1/31/2013 (PDF available for court use only). (Recording Time 3:08 – 3:22:22.) (ag,) (Entered: 01/31/2013)
02/12/2013	<u>255</u>	Consent MOTION for Extension of Time to File <i>Supplemental Brief and Evidentiary Materials in Support of their Motion for Attorneys Fees and costs (Doc. 251)</i> by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order)(Takei, Carl) (Entered: 02/12/2013)
02/14/2013	<u>256</u>	ORDER directing that the <u>255</u> motion for extension of time is granted as follows: (1) Plaintiffs' <u>251</u> motion for attorneys' fees and costs is reset for final submission, without oral argument, on March 15, 2013; (2) Plaintiffs are to file a supplemental brief and evidentiary materials by February 22, 2013; (3) Defendants are to file their brief and evidentiary materials by March 8, 2013; (4) Plaintiffs may file a reply brief by March 15, 2013. Signed by Honorable Judge Myron H. Thompson on 2/14/13. (scn,) (Entered: 02/14/2013)
02/22/2013	<u>257</u>	BRIEF/MEMORANDUM in Support of <u>251</u> Motion for Attorneys Fees and Costs filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Table of Exhibits, # <u>2</u> Exhibit A: Declaration of Margaret Winter, # <u>3</u> Exhibit A-1: Timeslips reports for NPP, # <u>4</u> Exhibit A-2 part 1, # <u>5</u> Exhibit A-2 part 2, # <u>6</u> Exhibit A-2 part 3, # <u>7</u> Exhibit A-2 part 4, # <u>8</u> Exhibit A-2 part 5, # <u>9</u> Exhibit A-2 part 6, # <u>10</u> Exhibit A-2 part 7, # <u>11</u> Exhibit A-2 part 8, # <u>12</u> Exhibit A-2 part 9, # <u>13</u> Exhibit A-2 part 10, # <u>14</u> Exhibit A-2 part 11, # <u>15</u> Exhibit A-2 part 12, # <u>16</u> Exhibit A-2 part 13, # <u>17</u> Exhibit A-2 part 14, # <u>18</u> Exhibit A-2 part 15, # <u>19</u> Exhibit A-2 part 16, # <u>20</u> Exhibit A-2 part 17, # <u>21</u> Exhibit A-3, # <u>22</u> Exhibit B: Declaration of Eber, # <u>23</u> Exhibit C: Declaration of Shapiro, # <u>24</u> Exhibit D: Declaration of Takei, # <u>25</u> Exhibit E: Declaration of Wedekind, # <u>26</u> Exhibit F: Declaration of Heim, # <u>27</u> Exhibit G: Declaration of Goad, # <u>28</u> Exhibit G-1, # <u>29</u> Exhibit G-2, # <u>30</u> Exhibit G-3, # <u>31</u> Exhibit G-4, # <u>32</u> Exhibit G-5, # <u>33</u> Exhibit H: Declaration of Neal, # <u>34</u> Exhibit H-1, # <u>35</u> Exhibit I: Declaration of Segall, # <u>36</u> Exhibit I-1, # <u>37</u> Exhibit J: Declaration of Turner, # <u>38</u> Exhibit J-1, # <u>39</u> Exhibit K: Declaration of Hanlon, # <u>40</u> Exhibit K-1, # <u>41</u> Exhibit L: Declaration of Drake, # <u>42</u> Exhibit M: Declaration of Ballew, # <u>43</u> Exhibit M-1)(Takei, Carl) Modified on 2/25/2013 to clarify text to reflect as in support of <u>251</u> motion for attorneys fees (qc/djy,). [Modified on 2/26/2013 to reflect that Exhibit A-2, Part 18 was omitted and is filed with Doc. <u>258</u> .-dmn] (Entered: 02/22/2013)
02/25/2013		NOTICE of Docket Text Correction re <u>257</u> BRIEF/MEMORANDUM in Support to clarify text to reflect as in support of <u>251</u> motion for attorneys fees (NO PDF Document attached to this notice). (djy,) (Entered: 02/25/2013)
02/25/2013	<u>258</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith re <u>257</u> BRIEF/MEMORANDUM in Support,,,,, <i>Supplementation of Exhibit A-2 to Plaintiffs' Memorandum in Support of Motion for Attorneys' Fees</i> (Attachments: # <u>1</u> Exhibit A-2 part 18 (UPS))(Takei, Carl) (Entered: 02/25/2013)
02/28/2013	<u>259</u>	MOTION to Stay <i>OR, IN THE ALTERNATIVE, MOTION FOR EXTENSION OF TIME</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 02/28/2013)
03/04/2013	<u>260</u>	RESPONSE to Motion re <u>259</u> MOTION to Stay <i>OR, IN THE ALTERNATIVE, MOTION FOR EXTENSION OF TIME</i> filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Exhibit A)(Takei, Carl) (Entered: 03/04/2013)

03/05/2013		Set Hearings: Telephone Conference re <u>259</u> M/Stay etc. set for 3/5/2013 04:00 PM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 03/05/2013)
03/05/2013	<u>261</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference re <u>259</u> M/Stay held on 3/5/2013 (PDF available for court use only). (Recording Time 4:09 – 4:15:48.) (ag,) (Entered: 03/05/2013)
03/06/2013	<u>262</u>	ORDERED that the dfts' <u>259</u> Motion to Stay and Alternative Motion for Extension of Time are granted to the extent that this case is referred to the magistrate judge to develop and recommend, after conferring with counsel for all parties, a schedule for the resolution of all remaining issues in this case; Counsel are to contact the magistrate judge immediately. Signed by Honorable Judge Myron H. Thompson on 3/6/2013. (wcl,) (Entered: 03/06/2013)
03/06/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 3/6/2013 (No PDF available). (kcg,) (Entered: 04/11/2013)
03/07/2013	<u>263</u>	ORDERED that the parties shall meet and confer and develop a joint report, as further set out in order; ORDERED that a Telephone Conference regarding the report will be held on 3/20/2013, at 11:00 AM before Honorable Judge Wallace Capel Jr.. Signed by Honorable Judge Wallace Capel, Jr on 3/7/2013. (furn: Calendar, kg)(wcl,) (Entered: 03/07/2013)
03/19/2013	<u>264</u>	(STRICKEN PURSUANT TO <u>265</u> ORDER) Response to Order re <u>263</u> Order (<i>Joint Report of the Parties Regarding a Schedule for the Resolution of All Remaining Issues in the Case</i>) by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Dwight Smith, Kim Tobias Thomas. (Lunsford, William) (Main Document 264 replaced on 3/19/2013) (wcl,). Modified on 3/19/2013 (wcl,). (Entered: 03/19/2013)
03/19/2013	<u>265</u>	ORDERED that the <u>264</u> Joint Report is STRICKEN from the docket, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 3/19/2013. (wcl,) (Entered: 03/19/2013)
03/19/2013	<u>266</u>	ORDERED that the telephone conference scheduled for 3/20/2013, is CANCELED, as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 3/19/2013. (furn: Calendar, kg)(wcl,) (Entered: 03/19/2013)
03/21/2013	<u>267</u>	(VACATED PURSUANT TO <u>267</u> ORDER) Costs Taxed in amount of \$ 36598.05 against all Defendants. (wcl,) Modified on 4/17/2013 (wcl,). (Entered: 03/21/2013)
03/21/2013	<u>268</u>	MOTION to Vacate <u>267</u> Costs Taxed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 03/21/2013)
03/22/2013	<u>269</u>	BRIEF/MEMORANDUM in Opposition re <u>268</u> MOTION to Vacate <u>267</u> Costs Taxed filed by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Takei, Carl) (Entered: 03/22/2013)
03/22/2013	<u>270</u>	REPLY to Response to Motion re <u>268</u> MOTION to Vacate <u>267</u> Costs Taxed (<i>The State's Reply to Plaintiffs' Memorandum in Opposition to Defendants' Motion to Vacate Taxation of Costs</i>) filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 03/22/2013)
03/25/2013	<u>271</u>	ORDERED that the <u>268</u> Motion to Vacate is referred to the magistrate judge pursuant to the court's <u>262</u> Order. Signed by Honorable Judge Myron H. Thompson on 3/25/2013. (wcl,) (Entered: 03/25/2013)
03/26/2013	<u>272</u>	ORDER setting in-person conference for 4/17/2013 at 10:00 AM in Courtroom 5A before Honorable Judge Wallace Capel Jr., as further set out in order. Signed by Honorable Judge Wallace Capel, Jr on 3/26/2013. (furn: Calendar, kg)(wcl,) (Entered: 03/26/2013)
04/17/2013	<u>273</u>	Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Status Conference held on 4/17/2013 (PDF available for court use only). (Recording Time 10:07–10:34, 10:49–11:26, 11:31–11:32.) (kcg,) (Entered: 04/17/2013)

04/17/2013	<u>274</u>	RECOMMENDATION OF THE MAGISTRATE JUDGE: the undersigned RECOMMENDS that the following schedule for the resolution of all remaining issues in this case be entered: 1) No later than 5/10/2013, Dfts shall provide Plfs with information regarding the contours of their remedial proposal; 2) No later than 5/24/2013, Dfts shall submit their remedial proposal to Plfs; 3) On June 4–7 and 10–12, 2013, the Parties shall engage in mediation on all unresolved issues and on or before 6/17/2013, file a joint statement notifying the district judge of any remaining dispute; 4) No later than 6/26/2013, Dfts shall file with the Court a final remedial proposal with supporting evidentiary materials; 5) No later than 7/3/2013, Dfts shall submit to the Court any argument, together with any supporting evidentiary materials, pertaining to the issue of the criteria for work release housing of HIV–positive inmates, should the issue still be in dispute; 6) No later than 7/15/2013, any party may request an evidentiary hearing on Dfts' final remedial plan; 7) No later than 7/26/2013, Plfs shall file a response Dfts' arguments pertaining to work–release criteria; 8) No later than 7/26/2013, Dfts shall file their response to Plfs' <u>251</u> Motion for Attorneys' Fees; 9) No later than 8/2/2013, Plfs shall file their response to Dfts' remedial plan; 10) No later than 8/9/2013, Dfts shall file a reply to Plfs' response to the work–release criteria; 11) No later than 8/16/2013, Dfts shall file a reply to Plfs' response to the remedial plan; and 12) No later than 8/16/2013, Plfs shall file a reply to Dfts' response to the Motion for Attorneys' Fees; Objections to R&R due by 5/1/2013. Signed by Honorable Judge Wallace Capel, Jr on 4/17/2013. (wcl,) (Entered: 04/17/2013)
04/17/2013	<u>275</u>	ORDER granting <u>268</u> Motion to Vacate; The <u>267</u> Taxation of Costs, is hereby VACATED. Signed by Honorable Judge Wallace Capel, Jr on 4/17/2013. (wcl,) (Entered: 04/17/2013)
04/24/2013	<u>276</u>	MOTION to Clarify <i>Motion for Clarification and for Immediate Limited Relief on HIV Isolation and HIV Segregation Within Tutwiler</i> by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Dwight Smith. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit Declaration, # <u>3</u> Exhibit Declaration)(Winter, Margaret) (Entered: 04/24/2013)
05/03/2013		Set Hearings: Telephone Conference re <u>276</u> M/Clarify and <u>274</u> RECOMMENDATION OF THE MAGISTRATE JUDGE set for 5/10/2013 09:30 AM by telephone before Honorable Judge Myron H. Thompson. (ag,) Modified on 5/3/2013 (ag,). (Entered: 05/03/2013)
05/07/2013		No objections filed to the <u>274</u> Recommendation. (No pdf attached to this entry) (wcl,) (Entered: 05/07/2013)
05/09/2013	<u>277</u>	RESPONSE in Opposition re <u>276</u> MOTION to Clarify <i>Motion for Clarification and for Immediate Limited Relief on HIV Isolation and HIV Segregation Within Tutwiler AND MOTION TO STRIKE</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) (Entered: 05/09/2013)
05/09/2013		MOTION to Strike Supporting Declarations re <u>276</u> MOTION to Clarify by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (No pdf attached to this entry – See doc <u>277</u> for pdf) (wcl,) (Entered: 05/10/2013)
05/10/2013	<u>278</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference Motion <u>276</u> to Clarify and <u>274</u> Recommendation held on 5/10/2013 (PDF available for court use only). (Recording Time 9:41 – 10:03:18.) (ag,) (Entered: 05/10/2013)
06/03/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/3/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)
06/06/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/6/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)
06/11/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/11/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)
06/12/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/12/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)

		07/03/2013)
06/13/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/13/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)
06/14/2013	<u>279</u>	MOTION to Seal <i>Mark A. Baines Objection to Proposed Settlement and Motion to Withdraw</i> by Jeffery Beyer, Alqadeer Hamlet, Dana Harley, Louis Henderson. (Attachments: # <u>1</u> Text of Proposed Order)(Takei, Carl) (Entered: 06/14/2013)
06/17/2013	<u>280</u>	ORDER denying as moot <u>279</u> Motion to Seal, as further set out in order; directing the clerk to include a copy of this order with any materials to be returned to any parties attempting to improperly file documents in this case. Signed by Honorable Judge Wallace Capel, Jr on 6/17/2013. (wcl,) (Entered: 06/17/2013)
06/17/2013	<u>281</u>	Joint STATUS REPORT <i>regarding Settlement Discussions</i> by Frank Albright, Jeffery Beyer, Bettina Carter, James Douglas, Edward Ellington, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox, Billy Mitchem, Dwight Smith, Kim Tobias Thomas. (Takei, Carl) Modified on 6/18/2013 to add "Joint" to the docket text (wcl,). (Entered: 06/17/2013)
06/17/2013		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 6/17/2013 (No PDF attached). (kcg,) (Entered: 07/03/2013)
06/18/2013	<u>282</u>	MOTION to Dismiss <i>Voluntarily as to Dwight Smith</i> by Jeffery Beyer, Alqadeer Hamlet, Dana Harley, Louis Henderson, Dwight Smith. (Attachments: # <u>1</u> Text of Proposed Order)(Takei, Carl) (Entered: 06/18/2013)
06/19/2013	<u>283</u>	ORDER directing that, by agreement of the parties, it is the ORDER, JUDGMENT, and DECREE of the court that plaintiffs' <u>282</u> motion for voluntary dismissal is granted and that plaintiff Dwight Smith is dismissed and terminated as a party. Signed by Honorable Judge Myron H. Thompson on 6/19/13. (Attachments: # <u>1</u> Civil Appeals Checklist)(scn,) (Entered: 06/19/2013)
08/01/2013	<u>284</u>	Joint MOTION <i>for Preliminary Approval and Notice of Proposed Settlement</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (with Exhibit A-1, A-2, B, and C incorporated in main document pdf.) (Lunsford, William) [Modified on 8/2/2013 to include exhibit text.-dmn] (Entered: 08/01/2013)
08/05/2013	<u>285</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference re <u>284</u> J/M Preliminary Approval etc. held on 8/5/2013 (PDF available for court use only). (Recording Time 2:55 - 3:17:01.) (ag,) (Entered: 08/05/2013)
08/06/2013	<u>286</u>	NOTICE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox re <u>284</u> Joint MOTION <i>for Preliminary Approval and Notice of Proposed Settlement - Notice of Amended Exhibits</i> (Attachments: # <u>1</u> Exhibit B: Notice, # <u>2</u> Exhibit C: Proposed Order)(Takei, Carl) (Entered: 08/06/2013)
08/06/2013	<u>287</u>	ORDER granting <u>284</u> Joint MOTION for Preliminary Approval; that the proposed Settlement Agreement attached hereto as Exhibits A-1 and A-2 is PRELIMINARILY APPROVED, as further set out in order; The Court will hold Fairness Hearings at Tutwiler Prison for Women, Wetumpka, Alabama, at 10:00 AM on 9/24/2013 and at Limestone Correctional Facility, Harvest, Alabama, at 11:00 AM on 9/26/2013 before Honorable Judge Myron H. Thompson, as further set out in order. Signed by Honorable Judge Myron H. Thompson on 8/6/2013. (Attachments: # <u>1</u> Exhibit A-1 (Settlement Agreement), # <u>2</u> Exhibit A-2 (Private Agreement), # <u>3</u> Exhibit B (Notice of Proposed Settlement Agreement inc Class Action Lawsuit), # <u>4</u> Exhibit C (Objection/Comment on Proposed Settlement Agreement)) (wcl,) (Entered: 08/06/2013)
08/20/2013	<u>288</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Ashley, Mr. King, Mr. Core. (wcl,) (Entered: 08/21/2013)
08/21/2013	<u>289</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Ms. Graham, Mr. Taylor. (wcl,) (Entered: 08/22/2013)

08/22/2013	<u>290</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Welch, Mr. Partian, Mr. Richards, Mr. Stone, Mr. Murphy. (wcl,) (Entered: 08/23/2013)
08/27/2013	<u>291</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Ms. Robinson. (wcl,) (Entered: 08/28/2013)
08/28/2013	<u>292</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. McGhee, Mr. Burton, Mr. Tippit, Mr. Phelps. (wcl,) (Entered: 08/29/2013)
08/29/2013	<u>293</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Beyer, Mr. Young, and Mr. Hunter. (wcl,) (Entered: 08/30/2013)
09/03/2013	<u>294</u>	ORDERED that all objections to, and comments on, the proposed settlement are to be filed under seal, since they most likely will contain personal medical history. Signed by Honorable Judge Myron H. Thompson on 9/3/2013. (wcl,) (Entered: 09/03/2013)
09/03/2013	<u>295</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Ms. Lomax, Mr. Rucker, Mr. Martinez.. (wcl,) (Entered: 09/04/2013)
09/03/2013	<u>296</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Taylor, Mr. Stone. (wcl,) (Entered: 09/04/2013)
09/06/2013	<u>297</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Burton, Mr. Merriweather, Mr. Howard, Mr. Teal. (wcl,) (Entered: 09/09/2013)
09/09/2013		Set Hearings: Telephone Conference set for 9/13/2013 10:00 AM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 09/09/2013)
09/11/2013	<u>298</u>	Objection/Comment on Proposed Settlement Agreement in Class Action Lawsuit by Mr. Powe, Mr. Baine. (wcl,) (Entered: 09/12/2013)
09/13/2013	<u>299</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 9/13/2013 (PDF available for court use only). (Recording Time 10:03 – 10:33.) (ag,) (Entered: 09/13/2013)
09/20/2013	<u>300</u>	Evidentiary Submission <i>in Support of the Proposed Settlement Agreement</i> filed by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Attachments: # <u>1</u> Affidavit of Phyllis Billups, # <u>2</u> Exhibit A to Billups Affidavit, # <u>3</u> Exhibit B to Billups Affidavit, # <u>4</u> Affidavit of Edward Ellington, # <u>5</u> Exhibit A to Ellington Affidavit, # <u>6</u> Exhibit B to Ellington Affidavit, # <u>7</u> Affidavit of Bradrick Files, # <u>8</u> Exhibit A to Files Affidavit, # <u>9</u> Exhibit B to Files Affidavit)(Lunsford, William) (Entered: 09/20/2013)
09/20/2013	<u>301</u>	NOTICE by Louis Henderson <i>Statement of Class Counsel in Support of Proposed Settlement</i> (Winter, Margaret) (Entered: 09/20/2013)
09/24/2013	<u>302</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Evidentiary (Fairness) Hearing held on 9/24/2013 (PDF available for court use only). (Court Reporter Patricia Starkie.) (Attachments: # <u>1</u> Witness List, # <u>2</u> Defendants Exhibits List) (ag,) (Attachment 1 replaced on 10/1/2013) (ag,). (Entered: 09/24/2013)
09/24/2013	<u>303</u>	ORDER denying <u>251</u> Motion for Attorneys Fees, as further set out. Signed by Honorable Judge Myron H. Thompson on 9/24/. (scn,) (Entered: 09/24/2013)
09/26/2013	<u>304</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Evidentiary Hearing held on 9/26/2013 (PDF available for court use only). (Court Reporter Risa Entekin.) (Attachments: # <u>1</u> Witness List, # <u>2</u> Defendants Exhibits List) (ag,) (Entered: 09/27/2013)
09/30/2013	<u>305</u>	OPINION. Signed by Honorable Judge Myron H. Thompson on 9/30/13. (djt,) (Entered: 09/30/2013)
09/30/2013	<u>306</u>	STIPULATED ORDER, on the Joint Motion for Approval of the Parties' settlement agreement and entry of stipulated order for the reasons set forth in the Opinion accompanying this order, ORDERING and ADJUDGING, as further set out in order; further ORDERING that all outstanding motions are denied as moot; directing the clerk to enter this document on the civil docket as a Final Judgment pursuant to Rule 58 FRCP; this case is closed. Signed by Honorable Judge Myron H. Thompson on

		9/30/13. (Attachments: # <u>1</u> civil appeals checklist)(dji,) (Entered: 09/30/2013)
08/07/2014	<u>307</u>	SEALED DOCUMENT--statement from "possible" class member filed for information purposes only and emailed to counsel pursuant to instructions from chambers. (dji,) (Entered: 08/08/2014)
09/26/2014	<u>308</u>	NOTICE by Louis Henderson <i>Transcript Order for Evidentiary Hearing</i> (Takei, Carl) (Main Document 308 replaced on 9/29/2014) (scn,). (Entered: 09/26/2014)
09/29/2014	<u>309</u>	NOTICE of PDF Correction re <u>308</u> Notice. (Attachments: # <u>1</u> Corrected main document of docket entry <u>308</u>)(scn,) (Entered: 09/29/2014)
10/16/2014	<u>310</u>	MOTION to Compel Transfer/MOTION for Modification of Agreement, by Ralph Davis. (scn,) (Entered: 10/16/2014)
10/16/2014	<u>311</u>	NOTICE of Appearance by Randall C Marshall on behalf of All Plaintiffs (Marshall, Randall) (Additional attachment(s) added on 10/17/2014: # <u>1</u> Corrected certificate of service) (scn,). (Entered: 10/16/2014)
12/02/2014	<u>312</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Fairness Hearing Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on 9/24/13, before Judge MYRON H. THOMPSON. Court Reporter/Transcriber Patricia G. Starkie, Telephone number 334.262.1221. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 12/23/2014. Redacted Transcript Deadline set for 1/2/2015. Release of Transcript Restriction set for 3/2/2015. (scn,) (Entered: 12/02/2014)
12/12/2014	<u>313</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Evidentiary Hearing Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on September 26, 2013, in Limestone Correctional Facility before Honorable Judge Myron H. Thompson. Court Reporter/Transcriber Risa L. Entekin, Telephone number 334-240-2405. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 1/2/2015. Redacted Transcript Deadline set for 1/12/2015. Release of Transcript Restriction set for 3/12/2015. (scn,) (Entered: 12/12/2014)
12/12/2014	<u>314</u>	ORDER directing the parties TO SHOW CAUSE, if any there be, as to whether inmate Ralph Davis's <u>310</u> Motion to Compel should not be granted. Show Cause Response due by 12/29/2014. Signed by Honorable Judge Myron H. Thompson on 12/12/2014. (dmn,) (Entered: 12/12/2014)
12/29/2014	<u>315</u>	RESPONSE TO ORDER TO SHOW CAUSE by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas re <u>314</u> Order to Show Cause,. (Lunsford, William) (Entered: 12/29/2014)
12/29/2014	<u>316</u>	RESPONSE TO ORDER TO SHOW CAUSE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox re <u>314</u> Order to Show Cause,. (Marshall, Randall) (Entered: 12/29/2014)
12/30/2014	<u>317</u>	(SEALED PURSUANT TO <u>319</u> ORDER DATED 01/06/2015) MOTION to Add Additional Plaintiffs, by (Movant) Ralph Davis. (scn,) Modified on 1/6/2015 (scn,). (Entered: 12/30/2014)
01/05/2015	<u>318</u>	MOTION to Seal <u>317</u> Motion to Add Additional Plaintiffs, by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, Randall) Modified on 1/5/2015 to create relationship to <u>317</u> Motion (scn,). (Entered: 01/05/2015)
01/06/2015	<u>319</u>	ORDER granting <u>318</u> Motion to Seal. Signed by Honorable Judge Myron H. Thompson on 01/06/2015. (scn,) (Main Document 319 replaced on 1/6/2015) (scn,). (Entered: 01/06/2015)
01/06/2015	<u>320</u>	ORDER denying <u>317</u> Motion to add additional plaintiffs. Signed by Honorable Judge Myron H. Thompson on 01/06/2015. (scn,) (Main Document 320 replaced on

		1/6/2015) (scn,). (Entered: 01/06/2015)
01/06/2015	<u>321</u>	NOTICE of PDF Correction re <u>320</u> Order and <u>319</u> Order to reflect corrections to DATE orders were signed. (Attachments: # <u>1</u> Corrected Order Doc <u>319</u> , # <u>2</u> Corrected Order Doc <u>320</u>)(scn,) (Entered: 01/06/2015)
03/03/2015	<u>322</u>	ORDER directing that, upon consideration of the responses filed by the plaintiffs and defendants in this case (doc. nos. <u>316</u> and <u>315</u>) to the court's order to show cause (doc. no. <u>314</u>), it is ORDERED that inmate Ralph Davis's motion to compel (doc. no. <u>310</u>) is denied without prejudice. Signed by Honorable Judge Myron H. Thompson on March 3, 2015. (scn,) (Entered: 03/03/2015)
03/03/2015	<u>323</u>	ORDER directing that, it appearing that Kim Thomas has been replaced by Billy Sharp, albeit as Interim Commissioner, Alabama Department of Corrections, see Dunn v. Sharp, civil action no. 2:14cv601, it is ORDERED that the docket sheet and all future filings in this case shall reflect this substitution pursuant to Fed. R. Civ. P. 25(d). Signed by Honorable Judge Myron H. Thompson on March 3, 2015. (scn,) (Entered: 03/03/2015)
03/03/2015		***Attorney Anne Adams Hill,David Berman Block,Elizabeth Anne Sees,Janine McKinnon McAdory,Mitesh Shah,Scott Lee Rouse,William Richard Lunsford,Mitchell David Greggs for Billy Sharp added pursuant to <u>323</u> Order. (scn,) (Entered: 03/03/2015)
03/03/2015		*** Attorney Anne Adams Hill; William Richard Lunsford; Janine McKinnon McAdory; Scott Lee Rouse; Elizabeth Anne Sees; Mitesh Shah; David Berman Block and Mitchell David Greggs terminated as counsel for Kim Thomas pursuant to <u>323</u> Order. (scn,) (Entered: 03/03/2015)
03/06/2015	<u>324</u>	MOTION for Relief, by Movant Jaquine Roberto Taylor. (scn,) (Entered: 03/06/2015)
03/10/2015	<u>325</u>	ORDER directing that the parties show cause, if any there be, in writing by March 24, 2014, as to whether inmate Jaquine Roberto Taylor's motion for relief (doc. no. <u>324</u>) should not be granted. Signed by Honorable Judge Myron H. Thompson on 03/10/2015. (scn,) (Entered: 03/10/2015)
03/24/2015	<u>326</u>	RESPONSE TO ORDER TO SHOW CAUSE by Jeffery Beyer, James Douglas, Alqadeer Hamlet, Dana Harley, Louis Henderson, Albert Knox re <u>324</u> MOTION, <u>325</u> Order to Show Cause,. (Marshall, Randall) (Entered: 03/24/2015)
03/24/2015	<u>327</u>	RESPONSE TO <u>325</u> SHOW CAUSE ORDER <i>The State's Response to Show Cause Order</i> by Frank Albright, Bettina Carter, Edward Ellington, Billy Mitchem, Kim Tobias Thomas. (Lunsford, William) Modified on 3/25/2015 to clarify text to reflect as response to <u>325</u> order (QC/djy,). (Entered: 03/24/2015)
03/25/2015		Set Hearings: Telephone Conference re <u>324</u> Motion for Relief and <u>326</u> Response set for 3/30/2015 09:30 AM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 03/25/2015)
03/30/2015	<u>328</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 3/30/2015 (PDF available for court use only). (Recording Time 9:35 – 9:43.) (ag,) (Entered: 03/30/2015)
03/30/2015	<u>329</u>	ORDER directing that, based on the representations made on the record on March 30, 2015, it is ORDERED that inmate Jaquine Roberto Taylor's motion for relief (doc. no. <u>324</u>) is denied without prejudice. Signed by Honorable Judge Myron H. Thompson on March 30, 2015. (scn,) (Entered: 03/30/2015)
03/31/2015	<u>330</u>	NOTICE of problems with ADOC, by Jaquine Roberto Taylor. (scn,) (Entered: 04/01/2015)
04/01/2015	<u>331</u>	ORDER directing that inmate Jaquine Roberto Taylor's request for relief (doc. no. <u>330</u>) is denied without prejudice, as further set out. Signed by Honorable Judge Myron H. Thompson on April 1, 2015. (scn,) (Entered: 04/01/2015)
04/28/2015	<u>332</u>	ORDER directing that this matter is set for a mediation conference on May 28, 2015, at 10:00 a.m., in Courtroom 5A, United States Courthouse, One Church Street, Montgomery, Alabama, as further set out. Signed by Honorable Judge Wallace Capel, Jr on April 28, 2015. (Furnished to Calendar/KF) (scn,) (Entered: 04/28/2015)

05/01/2015	<u>333</u>	ORDER: It appearing that Billy Sharp has been replaced by Jefferson S. Dunn as Commissioner, Alabama Department of Corrections, see Dunn v. Dunn, civil action no. 2:14cv601-MHT, it is ORDERED that the docket sheet and all future filings in this case shall reflect this substitution pursuant to FRCP 25(d). Signed by Honorable Judge Myron H. Thompson on 5/1/2015. (Party Jefferson S. Dunn added. Billy Sharp (in his official capacity) terminated. Attorney Anne Adams Hill, David Berman Block, Elizabeth Anne Sees, Janine McKinnon McAdory, Mitchell David Greggs, Mitesh Bansilal Shah, Scott Lee Rouse, William Richard Lunsford, added for Jefferson S. Dunn and terminated as counsel for Billy Sharp.)(dmn,) (Entered: 05/01/2015)
05/28/2015		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 5/28/2015 (No PDF attached). (kcf,) (Entered: 05/28/2015)
05/28/2015		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Settlement Conference held on 5/28/2015 (No PDF attached). (Recording Time 11:17 - 11:23.) (kcf,) (Entered: 05/28/2015)
07/09/2015	<u>334</u>	MOTION for Attorney Fees by Louis Henderson, Dana Harley, Albert Knox, James Douglas, Alqadeer Hamlet, Jeffery Beyer. (Marshall, Randall) Modified on 7/9/2015 to remove the previously terminated parties Ashley Dotson, Bonita Graham, John Hicks, Roosevelt James, Darrell Robinson, David Smith, Dwight Smith, April Stagner, and Melinda Washington as filers - these parties were voluntarily dismissed (wcl,). (Entered: 07/09/2015)
07/24/2015		Set Hearings: Telephone Conference re (1) mediation of the the fee request and (2) whether the entire case can now be dismissed set for 9/2/2015 09:00 AM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 07/24/2015)
08/14/2015	<u>335</u>	ORDER re <u>305</u> Opinion and <u>306</u> Stipulated Order. It is ORDERED that this matter is set for a Mediation Conference set for 9/10/2015 at 09:00 AM in Courtroom 5A in Montgomery, AL before Honorable Judge Wallace Capel Jr. On or before 9/3/2015, each party shall provide the undersigned with a confidential mediation conference statement as further set out in the order. Signed by Honorable Judge Wallace Capel, Jr. on 8/14/2015. Copies furnished to calendar group, KF. (dmn,) (Entered: 08/14/2015)
08/14/2015	336	TEXT ORDER: Resetting Telephone Conference re (1) mediation of the the fee request and (2) whether the entire case can now be dismissed now set for 9/2/15 to 10/2/2015 10:00 AM by telephone before Honorable Judge Myron H. Thompson.. Entered by Honorable Judge Myron H. Thompson on 8/14/2015. (ag,) (Entered: 08/14/2015)
09/10/2015		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 9/10/2015 (No PDF attached). (kcf,) (Entered: 10/06/2015)
09/11/2015	<u>337</u>	ORDERED that the mediation concerning Plfs' request for attorney's fees in this matter is continued pending further order of the court. Signed by Honorable Judge Wallace Capel, Jr on 9/11/2015. (wcl,) (Entered: 09/11/2015)
10/01/2015	<u>338</u>	UNOPPOSED MOTION to Continue Telephone Conference by Bettina Carter, Jefferson S. Dunn, Edward Ellington. (Lunsford, William) Modified on 10/1/2015 to remove repetitive text. (dmn,) (Entered: 10/01/2015)
10/01/2015	339	TEXT ORDER that the <u>338</u> Unopposed Motion to Continue Telephone Conference is GRANTED and the Telephone Conference set for 10/2/2015 is RESET to 11/10/2015 at 10:00 AM before Honorable Judge Myron H. Thompson re (1) mediation of the fee request and (2) whether the entire case can now be dismissed. Signed by Honorable Judge Myron H. Thompson on 10/1/2015. Copies furnished to calendar group, AG. (dmn,) (NO PDF) (Entered: 10/01/2015)
10/06/2015	<u>340</u>	ORDER, counsel for defendants having informed the court that Christopher Gordy and Bobby Barrett have replaced Billy Mitchem and Frank Albright as Warden of Limestone Correctional Facility and Warden of Julia Tutwiler Prison for Women, respectively, it is ORDERED that the docket sheet and all future filings in this case shall reflect this substitution, pursuant to FRCP 25(d). Signed by Honorable Judge Myron H. Thompson on 10/6/15. (djt,) (Entered: 10/06/2015)

10/06/2015	<u>341</u>	NOTICE of Appearance by William Richard Lunsford on behalf of All Defendants (Lunsford, William) (Entered: 10/06/2015)
10/06/2015		***Attorney David Berman Block,Mitesh Bansilal Shah,Mitchell David Greggs,Janine McKinnon McAdory,Anne Adams Hill,Elizabeth Anne Sees added for Christopher Gordy. (dmn,) (see Doc. <u>341</u> for pdf) (Entered: 10/07/2015)
10/27/2015	<u>342</u>	ORDER that the Mediation Conference will reconvene on 11/12/2015 at 09:00 AM in Courtroom 5A in Montgomery, AL before Honorable Judge Wallace Capel Jr. If the parties wish to submit supplemental confidential mediation statements ahead of the mediation, the parties shall transmit such statements to the undersigned's chambers on or before 11/5/2015. Signed by Honorable Judge Wallace Capel, Jr. on 10/27/2015. Copies furnished to calendar group, KG. (dmn,) (Entered: 10/27/2015)
11/03/2015	343	TEXT ORDER: Resetting Telephone Conference now set for 11/10 to 11/23/2015 09:00 AM by telephone before Honorable Judge Myron H. Thompson. Entered by Honorable Judge Myron H. Thompson on 11/3/2015. (ag,) (Entered: 11/03/2015)
11/12/2015		Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Mediation Conference held on 11/12/2015 (No PDF attached). (kcf,) (Entered: 12/03/2015)
11/13/2015	<u>344</u>	ORDER: As discussed during the mediation with the parties on 11/12/2015, it is ORDERED that the mediation concerning Plaintiffs' request for attorney's fees in this matter is continued pending further order of the court. Signed by Honorable Judge Wallace Capel, Jr. on 11/13/2015. (dmn,) (Entered: 11/13/2015)
11/23/2015	<u>345</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 11/23/2015 (PDF available for court use only). (Recording Time 9:09 – 9:14.) (ag,) (Entered: 11/23/2015)
12/07/2015	<u>346</u>	Amended MOTION for Attorney Fees by Jeffery Beyer, Ashley Dotson, James Douglas, Bonita Graham, Alqadeer Hamlet, Dana Harley, Louis Henderson, John Hicks, Roosevelt James, Albert Knox, Darrell Robinson, David Smith, Dwight Smith, April Stagner, Melinda Washington. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, Randall) (Entered: 12/07/2015)
12/08/2015	<u>347</u>	ORDER that Plaintiffs' <u>346</u> Amended Motion for Attorneys' Fees is granted as follows: Defendants shall pay Plaintiffs counsel ninety–nine thousand dollars and no cents (\$ 99,000.00) in full satisfaction of any claim for attorneys fees, expenses, and costs within thirty (30) days of this Order. The other <u>334</u> Motion for Attorneys Fees is denied as moot. Upon notification that payment has been made, the Court will dismiss this action with prejudice. Signed by Honorable Judge Myron H. Thompson on 12/8/2015. (dmn,) (Entered: 12/08/2015)
01/07/2016	<u>348</u>	NOTICE by Bobby Barrett, Bettina Carter, Jefferson S. Dunn, Edward Ellington, Christopher Gordy re <u>347</u> Order, Terminate Motions,,,, (Attachments: # <u>1</u> Exhibit A – Acknowledgment)(Lunsford, William) (Entered: 01/07/2016)
01/08/2016	<u>349</u>	JUDGMENT it is the ORDER, JUDGMENT, and DECREE of the court that this cause is dismissed in its entirety with prejudice. The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the FRCP. Signed by Honorable Judge Myron H. Thompson on 1/8/2016. (Attachments: # <u>1</u> Civil Appeals Checklist)(kh,) (Entered: 01/08/2016)
04/07/2016	<u>350</u>	Letter MOTION to Reopen Case by Jaquine Roberto Taylor. (wcl,) (Entered: 04/07/2016)
04/08/2016	<u>351</u>	ORDER denying <u>350</u> Motion to Reopen the Case; This litigation is over. Signed by Honorable Judge Myron H. Thompson on 4/8/2016. (wcl,) (Entered: 04/08/2016)