

Docket as of January 18, 2003 2:21 am

Web PACER (v2.4)

U.S. District Court**U.S. District Court for the District of Arizona (Phoenix)****CIVIL DOCKET FOR CASE #: 97-CV-476****USA v. Arizona, State of, et al**

Filed: 03/10/97
Assigned to: Judge Roslyn O Silver
Demand: \$0,000
Nature of Suit: 440
Lead Docket: None
Jurisdiction: US Plaintiff
Dkt# in other court: None
Cause: 42:1983 Civil Rights Act

UNITED STATES OF AMERICA
pla

Robert Donald Bartels, Esq
FAX (480)965-2427
[COR LD NTC usa]
Arizona State University
College of Law
PO Box 877906
Tempe, AZ 85287-7906
(480)965-5379

Mark S Masling
[COR LD NTC -]
Mellie H Nelson
FTS 514-6220
FAX (202)514-0212
[COR LD NTC -]
US Dept of Justice
Civil Rights Division
PO Box 66400
Room 1714
Washington, DC 20035-6400
(202)514-6252

Lee David Stein, Esq
Below Address Terminated on 5/15/00
[COR LD NTC -]
US Attorney's Office
2 Renaissance Sq
40 N Central
Ste 1200
Phoenix, AZ 85004-4408

(602)514-7500

=====

ARIZONA, STATE OF
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080

[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

JOHN FIFE SYMINGTON, III,
Governor of Arizona
dft
[term 08/19/98]

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

TERRY STEWART, Director,
Arizona Department of
Corrections
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

DALE COPELAND, Warden, Arizona
Center for Women and ASPC-
Alhambra
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

JEFF HOOD, Warden, ASPC-
Perryville
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

JOHN R HALLAHAN, Warden, ASPC-
Tucson
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

JANE D HULL, Governor of
Arizona
dft

Jeanne Garcia-Riley, Esq
FAX (602)364-0080
[COR LD NTC ret]
William Charles Wilder
FAX (602)364-0080
[COR LD NTC ret]
Office of the Attorney General
Liability Management Section
1275 W Washington
Phoenix, AZ 85007-2997
(602)542-4951

=====

SHAWNA POLLARD

David L Sandweiss, Esq

intervenor

[COR LD NTC -]
David L Sandweiss Ltd
5045 N 12th St
Ste 102
Phoenix, AZ 85014
277-4076

Bruce E Blumberg, Esq
FAX (602)271-4119
[COR LD NTC -]
Blumberg & Associates
45 W Jefferson
Ste 210
Phoenix, AZ 85003
(602)277-6180

DOCKET PROCEEDINGS

DATE	#	DOCKET ENTRY
3/10/97	1	COMPLAINT FILED (ms) [Entry date 03/12/97]
3/12/97	2	RETURN OF SERVICE EXECUTED of s/c upon dft Jeff Hood on 3/11/97 (jh) [Entry date 03/13/97]
3/12/97	3	RETURN OF SERVICE EXECUTED of s/c upon dft Dale Copeland on 3/10/97 (jh) [Entry date 03/13/97]
3/12/97	4	RETURN OF SERVICE EXECUTED of s/c upon dft Arizona, State of on 3/10/97 (jh) [Entry date 03/13/97]
3/12/97	5	RETURN OF SERVICE EXECUTED of s/c upon dft Terry L Stewart on 3/10/97 (jh) [Entry date 03/13/97]
3/12/97	6	RETURN OF SERVICE EXECUTED of s/c upon dft J Fife Symington III on 3/10/97 (jh) [Entry date 03/14/97]
3/19/97	7	RETURN OF SERVICE EXECUTED of s/c upon dft John Hallahan on 3/10/97 (jh) [Entry date 03/20/97]
3/31/97	9	MOTION to stay discovery by dfts [9-1] (jh) [Entry date 04/02/97]
3/31/97	10	MOTION for more definite statement by dfts [10-1] (jh) [Entry date 04/02/97]
3/31/97	11	MOTION to dismiss by (all) dfts [11-1] (jh) [Entry date 04/02/97]
3/31/97	12	NOTICE OF HEARING by dft setting motion to dismiss by (all) dfts [11-1] at 1:30 12/8/97 (jh) [Entry date 04/02/97]
4/1/97	8	ORDER by Judge Roslyn O. Silver ; status hearing set for 9:00 4/21/97, before Judge Roslyn O. Silver (cc: all counsel) (la) [Entry date 04/01/97]
4/2/97	13	MINUTE ORDER IT IS ORDERED setting motion for more definite statement by dfts [10-1] at 11:00 on 5/21/97 before Judge Roslyn O. Silver in Courtroom 5, 6th Floor. (cc: JS; all counsel) [13-2] (ph) [Entry date 04/02/97]

4/2/97 14 MINUTE ORDER; IT IS ORDERED setting motion to stay discovery by dfts [9-1] at 11:00 on 5/12/97 before Judge Roslyn O. Silver in Courtroom #5, 6th Floor (cc: JS; all counsel) [14-2] (ph) [Entry date 04/02/97]

4/4/97 15 AMENDED MINUTE ORDER IT IS ORDERED setting motion for more definite statement by dfts [10-1], and setting motion to stay discovery by dfts [9-1] at 11:00 on 5/12/97 before Judge Roslyn O. Silver, Courtroom #5, 6th floor. (cc: all counsel/JS) [15-2] (rg) [Entry date 04/04/97]

4/10/97 16 Memo of Law in opposition (RESPONSE) by pla USA to motion to stay discovery by dfts [9-1] (jh) [Entry date 04/10/97]

4/10/97 17 Memo of Law in opposition (RESPONSE) by pla USA to motion for more definite statement by dfts [10-1] (jh) [Entry date 04/10/97]

4/10/97 18 Memo of Law in opposition (RESPONSE) by pla USA to motion to dismiss by (all) dfts [11-1] (jh) [Entry date 04/10/97]

4/16/97 19 Unopposed MOTION to reschedule oral argument on mtm to dismiss by pla USA [19-1] (jh) [Entry date 04/17/97]

4/18/97 20 ORDER by Judge Roslyn O. Silver granting motion to reschedule oral argument on mtm to dismiss by pla USA [19-1]; re-setting motion to dismiss by (all) dfts [11-1] at 9:00 7/18/97 (cc: all counsel) (ms) [Entry date 04/18/97]

4/21/97 21 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances: Robert Bartels for Plas; Jeanne Garcia-Riley, James Morrow, Darrin Delunge for Dfts. Status hearing held. Pla exhibits 1 and 2 marked and admitted. Robert Bartels sworn and examined. The Court finds no reason at this time to recuse itself. Cnsl may file a motion to recuse within 10 days of today. Cnsl to confer to resolve the issue of the records. IT IS FURTHER ORDERED, upon request of counsel, resetting motion to dismiss by (all) dfts [11-1] from 7/18/97 to 7/11/97 at 9:00 am. [cc: JS [21-2] (rg) [Entry date 04/21/97]

4/21/97 22 REPLY by dft to response to motion to dismiss by (all) dfts [11-1] (jh) [Entry date 04/22/97]

4/21/97 23 REPLY by dft to response to motion to stay discovery by dfts [9-1] (jh) [Entry date 04/22/97]

4/21/97 24 REPLY by dft to response to motion for more definite statement by dfts [10-1] (jh) [Entry date 04/22/97]

4/21/97 25 EXHIBIT LIST submitted by pla (jh) [Entry date 04/24/97]

4/21/97 26 EXHIBIT LIST submitted by dft (jh) [Entry date 04/24/97]

4/28/97 27 ATTORNEY APPEARANCE for pla USA by Robert Donald Bartels (jh) [Entry date 04/30/97]

5/2/97 28 NOTICE concerning recusal by dft (jh) [Entry date 05/07/97]

5/12/97 29 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances: Shelley Jackson, Robert Bartels, Mark Masling,
Lee Stein for Pla; Jeanne Garcia-Riley, Darrin DeLange,
James Morrow for Dfts. Motion hearing held. IT IS ORDERED
denying motion to stay discovery by dfts [9-1], denying
motion for more definite statement by dfts [10-1]. Counsel
are advised to bring discovery disputes to the attention of
the Court. Counsel are to file mtns in limine prior to the
final pretrial conference and a brief memorandum of law.
All issues will be resolved at the final pretrial
conference. The Court has submitted the recusal matter to
another judge for determination. [cc: JS [29-1] (rg)
[Entry date 05/12/97]

5/13/97 30 ORDER by Judge Roslyn O. Silver denying motion for more
definite statement by dfts [10-1], denying motion to stay
discovery by dfts [9-1] (cc: all counsel) (ms)
[Entry date 05/13/97]

5/16/97 31 ORDER by Judge Roslyn O. Silver re: notice [28-1], ORD
matter referred by lot to Judge SMM for the purpose of
determing whether recusal is appropriate; in conjunction
with this evaluation a copy of the transcript of the hrg of
4/21/97 will be provided to Judge McNamee (cc: all
counsel/SMM) (jh) [Entry date 05/19/97]

5/30/97 32 MOTION for reconsideration of Court's Order of 5/12/97 by
dfts (all) [32-1] (ms) [Entry date 06/02/97]

6/3/97 33 NOTICE to the court re discovery issue in dispute to be
discussed at 6/4/97 telephnc conf by dft (jh)
[Entry date 06/04/97]

6/4/97 34 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances telephonic: Mark Masling for Pla; James
Morrow, Darrin Delange for Dfts. Discovery dispute hearing
held. IT IS ORDERED counsel are to meet and confer to
draft an order to the Court, for signature, regarding the
discovery disputes resolved today. [cc: JS [34-2] (rg)
[Entry date 06/04/97]

6/6/97 35 MEMORANDUM by USA re inmates' right to speak privately w/US
Reps & US' right not to provide dfts w/advance notice of
particular inmates to be interviewed (jh)
[Entry date 06/10/97]

6/11/97 36 ORDER by Judge Roslyn O. Silver denying motion for
reconsideration of Court's Order of 5/12/97 by dfts (all)
[32-1] (cc: all counsel) (jh) [Entry date 06/11/97]

6/17/97 37 STATEMENT on proposed R.16 scheduling order by USA (jh)
[Entry date 06/18/97]

6/19/97 38 NOTICE of service of initial disclosure statement pursuant
to FRCivP 26(a) by Arizona, State of, J Fife Symington III
(jh) [Entry date 06/20/97]

6/19/97 39 NOTICE by pla USA of additional authority (jh)
[Entry date 06/20/97]

6/23/97 40 MINUTE ORDER Upon request of parties, IT IS ORDERED setting
a telephonic dispute re: Rule 16 Order at 1:30 p.m. on
6/24/97 before the Honorable Roslyn O. Silver.(cc: all
counsel/JS) [40-1] re: order [40-1] (rg)
[Entry date 06/23/97]

6/23/97 41 NOTICE by dft of lodging proposed order re inmate
interviews & depositions (jh) [Entry date 06/24/97]

6/23/97 42 NOTICE of initial disclosures pursuant to FRCivP 26(a) by
USA (jh) [Entry date 06/24/97]

6/24/97 43 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances telephonic: Mark Masling for Pla; Jeanne
Garcia-Riley, James Morrow, Darrin Delange for the Dfts.
Hearing on discovery dispute held. IS ORDERED parties are
to resubmit the Rule 16 Order and the Case Management Plan
by 7/3/97. Parties are to draft an order for the Court's
signature re: the resolution of the discovery disputes The
Rule 16 hearing is set on July 11, 1997 at 9:00 a.m. [cc:
JS [43-2] (rg) [Entry date 06/24/97]

6/24/97 44 MEMORANDUM & Three Expert Declarations Concerning Safety
During Private Inmate Interviews by USA (jh)
[Entry date 06/25/97]

6/25/97 45 ORDER by Judge Roslyn O. Silver ; prel scheduling conf
set for 9:00 7/11/97 (cc: all counsel) (jh)
[Entry date 06/25/97]

6/26/97 46 TRANSCRIPT of proceedings by Court Reporter: Gary Moll
for the following date(s): 6/24/97 (jh)
[Entry date 06/27/97]

6/30/97 47 NOTICE by dft of service of response to request for prod
of docs (jh) [Entry date 07/01/97]

7/3/97 48 Proposed Case Mgmt Plan: 42c due 7/1/98; Discovery cutoff
4/30/98; Motion filing ddl is 7/1/98 (jh)
[Entry date 07/04/97]

7/9/97 50 STATEMENT RE TWO DISCOVERY DISPUTES TO BE ARGUED ON 7/11/97
by pla, all dfts (la) [Entry date 07/14/97]

7/11/97 49 MINUTE ENTRY Judge Inits: ROS Crt Rptr: GARY MOLL Hearing
held denying motion to dismiss by (all) dfts [11-1]. Deft
may have until 7/23/97 to file their Answer to the
complaint. Discovery issues argued and rulings made as
stated on the record. Scheduling conference held. The
Court will enter its scheduling order. [49] (mi)
[Entry date 07/11/97]

7/15/97 51 ORDER by Judge Roslyn O. Silver denying motion to dismiss
by (all) dfts [11-1]; vacating the hearing set for 9:00 am
on Fri, 7/11/97 to hear oral argument on dft's motion to
dismiss (cc: all counsel) (la) [Entry date 07/15/97]

7/16/97 52 ORDER by Judge Stephen M. McNamee recusing himself from consideration of whether Judge Silver should recuse herself; this matter has been reassigned by random lot to Judge Broomfield for consideration of the recusal issue (cc: all counsel/ROS/RCB) re: order [52-1] (la) [Entry date 07/16/97]

7/16/97 53 TRANSCRIPT of Rule 16 scheduling conference by Court Reporter: Gary Moll for the following date(s): 7/11/97 (mm) [Entry date 07/17/97]

7/17/97 54 MINUTE ORDER: status hearing re Joint Pretrial Schedule filed 7/3/97 set for 2:00pm, MONDAY, SEPTEMBER 15, 1997 before Judge Broomfield, Courtroom #3, Seventh Floor (cc: all counsel) [54-2] (bl) [Entry date 07/17/97]

7/18/97 55 MINUTE ORDER: status hearing 9/15/97 set in error and is VACATED;in court hearing re Recusal issue of Judge Silver set for 4:30pm, TUESDAY, JULY 29, 1997 before Judge Broomfield, Courtroom #3, Seventh Floor (cc: all counsel/SMM/ROS) [55-4] (bl) [Entry date 07/18/97]

7/23/97 56 ANSWER by (all) dfts (jh) [Entry date 07/25/97]

7/28/97 59 NOTICE by pla of service of 1st set of interrogs (jh) [Entry date 07/30/97]

7/28/97 60 Parties' STATEMENTS re discovery dispute to be argued 7/30/97 by pla (jh) [Entry date 07/30/97]

7/29/97 57 ORDER by Judge Roslyn O. Silver denying motion for reconsideration of Court's Order of 5/12/97 by dfts (all) [32-1] (cc: all counsel) (la) [Entry date 07/29/97]

7/29/97 58 MINUTE ENTRY: Judge Inits: RCB: Crt Rptr: R.Huckaby-Cotton ECR:in court hearing held. cnsl to submit to RCB w/i 5 days documents in which they agree w/a letter to that agreement; if there is no agreement on the documents to be submitted, cnsl will be given an additional 5 days to submit the additional documents. [cc: SMM/ROS] [58-2] (bl) [Entry date 07/29/97]

7/30/97 61 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll Appearances: Robert Bartels, Shelley Jackson (telephonic) for Pla; Darrin DeLange, James Morrow for Dfts. Discovery dispute hearing held. IT IS ORDERED parties are to file a brief not more than 5 pages in length. The Court will determine if further hearing is needed. IT IS FURTHER ORDERED denying the confidential informer privilege and request protective order. [cc: JS [61-1] re: minute entry [61-1] (rg) [Entry date 08/01/97]

7/31/97 62 NOTICE by dft of service of discovery (jh) [Entry date 08/02/97]

8/4/97 63 ORDER by Judge Roslyn O. Silver that pla's supplemental brief shall be filed no later than Mon, 8/11/97; that dft's supplemental brief shall be filed no later than Thurs,

8/21/97; hearing to resolve discovery dispute set for 1:30
8/25/97 (cc: all counsel) (la) [Entry date 08/04/97]

8/5/97 64 NOTICE by dft of submitting documents to Judge Broomfield
to assist in determining recusal issue (jh)
[Entry date 08/07/97]

8/7/97 65 TRANSCRIPT of proceedings held by Court Reporter: Gary
Moll for the following date(s): 4/21/97 (jh)
[Entry date 08/08/97]

8/11/97 66 SUPPLEMENTAL Brief re appropriate options to address the
impact of ARS Sec 13-1419(B) on discovery by pla USA (jh)
[Entry date 08/12/97]

8/12/97 67 SUPPLEMENTAL legal memo to notice concerning recusal by dft
(jh) [Entry date 08/13/97]

8/13/97 68 TRANSCRIPT of proceedings by Court Reporter: Gary Moll
for the following date(s): 4/21/97 (jh)
[Entry date 08/14/97]

8/19/97 69 ORDER by Judge Robert C. Broomfield denying notice (motion)
for recusal (cc: all counsel/ROS) (la) [Entry date 08/19/97]

8/21/97 70 RESPONSE by Arizona, State of, J Fife Symington III to
pla's supplemental brief [66-1] (jh) [Entry date 08/22/97]

8/25/97 71 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances: Robert Bartels for Pla; Jeanne Garcia-Riley
Darrin DeLange, James Morrow for Dfts. Discovery dispute
hearing held re: inmate interview/work product privilege
for Pla's attorney's and expert's mental impressions. IT
IS ORDERED taking this matter under advisement. [cc: JS
[71-2] (rg) [Entry date 08/26/97]

8/27/97 73 TRANSCRIPT of Proceedings by Court Reporter: Gary Moll
for the following date(s): 7/30/97 (jh)

[Entry date 08/29/97]

8/27/97 74 TRANSCRIPT of Proceedings by Court Reporter: Gary Moll
for the following date(s): 8/25/97 (jh)
[Entry date 08/29/97]

8/28/97 72 MOTION for reconsideration by dft [72-1] (jh)
[Entry date 08/29/97]

9/4/97 75 NOTICE by all dfts of service of discovery responses (la)
[Entry date 09/05/97]

9/8/97 76 RESPONSE by pla to motion for reconsideration by dft [72-1]
(jh) [Entry date 09/10/97]

9/10/97 77 ORDER by Judge Robert C. Broomfield denying motion for
reconsideration by dft [72-1] (cc: all counsel) (jh)
[Entry date 09/10/97]

9/16/97 78 PROTECTIVE ORDER by Judge Roslyn O. Silver : re: minute
entry [71-2], granting pla's request for a protective order

(cc: all counsel) (jh) [Entry date 09/16/97]

9/29/97 79 NOTICE by dft of service of discovery (jh)
[Entry date 10/01/97]

10/6/97 80 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances: Lee Stein, Mark Masling, Kristy Lopez, Robert
Bartels for Pla; Darrin Delange, James Morrow, Jeanne
Garcia-Riley for Dfts. Discovery dispute re:
confidentiality of depos hearing held and resolved as
stated in Court this date. Counsel is to prepare and Order
for the Courts signature regarding what persons are allowed
access to the depositions. [cc: JS [80-1] re: minute entry
[80-1] (rg) [Entry date 10/06/97]

10/10/97 81 SEALED Document: ME of 10/10/97 (jh) [Entry date 10/15/97]

10/10/97 82 TRANSCRIPT of proceedings by Court Reporter: Gary Moll
for the following date(s): 10/6/97 (jh)
[Entry date 10/15/97]

10/15/97 83 ORDER by Judge Roslyn O. Silver re: minute entry [80-1],
only atys for ptys, their paralegals & legal assistants &
crt reporters may attend inmate depos; all inmate depos
shall be sealed... (cc: all counsel) (jh)
[Entry date 10/15/97]

11/4/97 85 SEALED Document (jh) [Entry date 11/14/97]

12/1/97 86 SEALED Document (jh) [Entry date 12/02/97]

12/11/97 87 NOTICE by dft of service of discovery (jh)
[Entry date 12/12/97]

12/15/97 88 MOTION for contempt by Christina Acker [88-1] (jh)
[Entry date 12/15/97]

12/15/97 89 SCHEDULING ORDER by Judge Roslyn O. Silver ; discovery
due 8/1/98 ; dispositive motions due 9/1/98 ; pretrial
order due 9/1/98 (cc: all counsel) (jh)
[Entry date 12/15/97]

12/18/97 90 STIPULATION concerning confidentiality of ADOC records (jh)
[Entry date 12/19/97]

12/22/97 91 SUPPLEMENTARY exhibits to previously filed motion for
contempt by Christina Acker (Note: Christina Acker not a
party to the case) (jh) [Entry date 12/23/97]

12/29/97 92 ORDER by Judge Roslyn O. Silver granting stipulation; that
dfts provide pla with copies of complete employee files,
complete inmate master files & DO 608....; that pla
disclose these documents only to their experts retained to
testify at trial & return the documents to dfts at the
close of this action (cc: all counsel) re: order [92-1] (ld)
[Entry date 12/29/97]

12/29/97 93 NOTICE by all dfts of lodging amended order re inmate
depositions (ld) [Entry date 12/31/97]

12/30/97 94 NOTICE by all dfts of service of discovery (ld)
[Entry date 01/02/98]

1/6/98 96 NOTICE of supplemental disclosure pursuant to FRCivP 26(a)
by dft (jh) [Entry date 01/07/98] [Edit date 01/22/98]

1/13/98 97 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Telephonic Appearances: Mark Massling, Jeanne
Garcia-Riley, Larry DeRespino. Status hearing held. Ptys
advise the Court of the stipulation regarding the
depositions. IT IS ORDERED the stipulation is granted. A
formal order is signed in Court this date. [cc: JS [97-1]
re: minute entry [97-1] (rg) [Entry date 01/14/98]

1/15/98 99 SEALED Document (jh) [Entry date 01/16/98]

1/15/98 100 MOTION for contempt (of court) by Barbara Ruth Cram
[100-1], for sanctions (agnst Dep Warden Judy Frigo)
[100-2] (jh) [Entry date 01/16/98]

2/6/98 101 NOTICE by dft of lodging 4th amended order regarding
inmate depositions (jh) [Entry date 02/10/98]

2/19/98 103 NOTICE by dft of service of discovery (jh)
[Entry date 02/20/98]

2/26/98 104 MOTION for request to be allowed materials to communicate
with the court by Barbara Ruth Cram [104-1] (jh)
[Entry date 02/27/98]

3/3/98 105 MOTION for permission to file supplemental brief by
Barbara Ruth Cram [105-1] (jh) [Entry date 03/05/98]

3/3/98 106 CERTIFICATE of mailing (re motion #105) by Barbara Ruth
Cram (jh) [Entry date 03/05/98]

3/6/98 107 ORDER by Judge Roslyn O. Silver striking motion for
request to be allowed materials to communicate with the
court by Barbara Ruth Cram [104-1] from the record; FUR clk
of crt transmit copy of attached pleading (re mtn #104) to
cns1 for all parties (cc: all counsel w/cy of mtn #104) (jh)
[Entry date 03/06/98]

3/6/98 108 ORDER by Judge Roslyn O. Silver striking motion for
permission to file supplemental brief by Barbara Ruth Cram
[105-1]; FUR clk of crt transmit attached pleading (#105)
to all cns1 (cc: all counsel w/cy of mtn #105) (jh)
[Entry date 03/06/98]

3/11/98 109 NOTICE by dft of service of discovery (jh)
[Entry date 03/12/98]

3/11/98 110 2nd SUPPLEMENTARY exhibits to previously filed motion for
contempt (#88) by Christina Jay Acker (jh)
[Entry date 03/12/98]

3/13/98 111 2nd SUPPLEMENTARY exhibits to previously filed motion for

contempt (#88) by Christina Jay Acker (Note: Duplicate of Doc #110 filed 3/11/98) (jh) [Entry date 03/13/98]

3/16/98 112 ORDER by Judge Roslyn O. Silver striking "2nd supplementary exhibits to previously filed motion for contempt; striking motion for contempt by Christina Acker [88-1]; striking supplementary exhibits filed on 12/22/97; that the Clerk of the Court transmit a copy of this order and the attached pleadings, a copy of the motion for contempt and a copy of the supplementary exhibits to counsel for all parties (cc: all counsel) (ld) [Entry date 03/16/98]

3/30/98 113 SEALED Motion for immunity order by USA [113-1] (jh) [Entry date 03/31/98]

4/1/98 114 STIPULATION concerning extension of time for production of expert reports (jh) [Entry date 04/02/98]

4/6/98 115 ORDER by Judge Roslyn O. Silver granting stipulation that USA shall have until 4/10/98 to produce its expert reports (cc: all counsel) (jh) [Entry date 04/06/98]

4/9/98 116 RESPONSE by dft to motion for immunity order by USA [113-1] (jh) [Entry date 04/10/98]

4/28/98 118 STIPULATION for extension of time for production of dfts expert reports by all parties. (dmt) [Entry date 04/30/98]

4/29/98 119 ORDER by Judge Roslyn O. Silver granting stipulation extending time to 6/1/98 for production of expert reports by dfts. (cc: all counsel) (dmt) [Entry date 04/30/98]

5/15/98 120 First NOTICE by dft of discovery & settlement (jh) [Entry date 05/19/98]

5/15/98 121 NOTICE by dft of service of discovery (jh) [Entry date 05/19/98]

5/19/98 122 ORDER by Judge Roslyn O. Silver: parties furnish the court with a ntc of status of discovery or settlmnt 4 months from this order (9/19/98) (cc: all counsel) re: order [122-1] (jh) [Entry date 05/19/98]

5/29/98 123 NOTICE by dft of service of discovery (jh) [Entry date 06/02/98]

6/5/98 124 STIPULATION concerning extensions of time and notification to witnesses (ld) [Entry date 06/09/98]

6/10/98 125 ORDER by Judge Roslyn O. Silver granting stipulation concerning extensions of time and notification of immunized witnesses (cc: all counsel) (ld) [Entry date 06/10/98]

6/23/98 126 NOTICE of service of discovery by dft. (jh) [Entry date 06/25/98]

7/2/98 127 NOTICE by pla OF TAKING DEPO OF Kay Monaco on the following date(s): 8/4/98 (jh) [Entry date 07/03/98]

7/2/98 128 NOTICE by pla OF TAKING DEPO OF Anabelle M. Romero on the following date(s): 8/5/98 & 8/6/98 (jh) [Entry date 07/03/98]

7/28/98 129 SEALED Minute Entry Appearances by telephone:Shelley Jackson and Jeannie Garcia-Riley. CtReporter:Gary Moll; emergency telephonic conf held; Parties stipulate to add an additional prisoner to the list ORDER of 4/16/98, DOC# 117, purs to 18:6000; The Prisoner is: Tina Thompson. Stipulation GRANTED; USA shall submit a form of order for the Court's signature. ; cc: JS CD Cnsl[129-2] (ph) [Entry date 07/29/98]

7/30/98 130 STIPULATION concerning extensions of time (re psychiatric reports, dispositive motions) (jh) [Entry date 08/05/98]

7/31/98 131 NOTICE of service of discovery by Arizona, State of, J Fife Symington III. (jh) [Entry date 08/05/98]

8/5/98 132 ORDER by Judge Roslyn O. Silver granting stipulation that pla's expert psychiatric reports be provided to dfts' cnsl nlt 8/7/98; dfts' report be provided to pla's cnsl nlt 8/22/98; ; all dispositive motions be filed nlt 9/30/98 (cc: all counsel) (jh) [Entry date 08/05/98]

8/10/98 133 JOINT MOTION to vacate Court's oral order of 7/29/98 as to adding an inmate to the Court's immunity order of 4/16/98 {117-1} [133-1] (dmt) [Entry date 08/13/98]

8/12/98 134 STATEMENT by pla, dft re discovery dispute to be argued on 8/13/98 at 4:15 PM (jh) [Entry date 08/13/98]

8/13/98 135 ORDER by Judge Roslyn O. Silver striking motion for contempt (of court) by Barbara Ruth Cram [100-1], striking motion for sanctions (agnst Dep Warden Judy Frigo) [100-2] (cc: all counsel) (jh) [Entry date 08/13/98]

8/13/98 136 ORDER by Judge Roslyn O. Silver granting motion to vacate Court's oral order of 7/29/98 as to adding an inmate to the Court's immunity order of 4/16/98 {117-1} [133-1]; court's oral order of 7/29/98 is vacated (cc: all counsel) (jh) [Entry date 08/13/98]

8/13/98 137 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll Appearances telephonic: Mark Massling for Pla; Jeanne Garcia-Riley for Dfts. Discovery dispute hearing held. IT IS ORDERED counsel is to provide the Court with an Order for signature regarding the deadlines that parties have agreed to today. [cc: JS [137-1] re: minute entry [137-1] (rg) [Entry date 08/14/98]

8/14/98 138 NOTICE by pla USA OF TAKING DEPO OF Terry Stewart on the following date(s): 9/1/98 (ms) [Entry date 08/18/98]

8/19/98 139 NOTICE OF SUBSTITUTION OF ADDITIONAL DEFENSE COUNSEL for dfts by William Charles Wilder (ld) [Entry date 08/20/98]

8/19/98 140 NOTICE of service of discovery by dfts. (ld) [Entry date 08/20/98]

8/21/98 141 NOTICE by dft OF TAKING DEPO OF Susan J Fiester M.D. on the following date(s): 9/10/98 (ms) [Entry date 08/25/98]

8/21/98 142 NOTICE by dft OF TAKING DEPO OF Jeffrey L Metzner M.D. on the following date(s): 8/26/98 (ms) [Entry date 08/25/98]

9/3/98 143 NOTICE of service of discovery by dfts Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull . (kg) [Entry date 09/08/98]

9/4/98 144 STIPULATION concerning Extensions of time by attys for plt and dfts (kg) [Entry date 09/08/98]

9/8/98 145 NOTICE by dft OF TAKING DEPO OF George E. Sullivan on the following date(s): 9/15/98 (jh) [Entry date 09/09/98]

9/9/98 146 STIPULATION amending order regarding inmate depositions (re sealed order of 2/11/98) (jh) [Entry date 09/10/98]

9/11/98 147 ORDER by Judge Roslyn O. Silver granting stipulation that dfts' expert psychiatric report shall be provided to pla's cnsl NLT 8/25/98; date set forth in paragraph R of the court's scheduling order shall be changed to 10/1/98 (cc: all counsel) (jh) [Entry date 09/11/98]

9/11/98 149 2nd NOTICE of discovery & settlement by dft. (jh) [Entry date 09/15/98]

9/16/98 150 ORDER by Judge Roslyn O. Silver: parties furnish court with another notice of status of discovery or settlement in 4 months of this order; status hearing set for 11:00 10/19/98, before Judge Roslyn O. Silver (cc: all counsel) (jh) [Entry date 09/16/98]

9/30/98 151 MOTION to exceed the page limit for motion for summary judgment by dft [151-1] (LODGED: motion; stmt of facts; exhibits/Dkt Clk) (jh) [Entry date 10/01/98]

10/2/98 152 ORDER by Judge Roslyn O. Silver granting motion to exceed the pagelimit for motion for summary judgment by dft [151-1] (LODGED: motion; stmt of facts; sealed document/ exhibits/Dkt Clk) (cc: all counsel) (jh) [Entry date 10/02/98]

10/2/98 153 MOTION for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] (jh) [Entry date 10/02/98]

10/2/98 154 STATEMENT OF FACTS by dft re motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] (jh) [Entry date 10/02/98]

10/2/98 155 EXHIBITS to dfts' statement of facts/Motion for summary judgment (Re: [153-1]) (Volumes 1 & 2) (jh) [Entry date 10/02/98]

10/2/98 156 SEALED Document (jh) [Entry date 10/02/98]

10/2/98 157 NOTICE OF HEARING by dft setting motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] at 1:30 4/26/99 (jh) [Entry date 10/06/98]

10/6/98 158 NOTICE of service of discovery by dft. (jh) [Entry date 10/07/98]

10/8/98 159 STIPULATION concerning access of federal criminal law enforcement personnel to inmate depositions concerning former employee Thomas Bond by pla and dfts (ld) [Entry date 10/13/98]

10/15/98 160 ORDER by Judge Roslyn O. Silver granting stipulation that the court's 2/11/98 order re inmate depositions is amended to allow federal criminal law enforcement personnel, FBI, federal prosecutors, federal grand jurors to have access to inmate & employee deposition testimony re former ADOC officer Thomas Bond (cc: all counsel) (jh) [Entry date 10/15/98]

10/19/98 161 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll
Appearances: Robert Bartels and Mark Masling for Pla;
William Wilder, Jeanne Garcia-Riley for Dfts. Status hearing held. The Parties are advised as to the availability of a Magistrate Judge or District Court Judge for the purposes of settlement conferences. [cc: JS [161-2] (rg) [Entry date 10/22/98]

10/27/98 162 Notice of filing original AFFIDAVIT (of Terry L. Stewart) (jh) [Entry date 10/28/98]

10/29/98 163 STIPULATION (pla/dfts) concerning extensions of time to file response & reply to motion for summary judgment (jh) [Entry date 10/30/98]

11/3/98 164 ORDER by Judge Roslyn O. Silver granting stipulation that pla respond NLT 11/18/98 & dfts reply NLT 12/18/98 to motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] (cc: all counsel) (jh) [Entry date 11/03/98]

11/18/98 165 STIPULATION (pla/dfts) concerning extensions of time (re response to motion for summary judgment) (jh) [Entry date 11/20/98]

11/20/98 166 ORDER by Judge Roslyn O. Silver granting stipulation that pla has to 11/25/98 to file/serve opposition to motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1]; dfts surrebuttal report be produced after 11/20/98 on a date to be determined in accordance with the surrebuttal expert's schedule (cc: all counsel) (jh) [Entry date 11/20/98]

11/25/98 167 MOTION to exceed the page limit (re Memo in opposition to

dfts' motion for summary judgment) by USA [167-1] (LODGED/
Dkt Clk: Memo) (jh) [Entry date 11/25/98]

11/25/98 168 CERTIFICATE of service of motion to exceed page limit etc
by USA (jh) [Entry date 11/25/98]

11/25/98 169 ORDER by Judge Roslyn O. Silver granting motion to
exceed the page limit (re Memo in opposition to dfts'
motion for summary judgment) by USA [167-1] (LODGED/
Dkt Clk: Memo) (cc: all counsel) (jh) [Entry date 11/25/98]

11/25/98 170 Memo in opposition (RESPONSE) by USA to motion for summary
judgment (on all claims) by Arizona, State of, Terry L
Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D
Hull [153-1] (jh) [Entry date 11/25/98]

11/25/98 171 SEALED Document: Statement of Facts (jh)
[Entry date 11/25/98]

11/25/98 172 SEALED Document: Exhibits re response #170 (Volume 1) (jh)
[Entry date 11/25/98]

11/25/98 173 SEALED Document: Exhibits re response (#170) (Volume 2) (jh)
[Entry date 11/25/98]

11/25/98 174 SEALED Document: Exhibits re response (#170) (Volume 3) (jh)
[Entry date 11/25/98]

11/25/98 175 SEALED Document: Exhibits re response (#170) (Volume 4) (jh)
[Entry date 11/25/98]

12/2/98 176 MOTION to expedite oral argument on motion for summary
judgment (on all claims) by Arizona, State of, Terry L
Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D
Hull [153-1] by USA [176-1] (jh) [Entry date 12/03/98]

12/3/98 177 RESPONSE by dft to motion to expedite oral argument on
motion for summary judgment (on all claims) by Arizona,
State of, Terry L Stewart, Dale Copeland, Jeff Hood, John
Hallahan, Jane D Hull [153-1] by USA [176-1] (jh)
[Entry date 12/04/98]

12/8/98 178 REPLY by USA to response to motion to expedite oral
argument on motion for summary judgment (on all claims) by
Arizona, State of, Terry L Stewart, Dale Copeland, Jeff
Hood, John Hallahan, Jane D Hull [153-1] by USA [176-1] (jh)
[Entry date 12/09/98]

12/9/98 179 ORDER by Judge Roslyn O. Silver denying motion to
expedite oral argument on motion for summary judgment (on
all claims) by Arizona, State of, Terry L Stewart, Dale
Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] by
USA [176-1] (cc: all counsel) (jh) [Entry date 12/09/98]

12/18/98 180 MOTION to extend deadlines (until 12/23/98) relating to
summary judgment motion by dfts [180-1] (jw)
[Entry date 12/23/98]

12/23/98 181 ORDER by Judge Roslyn O. Silver granting motion to extend deadlines (until 12/23/98) relating to summary judgment motion by dfts [180-1] (cc: all counsel) (ld) [Entry date 12/23/98]

12/24/98 182 MOTION to exceed the page limit (re reply to motion for summary judgment) by dfts [182-1] (proposed reply and sealed motion lodged at docket clerk's desk) (ld) [Entry date 12/29/98]

1/4/99 183 Notice of ERRATA by dft (re dfts' motion to strike pla's stmt of facts & dfts' supplemental stmt of facts filed 12/24/98) (jh) [Entry date 01/05/99]

1/4/99 184 SEALED Motion to strike pla's statement of facts in opposition to dfts' motion for summary judgment by dft [184-1] (jh) [Entry date 01/05/99]

1/4/99 185 SEALED Document: Supplemental stmt of facts in support of dfts' motion for summary judgment (jh) [Entry date 01/05/99]

1/7/99 186 ORDER by Judge Roslyn O. Silver granting motion to exceed the page limit (re reply to motion for summary judgment) by dfts [182-1] (proposed reply and sealed motion lodged at docket clerk's desk) (cc: all counsel) (jh) [Entry date 01/07/99]

1/7/99 187 REPLY by dft to memo in opposition to motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] (jh) [Entry date 01/07/99]

1/7/99 188 SEALED Motion to strike pla's stmt of facts in opposition to dfts' motion for summary judgment by dft [188-1] (jh) [Entry date 01/07/99]

1/7/99 189 SEALED Document: dfts' supplemental stmt of facts in support of dfts' motion for summary judgment (jh) [Entry date 01/07/99]

1/13/99 191 STIPULATION (pla/dfts) concerning extension of time (jh) [Entry date 01/20/99]

1/19/99 192 Third NOTICE of status of discovery & settlement by pla, dft (jh) [Entry date 01/20/99]

2/12/99 193 ORDER by Judge Roslyn O. Silver: parties furnish the court with a notice of status of discovery or settlement in 2 months (4/12/99) of this order (cc: all counsel) re: order [193-1] (jh) [Entry date 02/12/99]

3/11/99 194 MINUTE ENTRY Judge Inits: ROS Crt Rptr: Gary Moll. Appearances: Mark Masling for Plas. Jeanne Garcia-Riley for Dfts., both appeared telephonic. Case settled. Vacating hearing re motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1] [cc: JS [194-1] (lf) [Entry date 03/12/99]

3/11/99 195 Joint MOTION for conditional dismissal (of case subject to dfts' compliance with the settlement agreement) by pla/dfts [195-1] (jh) [Entry date 03/12/99]

3/16/99 196 ORDER by Judge Roslyn O. Silver: re motion for conditional dismissal (of case subject to dfts' compliance with the settlement agreement) by pla/dfts [195-1], matter is stayed 6 months until a stip to dismiss or a motin to lift the stay & restore the case to active status is filed & granted; ; stay deadline set for 9/16/99 , case stayed as to entire case; FURTHER status hearing set for 4:00 10/12/99, before Judge Roslyn O. Silver to be vacated if stip for dismissal is filed & ordered by 10/12/99 (cc: all counsel) (jh) [Entry date 03/16/99]

4/7/99 197 SEALED Document: Stipulation amending order re inmate depositions (jh) [Entry date 04/08/99]

9/24/99 199 ORDER by Judge Roslyn O. Silver: DENYING AS MOOT-- motion for summary judgment (on all claims) by Arizona, State of, Terry L Stewart, Dale Copeland, Jeff Hood, John Hallahan, Jane D Hull [153-1], motion to strike pla's statement of facts in opposition to dfts' motion for summary judgment by dft [184-1], motion to strike pla's stmt of facts in opposition to dfts' motion for summary judgment by dft [188-1] without prejudice to dfts' right to reinstate them; FURTHER entire matter is stayed for 6 months until a stipulation of dismissal or a motion to restore the case to active status is filed & granted ; stay deadline set for 3/24/00 , case stayed as to entire case (cc: all counsel) (jh) [Entry date 09/24/99]

9/30/99 200 Joint MOTION to continue status hearing (set 10/12/99) by pla, dft [200-1] (jh) [Entry date 10/01/99]

10/5/99 201 SEALED Order granting motion to continue status hearing (set 10/12/99) by pla, dft [200-1] ; status hearing set for 1:30 12/17/99, before Judge Roslyn O. Silver; if a stipulation for dismissal is filed & ordered by the court by 12/13/99, the status hearing will be vacated (jh) [Entry date 10/05/99]

10/29/99 202 SUPPLEMENTARY exhibit to agreement signed 3/11/99 by Christina Jay Acker (jh) [Entry date 10/29/99]

11/17/99 203 SEALED Document: Stipulation concerning destruction of documents & sealed inmate depositions (jh) [Entry date 11/18/99]

11/22/99 204 SEALED Order granting stipulation; pla may destroy rather than retrun the documents dfts produced in discovery (ld) [Entry date 11/22/99]

12/2/99 205 ORDER by Judge Roslyn O. Silver: counsel meet, confer & determine whether to waive the disqualification; if both sides agree, counsel are to reduce the waiver agreement to writing & file it by 12/27/99 (cc: all counsel) re: order [205-1] (jh) [Entry date 12/02/99]

12/13/99 206 STIPULATION by pla, dfts to dismiss (with attachments to Exhibit 1 to stipulation, Tabs A thru O; 3 volumes) (jh) [Entry date 12/14/99]

12/17/99 207 ORDER by Judge Roslyn O. Silver granting stipulation that this case is dismissed terminating case (cc: all counsel) (jh) [Entry date 12/17/99]

5/12/00 208 SUPPLEMENTAL exhibit challenging validity of 3/11/99 agreement by Christina Acker (exhibits 1-21 attached) (stricken per order of 5/18/00) (rg) [Entry date 05/15/00] [Edit date 05/30/00]

5/18/00 209 ORDER by Judge Roslyn O. Silver striking a pleading styled Supplementary exhibit challenging the validity of 3/11/99 agreement (doc #208) (cc: all counsel) (rg) [Entry date 05/18/00]

5/25/00 210 SUPPLEMENTARY exhibits challenging validity of 3/11/99 agreement (stricken from the record per order of 5/30/00) (rg) [Entry date 05/25/00] [Edit date 05/30/00]

5/30/00 211 ORDER by Judge Roslyn O. Silver striking from the record a pleading styled " Supplementary exhibit challenging the validity of 3/11/99 agreement. FURTHER ORDERED the Clerk of Court will not accept any further pleadings from Christine Acker in this closed case (cc: all counsel) (rg) [Entry date 05/30/00]

6/22/00 212 ORDER by Judge Roslyn O. Silver the Clerk of Court shall return the letter to Ella Morendo, ADC#107897,B34C244, Arizona State Prison Complex, Perryville, Santa Maria Unit, P.O. Box 3400, Goodyear, AZ. 85338 (cc: all counsel, letter sent to Ella Morendo) re: order [212-1] (rg) [Entry date 06/22/00]

7/5/00 213 RETURNED MAIL addressed to: Ella Morendo [212-1] "name and number do not match" (rg) [Entry date 07/07/00]

9/18/00 214 ORDER by Judge Roslyn O. Silver that the Clerk of Court shall return the attached letter to Christina Acker #78733, AZ State Prison-Perryville, CDU-A7, P.O. Box 3400, Goodyear, AZ, 85338 (letter is dated 7/6/00, recd by Clerk 9/11/00, addressed to Ms Riley) (cc: all counsel/letter and copy of the order sent to Christina Acker) re: order [214-1] (rg) [Entry date 09/18/00] [Edit date 09/18/00]

10/10/00 215 ORDER by Judge Roslyn O. Silver that the Clerk of Court shall return the attached letter to Christina Acker, #78733, Arizona State Prison-Perryville, CDU-A7, P.O. Box 3400, Goodyear, AZ. 85338 (a copy of this order and the letter, received stamped 10/4/00, addressed to Judge Silver, returned to Christina Acker at the above address) (cc: all counsel) re: order [215-1] (rg) [Entry date 10/10/00] [Edit date 10/10/00]

9/18/01 216 MOTION to Intervene by Shawna Pollard [216-1], and for Order Lifting Prior Sealed Orders to gain access to certain depositions previously sealed by Order of this Court by

intervenor Shawna [216-2] (kg) [Entry date 09/19/01]

10/3/01 217 RESPONSE by dfts to motion for Order Lifting Prior Sealed Orders to gain access to certain depositions previously sealed by Order of this Court by intervenor Shawna [216-2] (rg) [Entry date 10/04/01]

10/9/01 218 STIPULATION to add to the list of persons authorized to gain access to the depositions and statements by intervenor, pla, dfts (rg) [Entry date 10/10/01]

10/15/01 219 ORDER by Judge Roslyn O. Silver granting stipulation to add to the list of persons authorized to gain access to the depositions and statements by intervenor, pla, dfts; David Sandweiss, Bruce Blumberg, Daniel Ortega and Thomas Toone are added to the list (cc: all counsel) (rg) [Entry date 10/15/01]

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