

JUDGE, PPS, STAY-CASE, TERMED

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:96-cv-00486-WFN**

Does 1-5 v. Stewart
Assigned to: Judge William F Nielsen
Demand: \$0
Case in other court: 98-15991
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/22/1996
Date Terminated: 06/19/2002
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

John Does

*On behalf of themselves and all others
similarly situated*

represented by **Alice Loeb Bendheim**

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V.

Defendant

Terry Stewart

*Director of Arizona Department of
Corrections individually & in his official
capacity*

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Movant

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Movant

Dennis Eddy

Movant

John Wesley Levittrepresented by **John Wesley Levitt**61490
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PRO SE**Movant****Antonneo R Boyce***TERMINATED: 03/16/2006*represented by **Antonneo R Boyce**#083840
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Date Filed	#	Docket Text
02/22/1996	2	NOTICE of Assignment that plaintiff submitted IFP request; that case is assigned to Judge Charles L. Hardy and is referred to Mag Judge Barry G. Silverman and Court Clerk's Legal Staff for review. (cc: Atty of Record) (TLJ) (Entered: 02/23/1996)
02/23/1996	5	MOTION for preliminary injunction by pla John Does 1-5 [5-1] , for permanent injunction relief by pla [5-2] (former emp) Modified on 10/18/1996 (Entered: 03/29/1996)
02/29/1996	7	ORDER by Mag Judge Barry G. Silverman: scheduling conf set for 1:30 3/22/96 , before Judge Charles L. Hardy FUR each side exchange/submit agenda for conf nlt 3/15/96 (cc: all counsel) (former emp) (Entered: 02/29/1996)
03/13/1996	8	ANSWER of dft Terry Stewart (former emp) (Entered: 03/15/1996)
03/13/1996	9	RESPONSE by dft Terry Stewart to motion for preliminary & permanent injunctive relief by pla John Does 1-5 [5-1] (former emp) (Entered: 03/15/1996)
03/18/1996	12	(NOTICE) Statement of legal issues in this matter by plas John Does 1-5 (former emp) (Entered: 03/19/1996)
03/18/1996	11	MOTION for class certification by pla John Does 1-5 [11-1] (former emp) (Entered: 03/29/1996)
03/19/1996	14	MEMORANDUM by dft re class certification issues (former emp) (Entered: 03/20/1996)
03/20/1996	15	MOTION to schedule settlement conference by pla John Does 1-5 [15-1] (former emp) (Entered: 03/21/1996)
03/22/1996	16	MINUTE ENTRY Judge Inits: CLH; Crt Rptr: Vicki Reger; scheduling conf held; ORD dfts respond by 4/4/96 to motion for class certification by pla John Does 1-5

		[11-1] & hearing set at 1:30 4/15/96; setting motion for preliminary injunction & motion for permanent injunction relief by pla [5-1&2] at 10:00 6/3/96 (motion to schedule settlement conference pla John Does 1-5 [15-1] terminated as moot) [cc: All counsel] [16-1] (former emp) (Entered: 03/29/1996)
03/29/1996	19	STIPULATION to extend time in wch to file reply to mtn for prelimnry & permnt inj relief (former emp) Modified on 04/01/1996 (Entered: 04/01/1996)
04/04/1996	23	RESPONSE by dft Terry Stewart to motion for class certification by pla John Does 1-5 [11-1] (former emp) (Entered: 04/08/1996)
04/05/1996	25	REPLY in support by pla John Does 1-5 of motion for preliminary injunction by pla John Does 1-5 [5-1], motion for permanent injunction relief by pla [5-2] (former emp) (Entered: 04/08/1996)
04/18/1996	28	MEMORANDUM OPINION AND ORDER: by Judge Charles L. Hardy: granting motion for class certification by pla John Does 1-5 [11-1]; class to consist of all protective segregation inmates now or in future may be classified & who have not executed the affidavit contemplated by this order; FUR class action confined to issues (as specifically set forth herein); FUR actions now filed or in the future to be filed by class members & assigned to this court purs to Gen Orders 251 & 255 are stayed & all motions currently pending are denied w/o prej pending resolution of this case... (see doc for full details) (cc: all counsel) (former emp) (Entered: 04/18/1996)
04/25/1996	33	REPLY by pla to response to motion for class certification by pla John Does 1-5 [11-1] (former emp) (Entered: 04/25/1996)
04/25/1996	30	NOTICE by dft Terry Stewart of substitution of affidavit filed with deft's response to plas' motion for class certification (former emp) (Entered: 04/25/1996)
04/25/1996	31	ORDER by Judge Charles L. Hardy: sealing of this case purs to Gen Order #256 lifted; FUR court reserves right sua sponte or upon the request of pty, to seal particular documents & filings in this action (cc: all counsel) re: order [31-1] (former emp) (Entered: 04/25/1996)
05/02/1996	40	STIPULATION re extension of discovery cutoff deadline (all parties) (former emp) (Entered: 05/03/1996)
05/06/1996	42	STIPULATION (to seal this case) (all parties) (former emp) (Entered: 05/07/1996)
05/23/1996	66	Stipulated MOTION for continuance (of trial date) with request for scheduling conference [66-1] (former emp) (Entered: 05/24/1996)
05/28/1996	68	ORDER by Mag Judge Barry G. Silverman granting motion for continuance (of trial date) with request for scheduling conference [66-1] trial date of 6/3/96 is vacated; prel scheduling conf set for 1:30 6/3/96 , before Mag Judge Barry G. Silverman (cc: all counsel) (former emp) (Entered: 05/28/1996)
06/03/1996	70	ORDER by Judge Charles L. Hardy: all notices of change of address filed in this action by individual class members stricken (striking 44-46, 49-54, 62-65, 69); FUR clerk reenter notices & this order in the corresponding individual suits of each pltf (cc: all counsel) (former emp) (Entered: 06/03/1996)

06/06/1996	72	ORDER by Mag Judge Barry G. Silverman ; settlement conference set for 8:30 8/12/96 & 8/13/96 , before Mag Judge Barry G. Silverman ...; at least 3 dys prior to conf, ptys LODGE DIRECTLY W/MAG JDG a settlmtnt conf stmt...(see doc for full details) (cc: all counsel) (former emp) (Entered: 06/06/1996)
08/29/1996	126	MOTION for summary judgment by dft [126-1] (former emp) (Entered: 08/29/1996)
08/29/1996	127	STATEMENT OF FACTS by dft re motion for summary judgment by dft [126-1] (former emp) (Entered: 08/29/1996)
08/30/1996	132	MOTION in limine re testimony of plas' listed expert Mary P Durand by dft Terry Stewart [132-1] (LAD) (Entered: 09/04/1996)
08/30/1996	133	MOTION in limine re testimony of Court appointed expert Charles Montgomery by dft Terry Stewart [133-1] (LAD) (Entered: 09/04/1996)
08/30/1996	134	MOTION in limine re the designation of Donna Hamm as an expert witness by dft Terry Stewart [134-1] (LAD) (Entered: 09/04/1996)
09/06/1996	147	RESPONSE by pla to motion in limine re the designation of Donna Hamm as an expert witness by dft Terry Stewart [134-1] (former emp) (Entered: 09/09/1996)
09/09/1996	150	RESPONSE by pla to motion for summary judgment by dft [126-1] (former emp) (Entered: 09/10/1996)
09/09/1996	151	STATEMENT OF FACTS by pla re motion response (former emp) (Entered: 09/10/1996)
09/13/1996	152	REPLY by pla to response to motion for summary judgment by dft [126-1] (w/Ex A, Depo of Charles M Montgomery Jr) (former emp) Modified on 09/18/1996 (Entered: 09/18/1996)
11/04/1996	321	Proposed FINDINGS OF FACT by deft (former emp) (Entered: 11/05/1996)
11/04/1996	322	Conclusions of law by deft (former emp) (Entered: 11/05/1996)
12/06/1996	332	ORDER by Judge Charles L. Hardy: GRANTING class pltf's application for injunctive relief insofar as it seeks to enjoin the transfer of inmates in protective seg to the general population in maximum security units--units designated for housing in general population w/public or institutional risk scores of 4 or higher. DENYING class pltf's app for inj relief insofar as it seeks to enjoin the transfer of inmates in protective seg to the general population in medium and minimum security units--units designated for housing general population inmates w/public or institutional scores of 3 or lower. Dft, Terry Stewart, is permanently enjoined from transferring inmates in prot seg to the gen population in maximum sec units for housing general population inmates w/public or institutional risk scores of 4 or higher. Dft give ntc of the Crt's Order to all mbrs of the pltf class by mailing cys to the named class pltf's and making this order available in all prison law libraries where protective seg inmates are currently housed. The stays issued in all the individual actions filed by mbrs of the class be lifted and that this order be filed in all those individual actions. (cc: all cnsl) (former emp) (Entered: 12/06/1996)
12/10/1996	336	MOTION to modify order concerning providing notice of order to class members by pla [336-1] (former emp) (Entered: 12/11/1996)

12/10/1996	337	MOTION to stay 12/6/96 order by pla [337-1] (former emp) (Entered: 12/11/1996)
12/12/1996	339	ORDER by Judge Charles L. Hardy granting motion to modify order concerning providing notice of order to class members by pla [336-1]; order of 12/2/96...is modified to provide that pla's cnsl shall be responsible for giving notice by furnishing a copy of the order to all class members; copy of this order be filed in each individual action (cc: all counsel) (former emp) Modified on 12/12/1996 (Entered: 12/12/1996)
12/12/1996	340	ORDER by Judge Charles L. Hardy: order of 12/6/96 re filing of stmt w/i 45 days...is stayed pending ruling on pla's mtn to alter or amend injunction; copy of this order be filed in each individual action stay deadline set for 4/11/97 , case stayed (cc: all counsel) (former emp) (Entered: 12/12/1996)
12/20/1996	351	MOTION for new trial by dft [351-1] , and to amend judgment and/or clarification of order by dft [351-2] (former emp) (Entered: 12/24/1996)
12/20/1996	352	MOTION to alter or amend judgment by pla [352-1] (oral argument requested) (former emp) (Entered: 12/24/1996)
12/20/1996	353	MOTION for attorney's fees and non-taxable expenses by pla [353-1] (former emp) (Entered: 12/24/1996)
12/20/1996	354	SUPPLEMENT to mtn for award of attys' fees and non-taxable expenses by pla [353-1] (former emp) (Entered: 12/24/1996)
12/24/1996	355	ORDER (CLH): The Crt's Order of 12/2/96 [332] granting in part and denying in part pltf's application for injunctive relief is the final jgm in this matter. Pltfs req for a status conf is denied, and that DOC not return any protective segregation inmate, housed in protective segregation at the time of issuance of the order dtd 12/2/96, and who has not signed a court-ordered waiver, to general population, until the crt has ruled on pltf's mtn to alter or amend the jgm. (cc: all counsel) (former emp) (Entered: 12/24/1996)
12/24/1996	356	ORDER by Judge Charles L. Hardy denying motion for reconsideration of the crt's memo opinion and order of 12/2/96 by pla [350-1], denying motion for timely clarification [344-1] by movant, denying motion to stay 12/6/96 order by pla [337-1], denying motion for transcript (of testimony of J.C. Keeney & Gary DeLand) in sealed case by dft [281-1] without prejudice and all individual actions stayed pending resolution of motion to alter or amend judgment (cc: all counsel) (former emp) (Entered: 12/27/1996)
01/03/1997	360	SUPPLEMENT by pla John Does 1-5 to motion to alter or amend judgment [352-1] (LAD) (Entered: 01/06/1997)
01/08/1997	368	Ntc of Receipt & objection (RESPONSE) by dft to motion for attorney's fees and non-taxable expenses by pla [353-1] (former emp) (Entered: 01/09/1997)
01/10/1997	376	RESPONSE by pla to motion for new trial by dft [351-1], motion to amend judgment and/or clarification of order by dft [351-2] (former emp) (Entered: 01/11/1997)

01/21/1997	380	REPLY by dft to response to motion for new trial by dft [351-1], motion to amend judgment and/or clarification of order by dft [351-2] (former emp) (Entered: 01/22/1997)
01/21/1997	381	RESPONSE by dft to motion to alter or amend judgment by pla [352-1] (oral argument requested) & to supplement to motion to alter or amend judgment (former emp) (Entered: 01/22/1997)
01/31/1997	389	REPLY by pla to response to motion to alter or amend judgment by pla [352-1] (oral argument requested) (former emp) (Entered: 01/31/1997)
01/31/1997	391	MEMORANDUM IN SUPPORT by pla of motion for attorney's fees and non-taxable expenses by pla [353-1] (former emp) (Entered: 02/04/1997)
02/04/1997	392	SUPPLEMENT to memo of P&As in support of applic for atty fees by pla (former emp) (Entered: 02/05/1997)
02/20/1997	396	RESPONSE to motion by dft and CROSS-MOTION to stay (all further pleadings & proceedings re attorney fees) by dft [396-1] (RE: [353-1]) (former emp) (Entered: 02/21/1997)
03/07/1997	407	MOTION to reopen the record by pla [407-1] (former emp) (Entered: 03/10/1997)
03/12/1997	410	Request (MOTION) for oral argument (re plas' mtn to alter or amend the jdmt) by pla [410-1] (former emp) (Entered: 03/13/1997)
03/12/1997	411	REPLY by pla to response to motion for attorney's fees and non-taxable expenses by pla [353-1] (former emp) (Entered: 03/13/1997)
03/12/1997	411	RESPONSE by pla to motion to stay (all further pleadings & proceedings re attorney fees) by dft [396-1] (former emp) (Entered: 03/13/1997)
03/18/1997	412	RESPONSE to plas' supplemental reply in support of mtn for lv to alter or amend or altrntvly, mtn to reopen the record by dft (former emp) (Entered: 03/19/1997)
04/01/1997	417	NOTICE by dft of supplemental authority supporting the response to plas' applic for atty fees & their motion to stay (former emp) (Entered: 04/02/1997)
04/29/1997	420	MEMORANDUM AND ORDER by Judge Charles L. Hardy: vacating the first 2 paragraphs of Memo & Order [332-1]; deft devise & submit to crt w/i 60 days of this order a plan that will, when any inmate is transferred from protective custody, protect him from substantial risk of harm; FUR plas have 30 days from the filing of the proposed plan to file objections; FUR denying motion to alter or amend judgment by pla [352-1] & supplement [360-1]; denying for new trial & motion to amend judgment and/or clarification of order by dft [351-1&2] except to extent that relief has been granted by this order; FUR until crt entrs final jdmt following submission of a plan by deft, the order [356-1] staying all individual cases filed by class members shall be maintained; denying motion for oral argument (re plas' to alter or amend the jdmt) by pla [410-1] & supplemental reply (#352); denying motion to reopen the record by pla [407-1] (cc: all counsel) (former emp) (Entered: 04/29/1997)
05/02/1997	421	MOTION to unseal portion of the record by dft [421-1] (former emp) (Entered: 05/07/1997)

05/19/1997	423	RESPONSE by pla to motion to unseal portion of the record by dft [421-1] (former emp) (Entered: 05/20/1997)
05/19/1997	424	MOTION to expedite request for status conference by pla [424-1] (former emp) (Entered: 05/20/1997)
05/19/1997	429	MOTION (REQUEST) for status conference re individual proceedings by pla John Does 1-5 [429-1] (received 6/6/97) (LAD) (Entered: 06/06/1997)
05/29/1997	427	REPLY by dft Terry Stewart to response to motion to unseal portion of the record by dft [421-1] (MAP) (Entered: 05/30/1997)
06/02/1997	428	Request (MOTION) for oral argument (re dfts' mtn to unseal portion of the record) by pla [428-1] (former emp) (Entered: 06/04/1997)
07/01/1997	441	Proposed plan for movement of Level 4 & 5 protective segregation inmates into general population by dft (former emp) (Entered: 07/02/1997)
07/01/1997	442	SUPPLEMENTAL notice re protective segregation issues within the ADOC by dft (former emp) (Entered: 07/02/1997)
07/21/1997	467	OBJECTION by pla to DOC's proposed plan for movement of Level 4 & 5 protective segregation inmates into general population [441-1] (former emp) (Entered: 07/22/1997)
08/07/1997	477	REPORT AND RECOMMENDATION by Mag Judge Barry G. Silverman concerning motion for attorney's fees and non-taxable expenses by pla [353-1] (cc: all counsel) (former emp) (Entered: 08/07/1997)
09/12/1997	490	RESPONSE by dft to objections to report & recommendation [467-1] (former emp) (Entered: 09/16/1997)
09/22/1997	492	REPLY by pla to report & recommendation concerning award of atty fees & costs [477-1] (former emp) (Entered: 09/23/1997)
09/30/1997	495	MOTION to strike plas' reply re report & recommendation concerning award of atty fees & costs by dft [495-1] (former emp) (Entered: 10/01/1997)
10/06/1997	496	RESPONSE by pla to motion to strike plas' reply re report & recommendation concerning award of atty fees & costs by dft [495-1] (former emp) (Entered: 10/07/1997)
10/14/1997	497	ORDER by Judge Richard M. Bilby evidentiary hearing set for 9:30 11/25/97 (cc: all counsel) (LAD) (Entered: 10/14/1997)
11/07/1997	512	MOTION to permit interviews or depositions of DOC witnesses prior to evidentiary hearing by pla [512-1] (former emp) (Entered: 11/12/1997)
11/07/1997	513	MOTION for expedited consideration of motion to permit interviews or depositions of DOC witnesses prior to evidentiary hearing by pla [512-1] by pla [513-1] (former emp) (Entered: 11/12/1997)
12/02/1997	533	Joint MOTION to reschedule hearing (of 12/18-19/97) by pla, dft [533-1] (former emp) (Entered: 12/03/1997)

12/02/1997	534	MOTION for accelerated consideration of motion to reschedule hearing (of 12/18-19/97) by pla, dft [533-1] by dft [534-1] (former emp) (Entered: 12/03/1997)
12/12/1997	538	ORDER by Judge Richard M. Bilby granting motion for accelerated consideration by dft [534-1] & motion to reschedule hearing (of 12/18-19/97) by pla, dft [533-1] ; evidentiary hearing reset for 9:00 2/18/98 , before Judge Richard M. Bilby ; FUR all writs previously issued & returnable for 12/18/97 are amended to reflect the new date of 2/18/98; writs remain in full force & effect w/this new date (cc: all counsel) (former emp) Modified on 12/12/1997 (Entered: 12/12/1997)
01/21/1998	546	ORDER by Judge Richard M. Bilby: in addn to the original & copy fld w/Clk's Offc in Phx, ptys shall mail one copy directly to Judge Bilby of any pleadings the parties wish the court to consider; FUR the order of 12/22/97 [540-1] is vacated & Perry Lyndon's request to file amicus brief [525-1] is denied (cc: all counsel/Lyndon) (former emp) (Entered: 01/21/1998)
02/09/1998	558	SUPPLEMENT to application for atty fees re adjustment for delay by pla (former emp) (Entered: 02/10/1998)
02/27/1998	590	STIPULATION to stay (remedial portion of this litigation) (former emp) (Entered: 03/03/1998)
03/04/1998	592	ORDER by Judge Richard M. Bilby granting stipulation staying the remedial portion of this matter for up to 2 yrs; at conclusion of the stay or upon prior mtm by dft, crt will consider whether or not a permanent injunction will be issued; during stay the status quo as established in the crt's order of 4/29/97 will be preserved; the order staying all individual cases filed by class members shall be maintained; dft may not involuntarily transfer any inmate from protective segregation to a level 2 or 3 general propulation unit during the stay (cc: all counsel) (former emp) (Entered: 03/04/1998)
03/18/1998	601	ORDER by Judge Richard M. Bilby: motion to unseal portion of the record by dft [421-1] granted as to the 12/6/96 and 4/29/97 orders and denied in all other respects (cc: all counsel) (former emp) (Entered: 03/18/1998)
03/24/1998	603	ORDER by Judge Richard M. Bilby re stipulation re atty fees & costs, crt favors settlement over a court order & grants the parties 10 days from this order to settle this issue; court has prepared its order on the matter and will issue it on 4/3/98 if not notified by dfts that a settlement has been reached (cc: all counsel) (former emp) (Entered: 03/24/1998)
04/03/1998	605	ORDER by Judge Richard M. Bilby: adopting/rejecting in part the report & recommendation; re motion for attorney's fees and non-taxable expenses by pla [353-1], plas are the prevailing party; plas are entitled to an award of atty fees at the rate of \$175.00 per hour & to all costs expended heretofore; the following fees & costs are awarded--Alice Bendheim \$37,194.27, Samuel Whitten \$33,687.50, Andrew Gordon \$17,622.50, Donald Peters \$49,348.85 & Osborn Maledon \$410,376.34; if fees & costs are not satisfied within 45 days of this order, plas shall be entitled to prejudgment interest on their atty fees & costs at plas' suggested schedule & at the rate set forth in 28 USC 1961 (cc: all counsel) (cc: 9CCA) (former emp) Modified on 06/02/1998 (Entered: 04/06/1998)

04/06/1998	607	NOTIFICATION re attorneys' fees by pla (former emp) (Entered: 04/07/1998)
04/08/1998	613	JUDGMENT: ORD & ADJ that jdmt is entered in favor of plas & agnst dfts as follows: plas are prevailing party based on crt's finding that dft Terry L Stewart's plan to involuntarily transfer protective segregation inmates to the general population exhibited deliberate indifference to plas' substantial risk of harm; FUR plas are entitled to an award of atty fees at the rate of \$175 p/hr & to all costs expended heretofore; FUR fees & costs are awarded-- Alice Bendheim \$37,194.27, Samuel Whitten \$33,687.50, Andrew Gordon \$17,622.50, Donald Peters \$49,348.85, firm of Osborn Maledon \$410,376.34; FUR if fees & costs not satisfied within 45 days of 4/3/98, plas shall be entitled to prejudmt interest at plas' suggested schedule & at the rate set forth in 28 USC 1961 (cc: all counsel) re: judgment [613-1] (cc: 9CCA) (former emp) Modified on 06/02/1998 (Entered: 04/08/1998)
04/10/1998	614	ORDER by Judge Richard M. Bilby: clerk of court shall unsel the court's order [605-1] of 4/3/98 re attorneys' fees and costs (cc: all counsel) (former emp) (Entered: 04/10/1998)
04/16/1998	617	SUPPLEMENTAL Application for Award of Atty Fees & Costs by pla to [353-1] (former emp) (Entered: 04/17/1998)
04/30/1998	624	ORDER by Judge Richard M. Bilby: court reporter is directed to redact the following sections of the 2/20/98 evidentiary hearing-- page 23 line 11 thru page 24 line 25; page 25 line 15 thru page 59 line 20; page 60 line 20 thru page 266 line 19; page 268 line 4 name redacted; page 275 lines 3&4 name redacted (cc: all counsel) re: order [624-1] (former emp) (Entered: 04/30/1998)
05/04/1998	638	NOTICE OF APPEAL by dft Terry Stewart from District Court judgment [613-1], and order [605-1] (cc: 9CCA/All Counsel/RMB) (REW) (Entered: 05/29/1998)
05/07/1998	628	MOTION to stay judgment without posting security by dft [628-1] (cc: 9CCA) (former emp) Modified on 06/02/1998 (Entered: 05/08/1998)
05/12/1998	631	ORDER by Judge Richard M. Bilby granting motion to supplement the record by pla [616-1]; documents attached to said motion are made a permanent part of the sealed portion of the record in this case (cc: all counsel) (cc: 9CCA) (former emp) Modified on 06/02/1998 (Entered: 05/12/1998)
05/15/1998	635	SUPPLEMENTAL memorandum in support of supplemental application for award of atty fees & costs by pla (former emp) (Entered: 05/19/1998)
05/22/1998	640	RESPONSE by pla to motion to stay judgment without posting security by dft [628-1] (former emp) (Entered: 06/02/1998)
06/02/1998	641	ORDER by Judge Richard M. Bilby granting motion to stay judgment without posting security by dft [628-1], execution of judgment stayed pending appeal; bond requirements are waived, re: appeal [638-1] (cc: all counsel/9CCA) (REW) Modified on 06/02/1998 (Entered: 06/02/1998)
07/10/1998	649	ORDER by Judge Richard M. Bilby: granting plas' supplemental application for award of atty fees & costs (#617); plas entitled to reasonable award: Osborn Maledon \$202,360.66; Alice Bendheim PC \$437.50; Andrew S. Gordon \$668.14;

		Donald M. Peters \$4,882.50; this award shall be satisfied w/i 30 days of this order w/interest accruing at the statutory rate; FUR court's order [605-1] is amended to award Alice Bendheim PC \$70,881.77 & to vacate the separate award of \$37,194.27 to Samuel Whitten (cc: all counsel) (former emp) (Entered: 07/10/1998)
08/04/1998	654	CERTIFIED COPY of 9CCA Mandate; purs to stipulation of parties, this appeal dismissed without prejudice to its reinstatement; reinstatement shall be made should a panel of this court subsequently determine that the orders appealed from in this appeal were appealable; notice of reinstatement shall be filed in this court within 28 days of such determination, appeal dismissed, re: 98-15991 (cc: all counsel/RMB) (REW) Modified on 08/19/1998 (Entered: 08/04/1998)
08/07/1998	655	Notice of PARTIAL SATISFACTION OF JUDGMENT as to dft Terry Stewart and stipulation regarding reservation of rights as to enforcement of awards (REW) (Entered: 08/13/1998)
08/28/1998	657	STIPULATION (to release information requested by Special Master in Casey v. Lewis, CV-90-54-PHX-RGS, by plas/dfts) (former emp) (Entered: 08/31/1998)
09/04/1998	658	ORDER by Judge Robert C. Broomfield granting stipulation that the release of the information requested by the Special Master in Casey v Lewis, CIV 90-54 PHX RGS (VAM) to the Special Master and the attys representing plas re protective segregation inmates and special handling inmates in that case shall not be used in any manner against dfts in this case. (cc: all cnsl) (former emp) (Entered: 09/04/1998)
01/05/1999	659	2nd SUPPLEMENTAL application for award of attorneys' fees 7 costs by pla (former emp) (Entered: 01/16/1999)
01/15/1999	660	MOTION requesting permanent reassignment of case (to another judge) by pla [660-1] (former emp) (Entered: 01/20/1999)
02/01/1999	662	RESPONSE by dft to motion requesting permanent reassignment of case (to another judge) by pla [660-1] (former emp) (Entered: 02/02/1999)
02/01/1999	663	MOTION for extension to respond to application for fees 7 costs dft [663-1] (former emp) (Entered: 02/02/1999)
02/02/1999	664	ORDER by Judge Robert C. Broomfield denying as moot motion requesting permanent reassignment of case (to another judge) by pla [660-1] (cc: all counsel) (former emp) (Entered: 02/02/1999)
02/04/1999	665	RESPONSE by pla to motion for extension to respond to application for fees & costs dft [663-1] (former emp) (Entered: 02/04/1999)
02/12/1999	666	RESPONSE by dft to 2nd supplemental application for award of attorneys fees & costs [659-1] (former emp) (Entered: 02/13/1999)
03/03/1999	668	Request (MOTION) for status conference by pla [668-1] (former emp) (Entered: 03/04/1999)
03/03/1999	669	MOTION to unseal portions of record by pla [669-1] (former emp) (Entered: 03/04/1999)

03/19/1999	671	RESPONSE by dft to motion to unseal portions of record by pla [669-1] (former emp) (Entered: 03/22/1999)
03/26/1999	672	REPLY by pla to response to motion to unseal portions of record by pla [669-1] (former emp) (Entered: 03/27/1999)
04/02/1999	673	MINUTE ORDER telephonic hearing on second supplemental application for award of attorneys' fees & costs by plas [659-1] set for 1:00 4/14/99 (cc: all counsel) [673-2] (former emp) (Entered: 04/02/1999)
04/19/1999	674	MINUTE ENTRY Judge Inits: WFN; Crt Rptr: Topper Baker; hearing held re 2nd supplemental to application for award of attorney fees & costs by pla [659-1] ; court grants and awards \$87,502.04 to the law firm of Osborne Maledon and \$450.00 to Don Peters; pla to substitute materials contained in reply brief to eliminate the names of clients held in protective segregation--agreed to; defense counsel to supply an updated list of class members in this matter by 4/23/99 [cc: All counsel] [674-2] (former emp) (Entered: 04/20/1999)
04/22/1999	676	ORDER by Judge William F. Nielsen: granting plas' 2nd supplemental application for award of attorney fees & costs (#659); Osborn Maledon is awarded fees & costs of \$87,502.04 & Donald M Peters is awarded fees of \$450.00; FURTHER plas' reply in support of their supplemental application [667-1] shall remain sealed; class counsel shall file a new redacted version of its reply brief; FURTHER dfts provide class counsel with an updated list of the names of the inmates to this class; dft shall update that list monthly unless good cause is shown that such updates would be unduly burdensome (cc: all counsel) (former emp) (Entered: 04/22/1999)
04/22/1999	677	ORDER by Judge William F. Nielsen: granting motion to unseal portions of record by pla [669-1] & the portions of the record listed in Ex A attached hereto be unsealed with the exception of the transcript from the 1996 hearing; FURTHER parties meet, confer & submit a redacted copy of the 1996 hearing within 60 days of this order (cc: all counsel) (former emp) (Entered: 04/22/1999)
04/23/1999	678	Notice of ATTORNEY SUBSTITUTION: terminating attorney Teresa Merri Hall for Terry Stewart and substituting attorney Bruce L Skolnik (former emp) (Entered: 04/27/1999)
04/23/1999	679	NOTICE by dft of compliance with court order directing dfts to supply an updated list of class members (former emp) (Entered: 04/27/1999)
04/23/1999	680	Notice of filing redacted REPLY in support of supplemental application for ward of attorneys' fees & costs by pla re [667-1] (former emp) (Entered: 04/27/1999)
06/14/1999	681	NOTICE by pla of filing transcripts from 1996 hearings to be unsealed that have been redacted pursuant to this court's order dated 4/22/99 (#677) (7 volumes) (former emp) Modified on 06/22/1999 (Entered: 06/18/1999)
07/12/1999	684	Citation to Supplemental Authority by dft (former emp) (Entered: 06/20/2000)
08/19/1999	685	Third Supplemental Application for Award of Attorneys' Fees and Costs by pla (former emp) (Entered: 06/20/2000)

09/17/1999	686	STIPULATION by pla, dft to award attorney fees and costs (former emp) (Entered: 06/20/2000)
09/29/1999	687	ORDER by Judge William F. Nielsen: pursuant to stipulation ORDERED granting plas' 2nd supplemental application for award of attorney fees & costs; FURTHER Osborn Maledon, PC is awarded fees & costs in the amount of \$60,874.36 & Donald M. Peters is awarded fees of \$168.75 (cc: all counsel) (former emp) (Entered: 09/29/1999)
02/25/2000	710	STIPULATION by pla, dft re: date for filing of response to dfts Proposed Remedial Plan until 4/10/00 and continuation of existing stipulation and order to stay (former emp) (Entered: 06/20/2000)
03/07/2000	711	ORDER by Judge William F. Nielsen granting stipulation re: Pla have until 4/10/00 to file a response to the Proposed Remedial Plan by the Az Dept of Corrections Re: Protective Segregation Issues; FURTHER ORDERED the Stipulation to Stay filed 2/27/98 and the Courts Order of 3/4/98 shall remain in effect until further Order of this Court(cc: all counsel) (former emp) (Entered: 03/07/2000)
01/24/2003	712	AMICUS CURIAE by Pla John Baker (MAP) (Entered: 01/27/2003)
05/04/2005	714	MOTION to intervene by Antonneo R Boyce [714-1] and for judicial notice. (KCS) Modified on 3/16/2006 (SBU,). #714 STRICKEN PER ORDER FILED 3/16/06 (Entered: 05/05/2005)
05/04/2005	715	MOTION to intervene and to recall and reissue the mandate by movant Antonneo Boyce [715-1] (KCS) (Entered: 05/05/2005)
05/04/2005	716	MOTION to stay the transfer of prisoners in protective segregation into the general prison population pending the Court's review of Boyce's motion to recall and reissue the mandate in the cause of action by movant Antonneo R Boyce [716-1] (KCS) Modified on 3/16/2006 (SBU,). #716 STRICKEN PER ORDER FILED 3/16/06 (Entered: 05/05/2005)
05/04/2005	717	MOTION for ruling (expedited determination) by movant Antonneo R Boyce [717-1] (KCS) Modified on 3/16/2006 (SBU,). #717 STRICKEN PER ORDER FILED 3/16/06 (Entered: 05/05/2005)
06/23/2005	718	MOTION for Leave to Supplement "Motion to Intervene and to Recall and Reissue Mandate" by movant Antonneo R Boyce [718-1] (Note: no separate pleading submitted) (KMG) Modified on 3/16/2006 (SBU,). #718 STRICKEN PER ORDER FILED 3/16/06 (Entered: 06/23/2005)
09/30/2005	719	SEALED ORDER striking [713] Motion. Signed by Judge Stephen M McNamee on 9/26/2005 for Judge William Fremming Nielsen. (cc: all counsel) (LAD) (Entered: 10/01/2005)
10/24/2005		2nd MOTION to Supplement the motion to intervene and to recall and reissue mandate, by Antonneo R Boyce. (KCS) Modified on 3/16/2006 (SBU,). #720 STRICKEN PER ORDER FILED 3/16/06 (Entered: 10/24/2005)
03/16/2006	721	ORDER that Antonio R Boyce's [715] Motion to Intervene and to Recall and Reissue the Mandate is DENIED; striking [714] Motion to Enforce Settlement

		Agreement, striking [716] Motion to Stay, striking [717] Motion for Expedited Determination, striking [718] Motion to Supplement, striking [720] Second Motion to Supplement . Signed by Judge William F Nielsen on 3/15/06. (SBU) (Entered: 03/16/2006)
03/22/2006	722	Mail Returned as Undeliverable. Mail sent to John Levitt. Reason for return: No longer in custody, per DOC website inmate released 12/05/05 address update has not been submitted. Document number 721. (ESH,) (Entered: 03/24/2006)
12/22/2006	723	DOCUMENT #723 STRICKEN PURSUANT TO ORDER #724 FILED ON 1/8/07. MOTION for Temporary Restraining Order by Timothy L Donahue (Plaintiff in CV 03-410 PHX-SRB; filed as an intervenor). (Attachments: # 1 Exhibit)(LSP) Modified on 1/8/2007 (LSP). (Entered: 12/27/2006)
01/08/2007	724	ORDER striking 723 Timothy L Donahue's Motion to show cause under Rule 23(b)(2) & (3) and Request for TRO. IT IS FURTHER ORDERED that the Clerk must mail a copy of this Order to: Timothy L. Donahue #44417ASPC-Eyman-SMU IPO Box 4000 Florence, Arizona 85232. Signed by Judge William F Nielsen on 1/8/07.(LSP) (Entered: 01/08/2007)
01/12/2007	725	Mail Returned as Undeliverable. Mail sent to John W Levitt. Reason for return: No Longer in Custody. Document number 724. (LSP) (Entered: 01/17/2007)
01/24/2007	726	MINUTE ORDER re: Exhibits; parties are to remove the exhibits from the custody of the Clerk by 2/22/07 or the Clerk may destroy or otherwise dispose of those exhibits (SBU) (Entered: 01/24/2007)
02/12/2007	727	Mail Returned as Undeliverable. Mail sent to John Wesley Levitt. Reason for return: No longer in Custody. Document number 726. (LSP) (Entered: 02/14/2007)

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