

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:05-cv-00596-PLF**

SAMPLE v. LAPPIN et al  
Assigned to: Judge Paul L. Friedman  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/22/2005  
Date Terminated: 09/24/2008  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: U.S. Government Defendant

**Plaintiff****BRANDON C. SAMPLE**

represented by **Adam S. Nadelhaft**  
WINSTON & STRAWN, LLP  
1700 K Street, NW  
Washington, DC 20006  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**HARLEY LAPPIN**  
*In their official capacities*

represented by **William Mark Nebeker**  
U.S. ATTORNEY'S OFFICE  
555 4th Street, NW  
Washington, DC 20530  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**HARRELL WATTS**  
*In their official capacities*

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/22/2005	<u>1</u>	COMPLAINT against HARLEY LAPPIN, HARRELL WATTS (Filing fee \$ 0.00) filed by BRANDON SAMPLE.(jf, ) (Entered: 03/31/2005)
03/22/2005	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by BRANDON SAMPLE. (jf, ) (Entered: 03/31/2005)
03/22/2005	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT by BRANDON SAMPLE (jf, ) (Entered: 03/31/2005)
03/22/2005	<u>4</u>	ORDER Directing Monthly Payments in the amount of \$16.32 be made from Prison Account of Brandon Sample; granting motion to proceed in forma pauperis <u>2</u> . Signed by Chief Judge Thomas F. Hogan on 03/14/05. (jf, ) (Entered: 03/31/2005)
03/22/2005		SUMMONS Not Issued as to HARLEY LAPPIN, HARRELL WATTS (jf, ) (Entered: 04/11/2005)
04/01/2005	<u>5</u>	ORDER that the Clerk of the Court, pursuant to Local Civil Rule 83.11, shall appoint counsel to represent plaintiff in this matter. Signed by Judge Paul L. Friedman on April 1, 2005. (MA) (Entered: 04/01/2005)

04/05/2005		SUMMONS (4) Issued as to HARLEY LAPPIN, HARRELL WATTS, U.S. Attorney and U.S. Attorney General (jf, ) (Entered: 04/06/2005)
04/14/2005	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the US Attorney served on 4/13/2005, answer due 6/13/2005. (td, ) (Entered: 04/18/2005)
04/14/2005	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on Attorney General. Date of Service Upon Attorney General 4/13/05. (td, ) (Entered: 04/18/2005)
05/06/2005	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to HARLEY LAPPIN served on 5/5/2005, answer due 7/5/2005. (td, ) (Entered: 05/09/2005)
05/06/2005	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to HARRELL WATTS served on 5/5/2005, answer due 7/5/2005. (td, ) (Entered: 05/09/2005)
05/20/2005	<u>10</u>	NOTICE of Appearance by William Mark Nebeker on behalf of HARLEY LAPPIN, HARRELL WATTS (Nebeker, William) (Entered: 05/20/2005)
05/20/2005	<u>11</u>	MOTION to Amend/Correct <u>4</u> Order Directing Prisoner Payment, <u>5</u> Order by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit CA _02_265 documents# <u>3</u> Exhibit CA 02-428 documents# <u>4</u> Exhibit CA 03-805 documents)(Nebeker, William) (Entered: 05/20/2005)
06/02/2005	<u>12</u>	ORDER denying <u>11</u> defendants' motion to amend the court's orders granting plaintiff's motion for leave to proceed in forma pauperis and granting relief under Local Rule 83.11. Signed by Judge Paul L. Friedman on June 2, 2005. (MA) (Entered: 06/02/2005)
06/03/2005	<u>13</u>	RESPONSE to <u>11</u> defendant's motion to amend the court's orders granting plaintiff's motion for leave to proceed IFP and granting relief under Local Rule 83.11 filed by BRANDON SAMPLE. (Attachments: # <u>1</u> Text of Proposed Order)(td, ) (Entered: 06/03/2005)
06/09/2005	<u>14</u>	NOTICE of Appearance by Adam S. Nadelhaft on behalf of BRANDON SAMPLE (Nadelhaft, Adam) (Entered: 06/09/2005)
06/09/2005	<u>15</u>	MOTION for Extension of Time to File Answer by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 06/09/2005)
06/16/2005		MINUTE ORDER granting <u>15</u> Motion for Extension of Time to Answer. Signed by Judge Paul L. Friedman on June 16, 2005. (MA) (Entered: 06/16/2005)
06/20/2005		ORDER granting defendants' motion for enlargement of time up to and including July 8, 2005 to respond to the complaint. Signed by Judge Paul L. Friedman on June 20, 2005. (MA) (Entered: 06/20/2005)
07/06/2005	<u>16</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 07/06/2005)
07/19/2005		MINUTE ORDER granting <u>16</u> defendants' unopposed motion for enlargement of time up to and including August 8, 2005 to respond to the complaint. Signed by Judge Paul L. Friedman on July 19, 2005. (MA) (Entered: 07/19/2005)
08/08/2005	<u>17</u>	MOTION to Dismiss <i>Or, In The Alternative</i> , MOTION for Summary Judgment <i>or</i> , MOTION to Transfer Case by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Exhibit 1 (Inmate History Religion)# <u>2</u> Exhibit 2 (Administrative Remedy Forms)# <u>3</u> Exhibit 3 (J4 Affidavit Watts# <u>5</u> Affidavit Thomas# <u>6</u> Affidavit VanBaalen# <u>7</u> Exhibit PS5360.07# <u>8</u> Exhibit PS5360.08# <u>9</u> Exhibit ps5360.09# <u>10</u> Text of Proposed Order)(Nebeker, William) (Entered: 08/08/2005)
08/10/2005	<u>18</u>	MOTION for Extension of Time to File Response/Reply as to <u>17</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment <i>or</i> MOTION for Summary Judgment <i>or</i> MOTION to Transfer Case MOTION to Transfer Case by BRANDON SAMPLE. (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 08/10/2005)

		08/10/2005)
08/12/2005		MINUTE ORDER granting <u>18</u> Motion for Extension of Time to File Response/Reply re <u>18</u> . Signed by Judge Paul L. Friedman on August 12, 2005. (MA) (Entered: 08/12/2005)
09/29/2005	<u>19</u>	First MOTION for Discovery <i>Motion for Additional Discovery</i> by BRANDON SAMPLE. (Attachments: # <u>1</u> Exhibit Exhibit 1# <u>2</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 09/29/2005)
09/29/2005	<u>20</u>	Memorandum in opposition to motion re <u>17</u> filed by BRANDON SAMPLE. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Memorandum in Support of Cross Motion# <u>3</u> Exhibit 1# <u>4</u> Exhibit 2# <u>5</u> Exhibit 3# <u>6</u> Exhibit 4# <u>7</u> Exhibit 5# <u>8</u> Exhibit 6# <u>9</u> Exhibit 7# <u>10</u> Exhibit 8# <u>11</u> Exhibit 9# <u>12</u> Exhibit 10# <u>13</u> Exhibit 11# <u>14</u> Exhibit 12# <u>15</u> Exhibit 13# <u>16</u> Exhibit 14# <u>17</u> Exhibit 15# <u>18</u> Plaintiff's Statement of Facts as to Which No Genuine Issues Exists# <u>19</u> Plaintiff's Statement of Facts as to Which Genuine Issues Exist)(Nadelhaft, Adam) (Entered: 09/29/2005)
09/29/2005	21	MOTION for Summary Judgment as to count 1 by BRANDON SAMPLE. (SEE DOCUMENT NO. 20 FOR IMAGE) (td, ) (Entered: 09/30/2005)
10/03/2005	<u>22</u>	NOTICE of Filing of Signed Declaration of Brandon Sample by BRANDON SAMPLE re 21 MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit 1)(Nadelhaft, Adam) (Entered: 10/03/2005)
10/07/2005	<u>23</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>19</u> First MOTION for Discovery <i>Motion for Additional Discovery</i> , 21 MOTION for Summary Judgment, <u>20</u> Memorandum in Opposition., by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 10/07/2005)
10/11/2005		MINUTE ORDER granting <u>23</u> defendants' unopposed motion for enlargement of time up to and including October 27, 2005 to within which to respond to plaintiff's cross-motion for partial summary judgment and to plaintiff's motion for discovery, and reply to plaintiff's response to defendants' motion to dismiss or, alternatively, for summary judgment. Signed by Judge Paul L. Friedman on October 11, 2005. (MA) (Entered: 10/11/2005)
10/26/2005	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>19</u> First MOTION for Discovery <i>Motion for Additional Discovery</i> , 21 MOTION for Summary Judgment, <u>20</u> Memorandum in Opposition., by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 10/26/2005)
10/27/2005		MINUTE ORDER granting <u>24</u> defendants' unopposed motion for enlargement of time up to and including November 18, 2005 within which defendants may reply to plaintiff's response to defendants' motion to dismiss or, in the alternative, for summary judgment, oppose plaintiff's cross-motion for partial summary judgment, and oppose plaintiff's motion for discovery. Signed by Judge Paul L. Friedman on October 27, 2005. (MA) (Entered: 10/27/2005)
11/18/2005	<u>25</u>	MOTION for Extension of Time to <i>reply and oppose</i> by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 11/18/2005)
11/21/2005	<u>26</u>	RESPONSE to <i>Defendants' Motion for Enlargement of Time</i> filed by BRANDON SAMPLE. (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 11/21/2005)
11/21/2005		MINUTE ORDER granting <u>25</u> defendants' motion for enlargement of time up to and including November 23, 2005 to respond to plaintiff's cross-motion for partial summary judgment and to plaintiff's motion for discovery, and to reply to plaintiff's response to defendants' motion to dismiss or in the alternative for summary judgment. Signed by Judge Paul L. Friedman on November 21, 2005. (MA) (Entered: 11/21/2005)
11/23/2005	<u>27</u>	REPLY to opposition to motion re 21 <i>Opposition To Cross-Motion and Response to Statement of Material Facts</i> . filed by HARLEY LAPPIN, HARRELL WATTS.

		(Nebeker, William) (Entered: 11/23/2005)
11/23/2005	<u>28</u>	Memorandum in opposition to motion re <u>19</u> for Discovery filed by HARLEY LAPPIN, HARRELL WATTS. (Nebeker, William) (Entered: 11/23/2005)
12/21/2005	<u>29</u>	REPLY to opposition to motion re <u>19</u> Additional Discovery filed by BRANDON SAMPLE. (Nadelhaft, Adam) (Entered: 12/21/2005)
12/21/2005	<u>30</u>	REPLY to opposition to motion re <u>21</u> Summary Judgment filed by BRANDON SAMPLE. (Attachments: # <u>1</u> Exhibit A)(Nadelhaft, Adam) (Entered: 12/21/2005)
03/31/2006	<u>31</u>	ORDER granting in part and denying in part <u>17</u> Motion to Dismiss, granting in part and denying in part <u>17</u> Motion for Summary Judgment, denying Motion to Transfer Case <u>17</u> , denying <u>19</u> Motion for Discovery, granting in part and denying in part <u>21</u> Motion for Summary Judgment. Signed by Judge Paul L. Friedman on March 31, 2006. (MA) (Entered: 03/31/2006)
03/31/2006	<u>32</u>	OPINION re defendant's motion to dismiss and on the parties' cross-motion for summary judgment. A separate order to this effect shall issue this same day. Signed by Judge Paul L. Friedman on March 31, 2006. (MA) (Entered: 03/31/2006)
04/07/2006	<u>33</u>	MOTION for Reconsideration re <u>32</u> Memorandum & Opinion by BRANDON SAMPLE. (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support of Motion for Reconsideration# <u>2</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 04/07/2006)
04/12/2006	<u>34</u>	MEET AND CONFER STATEMENT. (Nebeker, William) (Entered: 04/12/2006)
04/14/2006		MINUTE ORDER: It is hereby ORDERED that the Scheduling Conference set for April 19, 2006 at 9:00 a.m. is CANCELLED. Signed by Judge Paul L. Friedman on 4/14/06. (ms, ) (Entered: 04/14/2006)
04/14/2006	<u>35</u>	ORDER setting briefing schedule for motions. Signed by Judge Paul L. Friedman on 4/14/06. (ms, ) (Entered: 04/14/2006)
04/27/2006	<u>36</u>	MOTION to Dismiss As Moot Or, In The Alternative, MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And, MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Errata 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Text of Proposed Order)(Nebeker, William) (Entered: 04/27/2006)
04/27/2006	<u>37</u>	Memorandum in opposition to re <u>33</u> MOTION for Reconsideration re <u>32</u> Memorandum & Opinion filed by HARLEY LAPPIN, HARRELL WATTS. (Nebeker, William) (Entered: 04/27/2006)
05/01/2006	<u>38</u>	NOTICE Of Filing (Declaration of Alma Lopez) by HARLEY LAPPIN, HARRELL WATTS re <u>37</u> Memorandum in Opposition, <u>36</u> MOTION to Dismiss As Moot Or, In The Alternative MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration (Attachments: # <u>1</u> Exhibit Declaration of Alma Lopez)(Nebeker, William) (Entered: 05/01/2006)
05/10/2006	<u>39</u>	Unopposed MOTION for Extension of Time to File Response to Defendants' Motion to Dismiss as Moot by BRANDON C. SAMPLE. (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 05/10/2006)
05/11/2006		MINUTE ORDER granting <u>39</u> Motion for Extension of Time to File Response to <u>36</u> Defendants' Motion to Dismiss as Moot or, in the Alternative, to Reconsider Grant of Partial Summary Judgment for Plaintiff. Plaintiff shall file a response by 5/22/2006. Signed by Judge John D. Bates for Judge Paul L. Friedman on 5/11/2006. (lcplf1) (Entered: 05/11/2006)
05/22/2006	<u>40</u>	RESPONSE re <u>36</u> Defendants' Motion to Dismiss as Moot or, in the Alternative, to Reconsider Grant of Partial Summary Judgment for Plaintiff and to Transfer filed by BRANDON C. SAMPLE. (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# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H)(Nadelhaft, Adam) Modified on 5/23/2006 (td, ). (Entered: 05/22/2006)
05/22/2006	<u>41</u>	RESPONSE re <u>33</u> in Support of Motion for Reconsideration filed by BRANDON C. SAMPLE. (Nadelhaft, Adam) Modified on 5/23/2006 (td, ). (Entered: 05/22/2006)
06/07/2006	<u>42</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION to Dismiss As Moot Or, In The Alternative MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 06/07/2006)
06/12/2006		MINUTE ORDER granting <u>42</u> defendants' unopposed motion for extension of time up to and including July 14, 2006 to file a reply to plaintiff's opposition to defendants' motion to dismiss. Signed by Judge Paul L. Friedman on June 12, 2006. (MA) (Entered: 06/12/2006)
07/14/2006	<u>43</u>	REPLY to opposition to motion re <u>36</u> MOTION to Dismiss As Moot Or, In The Alternative MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION for Summary Judgment To Reconsider Grant Of Partial Summary Judgment For Plaintiff And MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration MOTION to Transfer Case And Opposition To The Plaintiff's Motion For Reconsideration filed by HARLEY LAPPIN, HARRELL WATTS. (Attachments: # <u>1</u> Exhibit 1 (5/22/06 Request For Administrative Remedy)# <u>2</u> Exhibit 2 (Schluter Declaration))(Nebeker, William) (Entered: 07/14/2006)
07/21/2006		According to the Court's records, plaintiff has now paid the filing fee in full, as ordered by the Court at the initiation of this action. The office having custody and direction of plaintiff's prison account is directed to deduct nothing further from plaintiff's prison account for payment of the filing fee for this case. Receipt No. 6346 (\$209.87 paid 6/23/06) (adc) (Entered: 07/21/2006)
09/27/2006	<u>44</u>	NOTICE of Filing by BRANDON C. SAMPLE (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Nadelhaft, Adam) (Entered: 09/27/2006)
11/27/2006	<u>45</u>	NOTICE of Filing by BRANDON C. SAMPLE (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Nadelhaft, Adam) (Entered: 11/27/2006)
03/28/2007	<u>46</u>	MEMORANDUM OPINION AND ORDER denying <u>33</u> Motion for Reconsideration; denying <u>36</u> Motion to Dismiss; denying <u>36</u> Motion for Summary Judgment; denying Motion to Transfer Case <u>36</u> . Signed by Judge Paul L. Friedman on March 28, 2007. (MA) (Entered: 03/28/2007)
03/28/2007		Set/Reset Hearings: Status Conference set for 4/27/2007 @ 09:15 AM in Courtroom 29A before Judge Paul L. Friedman. (mm) (Entered: 03/29/2007)
03/29/2007	<u>47</u>	Unopposed MOTION to Continue /Reset Date of Status Conference by BRANDON C. SAMPLE (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 03/29/2007)
04/02/2007		MINUTE ORDER granting <u>47</u> plaintiff's unopposed motion to reset the date of the status conference currently scheduled for April 27, 2007. The status conference is continued to April 25, 2007 at 915 a.m. Signed by Judge Paul L. Friedman on April 2, 2007. (MA) (Entered: 04/02/2007)
04/02/2007		Set/Reset Hearings: Status Conference set for 4/25/2007 @ 09:15 AM in Courtroom 28A before Judge Paul L. Friedman. (mm) (Entered: 04/03/2007)
04/16/2007	<u>48</u>	ANSWER to Complaint by HARLEY LAPPIN, HARRELL WATTS. Related document: <u>1</u> Complaint.(Nebeker, William) (Entered: 04/16/2007)
04/18/2007	<u>49</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 04/18/2007)

04/25/2007		Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference held on 4/25/2007. Scheduling Order to enter. Next status conference set for 7/30/2007 @ 9:30 a.m. (Court Reporter Linda Russo.) (mm) (Entered: 04/25/2007)
04/25/2007		Set/Reset Hearings: Status Conference set for 7/30/2007 @ 09:30 AM in Courtroom 29A before Judge Paul L. Friedman. (mm) (Entered: 04/25/2007)
04/25/2007	<u>50</u>	ORDER re schedule. Signed by Judge Paul L. Friedman on April 25, 2007. (MA) (Entered: 04/25/2007)
04/25/2007		Set/Reset Scheduling Order Deadlines: Plaintiff's Rule 26(a)(2) expert reports due by 7/31/2007; Defendant's Rule 26(a)(2) expert reports due by 10/1/2007; Plaintiff shall serve rebuttal expert reports by 10/31/2007; Discovery due by 11/30/2007; Dispositive Motions due by 7/31/2008; Response to Dispositive Motions due by 3/17/2008; Replies to Dispositive Motions due by 4/7/2008; Cross Motions due by 3/17/2008; Response to Cross Motions due by 4/7/2008; Replies to Cross Motions due by 4/28/2 (mm) (Entered: 04/26/2007)
05/02/2007	<u>51</u>	Unopposed MOTION to Reset Date of Status Conference by BRANDON C. SAMPLE (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 05/02/2007)
05/02/2007		MINUTE ORDER granting <u>51</u> plaintiff's unopposed motion to reset the date of the status conference of July 30, 2007. The status conference is now rescheduled from July 30, 2007 to July 25, 2007 at 9:15 a.m. Signed by Judge Paul L. Friedman on May 2, 2007. (MA) (Entered: 05/02/2007)
05/02/2007		Set/Reset Hearings: Status Conference set for 7/25/2007 @ 09:15 AM in Courtroom 29A before Judge Paul L. Friedman. (mm) (Entered: 05/03/2007)
07/25/2007		Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference held on 7/25/2007. Plaintiff's expert reports due by 8/7/2007; Defendant's expert reports due by 10/8/2007; Rebuttal expert reports due 11/9/2007. Court Reporter Linda Russo) (mm) (Entered: 07/25/2007)
10/12/2007	<u>52</u>	MOTION for Extension of Time to Complete Discovery <i>And Submit Expert Reports</i> by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 10/12/2007)
10/15/2007		MINUTE ORDER granting <u>52</u> defendants' motion for extension of time up to and including November 21, 2007 within which defendants may submit expert reports; plaintiff's rebuttal expert reports shall be submitted within 30 days thereafter, and depositions of experts may be conducted up to and including January 15, 2008. Signed by Judge Paul L. Friedman on October 15, 2007. (MA) (Entered: 10/15/2007)
10/15/2007		Set/Reset Deadlines: Defendant's expert reports due by 11/21/2007. Plaintiff's rebuttal expert reports shall be submitted within 30 days thereafter, and depositions of experts may be conducted up to and including 1/15/2008. (mm) (Entered: 10/18/2007)
11/19/2007	<u>53</u>	Unopposed MOTION for Extension of Time to Complete Discovery by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 11/19/2007)
11/21/2007		MINUTE ORDER granting <u>53</u> defendants' unopposed motion for extension of time up to and including January 18, 2008 to complete discovery. Signed by Judge Paul L. Friedman on November 21, 2007. (MA) (Entered: 11/21/2007)
11/21/2007		Set/Reset Deadlines: Discovery due by 1/18/2008. (mm) (Entered: 11/21/2007)
01/18/2008	<u>54</u>	Joint MOTION for Extension of Time to Complete Discovery by BRANDON C. SAMPLE, HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 01/18/2008)
01/23/2008		MINUTE ORDER granting <u>54</u> joint motion for extension of time up to and including March 7, 2008 to complete discovery. Signed by Judge Paul L. Friedman on January 23, 2008. (MA) (Entered: 01/23/2008)
01/23/2008		Set/Reset Deadlines: Discovery due by 3/7/2008. (mm) (Entered: 01/24/2008)

04/01/2008	<u>55</u>	Joint MOTION for Extension of Time to <i>File Dispositive Motions</i> by BRANDON C. SAMPLE, HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 04/01/2008)
04/03/2008	<u>56</u>	ORDER granting <u>55</u> the parties' joint motion to reset dates for dispositive motions. Signed by Judge Paul L. Friedman on April 3, 2008. (MA) (Entered: 04/03/2008)
04/03/2008		Set/Reset Deadlines: Dispositive Motions due by 5/14/2008. Responses and Cross Motions due by 6/25/2008. Replies and Responses to Cross Motions due by 7/23/2008. Replies to Cross Motions due by 8/20/2008. (mm) (Entered: 04/03/2008)
05/12/2008	<u>57</u>	Unopposed MOTION for Extension of Time to <i>File Dispositive Motion</i> by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 05/12/2008)
05/13/2008		MINUTE ORDER granting <u>57</u> defendants' unopposed motion for extension of time up to and including May 28, 2008 within which a dispositive motion may be filed. Signed by Judge Paul L. Friedman on May 13, 2008. (MA) (Entered: 05/13/2008)
05/13/2008		Set/Reset Deadlines: Dispositive Motions due by 5/28/2008. (mm) (Entered: 05/14/2008)
05/27/2008	<u>58</u>	Unopposed MOTION for Extension of Time to by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 05/27/2008)
05/29/2008		MINUTE ORDER granting <u>58</u> defendants' unopposed motion for extension of time up to and including June 4, 2008 within which a dispositive motion may be filed. Signed by Judge Paul L. Friedman on May 29, 2008. (MA) (Entered: 05/29/2008)
05/29/2008		Set/Reset Deadlines: Dispositive Motions due by 6/4/2008. (mm) (Entered: 05/29/2008)
06/04/2008	<u>59</u>	Unopposed MOTION for Extension of Time to <i>File Dispositive Motion</i> by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 06/04/2008)
06/09/2008	<u>60</u>	MOTION for Summary Judgment <i>Or, In The Alternative</i> , MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case by HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 06/09/2008)
06/10/2008		MINUTE ORDER granting <u>59</u> defendants' unopposed motion for extension of time up to and including June 9, 2008 within which to file a dispositive motion. Signed by Judge Paul L. Friedman on June 10, 2008. (MA) (Entered: 06/10/2008)
06/16/2008	<u>61</u>	Joint MOTION for Order <i>Modifying Briefing Schedule</i> by BRANDON C. SAMPLE, HARLEY LAPPIN, HARRELL WATTS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) Modified on 6/17/2008 (jeb, ). Modified on 6/17/2008 (jeb, ). (Entered: 06/16/2008)
06/18/2008		MINUTE ORDER granting <u>61</u> joint motion for modification of briefing schedule. Plaintiff's response to defendants' dispositive motion and cross-motion is due on or before July 25, 2008; defendants' reply and response to cross-motion is due on or before August 25, 2008; plaintiff's reply to response to cross-motion is due on or before September 22, 2008. Signed by Judge Paul L. Friedman on June 18, 2008. (MA) (Entered: 06/18/2008)
06/18/2008		Set/Reset Deadlines: Plaintiff's response to dispositive motion and cross motion due by 7/25/2008. Defendants' reply and response to cross motion due 8/25/2008. Plaintiff's reply to cross motion due by 9/22/2008. (mm) (Entered: 06/19/2008)
06/19/2008	<u>62</u>	NOTICE of Filing Exhibits by HARLEY LAPPIN, HARRELL WATTS re <u>60</u> MOTION for Summary Judgment <i>Or, In The Alternative</i> MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to

		Transfer Case (Attachments: # <u>1</u> Exhibit 1 (Institutional Handbook), # <u>2</u> Exhibit 2 (Plaintiff's Discovery Responses), # <u>3</u> Exhibit 3 (Plaintiff Depo. Transcript), # <u>4</u> Exhibit 4 (Plumley Declaration), # <u>5</u> Exhibit 5 (Inmate Req. to Staff 4-13-06), # <u>6</u> Exhibit 6 (Admin. Rem Req. & Appeals 475362), # <u>7</u> Exhibit 7-Rardin Rev Report, # <u>8</u> Exhibit 8 (Ortiz Depo. Transcript), # <u>9</u> Exhibit 9 (Aiken Depo. Transcript), # <u>10</u> Exhibit 10 (Program Statement 5330.10), # <u>11</u> Exhibit 11 (Rardin Depo. Transcript), # <u>12</u> Exhibit 12 (Work Proscription), # <u>13</u> Exhibit 13 (Adm. Remedy Rem.414949), # <u>14</u> Exhibit 14 (Rayburn Depo.), # <u>15</u> Exhibit 15 (Vasquez Depo.))(Nebeker, William) (Entered: 06/19/2008)
07/17/2008	<u>63</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>60</u> MOTION for Summary Judgment <i>Or, In The Alternative</i> MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case by BRANDON C. SAMPLE (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 07/17/2008)
07/22/2008		MINUTE ORDER: Plaintiff's unopposed <u>63</u> Motion for Extension of Time is granted. Plaintiff shall file his opposition to defendants' motion for summary judgment and renewed motion for reconsideration of the grant of partial summary judgment for plaintiff by August 8, 2008. Defendants shall file their reply by September 9, 2008. Signed by Judge Paul L. Friedman on 7/22/08. (ms, ) (Entered: 07/22/2008)
07/22/2008		Set/Reset Deadlines: Plaintiff to file response to defendants' motion for summary judgment and renewed motion for reconsideration of the grant of partial summary judgment for plaintiff by 8/8/2008. Defendants to file reply by 9/9/08. (mm) (Entered: 07/23/2008)
08/05/2008	<u>64</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>60</u> MOTION for Summary Judgment <i>Or, In The Alternative</i> MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case by BRANDON C. SAMPLE (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 08/05/2008)
08/06/2008		MINUTE ORDER granting <u>64</u> plaintiff's unopposed motion for extension of time up to and including September 4, 2008 to respond to defendants' motion for summary judgment in favor of defendants on the issue of the least restrictive means and, in the alternative, renewed motion for reconsideration of the grant of partial summary judgment for plaintiff. Defendants' reply is due on or before September 25, 2008. Signed by Judge Paul L. Friedman on August 6, 2008.(MA) (Entered: 08/06/2008)
08/06/2008		Set/Reset Deadlines: Response to defendants' motion for summary judgment due by 9/4/2008. Reply due by 9/25/2008. (mm) (Entered: 08/07/2008)
09/03/2008	<u>65</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>60</u> MOTION for Summary Judgment <i>Or, In The Alternative</i> MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case MOTION for Reconsideration re <u>46</u> Order on Motion for Reconsideration, Order on Motion to Dismiss, Order on Motion for Summary Judgment, Order on Motion to Transfer Case by BRANDON C. SAMPLE (Attachments: # <u>1</u> Text of Proposed Order)(Nadelhaft, Adam) (Entered: 09/03/2008)
09/05/2008		MINUTE ORDER granting <u>65</u> plaintiff's unopposed motion for extension of time up to and including November 4, 2008 to respond to defendants' motion for summary judgment in favor of defendants on the issue of the grant of partial summary judgment for plaintiff. Signed by Judge Paul L. Friedman on September 5, 2008. (MA) (Entered: 09/05/2008)
09/05/2008		Set/Reset Deadlines: Plaintiff's response to motion for summary judgment due by 11/4/2008. (mm) (Entered: 09/08/2008)

09/18/2008	<u>66</u>	NOTICE of Settlement ( <i>Stipulation Of Settlement And Dismissal</i> ) by all parties (Nebeker, William) (Entered: 09/18/2008)
09/24/2008	<u>67</u>	STIPULATION OF SETTLEMENT AND DISMISSAL ORDER Signed by Judge Paul L. Friedman on 9/24/2008. (mm) (Entered: 09/25/2008)