

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:12-cv-00259-SOM-BMK**

Aliviado; et al. v. Kimoto et al  
Assigned to: JUDGE SUSAN OKI MOLLWAY  
Referred to: Judge BARRY M. KURREN  
Cause: 28:1983 Civil Rights

Date Filed: 05/15/2012  
Date Terminated: 05/29/2013  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Lenora Santos**  
*TERMINATED: 07/05/2012*

represented by **Daniel M. Gluck**  
American Civil Liberties Union Hawaii  
P O Box 3410  
Honolulu, HI 96801  
522-5908  
Fax: 522-5909  
Email: [dgluck@acluhawaii.org](mailto:dgluck@acluhawaii.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laurie Ann Temple**  
American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, HI 96801  
522-5900  
Email: [lt@acluhawaii.org](mailto:lt@acluhawaii.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lois K. Perrin**  
American Civil Liberties Union of Hawaii  
P O Box 3410  
Honolulu, HI 96801  
522-5907  
Email: [lperrin@acluhawaii.org](mailto:lperrin@acluhawaii.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Junell Faith Aliviado**

represented by **Daniel M. Gluck**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John F. Molay**  
Office of the Attorney General-State of  
Hawaii  
Civil Rights Litigation  
425 Queen Street  
Honolulu, HI 96813  
586-1494  
Fax: 587-3077  
Email: [john.f.molay@hawaii.gov](mailto:john.f.molay@hawaii.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laurie Ann Temple**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lois K. Perrin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jamiquia Glass**

represented by **Daniel M. Gluck**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laurie Ann Temple**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lois K. Perrin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Margaret Amina**  
*TERMINATED: 05/29/2012*

represented by **Daniel M. Gluck**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laurie Ann Temple**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lois K. Perrin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Shari Kimoto**  
*Mainland Branch Coordinator,  
Department of Public Safety, State of  
Hawaii, in her individual and official  
capacities*

represented by **John F. Molay**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jeanette Baltero**  
*Contract Monitor, Department of Public  
Safety, State of Hawaii, in her individual  
and official capacities*

represented by **John F. Molay**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jodie Maesaka–Hirata**  
*Director, Department of Public Safety,  
State of Hawaii, in her official capacity  
TERMINATED: 08/31/2012*

represented by **John F. Molay**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Does 1–30**

**Defendant****Ted Sakai**Director, Department of Public Safety,  
State of Hawaii, in his official capacity

Date Filed	#	Docket Text
05/15/2012	<u>1</u>	COMPLAINT FOR DAMAGES AND DECLARATORY AND INJUNCTIVE RELIEF; Summons (issued) in a Civil Case against Shari Kimoto, Jeanette Baltero, Jodie Maesaka-Hirata Does 1-30 - filed by Lenora Santos, Junell Faith Aliviado, Jamiqia Glass, Margaret Amina. (Attachments: # <u>1</u> Civil Cover Sheet)(emt, ) (Entered: 05/15/2012)
05/15/2012	<u>2</u>	Order Setting Rule 16 Scheduling Conference for 09:00AM on 8/13/2012 before Judge BARRY M. KURREN - Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 5/15/12. (Attachments: # <u>1</u> Memo from Clerk: Corporate Disclosure Statements)(emt, ) (Entered: 05/15/2012)
05/15/2012	<u>3</u>	Filing fee: \$ 350, receipt number HI003764 re <u>1</u> Complaint. (emt, ) (Entered: 05/15/2012)
05/15/2012	<u>4</u>	MOTION for Preliminary Injunction - Laurie Ann Temple, Daniel M. Gluck, Lois K. Perrin appearing for Plaintiffs Junell Faith Aliviado, Margaret Amina, Jamiqia Glass, Lenora Santos (Attachments: # <u>1</u> Memorandum in Support of Motion, # <u>2</u> Declaration of Lenora Santos, # <u>3</u> Exhibit 1, # <u>4</u> Declaration of Junell Faith Aliviado, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Declaration of Jamiqia Glass, # <u>8</u> Exhibit 1, # <u>9</u> Exhibit 2, # <u>10</u> Exhibit 3, # <u>11</u> Exhibit 4, # <u>12</u> Exhibit 5, # <u>13</u> Declaration of Margaret Amina, # <u>14</u> Declaration of Daniel M. Gluck, # <u>15</u> Exhibit 1, # <u>16</u> Exhibit 2, # <u>17</u> Exhibit 3, # <u>18</u> Exhibit 4, # <u>19</u> Exhibit 5, # <u>20</u> Exhibit 6, # <u>21</u> Certification of Word Count Pursuant to Local Rule 7.5(e))(emt, ) (Entered: 05/15/2012)
05/17/2012	<u>5</u>	NOTICE of Appearance by John F. Molay on behalf of Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata on behalf of Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) (Entered: 05/17/2012)
05/18/2012	<u>6</u>	SUMMONS Returned Executed by Jamiqia Glass, Lenora Santos, Margaret Amina, Junell Faith Aliviado. All Defendants, <i>Shari Kimoto, Jeanette Baltero and Jodie Maesaka-Hirata served on 5/16/2012; answer due 6/6/2012</i> . (Gluck, Daniel) Modified on 5/21/2012 (emt, ). (Entered: 05/18/2012)
05/18/2012	7	NOTICE of Hearing on Motion <u>4</u> MOTION for Preliminary Injunction :. Motion Hearing set for 6/20/2012 01:30 PM before JUDGE SUSAN OKI MOLLWAY. (tbf, ) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 05/18/2012)
05/21/2012	<u>8</u>	Letter to Counsel, dated May 18, 2012 -- re Realtime Court Reporting Services for hearing on Motion for Preliminary Injunction set for 6/20/12 at 1:30 pm. (emt, ) (Entered: 05/21/2012)
05/29/2012	<u>9</u>	<b>AMENDED COMPLAINT FOR DAMAGES AND DECLARATORY AND INJUNCTIVE RELIEF</b> against All Defendants, filed by Jamiqia Glass, Lenora Santos, Junell Faith Aliviado. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) Modified on 5/30/2012 (emt, ). (Entered: 05/29/2012)
05/29/2012	<u>10</u>	Amended MOTION for Preliminary Injunction Daniel M. Gluck appearing for Plaintiffs Junell Faith Aliviado, Jamiqia Glass, Lenora Santos (Attachments: # <u>1</u> Memorandum, # <u>2</u> Declaration Lenora Santos, # <u>3</u> Exhibit 1 to Santos Decl., # <u>4</u> Declaration Junell Aliviado, # <u>5</u> Exhibit 1 to Aliviado Decl., # <u>6</u> Exhibit 2 to Aliviado Decl., # <u>7</u> Declaration Jamiqia Glass, # <u>8</u> Exhibit 1 to Glass Decl., # <u>9</u>

		Exhibit 2 to Glass Decl., # <u>10</u> Exhibit 3 to Glass Decl., # <u>11</u> Exhibit 4 to Glass Decl., # <u>12</u> Exhibit 5 to Glass Decl., # <u>13</u> Declaration Daniel Gluck, # <u>14</u> Exhibit 1 to Gluck Decl., # <u>15</u> Exhibit 2 to Gluck Decl., # <u>16</u> Exhibit 3 to Gluck Decl., # <u>17</u> Exhibit 4 to Gluck Decl., # <u>18</u> Exhibit 5 to Gluck Decl., # <u>19</u> Exhibit 6 to Gluck Decl., # <u>20</u> Certificate of Service)(Gluck, Daniel) (Entered: 05/29/2012)
05/29/2012	<u>11</u>	NOTICE of Dismissal of <i>Plaintiff</i> Margaret Amina. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 05/29/2012)
05/31/2012	<u>12</u>	NOTICE of Hearing on Motion <u>10</u> Amended MOTION for Preliminary Injunction .: Motion Hearing set for 7/12/2012 01:30 PM before JUDGE SUSAN OKI MOLLWAY. (tbf, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 05/31/2012)
05/31/2012	<u>13</u>	Letter Re Realtime Court Reporting Services as to the Amended Motion for Preliminary Injunction set for 7/12/2012 at 1:30 pm. (emt, ) (Entered: 05/31/2012)
06/01/2012	<u>14</u>	WITHDRAWAL WITHOUT PREJUDICE OF PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION FILED MAY 15, 2012 re <u>4</u> MOTION for Preliminary Injunction by Jamiquia Glass, Lenora Santos, Junell Faith Aliviado (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) Modified on 6/4/2012 (emt, ). (Entered: 06/01/2012)
06/04/2012	<u>15</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Admissions from Jeanette Baltero</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/04/2012	<u>16</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Production of Documents from Jeanette Baltero</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/04/2012	<u>17</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Admissions from Shari Kimoto</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/04/2012	<u>18</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Production of Documents from Shari Kimoto</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/04/2012	<u>19</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Admissions from Jodie Maesaka-Hirata</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/04/2012	<u>20</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Request for Production of Documents from Jodie Maesaka-Hirata</i> (Gluck, Daniel) (Entered: 06/04/2012)
06/12/2012	<u>21</u>	MOTION to Dismiss for <i>Lack of Subject Matter Jurisdiction</i> John F. Molay appearing for Defendants Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Shari Kimoto, # <u>3</u> Certificate of Service)(Molay, John) (Entered: 06/12/2012)
06/12/2012	<u>22</u>	MOTION to Dismiss for <i>Inability to Join Required Party</i> John F. Molay appearing for Defendants Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Shari Kimoto, # <u>3</u> Exhibit A, # <u>4</u> Certificate of Service)(Molay, John) (Entered: 06/12/2012)
06/12/2012	<u>23</u>	MOTION to Shorten Time to hear Motion re <u>21</u> MOTION to Dismiss for <i>Lack of Subject Matter Jurisdiction</i> , <u>22</u> MOTION to Dismiss for <i>Inability to Join Required Party</i> John F. Molay appearing for Defendants Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata (Attachments: # <u>1</u> Declaration of John F. Molay, # <u>2</u> Certificate of Service)(Molay, John) (Entered: 06/12/2012)

06/13/2012	<u>24</u>	STATEMENT of No Opposition re <u>23</u> MOTION to Shorten Time to hear Motion re <u>21</u> MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> , <u>22</u> MOTION to Dismiss <i>for Inability to Join Required Party</i> MOTION to Shorten Time to hear Motion re <u>21</u> MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> , <u>22</u> MOTION to Dismiss <i>for Inability to Join Required Party</i> filed by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 06/13/2012)
06/14/2012	<u>25</u>	NOTICE of Hearing:.A Telephone Conference set for 6/14/2012 11:15 AM before JUDGE SUSAN OKI MOLLWAY. Parties notified.(tbf, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 06/14/2012)
06/14/2012	<u>26</u>	EP: Telephone Conference – held in chambers.Discussion held re: defendants motions to dismiss <u>21</u> <u>22</u> and the motion to shorten time to hearing defendants motions to dismiss <u>23</u> that were filed.Mr. Molay to research whether or not the motion to dismiss for lack of subject matter jurisdiction falls under rule 12(b)(1) or 12(b)(6).Parties to meet and discuss this issue.The Motion to Shorten Time to Hear Defendants Motions to Dismiss <u>23</u> – Granted.Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction <u>21</u> and Defendants Motion to Dismiss for Inability to Join Required Party <u>22</u> are set for 7/12/12 @ 1:30 p.m.Plaintiffs to file an opposition by 6/25/12.Defendants to file a reply by 6/28/12.If there is any change to the schedule, parties to send a letter to the Court.Mr. Molay to notify the Court asap if he intends to file a withdrawal of motion.granting <u>23</u> Motion to Shorten time to hear Motion; Telephone Conference held on 6/14/2012. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbf, ) <sup>No COS issued for this docket entry</sup> (Entered: 06/14/2012)
06/15/2012	<u>27</u>	NOTICE by Jeanette Baltero, Jodie Maesaka–Hirata, Shari Kimoto re <u>26</u> Order on Motion to Shorten time to hear Motion, Telephone Conference,,,,,, <i>Regarding Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction</i> Jeanette Baltero, Jodie Maesaka–Hirata, Shari Kimoto. (Molay, John) (Entered: 06/15/2012)
06/18/2012	<u>28</u>	EO: At the request of the parties, Rule 16 Scheduling Conference set for 8/13/2012 is continued to 9/5/2012 @ 9:00 AM before Judge BARRY M. KURREN. Scheduling Conference Statements are due by 8/29/2012. (Judge BARRY M. KURREN)(tyk) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/18/2012)
06/18/2012	<u>29</u>	Scheduling Conference Statement. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 06/18/2012)
06/18/2012	<u>30</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Notice of Deposition Upon Oral Examination of Designated Representative of Department of Public Safety Pursuant to Fed. R. Civ. P. 30(b)(6), Exhibits "A" and "B"</i> (Gluck, Daniel) (Entered: 06/18/2012)
06/18/2012	<u>31</u>	CERTIFICATE OF SERVICE by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos <i>Plaintiffs' Initial Disclosures</i> (Gluck, Daniel) (Entered: 06/18/2012)
06/18/2012	<u>32</u>	INITIAL DISCLOSURE by Jeanette Baltero, Shari Kimoto, Jodie Maesaka–Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) (Entered: 06/18/2012)
06/20/2012	<u>33</u>	Return of Service on Subpoena Designated Representative of the State of Hawaii Department of Public Safety was served on 6/18/12 (Gluck, Daniel) (Entered: 06/20/2012)



06/21/2012	<u>34</u>	MEMORANDUM in Opposition re <u>10</u> Amended MOTION for Preliminary Injunction filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata. (Attachments: # <u>1</u> Declaration of Shari Kimoto, # <u>2</u> Declaration of John F. Molay, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Certificate of Service)(Molay, John) (Entered: 06/21/2012)
06/25/2012	<u>35</u>	MEMORANDUM in Opposition re <u>21</u> MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> filed by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 06/25/2012)
06/25/2012	<u>36</u>	MEMORANDUM in Opposition re <u>22</u> MOTION to Dismiss <i>for Inability to Join Required Party</i> filed by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 06/25/2012)
06/28/2012	<u>37</u>	REPLY MEMORANDUM in Support of <u>10</u> Amended MOTION for Preliminary Injunction filed by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos. (Attachments: # <u>1</u> Declaration of Laurie A. Temple, # <u>2</u> Certificate of Service)(Gluck, Daniel) Modified on 6/29/2012 (emt, ). (Entered: 06/28/2012)
06/28/2012	<u>38</u>	REPLY to Plaintiffs' Opposition to <u>21</u> Defendants' MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) Modified on 6/29/2012 (emt, ). (Entered: 06/28/2012)
06/28/2012	<u>39</u>	REPLY to Plaintiffs' Opposition to <u>22</u> Defendants' MOTION to Dismiss <i>for Inability to Join Required Party</i> filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) Modified on 6/29/2012 (emt, ). (Entered: 06/28/2012)
07/02/2012	<u>40</u>	RESPONSE to Request for Letter Briefs filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka-Hirata. (Molay, John) (Entered: 07/02/2012)
07/03/2012		ADVISORY ENTRY. The entry docket number <u>40</u> Letter Brief Re: Objections to Discovery filed by Jodie Maesaka-Hirata, Jeanette Baltero, Shari Kimoto was filed incorrectly in this case. Please be advised that letters should not be filed in CM/ECF, rather, they should be delivered to the respective judge's chambers. No further action necessary. (emt, ) (Entered: 07/03/2012)
07/05/2012	<u>41</u>	STIPULATION to Dismiss Plaintiff Lenora Santos Without Prejudice by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 07/05/2012)
07/05/2012	<u>42</u>	EP: Telephonic Discovery Conference held.The Court rules as follows:(1) As to prisoners' files, Defendants are required to disclose information that would otherwise be discoverable, notwithstanding any law protecting the privacy of those prisoner records to the contrary; and(2) Plaintiff's request relating to marriage applications of other prisoners and their fiancées is denied without prejudice to further consideration pursuant to a motion to compel or for protective order. (Chambers no record 1:48-2:06pm.) (Judge BARRY M. KURREN)(kur2) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/05/2012)
07/06/2012		ADVISORY ENTRY. If the filing party has not already done so, the <u>41</u> Stipulation of Dismissal of Plaintiff Lenora Santos Pursuant to Fed.R.Civ.P.41(a) filed by Junell Faith Aliviado, Jamiquia Glass, Lenora Santos may be submitted to Chief Judge Susan Oki Mollway for approval. The filing party may refer to LR100.9.1. Proposed Orders, LR100.9.2. E-mailing of Proposed Orders and Stipulations and LR100.9.3. E-mail addresses for order and stipulation submission to Chambers. (emt, ) (Entered: 07/06/2012)
07/06/2012	<u>45</u>	<del>Transmittal Memorandum from Daniel M. Gluck, Esq. — re payment for Pro Hac Vice applications of Stanford J. Rosen, Esq., Ernest Galvan, Esq. and Kenneth M. Walezak, Esq., dated July 5, 2012.</del> (emt, ) (Additional attachment(s) added on 7/6/2012: # <u>1</u> Main Document) (emt, ). Modified on 7/6/2012 — image removed; entered in CV 12-00340 SOM-KSC. (emt, ). (Entered: 07/06/2012)
07/09/2012	<u>46</u>	Proposed Findings of Fact. filed by Junell Faith Aliviado, Jamiquia Glass. (Attachments: # <u>1</u> Second Declaration of Daniel M. Gluck, # <u>2</u> Exhibit 1 to Second

		Declaration of Daniel M. Gluck, # <u>3</u> Exhibit 2 to Second Declaration of Daniel M. Gluck, # <u>4</u> Exhibit 3 to Second Declaration of Daniel M. Gluck, # <u>5</u> Certificate of Service)(Gluck, Daniel) (Entered: 07/09/2012)
07/09/2012	<u>47</u>	Proposed Findings of Fact. filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka–Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) (Entered: 07/09/2012)
07/10/2012	<u>48</u>	STIPULATION re <u>10</u> Amended MOTION for Preliminary Injunction <i>Stipulation of Facts and Exhibits for Hearing on Plaintiffs' Amended Motion for Preliminary Injunction</i> by Junell Faith Aliviado, Jamiquia Glass. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 07/10/2012)
07/10/2012	<u>49</u>	RESPONSE to Plaintiffs' Deposition Designations [dkt no. <u>46</u> ] – filed by Jeanette Baltero, Shari Kimoto, Jodie Maesaka–Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) Modified on 7/11/2012 (emt. ). (Entered: 07/10/2012)
07/10/2012	<u>50</u>	Plaintiffs' Testimony for Hearing on Motion for Preliminary Injunction ( <i>Direct Testimony by Declaration/Deposition Excerpt of Junell Faith Aliviado, Jamiquia Glass, and Shari Kimoto in Advance of Hearing on Motion</i> ) re <u>10</u> Amended MOTION for Preliminary Injunction filed by Junell Faith Aliviado and Jamiquia Glass (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) Modified on 7/11/2012 (emt. ). (Entered: 07/10/2012)
07/10/2012	<u>51</u>	CERTIFICATE OF SERVICE by Shari Kimoto <i>Certificate of Service Re: Defendant Shari Kimoto's Response to Plaintiffs' First Request For Admissions from Shari Kimoto</i> (Molay, John) (Entered: 07/10/2012)
07/10/2012	<u>52</u>	CERTIFICATE OF SERVICE by Jeanette Baltero <i>Certificate of Service Re: Defendant Jeanette Baltero's Response to Plaintiffs' First Request for Admissions from Jeanette Baltero</i> (Molay, John) (Entered: 07/10/2012)
07/10/2012	<u>53</u>	CERTIFICATE OF SERVICE by Jodie Maesaka–Hirata <i>Certificate of Service Re: Defendant Jodie Maesaka–Hirata's Response to Plaintiffs' First Request for Admissions from Jodie Maesaka–Hirata</i> (Molay, John) (Entered: 07/10/2012)
07/10/2012	<u>54</u>	CERTIFICATE OF SERVICE by Shari Kimoto <i>Certificate of Service Re: Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata's Response to Plaintiffs' First Request for Production of Documents to Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata</i> (Molay, John) (Entered: 07/10/2012)
07/10/2012	<u>55</u>	CERTIFICATE OF SERVICE by Shari Kimoto <i>Certificate of Service Re: Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata's Supplemental Response to Plaintiffs' First Request for Production of Documents to Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata</i> (Molay, John) (Entered: 07/10/2012)
07/10/2012	<u>56</u>	CERTIFICATE OF SERVICE by Shari Kimoto <i>Certificate of Service Re: Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata's Second Supplemental Response to Plaintiffs' First Request for Production of Documents to Defendants Shari Kimoto, Jeanette Baltero and Jodie Maesaka–Hirata</i> (Molay, John) (Entered: 07/10/2012)
07/11/2012	<u>57</u>	Defendants' NOTICE of Submission of Testimony by Jeanette Baltero, Jodie Maesaka–Hirata, Shari Kimoto . (Attachments: # <u>1</u> Certificate of Service)(Molay, John) Modified on 7/12/2012 (emt. ). (Entered: 07/11/2012)
07/12/2012	<u>58</u>	Letter addressed to Courtroom Managers Toni Fujinaga and Leslie Sai from Daniel Gluck, Esq., dated July 5, 2012 --- re "Attorney, Witness, and Exhibit List for Hearing on Plaintiffs' Motion for Preliminary Injunction, July 12, 2012 at 1:30 p.m.". (emt, ) (Entered: 07/12/2012)
07/12/2012	<u>59</u>	EP: : Amended Motion for Preliminary Injunction <u>10</u> (Evidentiary hearing); Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction <u>21</u> and Defendants Motion to Dismiss for Inability to Join Required Party <u>22</u> –Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction <u>21</u> and Defendants Motion to Dismiss for Inability to Join Required Party <u>22</u> – Arguments.Defendants

		<p>Motion to Dismiss for Lack of Subject Matter Jurisdiction <u>21</u> – Denied. Court to prepare an order. Defendants Motion to Dismiss for Inability to Join Required Party <u>22</u> – taken under advisement. Court to prepare an order. Amended Motion for Preliminary Injunction <u>10</u> – Declaration of Junell Faith Aliviado – no objection by the defendant. Court receives the declaration in lieu of direct testimony. No cross examination. Declaration of Jamiqia Glass – no objection by the defendant. Court receives the declaration in lieu of direct testimony. No cross examination. Excerpts of deposition of Shari Kimoto – objections – arguments – overruled. Court receives the excerpts of deposition of Shari Kimoto as her direct testimony. Stipulated Facts – plaintiff orally amends the stipulated facts – no objection by the defendant – received by the Court. Declaration of Lori Temple – no objection by the defendant. Court receives the declaration in lieu of direct testimony. No cross examination. Declaration of Shari Kimoto – no objection by the plaintiff. Court receives the declaration in lieu of direct testimony. Discussion held re: objections to exhibits to the stipulated facts (1 – 14) – overruled and received by the Court. Re: excerpts of deposition of Shari Kimoto – Shari Kimoto CST for cross examination and re direct examination. Arguments. Amended Motion for Preliminary Injunction <u>10</u> – taken under advisement. Court to issue a written order. denying <u>21</u> Motion to Dismiss; Evidentiary Hearing held on 7/12/2012; Motion Hearing held on 7/12/2012 re <u>21</u> MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction</i> filed by Jodie Maesaka–Hirata, Jeanette Baltero, Shari Kimoto, <u>22</u> MOTION to Dismiss <i>for Inability to Join Required Party</i> filed by Jodie Maesaka–Hirata, Jeanette Baltero, Shari Kimoto, <u>10</u> Amended MOTION for Preliminary Injunction filed by Junell Faith Aliviado, Jamiqia Glass, Lenora Santos ; Motions Taken Under Advisement: <u>22</u> MOTION to Dismiss <i>for Inability to Join Required Party</i>, <u>10</u> Amended MOTION for Preliminary Injunction. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbf, )<sup>No COS issued for this docket entry</sup> (Entered: 07/12/2012)</p>
07/12/2012	<u>60</u>	<p>(RE HEARING ON: MOTION FOR PRELIMINARY INJUNCTION) EXHIBIT LIST – filed by Junell Faith Aliviado, Jamiqia Glass, Lenora Santos.(emt, ) (Entered: 07/13/2012)</p>
07/19/2012	<u>61</u>	<p>ORDER (1) DENYING DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION AND (2) DENYING DEFENDANTS' MOTION TO DISMISS FOR INABILITY TO JOIN REQUIRED PARTIES re <u>21</u> ; <u>22</u> – – Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 7/19/12. (emt, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/19/2012)</p>
07/27/2012	<u>62</u>	<p>ANSWER to <u>9</u> Amended Complaint, by Jeanette Baltero, Shari Kimoto, Jodie Maesaka–Hirata. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) (Entered: 07/27/2012)</p>
07/30/2012	<u>63</u>	<p>Defendants Shari Kimoto and Jeannette Baltero's MOTION for Substitution of Parties John F. Molay appearing for Plaintiff <del>Junell Faith Aliviado</del>, Defendants Shari Kimoto, Jeanette Baltero (Attachments: # <u>1</u> Supplement Memorandum of Law, # <u>2</u> Certificate of Service)(Molay, John) Modified on 7/31/2012 (emt, ). (Entered: 07/30/2012)</p>
08/02/2012	<u>64</u>	<p>ORDER GRANTING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION re <u>10</u> – Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 8/1/12. (emt, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/02/2012)</p>
08/02/2012	<u>65</u>	<p>NOTICE of Hearing on <u>63</u> Defendants Shari Kimoto And Jeanette Baltero's Motion For Substitution Of Parties set for 9/5/2012 @ 09:00 AM before Judge BARRY M. KURREN. (tyk)</p>



		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 08/02/2012)</p>
08/15/2012	<u>66</u>	<p>STATEMENT of No Opposition to <u>63</u> Defendants Shari Kimoto and Jeanette Baltero's Motion for Substitution of Parties filed by Junell Faith Aliviado, Jamiquia Glass. (Attachments: # <u>1</u> Certificate of Service)(Temple, Laurie) Modified on 8/16/2012 (emt, ). (Entered: 08/15/2012)</p>
08/28/2012	<u>67</u>	<p>Scheduling Conference Statement. (Attachments: # <u>1</u> Certificate of Service)(Gluck, Daniel) (Entered: 08/28/2012)</p>
08/29/2012	<u>68</u>	<p>Scheduling Conference Statement. (Attachments: # <u>1</u> Certificate of Service)(Molay, John) (Entered: 08/29/2012)</p>
08/29/2012	<u>69</u>	<p>EO: The Hearing re <u>63</u> Motion to Substitute Party and the Rule 16 Scheduling Conference set for 9/5/2012 are CONTINUED to 2:30 PM on the same day before Judge Barry M. Kurren. (Judge BARRY M. KURREN)(kur1)</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/29/2012)</p>
08/31/2012	<u>70</u>	<p>EO: "MINUTE ORDER" – Plaintiffs do not oppose <u>63</u> Defendants Shari Kimoto and Jeanette Baltero's Motion For Substitution Of Parties. Accordingly, <u>63</u> Defendants Shari Kimoto and Jeanette Baltero's Motion For Substitution Of Parties is GRANTED and Terminated. The hearing on the motion, set for 9/5/2012 before Judge BARRY M. KURREN, is VACATED. Jodie Maesaka-Hirata as a party defendant in this case in her official capacity as the Interim Director of the Department of Public Safety is hereby replaced by Ted Sakai. (Judge BARRY M. KURREN)(tyk)</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/31/2012)</p>
09/04/2012	<u>71</u>	<p>EO: Rule 16 Scheduling Conference set for 9/5/2012 is continued to 9/6/2012 @ 9:00 AM before Judge BARRY M. KURREN. (Judge BARRY M. KURREN)(tyk)</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/04/2012)</p>
09/06/2012	<u>72</u>	<p>EP: Rule 16 Scheduling Conference was held. New dates and deadlines are given below. Court to prepare scheduling order. Bench Trial set for 7/2/2013 09:00 AM before JUDGE SUSAN OKI MOLLWAY. Final Pretrial Conference set for 5/21/2013 09:30 AM before Judge BARRY M. KURREN. Settlement Conference set for 10/11/2012 02:00 PM before Judge BARRY M. KURREN. Motions due by 1/30/2013. Discovery due by 5/3/2013. (C7 no record 9:09–9:14 a.m.) (Judge BARRY M. KURREN)(kur1)</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/06/2012)</p>
09/18/2012	<u>73</u>	<p>RULE 16 SCHEDULING ORDER – Signed by Judge BARRY M. KURREN on 9/18/12. (emt, )</p> <p style="text-align: center;">CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/18/2012)
10/03/2012	<u>74</u>	EO: At the request of the parties, Settlement Conference set for 10/11/2012 is continued 11/15/2012 @ 02:00 PM before Judge BARRY M. KURREN. Confidential Settlement Conference Statements are due by 11/8/2012. David M. Gluck to notify the parties. (Judge BARRY M. KURREN)(tyk) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/03/2012)
11/15/2012	<u>75</u>	EP: Settlement Conference held. A Status Conference Re Settlement is set for 12/11/2012 at 9:00 a.m. before Judge Barry M. Kurren. (Chambers no record 2:00-2:20pm.) (Judge BARRY M. KURREN)(kur2) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/15/2012)
12/04/2012	<u>76</u>	EO: The Further Settlement Conference set for 12/11/2012 is MOVED to 12/5/2012 at 10:00AM before Judge BARRY M. KURREN. Daniel Gluck to notify counsel. Defense counsel shall be present with someone who has settlement authority for this case. (Judge BARRY M. KURREN)(kur2) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/04/2012)
12/05/2012	<u>77</u>	EP: Settlement Conference held on 12/5/2012. (In chambers; No Record; 10:00-10:20) (Judge BARRY M. KURREN)(tyk) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/05/2012)
12/06/2012	<u>78</u>	EP: Telephonic Status Conference Re Terms of Settlement held with Plaintiff Jamiquia Glass. (Chambers no record 2:15-2:30pm.) (Judge BARRY M. KURREN)(kur2) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/06/2012)
05/20/2013		EO: Case settled per John Molay. The Final Pretrial Conference Date of 5/21/2013 and Non Jury Trial Date of 7/2/2013 are vacated. Stipulation For Dismissal due by 5/24/2013. (Judge BARRY M. KURREN)(tyk) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/20/2013)
05/29/2013	<u>79</u>	STIPULATION FOR DISMISSAL WITH PREJUDICE PURSUANT TO FED.R.CIV.P. 41(a)(1)(A)(ii) AND 41(a)(2) AND [PROPOSED] ORDER – Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 5/28/13. "IT IS HEREBY STIPULATED AND AGREED by and between the parties to this action, through their respective attorneys, that pursuant to Rule 41(a)(1)(A)(ii) and 41(a)(2) of the Federal Rules of Civil Procedure, this action and all claims asserted herein by Plaintiffs against any and all Defendants, be and is hereby dismissed with prejudice, each party to bear any remaining costs and attorneys' fees other

		than the amounts to be paid pursuant to the Settlement Agreement, Release and Indemnity Agreement ("Settlement Agreement")." (emt, ) (Entered: 05/29/2013)
05/29/2013		COURT'S CERTIFICATE of Service – a copy of <u>79</u> STIPULATION FOR DISMISSAL WITH PREJUDICE PURSUANT TO FED.R.CIV.P. 41(a)(1)(A)(ii) AND 41(a)(2) AND [PROPOSED] ORDER has been served on May 29, 2013. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (emt, ) (Entered: 05/29/2013)