

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:02-cv-00367-SPK-KSC**

Bernard, et al v. Hawaii, State of, et al
Assigned to: JUDGE SAMUEL P KING
Referred to: JUDGE KEVIN S.C. CHANG
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/18/2002
Date Terminated: 06/03/2004
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Charing Bernard
*individually and on behalf of all other
persons so situated*

represented by **Carl M. Varady**
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Plaintiff

Allen
*individually and on behalf of all other
persons so situated*
TERMINATED: 11/25/2003

represented by **Allen**
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Carl M. Varady
(See above for address)
TERMINATED: 11/14/2003
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Mary C. Vargas
(See above for address)

TERMINATED: 11/13/2003
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Stanley E. Levin
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TERMINATED: 11/14/2003
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V.

Defendant

Hawaii, State of

represented by **Cindy S. Inouye**
Office of the Attorney General–Hawaii
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ATTORNEY TO BE NOTICED

Kendall J. Moser
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Defendant

**Public Safety, Department of, State of
Hawaii**

represented by **Cindy S. Inouye**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kendall J. Moser
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Hawaii Paroling Authority

represented by **Cindy S. Inouye**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kendall J. Moser
(See above for address)
LEAD ATTORNEY
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Defendant

Al Beaver
*in his Official Capacity as the Chairman
of the Hawaii Paroling Authority*

represented by **Cindy S. Inouye**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kendall J. Moser
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant**Doe Entities 1–100****Defendant**

Ted Sakai
*in his Official Capacity as Director of the
Department of Public Safety*

represented by **Cindy S. Inouye**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Kendall J. Moser
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/18/2002	1	COMPLAINT; (Summons(es) issued) (fe) (Entered: 06/19/2002)
06/18/2002	2	ORDER by Judge David A. Ezra rule 16 conference set for 9:00 9/16/02 before Mag Judge Kevin S. Chang (fe) (Entered: 06/19/2002)
06/18/2002		FILING FEE PAID in the amount of \$ 150.00, receipt # 209403 (fe) (Entered: 06/19/2002)
06/21/2002	3	RETURN OF SERVICE executed upon defendant Hawaii, State of on 6/20/02 through Mark M. Nomura, for State of Hawaii only, Deputy Attorney General, (fe) (Entered: 06/24/2002)
06/21/2002	4	RETURN OF SERVICE executed upon defendant Public Safety, Dept on 6/20/02 through Patti Ahu, Secretary (fe) (Entered: 06/24/2002)
06/21/2002	5	RETURN OF SERVICE executed upon defendant Hawaii Paroling Auth on 6/20/02 through Jessie Macadamia, Secretary (fe) (Entered: 06/24/2002)
06/21/2002	6	RETURN OF SERVICE executed upon defendant Al Beaver on 6/20/02 through Jessie Macadamia, Secretary (fe) (Entered: 06/24/2002)
06/21/2002	7	RETURN OF SERVICE executed upon defendant Ted Sakai on 6/20/02 through Patti Ahu, secretary (fe) (Entered: 06/24/2002)
07/09/2002	8	NOTICE OF MOTION and motion by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, and Ted Sakai to dismiss complaint ; memorandum in support of motion; declaration of James Kanehira; exhibits a–g; certificate of service – set for 10:00 10/30/02 before Judge Samuel P. King (fe) (Entered: 07/10/2002)
08/29/2002	9	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 08/30/2002)
08/30/2002	10	Plaintiff's EX PARTE MOTION to associate attorney MARY C. VARGAS to appear pro hac vice ; declaration of Stanley E. Levin; declaration of Mary C. Vargas; order granting plaintiffs' ex parte motion to associate counsel pro hac vice (bbb) (Entered: 09/06/2002)
08/30/2002	11	Plaintiff's EX PARTE MOTION to associate attorney MARC P. CHARMATZ to appear pro hac vice ; declaration of Stanley E. Levin; declaration of Marc P. Charmatz; order granting plaintiffs' ex parte motion to associate counsel pro hac by Mag Judge Kevin S. Chang (bbb) (Entered: 09/06/2002)
09/04/2002	12	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 09/10/2002)

09/04/2002	13	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 09/10/2002)
09/09/2002	14	Rule 16 SCHEDULING CONFERENCE STATEMENT by plaintiff Charing Bernard; certificate of service (bbb) (Entered: 09/13/2002)
09/09/2002	15	SCHEDULING CONFERENCE STATEMENT by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Doe Entities 1-100, Ted Sakai; certificate of service (bbb) (Entered: 09/13/2002)
09/13/2002	16	CERTIFICATE of service by plaintiff Charing Bernard (eps) (Entered: 09/16/2002)
09/16/2002	17	EP : Rule 16 Scheduling Conference 1. Non-jury trial on August 5, 2003 at 9:00 a.m. before SPK 2. Final Pretrial Conference on June 24, 2003 at 9:00a.m. before KSC 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by June 17, 2003 5. File motions to Join/Add Parties/Amend Pleadings by January 3, 2003 6. File other Non-Dispositive Motions by May 7, 2003 7. File Dispositive Motions by March 5, 2003 8a. File Motions in Limine by July 15, 2003 8b. File opposition memo to a Motion in Limine by July 22, 2003 11a. Plaintiff's Expert Witness Disclosures by February 3, 2003 11b. Defendant's Expert Witness Disclosures by March 5, 2003 12. Discovery deadline June 6, 2003 13. Settlement Conference set for April 7, 2003 at 2:00 p.m. before KSC 14. Settlement Conference statements by March 31, 2003 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by N/A 21. File Final witness list by July 15, 2003 24. Exchange Exhibit and Demonstrative aids by July 8, 2003 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by July 15, 2003 26. File objections to the Exhibits by July 22, 2003 28a. File Deposition Excerpt Designations by July 15, 2003 28b. File Deposition Counter Designations and Objections by July 22, 2003 29. File Trial Brief by July 22, 2003 30. File Findings of Fact & Conclusions of Law by July 22, 2003 ; Trial set for 9:00 8/5/03 before Judge Samuel P. King , ; final pretrial conference set for 9:00 6/24/03 ; Discovery ddl set for 6/6/03 ; Motion filing ddl set for 3/5/03 ; settlement/status conference set for 2:00 4/7/03 before Mag Judge Kevin S. Chang (Ct Rptr : no record) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 09/19/2002)
09/17/2002	18	Rule 16 SCHEDULING ORDER Mag Judge Kevin S. Chang (cc: all counsel) (bbb) (Entered: 09/19/2002)
09/19/2002	19	EO: Defendants State of Hawaii's, et al. Motion to Dismiss Complaint set for hearing on October 30, 2002 is hereby continued to November 15, 2002 @10:00 a.m. before Judge S. King. Plaintiff's Counsel will be filing a Motion for Preliminary Injunction that will also be calendared for November 15, 2002. cc: All Counsel of Record [8-1] () JUDGE Judge Samuel P. King (afc) (Entered: 09/20/2002)
09/27/2002	20	First AMENDED COMPLAINT [1-1] by plaintiff Charing Bernard; Summons issued; adding Allen Kaufman (bbb) (Entered: 09/27/2002)
09/30/2002	21	CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai (bbb) (Entered: 10/01/2002)
09/30/2002	22	CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai (bbb) (Entered: 10/01/2002)
09/30/2002	24	DEMAND for jury trial and certificate of service - by plaintiff (lmg) (Entered: 10/04/2002)
10/01/2002	23	CERTIFICATE of service by plaintiff Charing Bernard (eps) (Entered: 10/02/2002)
10/09/2002	25	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 10/11/2002)
10/09/2002	26	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 10/11/2002)

10/09/2002	27	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 10/11/2002)
10/09/2002	28	CERTIFICATE of service by plaintiff Charing Bernard (bbb) (Entered: 10/11/2002)
10/10/2002	29	NOTICE of WITHDRAWAL OF MOTION by defendants re: defendants State of Hawaii Department of Public Safety, State of Hawaii, Ted Sakai, Hawaii Paroling Authority, and Al Beavers motion to dismiss complaint [8-1] filed on July 9, 2002; certificate of service (bbb) (Entered: 10/11/2002)
10/11/2002	30	NOTICE OF MOTION and motion by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai to dismiss first amended complaint as to claims brought by plaintiff Charing Bernard ; memorandum in support of motion; declaration of James Kanehira; exhibits a-1; certificate of service; motion set for 10:00 11/15/02 before Judge Samuel P. King (bbb) (Entered: 10/11/2002)
10/11/2002	31	ANSWER by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai to first amended complaint as to claims brought by plaintiff Allen Kaufman [20-1]; certificate of service (bbb) (Entered: 10/11/2002)
10/11/2002	33	NOTICE OF MOTION and plaintiffs' motion by plaintiff Charing Bernard for a preliminary injunction ; memorandum in support of motion; declaration of Charing Bernard; declaration of Jenny Blake; declaration of Allen Kaufman; declaration of Carol A. Kamara; exhibits a & b; and certificate of serfice; motion set for 10:00 11/15/02 before Judge Samuel P. King (bbb) (Entered: 10/16/2002)
10/15/2002	32	CERTIFICATE of service by defendant (lmg) (Entered: 10/15/2002)
10/23/2002	34	Plaintiffs Writ of Habeas Corpus Ad Testificandum re: attendance of Charing Bernard – DENIED by Judge Samuel P. King (afc) (Entered: 10/25/2002)
10/28/2002	35	MEMORANDUM by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai in opposition to motion for a preliminary injunction [33-1]; declaration of Kendall J. Moser; exhibits 1-2; certificate of service (fe) (Entered: 10/29/2002)
10/28/2002	36	MEMORANDUM by plaintiff Charing Bernard in opposition to defendants State of Hawaii, Department of Public Safety, Hawaii Paroling Authority and Al Beaver's motion to dismiss first amended complaint as to claims brought by plaintiff Charing Bernard [30-1]; declaration of Charing Bernard; declaration of Jenny Blake; declaration of Carl M. Varady, exhibits 1-4; certificate of service (fe) (Entered: 10/29/2002)
10/31/2002	37	CERTIFICATE of service by defendants Hawaii, State of (bbb) (Entered: 11/01/2002)
11/04/2002	38	Reply MEMORANDUM by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai in support of motion to dismiss first amended complaint as to claims brought by plaintiff Charing Bernard [30-1]; declaration of Kendall J. Moser; exhibit a; certificate of service (bbb) (Entered: 11/04/2002)
11/04/2002	39	REPLY MEMORANDUM by plaintiffs in support of plaintiffs' motion for preliminary injunction [33-1]; declaration of Allen Kaufman; exhibits a-b declaration of Stanley E. Levin; exhibits 5-10; and certificate of service (lmg) (Entered: 11/06/2002)
11/07/2002	40	CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, and Ted Sakai (fe) (Entered: 11/07/2002)
11/08/2002	41	SUPPLEMENTAL declarations in support of plaintiffs' motion for preliminary injunction [39-1]; declaration of Connie J. Balmes; declaration of Bruce Clark; exhibit 11 and certificate of service (bbb) (Entered: 11/08/2002)
11/15/2002	42	CERTIFICATE of service by defendants (bbb) (Entered: 11/18/2002)

11/15/2002	43	CERTIFICATE of service by defendants (bbb) (Entered: 11/18/2002)
11/15/2002	44	EP : Defendants' Motion to Dismiss Plaintiff Charing Bernard's 1st Amended Complaint is taken under advisement. Plaintiffs' Motion for Preliminary Injunction is taken under advisement. [30-1] [33-1] (Ct Rptr : ESR-BB) JUDGE Judge Samuel P. King (bbb) (Entered: 11/19/2002)
01/27/2003	45	EO :Settlement Conference/Status Conference set for 02/12/2003 02:00 PM before Judge Chang. Settlement Conference Statements shall be submitted to Judge Chang's Chambers by February 05, 2003. (This Conference was set up by Judge S. King) cc: All Counsel by Fax settlement/status conference set for 2:00 2/12/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 01/28/2003)
01/28/2003	46	EO :Settlement Conference advance from 2-12-03 to 2-10-03 at 2:00 KSC. Kendall Moser to notify parties. settlement conference set for 2:00 2/10/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 01/29/2003)
02/04/2003	47	EO :By agreement of the parties, Continued : [Settlement Conference] from 02/10/2003 02:00:00 PM to 02/13/2003 02:00:00 PM before KSC. Carl Varady to notify parties. settlement conference set for 2:00 2/13/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 02/05/2003)
02/13/2003	48	EP :Settlement Conference held. Next conference is set for 3-7-03 at 9:30 KSC. settlement conference held 2/13/03 ; settlement/status conference set for 9:30 3/7/03 before Judge Kevin S. Chang (Ct Rptr : none) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 02/19/2003)
03/07/2003	49	EP :Further Settlement Conference held. Next conference is set on 3-14-03 at 3:00 KSC. settlement conference held 3/7/03 ; settlement/status conference set for 3:00 3/14/03 before Mag Judge Kevin S. Chang (Ct Rptr : No Reporter) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 03/10/2003)
03/13/2003	50	EO :Further Settlement Conference set for 03/14/2003 @3:00 p.m. is moved to 10:30 a.m. on the same day before Judge Chang. cc: All Counsel by Fax settlement/status conference set for 10:30 3/14/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) Modified on 03/25/2003 (Entered: 03/13/2003)
03/21/2003	51	ORDER by Judge Samuel P. King granting in part and denying in part defendants' motion to dismiss [30-1] and order granting in part and denying in part plaintiffs' motion for a preliminary injunction [33-1] (cc: all counsel) (fe) Modified on 03/25/2003 (Entered: 03/24/2003)
03/31/2003	52	defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver ANSWER to first amended complaint as to claims brought by plaintiff Charing Bernard [20-1]; certificate of service (bbb) (Entered: 04/01/2003)
04/03/2003	53	EO :Settlement Conference set for 4/7/03 at 2:00 pm before Judge Chang has been taken off. Parties to call if a further settlement conference is needed. Mr. Levin's office to notify all parties. settlement conference , (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 04/03/2003)
06/03/2003	54	EO :Status Conference is set for 6/10/2003 at 9:00 AM before Judge Chang. status conference set for 9:00 6/10/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 06/03/2003)
06/10/2003	55	EP :Status Conference. Discussion held. Parole issue discussed. Fees and costs issue discussed. A Stipulation for Partial Dismissal as to Bernard to be submitted by 7/14/03. New trial date given. Amended Rule 16 Order to be issued. 1. Non-jury trial on February 10, 2004 at 9:00 a.m. before SPK 2. Final Pretrial Conference on December 30, 2003 at 9:00 a.m. before KSC 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by December 23, 2003 5. File motions to Join/Add Parties/Amend Pleadings by July 11, 2003 6. File other Non-Dispositive Motions by November 12, 2003 7. File Dispositive Motions by September 10, 2003 8a. File Motions in Limine by January 20, 2004 8b. File

		opposition memo to a Motion in Limine by January 27, 2004 11a. Plaintiff's Expert Witness Disclosures by August 11, 2003 11b. Defendant's Expert Witness Disclosures by September 10, 2003 12. Discovery deadline December 12, 2003 13. Settlement Conference set for 10/29/03 at 2:00pm before KSC 14. Settlement Conference statements by 10/22/03 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by N/A 21. File Final witness list by January 20, 2004 24. Exchange Exhibit and Demonstrative aids by January 13, 2004 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by January 20, 2004 26. File objections to the Exhibits by January 27, 2004 28a. File Deposition Excerpt Designations by January 20, 2004 28b. File Deposition Counter Designations and Objections by January 27, 2004 29. File Trial Brief by January 27, 2004 30. File Findings of Fact & Conclusions of Law by January 27, 2004 Other Matters: None. status conference held 6/10/03 before Mag Judge Kevin S. Chang , Trial set for 9:00 2/10/04 before Judge Samuel P. King , final pretrial conference set for 9:00 12/30/03 ; Discovery ddl set for 12/12/03 ; Motion filing ddl set for 9/10/03 ; settlement/status conference set for 2:00 10/29/03 before Mag Judge Kevin S. Chang (Ct Rptr : no record) JUDGE Mag Kevin S. Chang (fe) (Entered: 06/10/2003)
06/12/2003	56	AMENDED RULE 16 SCHEDULING ORDER Mag Judge Kevin S. Chang (cc: all counsel) (bbb) (Entered: 06/16/2003)
07/30/2003	57	CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver and Ted Sakai (fe) (Entered: 07/31/2003)
07/30/2003	58	CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver and Ted Sakai (fe) (Entered: 07/31/2003)
08/25/2003	59	EO :Status Conference is set for 8/29/2003 at 9:00 AM before Judge Chang. Mr. Moser to notify all parties. status conference set for 9:00 8/29/03 before Mag Judge Kevin S. Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 08/25/2003)
08/29/2003	60	EP: Status Conference Regarding Trial date and other Scheduling Deadlines– The Trial will be moved 60 Days from the present date– 1. Non–jury trial on April 13, 2004 at 9:00 a.m. before SPK 2. Final Pretrial Conference on March 2, 2004 at 9:00 a.m. before KSC 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by February 24, 2004 5. File motions to Join/Add Parties/Amend Pleadings by closed 6. File other Non–Dispositive Motions by January 14, 2004 7. File Dispositive Motions by November 12, 2003 8a. File Motions in Limine by March 23, 2004 8b. File opposition memo to a Motion in Limine by March 30, 2004 11a. Plaintiff's Expert Witness Disclosures by October 13, 2003 11b. Defendant's Expert Witness Disclosures by November 12, 2003 12. Discovery deadline February 13, 2004 13. Settlement Conference set for December 12, 2003 at 10:00am before KSC 14. Settlement Conference statements by December 05, 2003 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by N/A 21. File Final witness list by March 23, 2004 24. Exchange Exhibit and Demonstrative aids by March 16, 2004 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by March 23, 2004 26. File objections to the Exhibits by March 30, 2004 28a. File Deposition Excerpt Designations by March 23, 2004 28b. File Deposition Counter Designations and Objections by March 30, 2004 29. File Trial Brief by March 30, 2004 30. File Findings of Fact & Conclusions of Law by March 30, 2004 Other Matters: ; Trial set for 9:00 4/13/04 before Judge Samuel P. King , final pretrial conference set for 9:00 3/2/04; Discovery ddl set for 2/13/04; Motion filing ddl set for 11/12/03; settlement/status conference set for 10:00 12/12/03 before Mag Judge Leslie E. Kobayashi (Ct Rptr : None) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 09/04/2003)
09/03/2003	61	Second AMENDED Rule 16 SCHEDULING ORDER Mag Judge Kevin S. Chang (cc: all counsel) (bbb) (Entered: 09/04/2003)
10/09/2003	62	EO: Letter Briefs are to be submitted to Judge Chang by October 16, 2003 by 4:00 p.m. regarding Answers to Interrogatories and Written Request for Discovery Documents that were requested by the Defendants from the Plaintiffs. cc: All Counsel of Record by Fax and Judge Chang () JUDGE Mag Judge Kevin S. Chang

		(bbb) (Entered: 10/09/2003)
10/09/2003	63	NOTICE OF hearing defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Ted Sakai's motion for leave to take oral deposition of Plaintiff Charing Bernard ; declaration of Kendall J. Moser; certificate of service; motion set for 9:30 11/13/03 before Mag Judge Kevin S. Chang (bbb) (Entered: 10/09/2003)
10/17/2003	64	EO: Discovery Conference is set for 10/24/2003 at 3:00 PM before Judge Chang. All counsel to participate by phone. cc: all counsel of record ; in court hearing set for 3:00 10/24/03 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 10/17/2003)
10/23/2003	65	EO: At counsel's request, the Discovery Conference currently set for 10/24/2003 at 3:00 PM has been continued to 10/30/2003 at 2:30 PM before Judge Chang. A Status Conference will also be held. Kendall Moser to notify all parties. ; settlement/status conference set for 2:30 10/30/03 ; in court hearing set for 2:30 10/30/03 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 10/27/2003)
10/29/2003	66	NOTICE OF MOTION and motion by plaintiff Allen Kaufman to withdraw attorney ; declaration of Stanley E. Levin; exhibit a and certificate of service – set for 9:30 11/13/03 before Mag Judge Kevin S. Chang (fe) (Entered: 10/29/2003)
10/30/2003	67	defendants State of Hawaii, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, and Ted Sakai's RESPONSE to plaintiffs' motion to withdraw as counsel for plaintiff Allen Kaufman [66-1]; certificate of service (bbb) (Entered: 11/03/2003)
10/30/2003	68	EP: Discovery/Status Conference. Discussion held regarding Interrogatory and Production of Documents regarding Plaintiff Kaufman which shall be addressed further at the 11/13/03 motion. Issues regarding Plaintiff Bernard to be discussed at a Status Conference following the 11/13/03 motion. ; settlement/status conference held 10/30/03 before Mag Judge Kevin S. Chang (Ct Rptr : C5-no record) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 11/03/2003)
11/13/2003	69	Amended CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Doe Entities 1-100, Ted Sakai (bbb) Modified on 11/13/2003 (Entered: 11/13/2003)
11/13/2003	70	Amended CERTIFICATE of service by defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, Doe Entities 1-100, Ted Sakai (bbb) (Entered: 11/13/2003)
11/13/2003	71	EO: At counsel's request, the Settlement Conference currently set for 12/12/2003 at 10:00 AM has been continued to 1/21/2004 at 2:00 PM before Judge Chang. Kendall Moser to notify all parties. ; settlement/status conference set for 2:00 1/21/04 before Mag Judge Kevin S. Chang () JUDGE Judge Kevin S. Chang (bbb) (Entered: 11/13/2003)
11/13/2003	73	EP: 1) Defendants State of Hawaii's Motion for Leave to Take Deposition, 2) Plaintiffs' Motion to Withdraw as Counsel for Plaintiff Allen Kaufman, and 3) Status Conference. There being no opposition, Defendants State of Hawaii's Motion for Leave to Take Deposition is hereby granted. Mr. Moser to prepare the order. There being no opposition, Plaintiffs' Motion to Withdraw as Counsel for Plaintiff Allen Kaufman is hereby granted. Mr. Varady to prepare the order and include the last known address and phone number in the order. Until an appearance is made, Mr. Kaufman will be considered Pro Se. Status Conference held. Mr. Moser will serve discovery requests upon Mr. Kaufman. A Status Conference will be held on 12/8/03 at 9:00am before Judge Chang. Mr. Kaufman should be present at this status conference. cc: all counsel of record, via mail; Allen Kaufman, via mail [66-1] [63-1] ; in court hearing set for 9:00 12/8/03 before Mag Judge Kevin S. Chang (Ct Rptr : C5 Tape #1198) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 11/14/2003)
11/14/2003	72	ORDER granting motion to withdraw attorney [66-1] by Mag Judge Kevin S. Chang; attorney Stanley E. Levin for Allen Kaufman, attorney Carl M. Varady for Allen Kaufman (bbb) (Entered: 11/14/2003)

11/20/2003	74	ORDER granting defendants State of Hawaii, Department of Public Safety, State of Hawaii, Ted Sakai, Hawaii Paroling Authority, and Al Beaver's motion for leave to take oral deposition of Plaintiff Charing Bernard [63-1] (bbb) (Entered: 11/20/2003)
11/25/2003	75	STIPULATION to dismiss with prejudice all claims brought by Plaintiff Allen Kaufman, and ORDER by Judge Samuel P. King: plaintiff Charing Bernard's claims against defendants remain. terminating party Allen Kaufman (bbb) (Entered: 11/26/2003)
12/04/2003	76	EO: At Plaintiff's request, the Status Conference currently set for 12/08/2003 at 9:00 AM has been continued to 12/18/2003 at 9:00 AM before Judge Chang. Carl Varady to notify all parties. ; in court hearing set for 9:00 12/18/03 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 12/05/2003)
12/18/2003	77	EP: Status Conference. Discussion held regarding the "Bridge Program", communication access, interpreter services, grievance process, defendant's expert. Mr. Moser to check on length of "Bridge Program". ; In-court hearing held 12/18/03 before Mag Judge Kevin S. Chang (Ct Rptr : C5 no record) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 12/19/2003)
01/13/2004	78	EO: At Plaintiff's request, the Settlement Conference currently set for 1/21/2004 at 2:00 PM has been continued to 2/05/2004 at 11:00 AM before Judge Chang. Kendall Moser to notify all parties; settlement/status conference set for 11:00 2/5/04 before Mag Judge Kevin S. Chang () JUDGE Judge Kevin S. Chang (bbb) (Entered: 01/13/2004)
01/27/2004	79	EO : At Plaintiff's request, the Settlement Conference currently set for 2/05/2004 at 11:00 AM has been continued to 2/18/2004 at 11:00 AM before Judge Chang. Carl Varady to notify all parties (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (eps) (Entered: 01/28/2004)
02/18/2004	80	EP: Settlement Conference. Settlement conference held. Further Settlement Conference and/or Final Pretrial Conference set 3/2/04 at 9:00am before Judge Chang. ; settlement/status conference set for 9:00 3/2/04 before Mag Judge Kevin S. Chang (Ct Rptr: in chambers-no record) JUDGE Judge Kevin S. Chang (bbb) (Entered: 02/19/2004)
02/24/2004	81	defendants State of Hawaii, Department of Public Safety, State of Hawaii Paroling Authority, Al Beaver, and Ted Sakai's FINAL PRETRIAL STATEMENT; certificate of service (bbb) (Entered: 02/26/2004)
02/25/2004	82	plaintiff Charing Bernard's PRETRIAL STATEMENT; certificate of service (bbb) (Entered: 02/26/2004)
03/02/2004	83	EP : Settlement Conference. Settlement conference held. Parties are close. Mr. Varady to review the proposal for settlement with his client. Further Settlement Conference set 3/5/04 at 9:00am before Judge Chang. Final Pretrial Conference continued to 3/5/04 at 9:00am before Judge Kevin S. Chang (Ct Rptr : C5 no record) JUDGE Mag Judge Kevin S. Chang (eps) (Entered: 03/02/2004)
03/05/2004	84	EP : Further Settlement Conference; Final Pretrial Conference. Settlement conference held. Settlement reached. Terms stated on the record. Status Conference Re: Filing of Dismissal set 3/29/04 at 9:00am before Judge Chang. Non Jury Trial date of 4/13/04 before Judge King is hereby vacated. Mr. Varady to file his Motion as to Fees and Costs by 3/22/04. Statement of Consultation will not be needed. Final Pretrial Conference is hereby vacated. settlement/status conference held 3/5/04 ; status conference set for 9:00 3/29/04 ; Trial vacated (Ct Rptr : C4, CD2 (9:07-9:13:58)) JUDGE Mag Judge Kevin S. Chang (fe) (Entered: 03/08/2004)
03/29/2004	85	EP : Status Conference Re: Filing of Dismissal. Parties are close to final language in the Settlement Agreement. If counsel unable to resolve by Friday, April 2, 2004, the Court will enter an Order of Dismissal retaining jurisdiction to enforce the terms and conditions of settlement. cc: Carl Varady, by fax (Ct Rptr : C5 no record) JUDGE Mag Judge Kevin S. Chang (eps) (Entered: 03/30/2004)

04/13/2004	86	EO: Status Conference—Regarding the Settlement and the Stipulation for Dismissal set for April 19, 2004 @9:00 a.m. before Judge Chang. Pltf's Counsel Carl M. Varady will notify all Counsel of this Status Conference Date. ; settlement/status conference set for 9:00 4/19/04 before Mag Judge Kevin S. Chang () JUDGE Judge Kevin S. Chang (bbb) (Entered: 04/13/2004)
04/13/2004	87	NOTICE OF Non—hearing MOTION; plaintiff Charing Bernard's MOTION for an award of attorneys' fees and costs ; memorandum in support of motion; declaration of Carl M. Varady; exhibits 1–3; certificate of service; referred to Judge Samuel P. King (bbb) (Entered: 04/13/2004)
04/13/2004	88	DECLARATION of Stanley E. Levin in support of plaintiff's motion for award of attorneys fees and costs; exhibit 1 and certificate of service [87–1] by plaintiff Charing Bernard (bbb) (Entered: 04/13/2004)
04/14/2004	89	ORDER by Judge Samuel P. King electing to have Mag Judge Kevin S. Chang adjudicate the motion for an award of attorneys' fees and costs [87–1] (bbb) (Entered: 04/16/2004)
04/16/2004	90	EO: settlementa conference re: attorneys' fees and costs [87–1] set for 2:00 5/19/04 (); cc: all counsel JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 04/19/2004)
04/19/2004	91	EP: Status Conference Regarding the Settlement and the Stipulation for Dismissal. Discussion held regarding the language in the Stipulation presented to the Court this morning by Mr. Varady. Mr. Moser to review Stipulation with his supervisor. ; settlement/status conference held 4/19/04 before Mag Judge Kevin S. Chang (Ct Rptr : C5–no record) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 04/20/2004)
04/21/2004	92	NOTICE OF hearing MOTION; plaintiff Charing Bernard's MOTION to enforce settlement agreement or to enter an order of rescission ; declaration of Carl M. Varady; exhibits 1–4; certificate of service – referred to Mag Judge Kevin S. Chang (bbb) (Entered: 04/22/2004)
04/22/2004	93	EO: Plaintiffs' Motion to Enforce Settlement Agreement or to Enter an Order of Rescission filed on 4/21/04 is hereby set for hearing on 5/26/2004 at 9:30 AM before Judge Chang. cc: all counsel via fax [92–1] () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 04/23/2004)
04/23/2004	94	defendants State of Hawaii, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver and Ted Sakai's MEMORANDUM in opposition to plaintiffs' motion for an award of attorneys' fees and costs [87–1]; declaration of Kendall J. Moser; exhibits a–h; certificate of service (bbb) (Entered: 04/23/2004)
05/03/2004	95	plaintiff Charing Bernard's REPLY to defendant State of Hawaii, Department of Public Safety, Ted Sakai, Hawaii Paroling Authority and Al Beaver's memorandum in opposition to plaintiff's motion for an award of attorneys' fees and costs [94–1]; declaration of Carl M. Varady, exhibit 1; certificate of service (bbb) (Entered: 05/05/2004)
05/07/2004	96	defendants Hawaii, State of, Public Safety, Dept, Hawaii Paroling Auth, Al Beaver, and Ted Sakai MEMORANDUM in opposition to plaintiffs' motion to enforce settlement agreement or to enter an order of rescission [92–1]; declaration of Kendall J. Moser; exhibits a–d; certificate of service (bbb) (Entered: 05/07/2004)
05/14/2004	97	plaintiff Charing Bernard's REPLY to defendant State of Hawaii Department of Public Safety, State of Hawaii, Ted Sakai, Hawaii Paroling Authority, and Al Beaver's opposition to plaintiff's motion to enforce settlement agreement or to enter an order of rescision [96–1]; declaration of Carl M. Varady, exhibits 1–8; certificate of service (bbb) (Entered: 05/17/2004)
05/18/2004	98	EO: Settlement Conference Re: Attorneys' Fees and Costs currently set for 5/19/2004 at 2:00 PM has continued to 5/26/2004 at 9:30 AM before Judge Chang along with Plaintiffs' Motion to Enforce Settlement Agreement or to Enter an Order of Rescission currently set. cc: Stanley Levin, Carl Varady and Kendall Moser via fax ; settlement/status conference set for 9:30 5/26/04 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 05/20/2004)

05/26/2004	99	EP: 1. Plaintiffs' Motion to Enforce Settlement Agreement or to Enter an Order of Recission 2. Settlement Conference Re: Plaintiff Charing Bernard's Motion for An Award of Attorneys' Fees and Costs. Plaintiffs' Motion to Enforce Settlement Agreement or to Enter an Order of Recission is granted. Order of Dismissal to be entered by this Court. Court heard arguments on Plaintiff Charing Bernard's Motion for An Award of Attorneys' Fees and Costs. Motion taken under advisement. Court to issue a written ruling. [92-1], [87-1] (Ct Rptr : C5 CD#4 9:38-9:54:39a) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 05/26/2004)
05/26/2004	100	ORDER granting plaintiff's motion to enforce settlement agreement or to enter an order of recission [92-1] by Mag Judge Kevin S. Chang (cc: all counsel) (bbb) (Entered: 05/26/2004)
05/27/2004	101	EO: Settlement Conference Re: Plaintiff Charing Bernard's Motion for An Award of Attorneys' Fees and Costs set for 6/01/2004 at 2:00 PM before Judge Chang. cc: all counsel via fax [87-1] ; settlement/status conference set for 2:00 6/1/04 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 05/27/2004)
05/28/2004	102	ORDER for dismissal by Judge Susan O. Mollway for Judge Samuel P. King (cc: all counsel) (bbb) (Entered: 06/01/2004)
06/01/2004	104	EP: Settlement Conference Re: Plaintiff Charing Bernard's Motion for An Award of Attorneys' Fees and Costs. Settlement conference held. No settlement regarding attorney's fees and costs. Court to decide the motion filed by plaintiff. before Mag Judge Kevin S. Chang re [87-1] (Ct Rptr : In chambers-no record) JUDGE Mag Judge Kevin S. Chang (bbb) (Entered: 06/04/2004)
06/03/2004	103	JUDGMENT: IT IS ORDERED AND ADJUDGED that this action is hereby dismissed with prejudice pursuant to the "Order of Dismissal" filed on May 28, 2004. by Judge Susan O. Mollway re [102-1] terminating case (cc: all counsel) (bbb) (Entered: 06/03/2004)
07/23/2004		ORIGINAL TRANSCRIPT filed (ESR transcriber Juvelynn Punzal) taken on 03/05/04 (lmg) (Entered: 07/23/2004)
08/16/2004	105	REPORT OF THE SPECIAL MASTER on plaintiff Charing Bernard's motion for an award of attorneys' fees and costs [87-1] by Mag Judge Kevin S. Chang (cc: all counsel) (eps) (Entered: 08/27/2004)
09/02/2004	106	ORDER adopting report and special master [105-1] by Judge Samuel P. King (cc: all counsel) (bbb) (Entered: 09/03/2004)
09/03/2004	107	ORDER vacating order adopting report of special master [106-1] by Judge Samuel P. King (cc: all counsel) (bbb) (Entered: 09/07/2004)
09/07/2004	108	NOTICE OF MOTION and motion by plaintiff Charing Bernard Plaintiffs' objections to report of the special master on Plaintiff Charing Bernard's motion for award of attorneys' fees and costs and motion for award of attorneys' fees and costs memorandum in support of motion; declaration of Carl M. Varady; exhibits 1-9; declaration of Stanley E. Levin, exhibit 1; certificate of service before Judge Samuel P. King [87-1] (sealed) (Entered: 09/16/2004)
09/15/2004	109	MEMORANDUM by defendant Hawaii, State of, defendant Public Safety, Dept, defendant Hawaii Paroling Auth, defendant Al Beaver, defendant Ted Sakai in opposition to Plaintiffs' objections to report of the special master on Plaintiff Charing Bernard's motion for award of attorneys' fees and costs and motion for award of attorneys' fees and costs [108-1]; declaration of Kendall J. Moser; exhibits 1-2; certificate of service (eps) (Entered: 09/16/2004)
09/20/2004		ORIGINAL TRANSCRIPT filed (ESR transcriber Ct Rptr Juvelynn Punzal) taken on 03/05/04 (lmg) (Entered: 09/21/2004)
09/28/2004	110	ERRATA [plaintiffs' objections to report of the special master on plaintiff Charing Bernard's motion for award of attorneys' fees and costs and motion for award of attorneys fees and costs] to [108-1] by plaintiff Charing Bernard (bbb) (Entered: 09/29/2004)

10/25/2004	111	ORDER adopting in part report of special master on plaintiff Charing Bernard's motion for award of attorneys' fees and costs [105-1] by Judge Samuel P. King (cc: all counsel) (bbb) (Entered: 10/26/2004)
11/05/2004	112	NOTICE OF non-hearing MOTION; plaintiffs Charing Bernard and Allen Kaufman's MOTION for reconsideration of order adopting in party report of special master on plaintiff's motion for award of attorneys fees and costs ; memorandum in support of motion; declaration of Carl M. Varady; exhibits 1-9; declaration of Stanley E. Levin; exhibit 1; certificate of serive - referred to Judge Samuel P. King (bbb) (Entered: 11/08/2004)
11/16/2004	113	defendants State of Hawaii, Department of Public Safety, State of Hawaii, Hawaii Paroling Authority, Al Beaver and Ted Sakai's MEMORANDUM in opposition to plaintiffs' motion for reconsideration of order adopting in party [sic] report of master on plaintiff's motion for award of attorneys fees costs [112-1]; declaration of Kendall J. Moser; exhibit a; certificate of service (bbb) (Entered: 11/19/2004)
12/06/2004	114	ORDER denying motion for reconsideration of order adopting in party report of master [112-1] by Judge Samuel P. King (cc: all counsel) (bbb) (Entered: 12/08/2004)