

**U.S. District Court  
CENTRAL DISTRICT OF ILLINOIS (Springfield)  
CIVIL DOCKET FOR CASE #: 3:12-cv-03042-SEM-TSH**

Fontano v. Godinez et al  
Assigned to: Judge Sue E. Myerscough  
Referred to: Magistrate Judge Tom Schanzle-Haskins  
Cause: 42:1983 Civil Rights Act

Date Filed: 02/09/2012  
Date Terminated: 09/09/2016  
Jury Demand: Plaintiff  
Nature of Suit: 555 Prisoner Petitions –  
Prison Conditions  
Jurisdiction: Federal Question

**Plaintiff**

**James Fontano**

represented by **Locke E Bowman**  
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V.

**Defendant**

**S.A. Godinez**

*Director of the Illinois Department of  
Corrections*

*TERMINATED: 03/18/2014*

represented by **Christopher L Higginson**  
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**Defendant**

**Alex Dawson**

*Warden of Logan Correctional Center*

represented by **Christopher L Higginson**  
(See above for address)  
*TERMINATED: 04/06/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Margaret Molloy**  
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**Defendant**

**John Doe**  
*Assistant Warden of Operations at Logan  
Correctional Center*  
TERMINATED: 03/28/2016

**Defendant**

**John Doe**  
*Assistant Warden of Programs at Logan  
Correctional Center*  
TERMINATED: 03/28/2016

**Defendant**

**Lieutenant Kevin Standley**  
*Supervisory Officer at Logan  
Correctional Center*

represented by **Christopher L Higginson**  
(See above for address)  
TERMINATED: 04/06/2016  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Margaret Molloy**  
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LEAD ATTORNEY  
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**Joshua D Ratz**  
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**Lisa A Cook**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Robert L Fanning**  
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ATTORNEY TO BE NOTICED

**Defendant**

**Major D. Simmons**  
*Supervisory Officer at Logan  
Correctional Center*  
TERMINATED: 03/28/2016

represented by **Christopher L Higginson**  
(See above for address)  
TERMINATED: 04/06/2016  
LEAD ATTORNEY  
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**Margaret Molloy**  
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**Defendant**

**Gary Bender**  
*employee at Logan Correctional Center*  
TERMINATED: 03/28/2016

represented by **Christopher L Higginson**  
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TERMINATED: 04/06/2016  
LEAD ATTORNEY  
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**Margaret Molloy**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**Villa Jennings**  
*employee at Logan Correctional Center*  
TERMINATED: 03/28/2016

represented by **Christopher L Higginson**  
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TERMINATED: 04/06/2016  
LEAD ATTORNEY  
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**Margaret Molloy**  
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**Defendant**

**B. Call**  
*employee at Logan Correctional Center*  
TERMINATED: 03/28/2016

represented by **Christopher L Higginson**  
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TERMINATED: 04/06/2016  
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**Margaret Molloy**  
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**Defendant**

**Officer Fishel**  
TERMINATED: 03/28/2016

represented by **Christopher L Higginson**  
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TERMINATED: 04/06/2016  
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**Margaret Molloy**  
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**Defendant**

**Saleh Obaisi**  
*Medical Officer at Logan Correctional Center*  
TERMINATED: 03/19/2015

represented by **Adam Scott Guetzow**  
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V.

**Respondent****William Barnes**

represented by **Margaret Molloy**  
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**LEAD ATTORNEY**  
ATTORNEY TO BE NOTICED

**Christopher L Higerson**  
(See above for address)  
TERMINATED: 04/06/2016  
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**Lisa A Cook**  
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**Robert L Fanning**  
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Date Filed	#	Docket Text
02/09/2012	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 350 receipt number 0753-1311118.), filed by James Fontano. (Attachments: # <u>1</u> Exhibit Ex. A: Offender Disciplinary Report, # <u>2</u> Exhibit Ex. B: Final Summary Report)(Van Brunt, Alexa) (Additional attachment(s) added on 2/14/2012: # <u>3</u> Civil Cover Sheet) (DM, ilcd). (Entered: 02/09/2012)
02/09/2012	<u>2</u>	NOTICE of Appearance of Attorney by Alexa Van Brunt on behalf of James Fontano (Van Brunt, Alexa) (Entered: 02/09/2012)
03/02/2012	<u>3</u>	WAIVER OF SERVICE Returned Executed by James Fontano. S.A. Godinez waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 03/02/2012)
04/03/2012	<u>4</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Gary Bender waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>5</u>	WAIVER OF SERVICE Returned Executed by James Fontano. B. Call waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>6</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Alex Dawson waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>7</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Fishel waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>8</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Villa Jennings waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>9</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Saleh Obaisi waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)

04/03/2012	<u>10</u>	WAIVER OF SERVICE Returned Executed by James Fontano. D. Simmons waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>11</u>	WAIVER OF SERVICE Returned Executed by James Fontano. Kevin Standley waiver sent on 2/14/2012, answer due 4/16/2012. (Van Brunt, Alexa) (Entered: 04/03/2012)
04/03/2012	<u>12</u>	NOTICE of Appearance of Attorney by Locke E Bowman on behalf of James Fontano (Bowman, Locke) (Entered: 04/03/2012)
04/05/2012	<u>13</u>	NOTICE of Appearance of Attorney by Andrew M Ramage on behalf of Saleh Obaisi (Ramage, Andrew) (Entered: 04/05/2012)
04/05/2012	<u>14</u>	NOTICE of Appearance of Attorney by Rodger A Heaton on behalf of Saleh Obaisi (Heaton, Rodger) (Entered: 04/05/2012)
04/05/2012	<u>15</u>	Designation of Lead Counsel by Andrew M Ramage on behalf of Saleh Obaisi. (Ramage, Andrew) (Entered: 04/05/2012)
04/05/2012	<u>16</u>	CERTIFICATE OF INTEREST pursuant to Local Rule 11.3 by Saleh Obaisi. (Ramage, Andrew) (Entered: 04/05/2012)
04/05/2012	<u>17</u>	MOTION for Protective Order <i>HIPAA Qualified Protective Order</i> by Defendant Saleh Obaisi. Responses due by 4/23/2012 (Attachments: # <u>1</u> Text of Proposed Order)(Ramage, Andrew) (Entered: 04/05/2012)
04/05/2012		TEXT ORDER: The docket reflects that Defendants have signed waivers of service and their Answers are due on April 16, 2012. A scheduling conference pursuant to Federal Rule of Civil Procedure 16 is set for June 18, 2012 at 3:00 p.m. by telephone conference. The clerk will initiate the call. The parties are directed to file an agreed, proposed discovery plan by June 11, 2012 which includes dates for initial disclosures and addresses the issues listed in Local Rule 16.2 and Federal Rules of Civil Procedure 16(b) and 26. Entered by Judge Sue E. Myerscough on 04/05/2012. (DM, ilcd) (Entered: 04/05/2012)
04/11/2012	<u>18</u>	MOTION for Extension of Time to File Answer by Defendant Saleh Obaisi. Responses due by 4/30/2012 (Ramage, Andrew) (Entered: 04/11/2012)
04/16/2012	<u>19</u>	MOTION to Dismiss <i>Counts V and VI</i> by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. Responses due by 5/3/2012 (Attachments: # <u>1</u> Memorandum of Law in Support of Motion to Dismiss Counts V and VI)(Higgerson, Christopher) (Entered: 04/16/2012)
04/16/2012	<u>20</u>	ANSWER to <u>1</u> Complaint, AND AFFIRMATIVE DEFENSES by Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley.(Higgerson, Christopher) (Entered: 04/16/2012)
04/25/2012	<u>21</u>	NOTICE of Appearance of Attorney by Alan Mills on behalf of James Fontano (Mills, Alan) (Entered: 04/25/2012)
04/27/2012		TEXT ORDER: The unopposed motion for a protective HIPAA order filed by Defendant Obaisi is granted d/e <u>17</u> . The clerk is directed to affix the Court's electronic signature to the proposed order and to docket the order. Entered by Judge Sue E. Myerscough on 04/26/2012. (DM, ilcd) Added document hyperlink brackets on 4/27/2012 (ME, ilcd). (Entered: 04/27/2012)
04/27/2012	<u>22</u>	HIPAA QUALIFIED PROTECTIVE ORDER. Entered by Judge Sue E. Myerscough on 04/26/2012. (DM, ilcd) (Entered: 04/27/2012)
04/30/2012	<u>23</u>	RESPONSE to Motion re <u>19</u> MOTION to Dismiss <i>Counts V and VI</i> filed by Plaintiff James Fontano. (Van Brunt, Alexa) (Entered: 04/30/2012)
05/07/2012	<u>24</u>	MOTION to Dismiss <i>Counts II, III, IV, V and VI</i> by Defendant Saleh Obaisi. Responses due by 5/24/2012 (Ramage, Andrew) (Entered: 05/07/2012)
05/07/2012	<u>25</u>	MEMORANDUM OF LAW IN SUPPORT OF re <u>24</u> MOTION to Dismiss <i>Counts II, III, IV, V and VI</i> by Saleh Obaisi. (Ramage, Andrew) (Entered: 05/07/2012)
05/10/2012		TEXT ORDER: Dr. Obaisi's unopposed motion for an extension to file his Answer is granted (d/e 18). Entered by Judge Sue E. Myerscough on 05/10/2012. (DM, ilcd)

		(Entered: 05/10/2012)
05/24/2012	<u>26</u>	RESPONSE to Motion re <u>24</u> MOTION to Dismiss <i>Counts II, III, IV, V and VI</i> filed by Plaintiff James Fontano. (Van Brunt, Alexa) (Entered: 05/24/2012)
05/31/2012	<u>27</u>	DISCOVERY PLAN – PROPOSED/Report of Rule 26(f)Planning Meeting by James Fontano. (Van Brunt, Alexa) (Entered: 05/31/2012)
06/11/2012		TEXT ORDER: The conference scheduled for June 18, 2012 is rescheduled to July 2, 2012 at 1:30 p.m., or as soon thereafter as the Court may hear the case, in order to allow more time for the Court to rule on the pending motions to dismiss. Entered by Judge Sue E. Myerscough on 06/11/2012. (DM, ilcd) (Entered: 06/11/2012)
06/27/2012	<u>28</u>	OPINION entered by Judge Sue E. Myerscough on 06/27/2012. SEE WRITTEN OPINION. Dr. Obaisi's motion to dismiss is denied (d/e <u>24</u> ). The motion to dismiss by Defendants Bender, et al., is denied (d/e <u>19</u> ). The parties' joint, proposed discovery plan is adopted (d/e <u>27</u> ), except that the proposed trial date does not give the Court enough time to rule on dispositive motions. The final pretrial conference is set for January 7, 2014 at 1:30 p.m. by personal appearance of counsel. The proposed, agreed final pretrial order is due December 21, 2013. The jury selection and trial are scheduled on the Court's trailing trial calendar for February 5, 2014. The actual date for jury selection and trial will be determined at the final pretrial conference. The status conference scheduled for July 2, 2012 is cancelled as unnecessary. (DM, ilcd) (Entered: 06/27/2012)
07/11/2012	<u>29</u>	<i>Amended</i> ANSWER to <u>1</u> Complaint, AND AFFIRMATIVE DEFENSES by Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley.(Higgerson, Christopher) (Entered: 07/11/2012)
07/11/2012	<u>30</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by Defendant Saleh Obaisi. Responses due by 7/30/2012 (Ramage, Andrew) (Entered: 07/11/2012)
07/19/2012	<u>31</u>	STATUS REPORT <i>Pertaining to the Discovery of Electronically Stored Information (Joint)</i> by James Fontano. (Van Brunt, Alexa) (Entered: 07/19/2012)
07/20/2012		TEXT ORDER: Defendant Obaisi's motion to extend his deadline for filing an Answer is granted (d/e 30). The Court adopts the parties' agreed report governing the discovery of electronically stored information (d/e 31). Entered by Judge Sue E. Myerscough on 07/20/2012. (DM, ilcd) (Entered: 07/20/2012)
07/24/2012	<u>32</u>	ANSWER to <u>1</u> Complaint, AND AFFIRMATIVE DEFENSES by Saleh Obaisi.(Ramage, Andrew) (Entered: 07/24/2012)
08/01/2012	<u>33</u>	CERTIFICATE OF SERVICE by Saleh Obaisi <i>re: Defendant Obaisi's Initial Rule 26 Disclosure</i> (Ramage, Andrew) (Entered: 08/01/2012)
09/04/2012		NOTICE of Hearing: A telephone conference is set for 4:00 p.m. today, September 4, 2012. The clerk will initiate the call. (CT, ilcd) (Entered: 09/04/2012)
09/04/2012		Minute Entry for proceedings held before Judge Sue E. Myerscough: STATUS CONFERENCE. Plaintiffs represented by Attorneys Locke F. Bowman, Alan Mills, and Alexa Van Brunt. Defendants represented by Attorneys Christopher L. Higgerson and Andrew M. Ramage. On Court's own motion Status Hearing called to discuss possible conflict of interest. Parties to advise Court in writing by Friday, 9/7/2012 of their decisions. Hearing adjourned. (Court Reporter KS.) (CT, ilcd) (Entered: 09/05/2012)
09/06/2012	<u>34</u>	NOTICE OF COMPLIANCE (Ramage, Andrew) (Entered: 09/06/2012)
09/07/2012	<u>35</u>	NOTICE <i>Regarding Conflict</i> re Status Conference, (Higgerson, Christopher) (Entered: 09/07/2012)
09/12/2012	<u>36</u>	CERTIFICATE OF SERVICE by Saleh Obaisi <i>Re: Defendant Saleh Obaisi's Answers to Plaintiff James Fontano's First Set of Interrogatories and Defendant Saleh Obaisi's Response to Plaintiff James Fontano's First Set of Requests for Production of Documents</i> (Ramage, Andrew) (Entered: 09/12/2012)
10/01/2012		Set/Reset Deadlines: Deadlines set pursuant to the Proposed Discovery Plan, d/e <u>27</u> filed on 5/31/2012 and the Court's Opinion of 6/27/2012, d/e <u>28</u> . Discovery due by

		12/21/2012. Plaintiff's Expert Disclosure due by 1/25/2013. Defendant's Expert Disclosure due by 5/24/2013. Motions due by 8/22/2013. (MAS, ilcd) (Entered: 10/01/2012)
10/25/2012	<u>37</u>	MOTION for Protective Order ( <i>Agreed</i> ) by Plaintiff James Fontano. Responses due by 11/13/2012 (Attachments: # <u>1</u> Exhibit A: Proposed Agreed Protective Order)(Van Brunt, Alexa) (Entered: 10/25/2012)
10/26/2012		TEXT ORDER: Plaintiff's motion for entry of an agreed protective order is granted (d/e <u>37</u> ). The clerk is directed to affix the Court's electronic signature to the proposed order and to docket the order. Entered by Judge Sue E. Myerscough on 10/26/2012. (DM, ilcd) (Entered: 10/26/2012)
10/26/2012	<u>38</u>	AGREED PROTECTIVE ORDER. SEE WRITTEN ORDER. Entered by Judge Sue E. Myerscough on 10/26/2012. (DM, ilcd) (Entered: 10/26/2012)
11/21/2012	<u>39</u>	MOTION to Compel by Plaintiff James Fontano. Responses due by 12/10/2012 (Attachments: # <u>1</u> Exhibit A:Plaintiff's First Set of Requests for Production, # <u>2</u> Exhibit B:Defendants' Amended Response to Plaintiff's Request for Production, # <u>3</u> Exhibit C: Parties' correspondence, # <u>4</u> Exhibit D: Agreed Protective Order, # <u>5</u> Exhibit E: Letter from counsel for IDOC Defendants, # <u>6</u> Exhibit F: IDOC redacted discovery, # <u>7</u> Exhibit G: Defendants' Response to Plaintiff's First Set of Interrogatories, # <u>8</u> Exhibit H: Defendants' Response to Plaintiff's Second Set of Interrogatories)(Van Brunt, Alexa) (Entered: 11/21/2012)
11/21/2012	<u>40</u>	MOTION for Extension of Time to Complete Discovery ( <i>Agreed</i> ) by Plaintiff James Fontano. Responses due by 12/10/2012 (Van Brunt, Alexa) (Entered: 11/21/2012)
12/10/2012	<u>41</u>	<b>STRICKEN PER TEXT ORDER of 12/11/2012.</b> RESPONSE to Motion re <u>39</u> MOTION to Compel filed by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. (Higgerson, Christopher) Modified on 12/11/2012 (DM, ilcd). (Entered: 12/10/2012)
12/10/2012	<u>42</u>	MOTION to Strike <u>41</u> Response to Motion to <i>Compel</i> by Defendant D. Simmons. Responses due by 1/2/2013 (Higgerson, Christopher) (Entered: 12/10/2012)
12/10/2012	<u>43</u>	RESPONSE to Motion re <u>39</u> MOTION to Compel filed by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. (Higgerson, Christopher) (Entered: 12/10/2012)
12/11/2012		TEXT ORDER: Plaintiff's agreed motion to extend the fact discovery deadline to March 21, 2013 is granted (d/e <u>40</u> ). Defendants' motion to strike their first response to the motion to compel is granted (d/e <u>42</u> ). The clerk is directed to strike document 41. Plaintiff's motion to compel is denied (d/e <u>39</u> ) with leave to renew if Plaintiff does not receive the information promised in Defendants' response (d/e <u>43</u> ). Entered by Judge Sue E. Myerscough on 12/11/2012. (DM, ilcd) (Entered: 12/11/2012)
01/10/2013	<u>44</u>	Second MOTION to Compel <i>and Renewed First Motion to Compel</i> by Plaintiff James Fontano. Responses due by 1/28/2013 (Attachments: # <u>1</u> Exhibit A: Plaintiff's 2nd RFP to IDOC Defendants, # <u>2</u> Exhibit B: Plaintiff's 3rd Set of Interrogatories to IDOC Defendants, # <u>3</u> Exhibit C: Defendants' Objections to 2nd RFP and 3rd Set of Interrogatories, # <u>4</u> Exhibit D: December 12, 2012 Letter Van Brunt to Higgerson, # <u>5</u> Exhibit E: December 24, 2012 Letter Higgerson to Van Brunt)(Van Brunt, Alexa) (Entered: 01/10/2013)
01/28/2013	<u>45</u>	RESPONSE to Motion re <u>44</u> Second MOTION to Compel <i>and Renewed First Motion to Compel</i> filed by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. (Higgerson, Christopher) (Entered: 01/28/2013)
01/30/2013	<u>46</u>	MOTION for Leave to File <i>Reply Memorandum</i> by Plaintiff James Fontano. Responses due by 2/19/2013 (Attachments: # <u>1</u> Exhibit A: Reply Memorandum to the IDOC Defendants' Response to Plaintiff's Second Motion to Compel and Renewed Motion to Compel)(Van Brunt, Alexa) (Entered: 01/30/2013)
02/12/2013	<u>47</u>	CERTIFICATE OF SERVICE by Saleh Obaisi <i>Re: Defendant Dr. Saleh Obaisi's First Set of Interrogatories Propounded Upon Plaintiff and Dr. Saleh Obaisi's Request for Production of Documents and Things to Plaintiff</i> (Ramage, Andrew) (Entered: 02/12/2013)



		02/12/2013)
03/11/2013	<u>48</u>	MOTION FOR LEAVE TO DEPOSE INMATE, QUENTIN ROBINSON #R11577, VIA VIDEO CONFERENCE by Defendant Saleh Obaisi. Responses due by 3/28/2013 (Ramage, Andrew) (Entered: 03/11/2013)
03/13/2013		TEXT ORDER: Defendant Obaisi's motion to depose inmate Robinson via video conference is granted (d/e <u>48</u> ). Defendant Obaisi is responsible for arranging the deposition. Plaintiff's unopposed motion for leave to file a reply is granted (d/e <u>46</u> ). The clerk is directed to separately docket Plaintiff's reply. Entered by Judge Sue E. Myerscough on 03/13/2013. (DM, ilcd) (Entered: 03/13/2013)
03/13/2013	<u>49</u>	Plaintiff's REPLY to Defendants' Response to <u>44</u> Second MOTION to Compel <i>and Renewed First Motion to Compel</i> filed by Plaintiff James Fontano. (DM, ilcd) (Entered: 03/13/2013)
03/18/2013	<u>50</u>	Second MOTION for Extension of Time to Complete Discovery ( <i>Agreed</i> ) by Plaintiff James Fontano. Responses due by 4/4/2013 (Van Brunt, Alexa) (Entered: 03/18/2013)
03/19/2013	<u>51</u>	NOTICE to Take Deposition of QUENTIN ROBINSON #R11577 on Wednesday, March 27, 2013 at 2:00 p.m. (Ramage, Andrew) (Entered: 03/19/2013)
03/19/2013		TEXT ORDER: Plaintiff's unopposed motion to extend the fact discovery deadline is granted (d/e <u>50</u> ). The deadline for fact discovery is vacated. The fact discovery deadline will be rescheduled after the Court rules on the pending motion to compel and after consultation with the parties regarding what discovery remains. The dispositive motion deadline is vacated, to be rescheduled when the fact discovery deadline is rescheduled. Entered by Judge Sue E. Myerscough on 03/19/2013. (DM, ilcd) (Entered: 03/19/2013)
04/16/2013	<u>52</u>	MOTION to Compel <i>Third Party Production</i> by Plaintiff James Fontano. Responses due by 5/3/2013 (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)(Van Brunt, Alexa) (Entered: 04/16/2013)
05/03/2013	<u>53</u>	RESPONSE to Motion re <u>52</u> MOTION to Compel <i>Third Party Production</i> filed by Respondent William Barnes. (Higgerson, Christopher) (Entered: 05/03/2013)
06/28/2013	<u>54</u>	MOTION to Quash <i>Subpoena</i> by Respondent William Barnes. Responses due by 7/15/2013 (Attachments: # <u>1</u> Subpoena to Testify)(Higgerson, Christopher) (Entered: 06/28/2013)
07/12/2013	<u>55</u>	OPINION: Plaintiff's renewed motion to compel is granted (d/e <u>44</u> ) as provided in paragraph (3). Plaintiff's motion to compel third party production against the IDOC is granted (d/e <u>52</u> ). By August 12, 2013, Defendants and/or the IDOC are directed to provide to Plaintiff information as provided in paragraph (3). Status Conference set for 9/17/2013 at 03:30 PM by telephone from Springfield (court will place call) before Judge Sue E. Myerscough. SEE WRITTEN ORDER. Entered by Judge Sue E. Myerscough on 7/12/2013. (ME, ilcd) (Entered: 07/12/2013)
07/12/2013	<u>56</u>	RESPONSE to Motion re <u>54</u> MOTION to Quash <i>Subpoena</i> filed by Plaintiff James Fontano. (Attachments: # <u>1</u> Exhibit A: Defendant Obaisi Deposition Excerpts)(Van Brunt, Alexa) (Entered: 07/12/2013)
08/12/2013	<u>57</u>	CERTIFICATE OF SERVICE by Saleh Obaisi <i>Answers to Plaintiff James Fontano's Second Set of Interrogatories</i> (Guetzow, Adam) (Entered: 08/12/2013)
08/12/2013	<u>58</u>	NOTICE of Appearance of Attorney by Adam Scott Guetzow on behalf of Saleh Obaisi (Guetzow, Adam) (Entered: 08/12/2013)
09/03/2013	<u>59</u>	MOTION for Sanctions <i>and a Finding of Contempt</i> by Plaintiff James Fontano. Responses due by 9/20/2013 (Attachments: # <u>1</u> Exhibit A)(Van Brunt, Alexa) (Entered: 09/03/2013)
09/17/2013		Minute Entry for proceedings held before Judge Sue E. Myerscough: STATUS CONFERENCE held on September 17, 2013. Attorneys Sheila Bedi, Alan Mills and Alexa Van Brunt present via telephone on behalf of Plaintiff. Assistant Attorney General Christopher Higgerson present via telephone on behalf of Defendants Godinez, Dawson, Standley, Simmons, Bender, Jennings, Call, Fishel and Barnes. Attorney Andrew Ramage present via telephone on behalf of Defendant Obaisi.

		Discussion held regarding Motion to Quash (d/e <a href="#">54</a> ) and Motion for Sanctions and a Finding of Contempt (d/e <a href="#">59</a> ). Status of discovery addressed. Deadlines set. Order to enter. Hearing adjourned. (Court Reporter KS.) (DM, ilcd) (Entered: 09/19/2013)
09/20/2013	<a href="#">60</a>	CASE MANAGEMENT ORDER entered by Judge Sue E. Myerscough on 09/20/2013. SEE WRITTEN ORDER. Deadlines set as follows: Fact discovery ends January 17, 2014. Plaintiff's expert disclosure deadline is March 17, 2014. Defendants' expert disclosure deadline is May 17, 2014. The expert discovery deadline is July 17, 2014. Dispositive motions are due September 17, 2014. The final pretrial and trial dates are vacated, to be rescheduled, if necessary, after the Court rules on dispositive motions.(DM, ilcd) (Entered: 09/20/2013)
09/20/2013	<a href="#">61</a>	RESPONSE to Motion re <a href="#">59</a> MOTION for Sanctions <i>and a Finding of Contempt</i> filed by Defendant S.A. Godinez. (Higgerson, Christopher) (Entered: 09/20/2013)
09/27/2013	<a href="#">62</a>	Response by Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley <i>PRODUCTION PURSUANT TO THE COURT'S ORDER OF JULY 12, 2013</i> . (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B1, # <a href="#">3</a> Exhibit B2, # <a href="#">4</a> Exhibit C1, # <a href="#">5</a> Exhibit C2, # <a href="#">6</a> Exhibit C3, # <a href="#">7</a> Exhibit C4)(Higgerson, Christopher) (Entered: 09/27/2013)
10/01/2013	<a href="#">63</a>	Response by Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley re <a href="#">60</a> Order on Motion for Sanctions,, Terminate Deadlines and Hearings, Set/Reset Deadlines:,,,,,,. (Higgerson, Christopher) (Entered: 10/01/2013)
11/12/2013	<a href="#">64</a>	MOTION for Sanctions ( <i>Renewed</i> ) by Plaintiff James Fontano. Responses due by 11/29/2013 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Van Brunt, Alexa) (Entered: 11/12/2013)
11/22/2013	<a href="#">65</a>	MOTION for Hearing by Plaintiff James Fontano. Responses due by 12/9/2013 (Van Brunt, Alexa) (Entered: 11/22/2013)
11/27/2013	<a href="#">66</a>	REPLY to Response to Motion re <a href="#">64</a> MOTION for Sanctions ( <i>Renewed</i> ) For <i>Discovery, Sanctions and Attorneys' Fees</i> filed by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. (Higgerson, Christopher) (Entered: 11/27/2013)
12/16/2013	<a href="#">67</a>	MOTION for Protective Order by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. Responses due by 1/2/2014 (Higgerson, Christopher) (Entered: 12/16/2013)
12/20/2013	<a href="#">68</a>	MEMORANDUM in Opposition re <a href="#">67</a> MOTION for Protective Order filed by Plaintiff James Fontano. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Van Brunt, Alexa) (Entered: 12/20/2013)
01/17/2014	<a href="#">69</a>	Third MOTION for Extension of Time to Complete Discovery ( <i>Unopposed</i> ) by Plaintiff James Fontano. Responses due by 2/3/2014 (Attachments: # <a href="#">1</a> Exhibit A)(Van Brunt, Alexa) (Entered: 01/17/2014)
01/29/2014		TEXT ORDER: Plaintiff's motion to set in-person hearing on the status of discovery <a href="#">65</a> is GRANTED. The hearing is set for February 10, 2014, at 2:30 p.m. However, the Court will conduct the hearing by video conferencing rather than in-person. The Court's video conference system was established as a cost-savings mechanism for just this type of hearing. The Court will be able to view the parties and all attorneys on the main screen that is (approximately) ten feet by fourteen feet. In addition, the courtroom contains ten other smaller, individualized screens on which the Court will be able to view the parties and their attorneys. The Court will consider all pending motions at this hearing. The Clerk of the Court is directed to send a video writ to the place of Plaintiff's institution notifying the institution of the hearing and Plaintiff's participation therein. The parties should contact the clerk's office no later than a week in advance of the hearing in order to make arrangements to appear by video conferencing. Entered by Judge Sue E. Myerscough on 01/28/2014. (DM, ilcd) (Entered: 01/29/2014)
01/29/2014		CORRECTED TEXT ORDER: Upon review of the Complaint, it appears that Plaintiff is no longer incarcerated within the IDOC. Accordingly, the Clerk of the Court need not prepare and send a video writ for Plaintiff's appearance. Instead, Plaintiff may

		attend the hearing via video conference at the same location as his counsel. Otherwise, the Court's prior text order remains in full force and effect. Entered by Judge Sue E. Myerscough on 01/29/2014. (DM, ilcd) (Entered: 01/29/2014)
02/10/2014		Minute Entry for proceedings held before Judge Sue E. Myerscough: Status Conference held on 2/10/2014. Alan Mills, Alexa Van Brunt and Sheila Bedi present via video conferencing on behalf of Plaintiff, James Fontano. Christopher Higgeson present in person on behalf of Defendants Godinez; Dawson; Standley; Simmons; Bender; Jennings; Call and Fishel. Edward Huntley present in person on behalf of IDOC Defendants. Andrew Ramage present in person on behalf of Defendant Obaisi. Discussion held regarding pending motions and deadlines. Further discussion held regarding the status of the deposition of Defendant Godinez. Motion to extend discovery deadline GRANTED. (ORDER TO ENTER) (Court Reporter KS) (MAS, ilcd) (Entered: 02/12/2014)
02/12/2014		TEXT ORDER: Pursuant to instructions from Chief Judge James E. Shadid, the assignment of this case to Magistrate Judge Byron G. Cudmore is withdrawn due to his resignation. The district judge assigned to this case will handle all matters until a new magistrate judge is appointed. Entered by Chief Judge James E. Shadid on 2/11/2014. (MC, ilcd) (Entered: 02/12/2014)
02/12/2014	<u>70</u>	ORDER entered by Judge Sue E. Myerscough on 2/12/2014. Respondent William Barnes' Motion to Quash Subpoena, d/e <u>54</u> is DENIED AS MOOT. Plaintiff's Motion for Sanctions, d/e <u>64</u> is GRANTED IN PART and DENIED IN PART. Defendants' Motion for a Protective Order, d/e <u>67</u> is GRANTED. Plaintiff's Third Motion for Extension of Time to Complete Discovery, d/e <u>69</u> is GRANTED. The discovery deadline is extended by ninety (90) days. Entered by Judge Sue E. Myerscough on 2/12/2014. (MAS, ilcd) (Entered: 02/12/2014)
02/26/2014	<u>71</u>	MOTION for Extension of Time to Complete Discovery ( <i>Unopposed Motion to Extend Additional Discovery Deadlines</i> ) by Plaintiff James Fontano. Responses due by 3/17/2014 (Van Brunt, Alexa) (Entered: 02/26/2014)
03/10/2014	<u>72</u>	MOTION to Dismiss <i>Defendant S.A. Godinez (Unopposed)</i> by Plaintiff James Fontano. Responses due by 3/27/2014 (Van Brunt, Alexa) (Entered: 03/10/2014)
03/18/2014		TEXT ORDER: Plaintiff's unopposed motion to voluntarily dismiss Defendant S.A. Godinez <u>72</u> is GRANTED. Accordingly, Defendant S.A. Godinez is hereby dismissed without prejudice as a party Defendant pursuant to Federal Rule of Civil Procedure 41. Entered by Judge Sue E. Myerscough on 3/18/2014. (MJ, ilcd) (Entered: 03/18/2014)
03/18/2014		TEXT ORDER: Plaintiff's unopposed motion to extend deadlines for expert disclosures, expert discovery, and dispositive motions <u>71</u> is GRANTED. Accordingly, Plaintiff's expert disclosure deadline is extended to June 16, 2014. Defendants' expert disclosure deadline is extended to August 15, 2014. The expert discovery deadline is extended to October 15, 2014. Dispositive motions must be filed by December 16, 2014. Entered by Judge Sue E. Myerscough on 3/18/2014. (MJ, ilcd) (Entered: 03/18/2014)
03/26/2014		TEXT ORDER: Pursuant to instructions from Chief Judge James E. Shadid, this case is now referred to Magistrate Judge Tom Schanzle-Haskins due to his appointment as U.S. Magistrate Judge for the Central District of Illinois. Entered by Chief Judge James E. Shadid on 3/26/14. (DK, ilcd) (Entered: 03/26/2014)
04/30/2014	<u>73</u>	MOTION to Compel <i>Third Party Illinois Department of Corrections</i> by Plaintiff James Fontano. Responses due by 5/19/2014 (Attachments: # <u>1</u> Exhibit A: Physical Evidence Subpoena, # <u>2</u> Exhibit B: Correspondence, # <u>3</u> Exhibit C: Inspection Subpoena, # <u>4</u> Exhibit D: November 2013 30(b)(6) Notice of Deposition, # <u>5</u> Exhibit E: January 2014 30(b)(6) Subpoena, # <u>6</u> Exhibit F: Keane Dep. Excerpts, # <u>7</u> Exhibit G: Austin Dep. Excerpts)(Van Brunt, Alexa) (Entered: 04/30/2014)
05/06/2014	<u>74</u>	MOTION for Hearing by Plaintiff James Fontano. Responses due by 5/23/2014 (Van Brunt, Alexa) (Entered: 05/06/2014)
05/19/2014	<u>75</u>	RESPONSE to Motion re <u>73</u> MOTION to Compel <i>Third Party Illinois Department of Corrections</i> filed by Respondent William Barnes. (Higgeson, Christopher) (Entered: 05/19/2014)

06/16/2014	<u>76</u>	MOTION for Extension of Time to Complete Discovery ( <i>Unopposed</i> ) by Plaintiff James Fontano. Responses due by 7/3/2014 (Van Brunt, Alexa) (Entered: 06/16/2014)
06/20/2014	<u>77</u>	Amended MOTION for Extension of Time to Complete Discovery ( <i>Unopposed</i> ) by Plaintiff James Fontano. Responses due by 7/10/2014 (Van Brunt, Alexa) (Entered: 06/20/2014)
07/17/2014	<u>78</u>	ORDER: Plaintiff's motion <u>76</u> and amended motion <u>77</u> to extend the deadline for fact discovery, expert disclosures, expert discovery, and dispositive motion are GRANTED. Accordingly, the discovery deadline is extended to July 16, 2014. Plaintiff's expert disclosure deadline is extended to August 16, 2014. Defendants' expert disclosure deadline is extended to September 15, 2014. The expert discovery deadline is extended to November 14, 2014. The dispositive deadline motion is extended to January 15, 2015. Plaintiff's motion to set an in-person hearing on the status of discovery <u>74</u> is DENIED. Plaintiff's motion to compel <u>73</u> is DENIED as moot. Entered by Magistrate Judge Tom Schanzle-Haskins on 7/17/2014. (GL, ilcd) (Entered: 07/17/2014)
08/26/2014	<u>79</u>	MOTION for Extension of Time to Complete Discovery ( <i>Unopposed</i> ) by Plaintiff James Fontano. Responses due by 9/12/2014 (Van Brunt, Alexa) (Entered: 08/26/2014)
09/10/2014		TEXT ORDER. Plaintiff's unopposed motion to extend deadlines for expert disclosures, expert discovery, and dispositive motions <u>79</u> is GRANTED. Accordingly, Plaintiff's expert disclosure deadline is extended to September 5, 2014. Defendants' expert disclosure deadline is extended to October 6, 2014. The expert discovery deadline is extended to December 5, 2014. Dispositive motions must be filed by February 5, 2015. Entered by Magistrate Judge Tom Schanzle-Haskins on 9/10/2014. (ME, ilcd) (Entered: 09/10/2014)
09/16/2014	<u>80</u>	MOTION to Withdraw as Attorney by Defendant Saleh Obaisi. Responses due by 10/3/2014 (Heaton, Rodger) (Entered: 09/16/2014)
09/17/2014		TEXT ORDER: Attorney Rodger Heaton's motion to withdraw <u>80</u> is GRANTED. Accordingly, Attorney Heaton's representation of Defendant Dr. Obaisi is terminated, and Dr. Obaisi will remain represented by attorneys Ramage and Geutzow. Entered by Magistrate Judge Tom Schanzle-Haskins on 09/17/2014. (DM, ilcd) (Entered: 09/17/2014)
10/06/2014	<u>81</u>	CERTIFICATE OF SERVICE by Saleh Obaisi <i>re Expert Report</i> (Guetzow, Adam) (Entered: 10/06/2014)
10/09/2014	<u>82</u>	NOTICE to Take Deposition of Eldon Vail on 10/17/14 (Guetzow, Adam) (Entered: 10/09/2014)
10/09/2014	<u>83</u>	NOTICE to Take Deposition of Brenda Smith on 11/07/14 (Guetzow, Adam) (Entered: 10/09/2014)
10/09/2014	<u>84</u>	NOTICE to Take Deposition of Heather Devore on 11/14/14 (Guetzow, Adam) (Entered: 10/09/2014)
10/09/2014	<u>85</u>	NOTICE to Take Deposition of David Lisak on 11/14/14 (Guetzow, Adam) (Entered: 10/09/2014)
11/11/2014	<u>86</u>	NOTICE to Take Deposition of BRENDA SMITH via video conference on Friday, January 16, 2015 at 9:30 a.m. EST (Ramage, Andrew) (Entered: 11/11/2014)
11/11/2014	<u>87</u>	NOTICE to Take Deposition of HEATHER DEVORE via video conference on Friday, January 16, 2015 at 2:00 p.m. EST (Ramage, Andrew) (Entered: 11/11/2014)
12/02/2014	<u>88</u>	Final MOTION for Extension of Time to Complete Discovery ( <i>Agreed</i> ) by Plaintiff James Fontano. Responses due by 12/19/2014 (Van Brunt, Alexa) (Entered: 12/02/2014)
12/08/2014		TEXT ORDER: Plaintiff's unopposed final motion to extend expert discovery and dispositive deadlines <u>88</u> is GRANTED. Accordingly, the expert discovery deadline is extended to January 19, 2015, and the dispositive motion deadline is extended to March 23, 2015. Entered by Magistrate Judge Tom Schanzle-Haskins on 12/08/2014. (DM, ilcd) (Entered: 12/08/2014)

12/15/2014	<u>89</u>	NOTICE to Take Deposition of HEATHER DEVORE on Thursday, January 8, 2015 at 9:30 a.m. EST via video conference (Ramage, Andrew) (Entered: 12/15/2014)
12/15/2014	<u>90</u>	NOTICE to Take Deposition of DAVID LISAK on Friday, January 16, 2015 at 2:00 p.m. MST via video conference (Guetzow, Adam) (Entered: 12/15/2014)
12/16/2014	<u>91</u>	NOTICE to Take Deposition of DAVID LISAK on Friday, January 16, 2015 at 2:00 p.m. MST via video conference (Guetzow, Adam) (Entered: 12/16/2014)
12/30/2014	<u>92</u>	MOTION to Withdraw as Attorney ( <i>Adam Guetzow and Hinshaw &amp; Culbertson LLP</i> ) by Defendant Saleh Obaisi. Responses due by 1/16/2015 (Guetzow, Adam) (Entered: 12/30/2014)
01/05/2015	<u>93</u>	NOTICE of Change of Address by Andrew M Ramage (Ramage, Andrew) (Entered: 01/05/2015)
01/06/2015	<u>94</u>	NOTICE to Take Deposition of Brenda Smith on 01-16-2015 by Defendant Saleh Obaisi.(Ramage, Andrew) (Entered: 01/06/2015)
01/06/2015	<u>95</u>	NOTICE to Take Deposition of Heather Devore on 01-08-15 by Defendant Saleh Obaisi.(Ramage, Andrew) (Entered: 01/06/2015)
01/06/2015	<u>96</u>	NOTICE to Take Deposition of David Lisak on 01-16-15 by Defendant Saleh Obaisi.(Ramage, Andrew) (Entered: 01/06/2015)
01/12/2015		TEXT ORDER: Attorney Adam Guetzow and the law firm of Hinshaw & Culbertson's motion to withdraw <u>92</u> is GRANTED. Accordingly, Attorney Guetzow and the law firm of Hinshaw & Culbertson's representation of Defendant Dr. Obaisi is terminated, and Dr. Obaisi will remain represented by attorney Andrew Ramage. Entered by Magistrate Judge Tom Schanzle-Haskins on 01/12/2015. (DM, ilcd) (Entered: 01/12/2015)
03/10/2015	<u>97</u>	STIPULATION of Dismissal of <i>Defendant Saleh Obaisi</i> by James Fontano. (Van Brunt, Alexa) (Entered: 03/10/2015)
03/19/2015		TEXT ORDER. Pursuant to Plaintiff's stipulation of dismissal and Federal Rule of Civil Procedure 41(a), Defendant Saleh Obaisi is dismissed with prejudice, and the Clerk of the Court is directed to terminate him as a party in this case. Entered by Judge Sue E. Myerscough on 3/19/2015. (ME, ilcd) (Entered: 03/19/2015)
03/23/2015	<u>98</u>	MOTION for Summary Judgment by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. Responses due by 4/16/2015 (Higgerson, Christopher) (Entered: 03/23/2015)
03/23/2015	<u>99</u>	MEMORANDUM in Support re <u>98</u> MOTION for Summary Judgment filed by Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. (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, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Higgerson, Christopher) (Entered: 03/23/2015)
04/09/2015	<u>100</u>	MOTION for Extension of Time to File Response/Reply as to <u>98</u> MOTION for Summary Judgment ( <i>Unopposed</i> ) by Plaintiff James Fontano. Responses due by 4/27/2015 (Van Brunt, Alexa) (Entered: 04/09/2015)
04/15/2015		TEXT ORDER: Plaintiff's unopposed motion for extension of time <u>100</u> is GRANTED, and Plaintiff has up to and including April 27, 2015, within which to respond to Defendants' motion for summary judgment. Entered by Judge Sue E. Myerscough on 4/15/2015. (ME, ilcd) (Entered: 04/15/2015)
04/27/2015	<u>101</u>	STIPULATION of Dismissal <i>as to Defendants Fishel, Call, Bender, Simmons and Jennings and as to Count I</i> by James Fontano. (Van Brunt, Alexa) (Entered: 04/27/2015)
04/27/2015	<u>102</u>	MOTION for Leave to File Excess Pages <i>in Response to Defendants' Motion for Summary Judgment (Unopposed)</i> by Plaintiff James Fontano. Responses due by 5/14/2015 (Attachments: # <u>1</u> Exhibit A: Plaintiff's Response to Defendants' Motion for Summary Judgment)(Van Brunt, Alexa) (Entered: 04/27/2015)

04/27/2015	<u>103</u>	Exhibit <i>Index to Plaintiff's Response to Defendants' Motion for Summary Judgment</i> by James Fontano. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Van Brunt, Alexa) (Entered: 04/27/2015)
04/27/2015	<u>104</u>	Exhibit ( <i>Continued</i> ) – <i>Ex. 11</i> by James Fontano. (Attachments: # <u>1</u> Exhibit 12, # <u>2</u> Exhibit 13, # <u>3</u> Exhibit 14, # <u>4</u> Exhibit 15, # <u>5</u> Exhibit 16, # <u>6</u> Exhibit 17, # <u>7</u> Exhibit 18, # <u>8</u> Exhibit 19, # <u>9</u> Exhibit 20, # <u>10</u> Exhibit 21, # <u>11</u> Exhibit 22, # <u>12</u> Exhibit 23)(Van Brunt, Alexa) (Entered: 04/27/2015)
05/04/2015		TEXT ORDER: Plaintiff's motion for leave to file <u>102</u> is GRANTED, and the Clerk of the Court is directed to docket Plaintiff's response brief that is attached to his motion for leave to file. Entered by Magistrate Judge Tom Schanzle–Haskins on 05/04/2015. (DM, ilcd) (Entered: 05/04/2015)
05/04/2015	<u>105</u>	Plaintiff James Fontano's RESPONSE to Defendants' <u>98</u> MOTION for Summary Judgment filed by Plaintiff James Fontano. SEE d/e's <u>103</u> and <u>104</u> for exhibits attached to Response. (DM, ilcd) (Entered: 05/04/2015)
05/21/2015	<u>106</u>	REPLY to Response to Motion re <u>98</u> MOTION for Summary Judgment filed by Defendants Alex Dawson, Kevin Standley. (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)(Higgerson, Christopher) (Entered: 05/21/2015)
03/28/2016	<u>107</u>	ORDER entered by Judge Sue E. Myerscough on 03/28/2016. SEE WRITTEN ORDER. The Clerk of the Court is directed to terminate Defendants Simmons, Bender, Jennings, Call, and Fishel from this case. The Clerk of the Court is also directed to terminate the "John Doe Defendants" from this case. Defendants' motion for summary judgment <u>98</u> is DENIED. This case will proceed to trial against Defendants Alex Dawson and Kevin Stanley. A final pretrial conference is set for May 9, 2016, at 9:30 a.m. Trial is set for June 14, 2016, at 9:00 a.m. (DM, ilcd) (Entered: 03/28/2016)
03/31/2016	<u>108</u>	NOTICE of Appearance of Attorney by Margaret Molloy on behalf of William Barnes, Alex Dawson, Kevin Standley (Molloy, Margaret) (Entered: 03/31/2016)
03/31/2016	<u>109</u>	MOTION to Substitute Attorney, Christopher Higgerson to be replaced by Margaret Molloy, by Respondent William Barnes, Defendants Gary Bender, B. Call, Alex Dawson, Fishel, S.A. Godinez, Villa Jennings, D. Simmons, Kevin Standley. Responses due by 4/18/2016 (Molloy, Margaret) (Entered: 03/31/2016)
04/01/2016	<u>110</u>	NOTICE of Appearance of Attorney by Vanessa del Valle on behalf of James Fontano (del Valle, Vanessa) (Entered: 04/01/2016)
04/06/2016		TEXT ORDER:Defendants' motion to substitute counsel <u>109</u> is GRANTED. Accordingly, Defendants are now represented by attorney Margaret Molloy, and attorney Christopher Higgerson's representation of Defendants is terminated. Entered by Magistrate Judge Tom Schanzle–Haskins on 4/6/2016. (ME, ilcd) (Entered: 04/06/2016)
04/07/2016	<u>111</u>	NOTICE of Appearance of Attorney by Sheila A Bedi on behalf of James Fontano (Bedi, Sheila) (Entered: 04/07/2016)
04/28/2016	<u>112</u>	MOTION to Continue <i>Trial Date</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 5/16/2016 (Molloy, Margaret) (Entered: 04/28/2016)
04/28/2016	<u>113</u>	RESPONSE to Motion re <u>112</u> MOTION to Continue <i>Trial Date</i> filed by Plaintiff James Fontano. (Bedi, Sheila) (Entered: 04/28/2016)
05/02/2016		TEXT ORDER: The parties are reminded to adhere to the Court's standing order on final pretrial conference, exhibits, and jury instructions. www.ilcd.uscourts.gov, orders and rules by Judge tab. The documents and motions listed in that standing order are due at least seven days before the final pretrial conference. The final pretrial conference remains scheduled for May 9, 2016, which means that the final pretrial submissions are due by the end of today. Entered by Judge Sue E. Myerscough on 5/2/2016. (SG, ilcd) (Entered: 05/02/2016)
05/02/2016	<u>114</u>	Proposed Pretrial Order by James Fontano. (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)(del Valle, Vanessa) (Entered: 05/02/2016)

05/02/2016	<u>115</u>	NOTICE of Appearance of Attorney by Lisa A Cook on behalf of William Barnes, Alex Dawson, Kevin Standley (Cook, Lisa) (Entered: 05/02/2016)
05/02/2016	<u>116</u>	MOTION for Extension of Time to File <i>Proposed Alternate or Additional Jury Instructions and Motions in Limine</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 5/19/2016 (Cook, Lisa) (Entered: 05/02/2016)
05/02/2016	<u>117</u>	MOTION in Limine by Plaintiff James Fontano. Responses due by 5/6/2016 (Attachments: # <u>1</u> Exhibit A)(del Valle, Vanessa) (Entered: 05/02/2016)
05/02/2016	<u>118</u>	MOTION in Limine <i>TO BAR ANY REFERENCE TO PLAINTIFFS IDOC DISCIPLINARY RECORD</i> by Plaintiff James Fontano. Responses due by 5/6/2016 (Attachments: # <u>1</u> Exhibit A)(del Valle, Vanessa) (Entered: 05/02/2016)
05/02/2016	<u>119</u>	MOTION in Limine <i>TO BAR REFERENCES TO PLAINTIFFS ILLEGAL DRUG USE</i> by Plaintiff James Fontano. Responses due by 5/6/2016 (del Valle, Vanessa) (Entered: 05/02/2016)
05/02/2016	<u>120</u>	MOTION in Limine <i>TO BAR REFERENCE TO THE REASONS FOR WITNESS ELDON VAILS RESIGNATION FROM HIS POSITION AS SECRETARY OF THE WASHINGTON STATE DEPARTMENT OF CORRECTIONS</i> by Plaintiff James Fontano. Responses due by 5/6/2016 (Attachments: # <u>1</u> Exhibit A)(del Valle, Vanessa) (Entered: 05/02/2016)
05/02/2016	<u>121</u>	MOTION in Limine <i>TO BAR ANY REFERENCE TO QUENTIN ROBINSONS UNSUBSTANTIATED ASSERTION THAT PLAINTIFF HAD AN AFFILIATION WITH THE WHITE SOULS GANG</i> by Plaintiff James Fontano. Responses due by 5/6/2016 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(del Valle, Vanessa) (Entered: 05/02/2016)
05/02/2016	<u>122</u>	MOTION in Limine <i>TO ALLOW PLAINTIFF TO READ EXCERPTS FROM THE DEPOSITION OF QUENTIN ROBINSON</i> by Plaintiff James Fontano. Responses due by 5/6/2016 (Attachments: # <u>1</u> Exhibit A)(del Valle, Vanessa) (Entered: 05/02/2016)
05/03/2016	<u>123</u>	RESPONSE to Motion re <u>116</u> MOTION for Extension of Time to File <i>Proposed Alternate or Additional Jury Instructions and Motions in Limine</i> filed by Plaintiff James Fontano. (Bedi, Sheila) (Entered: 05/03/2016)
05/04/2016		TEXT ORDER: Defendants' motion for an extension (to May 16, 2016) to file their alternate/additional jury instructions and motions in limine is granted ( <u>116</u> ). The final pretrial conference scheduled for May 9, 2016, at 9:30 a.m. shall instead be a conference to address the rescheduling of the final pretrial conference and Defendants' motion to continue the trial date. Defense counsel shall appear by phone. Plaintiff's counsel shall appear by video, if possible, otherwise by phone. The clerk is directed make video conferencing arrangements with Plaintiff's counsel. Entered by Judge Sue E. Myerscough on 5/4/2016. (MJ, ilcd) (Entered: 05/04/2016)
05/09/2016	<u>124</u>	Exhibit re <u>114</u> Proposed Pretrial Order <i>numbered Plaintiff's proposed jury instructions</i> by James Fontano. (del Valle, Vanessa) (Entered: 05/09/2016)
05/09/2016	<u>125</u>	Exhibit re <u>114</u> Proposed Pretrial Order <i>numbered joint proposed jury instructions</i> by James Fontano. (del Valle, Vanessa) (Entered: 05/09/2016)
05/09/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: FINAL PRETRIAL CONFERENCE held on 5/9/2016. Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills present via video on behalf of Plaintiff, James Fontano. Lisa Cook and Margaret Molloy, Office of the Attorney General, present via phone. Oral waiver of Plaintiff's appearance by Plaintiff's counsel. Waiver accepted by Court. Order to enter. Additional Final Pretrial Conference set for June 6, 2016 at 3:00 PM before Judge Sue E. Myerscough, Courtroom1, Springfield. Hearing adjourned. (Court Reporter KS.) (DM, ilcd) (Entered: 05/09/2016)
05/09/2016	<u>126</u>	ORDER entered by Judge Sue E. Myerscough on 5/9/2016. SEE WRITTEN ORDER. Defendants' motion to continue the trial is granted <u>112</u> . The trial will be rescheduled for June 28, 2016, or July 5, 2016. Possible dates for a settlement conference with Judge Hawley are: May 24, May 26, June 1, or June 3, 2016. A final pretrial conference is scheduled for June 6, 2016, at 3:00 p.m. Defense counsel shall appear in person. Plaintiff's counsel may appear in person or by video. Plaintiff shall appear in person or by video. The clerk is directed to issue a video writ to secure Plaintiff's

		presence at the final pretrial conference, if necessary. Motion in Limine as follows: Motion <u>117</u> remains pending; Motion <u>118</u> granted; Motion <u>119</u> granted; Motion <u>120</u> granted; Motion <u>121</u> granted and Motion [122] granted in part and denied in part. (Attachments: # <u>1</u> Court's handwritten rulings as to proposed Voir Dire)(DM, ilcd) (Entered: 05/09/2016)
05/09/2016	<u>127</u>	FINAL PRETRIAL ORDER entered by Judge Sue E. Myerscough on 05/09/2016. SEE WRITTEN ORDER. (DM, ilcd) (Entered: 05/09/2016)
05/16/2016	<u>128</u>	MOTION in Limine to Exclude the Testimony and Opinions of Heather DeVore by Defendants Alex Dawson, Kevin Standley. Responses due by 6/3/2016 (Attachments: # <u>1</u> Exhibit 1)(Cook, Lisa) (Entered: 05/16/2016)
05/16/2016	<u>129</u>	MOTION in Limine to Exclude the Testimony and Opinions of David Lisak by Defendants Alex Dawson, Kevin Standley. Responses due by 6/3/2016 (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Cook, Lisa) (Entered: 05/16/2016)
05/16/2016	<u>130</u>	Proposed Jury Instructions by Alex Dawson, Kevin Standley. (Molloy, Margaret) (Entered: 05/16/2016)
05/17/2016		TEXT ORDER: Pursuant to Judge Myerscough's <u>126</u> Order, this case is set for a Settlement Conference on Thursday, 5/26/2016 at 10:00 AM in Courtroom 2 in Springfield before Magistrate Judge Jonathan E. Hawley. Plaintiff Fontano to appear in person with counsel. Parties to submit directly to chambers a settlement statement stating their position in regard to settlement by 5/23/16. This shall include history of offers and demands along with a brief statement of position on facts and legal issues. Do not file this statement with the clerk office or exchange with opposing parties. Parties have leave of court to email the statement directly to chambers at hawley@ilcd.uscourts.gov. Entered by Magistrate Judge Jonathan E. Hawley on 5/17/16. (WG, ilcd) (Entered: 05/17/2016)
05/17/2016		Magistrate Judge Jonathan E. Hawley added as settlement judge. (WG, ilcd) (Entered: 05/17/2016)
05/17/2016	<u>131</u>	<b>VACATED per Text Order of 5/18/2016.</b> VIDEO WRIT issued for Plaintiff's video appearance at the Final Pretrial Conference on 6/06/2016 at 3:00 PM. (Copy of writ and letter e-mailed to Cook County) (Attachments: # <u>1</u> Cook County Request Form) (DM, ilcd) Modified on 5/18/2016 (DM, ilcd). (Entered: 05/17/2016)
05/18/2016		TEXT ORDER: Plaintiff's counsel has notified the Court that Plaintiff is waiving his personal appearance and attendance at the final pretrial conference. Accordingly, the video writ issued compelling Plaintiff's appearance at the final pretrial conference is recalled and vacated. Counsel for Plaintiff and Defendants have also notified the Court that, if the case does not settle at the settlement conference before U.S. Magistrate Judge Hawley, they would be available for trial on June 28, 2016. Accordingly, jury trial is set to begin on June 28, 2016, at 9:00 a.m. The Clerk of the Court is directed to prepare and to issue a personal appearance writ compelling Plaintiff's attendance at the trial. Entered by Judge Sue E. Myerscough on 05/18/2016. (DM, ilcd) (Entered: 05/18/2016)
05/26/2016		Minute Entry for proceedings held before Magistrate Judge Jonathan E. Hawley: Settlement Conference held on 5/26/2016. Alan Mills, Sheila Bedi, and Vanessa del Valle present on behalf of Plaintiff, James Fontano. Plaintiff James Fontano was not present. Lisa Cook and Margaret Molloy, Office of the Attorney General, present along with IDOC Representative Ed Huntley. No settlement reached. (ME, ilcd) (Entered: 05/27/2016)
05/27/2016		Magistrate Judge Jonathan E. Hawley no longer assigned to case as a settlement referral as no settlement was reached on 5/26/16. (WG, ilcd) (Entered: 06/17/2016)
06/01/2016		TEXT ORDER: The Court sua sponte VACATES the June 6, 2016 final pretrial conference and RESETS the final pretrial conference to June 13, 2016, at 3:00 p.m. The final pretrial conference will occur in Springfield, Illinois, in Courtroom I. Entered by Judge Sue E. Myerscough on 06/01/2016. (DM, ilcd) (Entered: 06/01/2016)
06/01/2016	<u>132</u>	RESPONSE to Motion re <u>128</u> MOTION in Limine to Exclude the Testimony and Opinions of Heather DeVore filed by Plaintiff James Fontano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(del Valle, Vanessa) (Entered: 06/01/2016)



		06/01/2016)
06/01/2016	<u>133</u>	RESPONSE to Motion re <u>129</u> MOTION in Limine <i>to Exclude the Testimony and Opinions of David Lisak</i> filed by Plaintiff James Fontano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(del Valle, Vanessa) (Entered: 06/01/2016)
06/10/2016		TEXT ORDER: This case is set for Final Pretrial Conference on June 13, 2016, at 3:00 PM. Plaintiff James Fontano's in-person presence in Springfield, IL is required for the hearing. The parties are directed to collaborate to meet that requirement. Entered by Judge Sue E. Myerscough on 6/10/2016. (MJ, ilcd) (Entered: 06/10/2016)
06/10/2016	<u>134</u>	NOTICE of Appearance of Attorney by Joshua D Ratz on behalf of Alex Dawson, Kevin Standley (Ratz, Joshua) (Entered: 06/10/2016)
06/13/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: FINAL PRETRIAL CONFERENCE held on 6/13/2016. Plaintiff James Fontano present in person with counsel of record, Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills. Joshua Ratz and Margaret Molloy, Office of the Attorney General, present in person on behalf of Defendants. Clarification made by Plaintiff as to its Motion to Limine. Oral response by Defendant. Motion in Limine rulings rendered. Jury Instruction Conference held. Parties to inform Court whether they will consent to the jury asking questions. Jury Selection process given. Trial procedures and courtroom equipment reviewed. Length of trial will be 3-4 days. Due to possible conflict of dates, Jury Trial will commence on June 27, 2016 at 9:00 AM before Judge Sue E. Myerscough, Courtroom 1, Springfield. Hearing adjourned. (Court Reporter KS.) (DM, ilcd) (Entered: 06/14/2016)
06/16/2016	<u>135</u>	Proposed Jury Instructions by James Fontano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(del Valle, Vanessa) (Entered: 06/16/2016)
06/16/2016	<u>136</u>	MOTION for Reconsideration <i>Jury Instruction Relating to Plaintiff's IIED Claim</i> by Plaintiff James Fontano. Responses due by 7/5/2016 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(del Valle, Vanessa) (Entered: 06/16/2016)
06/17/2016	<u>137</u>	MOTION <i>for Clarification</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 7/5/2016 (Attachments: # <u>1</u> Exhibit 1)(Cook, Lisa) (Entered: 06/17/2016)
06/17/2016	<u>138</u>	MOTION for Reconsideration <i>Intent to Give Plaintiff's Proposed Jury Instructions</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 7/5/2016 (Molloy, Margaret) (Entered: 06/17/2016)
06/17/2016	<u>139</u>	MOTION For Special Interrogatories by Defendants Alex Dawson, Kevin Standley. Responses due by 7/5/2016 (Attachments: # <u>1</u> Exhibit A)(Molloy, Margaret) (Entered: 06/17/2016)
06/21/2016	<u>140</u>	MOTION in Limine <i>to bar references to Plaintiff's Post 2011 Incarceration</i> by Plaintiff James Fontano. Responses due by 7/8/2016 (Bedi, Sheila) (Entered: 06/21/2016)
06/21/2016	<u>141</u>	MOTION in Limine <i>to bar references to Plaintiff's convictions</i> by Plaintiff James Fontano. Responses due by 7/8/2016 (Bedi, Sheila) (Entered: 06/21/2016)
06/23/2016	<u>142</u>	ORDER entered by Judge Sue E. Myerscough on 06/23/2016. SEE WRITTEN ORDER. Plaintiff's motion to bar any reference to an alleged phone call between John Fontano and John Hotwagner <u>117</u> is DENIED with leave to re-raise the issue at trial. Plaintiff's motion to reconsider jury instruction regarding his IIED claim <u>136</u> is DENIED. Plaintiff's motion in limine to bar references to his post 2011 incarceration <u>140</u> is GRANTED. Plaintiff's motion in limine to bar references to his criminal convictions <u>141</u> is GRANTED. Defendants' motion for clarification <u>137</u> is GRANTED. Defendants' motion for reconsideration <u>138</u> is DENIED. Defendants' motion for special interrogatories <u>139</u> is DENIED. (DM, ilcd) (Entered: 06/23/2016)
06/23/2016	<u>143</u>	TEXT ORDER: With this text order, the Court sends its voir dire and preliminary instructions. Entered by Judge Sue E. Myerscough on 6/23/2016. (SG, ilcd) (Entered: 06/23/2016)
06/23/2016	<u>144</u>	MOTION for Reconsideration re <u>135</u> Proposed Jury Instructions by Defendants Alex Dawson, Kevin Standley. Responses due by 7/11/2016 (Ratz, Joshua) (Entered: 06/23/2016)

		06/23/2016)
06/23/2016	<u>145</u>	MOTION for Reconsideration of <i>Ruling Barring Use of Plaintiff's Conviction for Attempting to Foil/Defeat a Screen Test</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 7/11/2016 (Ratz, Joshua) (Entered: 06/23/2016)
06/24/2016	<u>146</u>	Exhibit List <i>amended</i> by James Fontano. (del Valle, Vanessa) (Entered: 06/24/2016)
06/24/2016	<u>147</u>	AMENDED DOCUMENT by James Fontano. <i>witness list</i> . (del Valle, Vanessa) (Entered: 06/24/2016)
06/24/2016	<u>148</u>	Exhibit List ( <i>Amended</i> ) by Alex Dawson, Kevin Standley. (Molloy, Margaret) (Entered: 06/24/2016)
06/24/2016	<u>149</u>	Exhibit re <u>145</u> MOTION for Reconsideration of <i>Ruling Barring Use of Plaintiff's Conviction for Attempting to Foil/Defeat a Screen Test</i> by Alex Dawson, Kevin Standley. (Attachments: # <u>1</u> Exhibit 1)(Ratz, Joshua) (Entered: 06/24/2016)
06/27/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: JURY SELECTION/JURY TRIAL held on 6/27/2016. Plaintiff James Fontano present in person with counsel of record, Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills. Law students Michelle Page and Christian Segar also present with Plaintiff's counsel. Defendants Alex Dawson and Kevin Standley present in person with counsel of record, Robert Fanning, Joshua Ratz and Margaret Molloy, Office of Attorney General. Pending Motions addressed and rulings rendered. Issue of potential witness Robinson discussed. Plaintiff's counsel to inform Court of position at lunch break. Agreement by parties as to preliminary instructions with instructions to be displayed to jurors. Jury Selection began. Statement of Case given. Summary of Claims and Witness List read and displayed. Prospective Jurors sworn and panel of 14 called. Voir Dire Questions asked and displayed. Strikes taken. Jury of 8 accepted. Jury impaneled, sworn and admonished of rights. Preliminary Jury Instructions given and displayed by Court. Outside the presence of the jury, Plaintiff and Defendants informed Court that neither party will call potential witness Robinson. Opening statements presented. Plaintiff presented case in chief. Witness called, sworn and questioned. Evidence entered. Plaintiff called and sworn. Additional evidence presented. Estimated number of witnesses stated for following day. Jury excused for day to reconvene at 9:00 AM on June 28, 2016. Admitted trial exhibits dated and initialed by Court. Trial adjourned for the day to resume at 9:00 AM on Tuesday, June 28, 2016. (Court Reporter KS.) (DM, ilcd) Duplication of attorney appearance corrected--Modified on 6/28/2016 (DM, ilcd). (Entered: 06/27/2016)
06/28/2016	<u>150</u>	NOTICE of Appearance of Attorney by Robert L Fanning on behalf of William Barnes, Alex Dawson, Kevin Standley (Fanning, Robert) (Entered: 06/28/2016)
06/28/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: JURY TRIAL continued on 6/28/2016. Plaintiff James Fontano present in person with counsel of record, Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills. Law students Michelle Page and Christian Segar also present with Plaintiff's counsel. Defendant Alex Dawson and Kevin Standley present in person with counsel of record Robert Fanning, Joshua Ratz and Margaret Molloy, Office of the Attorney General. Issue addressed regarding jury asking questions of witnesses. Plaintiff submitted proposed jury instruction. Positions stated. Motion for Reconsideration addressed. Court reserved ruling. Jury requested clarification of how to ask witness questions. Court reiterated previously stated jury instruction. Plaintiff continued presentation of case in chief. Witnesses called, sworn and questioned. Evidence presented. Jury Questions submitted to witnesses. Defendant Standley called, sworn and questioned. Additional evidence presented. Outside the presence of the jury, discussion held regarding Motion in Limine. Motion denied. Jury excused and trial adjourned until 9:00 AM on June 29, 2016. (Court Reporter KS.) (DM, ilcd) (Entered: 06/28/2016)
06/28/2016	<u>151</u>	Proposed Jury Instructions by James Fontano. (del Valle, Vanessa) (Entered: 06/28/2016)
06/29/2016	<u>152</u>	Proposed Jury Instructions by Alex Dawson, Kevin Standley. (Ratz, Joshua) (Entered: 06/29/2016)

06/29/2016	<u>153</u>	TEXT ORDER: With this text order the Court sends the final marked jury instructions. The Court has not yet ruled on the Court's proposed 2 (pp. 22–23) or the Court's 3 (proposed verdict form). Entered by Judge Sue E. Myerscough on 6/29/16. (SG, ilcd) (Entered: 06/29/2016)
06/29/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: JURY TRIAL continued on 6/29/2016. Plaintiff James Fontano present in person with counsel of record, Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills. Law students Michelle Page and Christian Segar also present with Plaintiff's counsel. Defendant Alex Dawson and Kevin Standley present in person with counsel of record Robert Fanning, Joshua Ratz and Margaret Molloy, Office of the Attorney General. Issue addressed regarding testimony of a witness to be called by Plaintiff. Positions stated. Ruling rendered. Defendant Standley's testimony will reconvene at the presentation of Defendants' case in chief. Jury questions as to Defendant Standley will be addressed at that time. Plaintiff continued presentation of case in chief. Witness called, sworn and questioned. Evidence presented. Defendant Dawson called, sworn and questioned. Additional evidence presented. Issue as to line-up of Plaintiff witnesses addressed. With agreement of the parties, Defendants will present a witness out of sequence. Witness testimony continued. Court advised jury that evidence would be taken out of order and defense would call a witness at this time. Witness called, sworn and questioned. Discussion held as to possible conclusion of presentation of case and deliberation. Jury excused for day to reconvene at 9:00 AM on June 30, 2016. Exhibit and jury conference held. Plaintiff advised Court that video witness scheduled for June 30th would not be called. Offer of Proof made by defense case and accepted by Court. Length of Closing Arguments discussed. Trial adjourned for the day to resume at 9:00 AM on Thursday, June 30, 2016. (Court Reporter KS.) (DM, ilcd) (Entered: 06/29/2016)
06/30/2016	<u>154</u>	RULE 50 MOTION for Judgment as a Matter of Law by Defendants Alex Dawson, Kevin Standley. Responses due by 7/18/2016. (DM, ilcd) (Entered: 06/30/2016)
06/30/2016		Minute Entry for proceedings held before Judge Sue E. Myerscough: JURY TRIAL concluded on 6/30/2016. Plaintiff James Fontano present in person with counsel of record, Locke Bowman, Sheila Bedi, Vanessa Del Valle and Alan Mills. Law students Michelle Page and Christian Segar also present with Plaintiff's counsel. Defendant Alex Dawson and Kevin Standley present in person with counsel of record, Joshua Ratz and Margaret Molloy, Office of the Attorney General. Acknowledgment by Court of Defendants' Rule 50 Motion to be presented at the close of Plaintiff's case. Jury Instruction conference held. Exhibits previously admitted were initialed and dated by Court. Plaintiff rested. At the close of plaintiff's case, Defendants' Rule 50 motion asserted with ruling deferred until review by Court. Presentation of Defendants' case in chief began. Defendant Standley called, sworn and questioned. Jury questions asked. Defendants' Rule 50 Motion denied. Discussion regarding further witness testimony and closings. After lunch break, Court informed by parties that a settlement had been reached. Plaintiff stated personal acknowledgment and satisfaction of settlement terms. Jury called to court and discharged. Order to enter. Trial concluded. (Court Reporter KS.) (DM, ilcd) (Entered: 06/30/2016)
06/30/2016	<u>155</u>	Jury Questions--marked 1 thru 19. (DM, ilcd) (Entered: 06/30/2016)
06/30/2016	<u>157</u>	Plaintiff's Exhibit List--Marked at Trial. (DM, ilcd) (Entered: 06/30/2016)
06/30/2016	<u>158</u>	Defendants' Exhibit List--Marked at Trial. (DM, ilcd) (Entered: 06/30/2016)
07/05/2016		TEXT ORDER Entered by Judge Sue E. Myerscough on 7/5/16. Following the lunch break on the third day of trial, the parties reported to the Court that they have settled this case. Accordingly, the jury was informed of the settlement and discharged. Within 30 days of the entry of this order, the parties are directed to submit a joint stipulation of dismissal signed by all parties and lead counsel. For the record, at trial the Court granted Defendants' motion for reconsideration regarding the admission of Plaintiff's conviction for foiling a screen test <u>145</u> . Defendants' motion for reconsideration regarding jury instructions is denied as moot <u>144</u> . (SW, ilcd) (Entered: 07/05/2016)
08/01/2016	<u>159</u>	Joint MOTION for Extension of Time to File <i>Stipulation of Dismissal</i> by Plaintiff James Fontano. Responses due by 8/18/2016 (Bedi, Sheila) (Entered: 08/01/2016)

08/02/2016		TEXT ORDER: The Parties' joint motion for extension of time <u>159</u> is GRANTED. Accordingly, the Parties have up to and including August 11, 2016, within which to file their joint stipulation of dismissal. Entered by Judge Sue E. Myerscough on 08/02/2016. (DM, ilcd) (Entered: 08/02/2016)
08/11/2016	<u>160</u>	Joint MOTION for Extension of Time to File <i>Stipulation of Dismissal</i> by Plaintiff James Fontano. Responses due by 8/29/2016 (Bedi, Sheila) (Entered: 08/11/2016)
08/15/2016		TEXT ORDER: The Parties' joint motion for extension of time <u>160</u> is GRANTED. Accordingly, the Parties have up to and including August 19, 2016, within which to file their joint stipulation of dismissal. Entered by Judge Sue E. Myerscough on 08/15/2016. (DM, ilcd) (Entered: 08/15/2016)
08/19/2016	<u>161</u>	Third MOTION for Extension of Time to File <i>The Stipulation of Dismissal (Joint)</i> by Defendants Alex Dawson, Kevin Standley. Responses due by 9/6/2016 (Molloy, Margaret) (Entered: 08/19/2016)
08/22/2016		TEXT ORDER: The Parties' joint motion for third extension of time <u>161</u> is GRANTED. Accordingly, the Parties have up to and including September 1, 2016, within which to file their joint stipulation of dismissal. Entered by Judge Sue E. Myerscough on 08/22/2016. (DM, ilcd) (Entered: 08/22/2016)
09/01/2016	<u>162</u>	STIPULATION of Dismissal ( <i>Joint</i> ) by Alex Dawson, Kevin Standley. (Molloy, Margaret) (Entered: 09/01/2016)
09/09/2016	<u>163</u>	ORDER Entered by Judge Sue E. Myerscough on 09/08/2016. SEE WRITTEN ORDER. This case is dismissed with prejudice, each party to bear their own costs. This case is terminated. (DM, ilcd) (Entered: 09/09/2016)