

UNITED STATES DISTRICT COURT SOUTHERN INDIANA

INMATES OF INDIANA STATE FARM -VS- ORR, ROBERT

IP82-C-0477 -M/S

FILED	CLOSED	NATR SUIT	JURY?	DEMAND (\$1000)	JUDGE	MAGISTRATE
07/15/1997	07/13/2000	530	N	0	MCKINNEY	SHIELDS

CAUSE: PRISONER PETITIONS; Habeas Corpus: General

INMATES OF INDIANA STATE FARM
plaintiff

KENNETH J FALK
INDIANA CIVIL LIBERTIES UNION
1031 E WASHINGTON ST
INDIANAPOLIS, IN 46202
(317)635-4059

PATTERSON, MILTON
plaintiff

DORA, MARK
plaintiff

BROOKS, EVINS, JR.
plaintiff

V.

ORR, ROBERT
defendant

DAVID A ARTHUR
DEPUTY ATTORNEY GENERAL
IND GOVT CENTER SOUTH - FIFTH FLOOR
402 WEST WASHINGTON STREET
INDIANAPOLIS, IN 46204
(317)232-6286

FAULKNER, GORDON H.
defendant

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HUDKINS, DONALD
defendant

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DATE	NR.	PROCEEDINGS
11/20/1996	0	CONTINUED FROM PAPER DOCKETING. eod 11/21/96 [DLD]
11/20/1996	1	ORDER - finds defts (the "State) in contempt of the consent decree in this case until November 14, 1996, (when

decree was suspended by operation of law). eod 11/21/96 [DLD]

11/20/1996 = ORDER DENIES as moot pltf's Motion for Preliminary Injunction. eod 11/21/96 [DLD]

11/20/1996 = ORDER Offers the parties the choice of three alternative avenues for assisting the Court in reaching a decision regarding the States' motion to terminate all prospective relief pursuant to the 1996 Prison Litigation Reform Act (the "Act" or "PLRA"). eod 11/21/96 [DLD]

11/20/1996 = ORDER to counsel to file within 30 days from the date of this order a request for the procedure they wish to follow. cm LJM eod 11/21/96 [DLD]

12/20/1996 2 NOTICE /RESPONSE to Court's Order of November 20, 1996 c/s DEFTS eod 12/20/96 [CEC]

12/20/1996 3 WRITTEN REQUEST to the Court concerning procedure/request for attnys conf c/s PLTFS eod 12/21/96 [CBU]

12/26/1996 4 ENTRY ASSIGNS CONF to 01/16/97 at 09:00AM Room 204 (LJM) c/m eod 12/26/96 [SJD]

01/16/1997 5 ORDER - Parties appear by counsel for status conference. The Court now orders that parties report to the Court, on or before 02/06/97, the name of an agreed upon expert. cm LJM eod 01/17/97 [DLD]

02/05/1997 6 MOTION FOR TIME TO submit name of agreed upon expert. cs PLTFS eod 02/21/97 [DLD]

02/06/1997 7 ORDER that the parties shall have to and including 02/20/97 to submit the name of an agreed upon expert in this cause. cm LJM eod 02/21/97 [DLD]

02/20/1997 8 MOTION FOR TIME TO (Second) to submit name of agreed upon expert. cs PLTFS eod 02/21/97 [DLD]

02/24/1997 9 ORDER grants the pltf time to submit agreed upon expert to and including 03/06/97. cm LJM eod 02/24/97 [DLD]

03/06/1997 10 SUBMISSION of name of agreed upon expert (Joint) - PARTIES eod 03/06/97 [SWM]

03/12/1997 11 ORDER that within ten days the parties shall submit to the Court the information the Court will make further orders as to his appointment in this cause. cm LJM eod 03/12/97 [DLD]

03/17/1997 12 NOTICE - Parties notification to court concerning expert and request to court to employ Dr. Shansky. PARTIES eod 03/17/97 [DLD]

03/31/1997 13 ENTRY ASSIGNS CONF (TELEPHONIC) to 04/11/97 at 10:00AM Room 204 (LJM) c/m eod 03/31/97 [DLD]

04/07/1997 14 ENTRY - that the telephonic conference was held, entry to be furnished. eod 04/07/97 [DLD]

04/07/1997 15 ENTRY VACATES CONF (TELEPHONIC) of 04/11/97 at 10:00AM Room 204 (LJM) c/m eod 04/07/97 [DLD]

04/17/1997 16 ORDER APPOINTS Dr. Ronald Shansky as the Court's expert in this cause. (S.O.) cm LJM eod 04/17/97 [MAC]

06/17/1997 17 MOTION for Attys' conference with the court c/s PLTFS eod 06/17/97 [GRN]

06/19/1997 18 ORDER ASSIGNS CONF to 07/15/97 at 08:30AM Room 204 (LJM) c/m eod 07/11/97 [DLD]

07/15/1997 19 ENTRY ASSIGNS CONF to 08/01/97 at 08:30AM Room 204 (LJM) c/m eod 07/15/97 [DLD]

07/15/1997 20 ORDER that reasonal fees and expenses that have been submitted by Dr. Shhansky be paid by the State of Indiana. The Court has reviewed the fees and expenses that have been submitted and finds preliminarily that they are reasonable. (SO) cm LJM eod 07/15/97 [DLD]

07/15/1997 0 REOPEN eod 07/15/97 [DLD]

07/31/1997 21 ENTRY - Attorney conf set for 8/1/97 is changed to a telephonic atty conf at 2:00 p.m. Mr. Arthur shall initiate the call to the Court. (docket entry only - no dist to counsel) eod 07/31/97 [SJD]

08/01/1997 22 ENTRY - Telephonic conference held. Entry to be furnished. (docket entry only. No dist to counsel.) eod 08/01/97 [SJD]

08/13/1997 23 ENTRY for August 1, 1997 attorney's conference. (SE) cm LJM eod 08/13/97 [DLD]

09/15/1997 24 MOTION FOR TIME TO file brief. c PLTF eod 09/15/97 [DLD]

09/16/1997 25 ORDER granting plaintiffs' motion to extend time to file brief - time extended to and including September 22, 1997; defts to file answer brief on, or before, November 6, 1997; plaintiffs to file reply brief on, or before, November 21, 1997. cm LJM eod 09/16/97 [JAT]

09/22/1997 26 MOTION FOR TIME TO file brief. cs PLTFS eod 09/22/97 [DLD]

09/23/1997 27 ORDER grants the pltf time to file brief to and including 11/28/97. cm LJM eod 09/23/97 [DLD]

10/02/1997 28 NOTICE of Claim of Unconstitutional. cs PLTFS eod 10/02/97 [DLD]

10/02/1997 29 MOTION FOR LEAVE to file Motion for Partial S/J instanter. cs PLTFS eod 10/03/97 [DLD]

10/02/1997 30 ORDER grants the motion for leave to file motion for partial s/j. cm LJM eod 10/03/97 [DLD]

10/02/1997 31 MOTION FOR S/J (Partial) cs PLTF eod 10/03/97 [DLD]

10/02/1997 32 STATEMENT of material facts. cs PLTFS eod 10/03/97 [DLD]

10/02/1997 33 PROPOSED F/F AND C/L cs PLTFS eod 10/03/97 [DLD]

10/02/1997 34 MEMORANDUM IN SUPPORT of pltf's motion for partial s/j. cs PLTFS eod 10/03/97 [DLD]

11/12/1997 35 MOTION FOR TIME TO file reply brief. cs DEFTS eod 11/13/97 [DLD]

11/14/1997 36 ORDER grants the defts time to file reply brief to and including 12/31/97. cm LJM eod 11/15/97 [DLD]

01/23/1998 37 MOTION FOR TIME TO file their reply brief. cs DEFTS eod 01/23/98 [DLD]

01/28/1998 38 ORDER that the answer brief filed by the defts on 01/23/98 is accepted by the Court. eod 01/28/98 [DLD]

01/28/1998 = ORDER that it is further ordered that pltf's time is extended to 02/23/98 within which to file their reply brief. cm LJM eod 01/28/98 [DLD]

01/23/1998 39 ANSWER BRIEF in opposition to summary judgment. cs DEFTS eod 01/28/98 [DLD]

02/23/1998 40 MOTION FOR TIME TO file reply memorandum. cs PLTF eod 02/24/98 [DLD]

02/26/1998 41 ORDER grants the pltf time to file reply memo to and including 03/09/98. cm LJM eod 02/26/98 [DLD]

03/09/1998 42 MOTION FOR TIME TO file reply memorandum. cs PLTFS eod 03/10/98 [DLD]

03/10/1998 43 ORDER grants the motion for time to file reply to and including 03/12/98. cm LJM eod 03/10/98 [DLD]

03/12/1998 44 REPLY MEMORANDUM in support of pltfs' motion for partial summary judgment. cs PLTFS eod 03/12/98 [DLD]

08/31/1998 45 ORDER - DENIES Pltfs' motion for partial summary judgment and holds that 3626(b)(2) of the PLRA is constitutional. eod 08/31/98 [SJD]

08/31/1998 = ORDER ASSIGNS HEARING to 11/12/98 at 09:00AM Room 202 (LJM) c/m (Evidentiary Hrg) eod 08/31/98 [SJD]

10/02/1998 46 MOTION FOR CONT OF SCHEDULED evidentiary hearing to allow parties to attempt to resolve or narrow evidentiary issues. cs PLTFS eod 10/02/98 [DLD]

10/05/1998 47 ORDER grants the motion for cont. eod 10/05/98 [DLD]

10/05/1998 = ORDER VACATES HEARING of 11/12/98 at 09:00AM Room 202 (LJM) c/m eod 10/05/98 [DLD]

10/05/1998 = ORDER REASSIGNS HEARING to 01/04/99 at 09:00AM Room 202 (LJM) c/m eod 10/05/98 [DLD]

12/15/1998 48 MOTION FOR CONT OF SCHEDULED evidentiary hearing in contemplation of parties reaching settlement which will avoid necessity of hearing. cs PLTFS eod 12/15/98 [DLD]

12/17/1998 49 ORDER that the 01/04/99 evidentiary hearing is cont. and the parties are ordered to file their settlement materials or report as to settlement no later than 02/15/99. cm LJM eod 12/18/98 [DLD]

12/17/1998 = ORDER VACATES HEARING of 01/04/99 at 09:00AM Room 202 (LJM) c/m eod 12/18/98 [DLD]

02/12/1999 50 MOTION FOR TIME TO file settlement materials or report as to the settlement. cs PLTFS eod 02/12/99 [DLD]

02/16/1999 51 ORDER grants the pltfs time to file settlement materials or report to the settlement to and including 03/17/99. cm LJM eod 02/16/99 [DLD]

03/17/1999 52 MOTION FOR TIME TO file settlement materials or report as to the settlement. cs PLTFS eod 03/17/99 [DLD]

03/18/1999 53 ORDER grants the parties time to file their settlement materials or report as to settlement to and including 04/16/99. cm LJM eod 03/18/99 [DLD]

04/15/1999 54 MOTION FOR TIME TO file settlement materials or report as the settlement. cs PLTFS eod 04/15/99 [DLD]

04/16/1999 55 ORDER grants the PLTFS time to file settlement materials or report as to the settlement to and including May 17, 1999. cm LJM eod 04/16/99 [DLD]

05/18/1999 56 BELATED FURTHER MOT. TO EXT. TIME TO FILE SETTLEMENT MATERIALS OR REPORT AS TO SETTLEMENT. cs PLTFS eod 05/18/99 [CFW]

05/19/1999 57 ORDER GRANTS pltfs motion for time to file Settlement Materials or Report as to Settlement to 6/16/99. cm LJM eod 05/19/99 [MAC]

06/15/1999 58 REPORT - Status Report as to settlement and request for status conference. cs PLTF eod 06/15/99 [DLD]

06/21/1999 59 ORDER ASSIGNS CONF to 07/16/99 at 08:30AM Room 204 (LJM) c/m (Status Conference) eod 06/22/99 [MAC]

07/16/1999 60 ENTRY ASSIGNS COURT TRIAL to 04/03/00 at 09:00AM Room 202 (LJM) c/m eod 07/19/99 [DLD]

07/16/1999 = ENTRY ASSIGNS P/T to 03/24/00 at 10:00AM Room 204 (LJM) c/m eod 07/19/99 [DLD]

03/02/2000 61 MOTION FOR CONT OF SCHEDULED trial. cs PLTFS eod 03/02/00 [DLD]

03/03/2000 62 ORDER grants the motion to Vacate Trial date to discuss the settlement and to discuss how notice is to be given to the class. cm LJM eod 03/03/00 [DLD]

03/03/2000 = ORDER VACATES COURT TRIAL of 04/03/00 at 09:00AM Room 202 (LJM) c/m eod 03/03/00 [DLD]

03/03/2000 = ORDER VACATES P/T of 03/24/00 at 10:00AM Room 204 (LJM) c/m eod 03/03/00 [DLD]

03/03/2000 = ORDER ASSIGNS CONF to 03/24/00 at 10:00AM Room 204 (LJM) c/m Re: Settlement Conference eod 03/03/00 [DLD]

03/24/2000 63 ENTRY - Parties appear by counsel for a conference in the above-named cause. Conference held. Entry to be submitted to the Court by PLTFS. cm LJM eod 03/27/00 [DLD]

04/13/2000 64 ORDER ASSIGNS HEARING to 07/07/00 at 10:00AM Room 202 (LJM) c/m Re: Fairness Hearing eod 04/13/00 [DLD]

06/05/2000 65 REPORT following notice to the Class. cs PLTFS eod 06/05/00 [DLD]

06/05/2000 66 REPORT - Counsel's report to court concerning withdrawal of request for evidentiary hearing. cs PLTFS eod 06/05/00 [DLD]

06/07/2000 67 NOTICE OF FILING of omitted attachments. cs PLTFS eod 06/07/00 [DLD]

07/06/2000 68 ENTRY VACATES HEARING of 07/07/00 at 10:00AM Room 202 (LJM) c/m Re: Fairness Hearing eod 07/06/00 [DLD]

07/06/2000 = ENTRY REASSIGNS HEARING to 07/12/00 at 10:00AM Room 202 (LJM) c/m Re: Fairness Hearing eod 07/06/00 [DLD]

07/07/2000 69 REPORT to the Court (Further) and eod 07/10/00 [KJM]

07/07/2000 = Motion to withdraw request for evidentiary hearing. c/s eod 07/10/00 [KJM]

07/12/2000 70 ENTRY - Fairness hearing held. Counsel for Defendant to prepare entry. eod 07/12/00 [DLD]

07/12/2000 71 ENTRY that the motion to withdraw should be and is hereby GRANTED pursuant to Rule 23(e) FRCP. The motion to terminate prospective relief should be and is hereby GRANTED. eod 07/13/00 [DLD]

07/12/2000 = ENTRY that the PLTF shall have 30 days from the date this entry is signed withing which to submit any request for award of costs and fees. cm LJM eod 07/13/00 [DLD]

07/12/2000 72 CLOSED Judgment Consent that the defts' motion to terminate prospective relief is GRANTED and the consent decree of 02/18/86, the order of 10/19/88, the 10/13/95, order approving the parties' joint report, and any other or entry mandating, enjoining, approving or otherwise on conditions at the Putnamville Correctional Facility are terminated. cm LJM OBV 46 PG 663 eod 07/13/00 [DLD]

07/13/2000 73 MOTION TO WITHDRAW appearance of Hamid Kashani on behalf of the pltfs c/s eod 07/13/00 [CBU]

07/14/2000 74 ORDER GRANTS Motion to W/D Appearance by Hamid Kashani on behalf of pltfs. cm LJM eod 07/17/00 [MAC]

07/26/2000 75 Motion to suspend time to file for Attorney Fees' due to likely settlement. cs PLTFS eod 07/27/00 [DLD]

07/28/2000 76 ORDER that the PLTFS to file for Attorneys' Fee is SUSPENDED and the plaintiffs are ORDERED to notify the

Court when the matter is fully resolved. cm LJM eod 07/31/00 [DLD]

11/15/2000 77 JUDGMENT that the DEFTS' motion to terminate prospective relief is GRANTED and all prospective relief in this case is terminated. cm LJM eod 11/17/00 [DLD]

11/15/2000 = OBV 46 PG 992 eod 11/17/00 [DLD]

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