

CLOSED

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:05-cv-00037-JPH-DLP**

MAST et al v. DONAHUE et al
Assigned to: Judge James Patrick Hanlon
Referred to: Magistrate Judge Doris L. Pryor
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/03/2005
Date Terminated: 07/23/2019
Jury Demand: None
Nature of Suit: 555 Prisoner Petitions –
Prison Condition
Jurisdiction: Federal Question

Plaintiff

BRIAN MAST

represented by **Elizabeth Alexander**
NATIONAL PRISON PROJECT OF THE
ACLU
915 15th Street, NW
7th Floor
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PRO HAC VICE

Kenneth J. Falk
ACLU OF INDIANA
1031 E. Washington Street
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Email: kfalk@aclu-in.org
ATTORNEY TO BE NOTICED

Plaintiff

MICHAEL WOODS

represented by **Elizabeth Alexander**
(See above for address)
PRO HAC VICE

Kenneth J. Falk
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

EUGENE WELLS
*on their own behalf and on behalf of a
class of those similarly situated*

represented by **Elizabeth Alexander**
(See above for address)
PRO HAC VICE

Kenneth J. Falk
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

J. DAVID DONAHUE
*in his official capacity as Commissioner
of the Indiana Department of Correction*

represented by **David A. Arthur**
INDIANA ATTORNEY GENERAL
Indiana Government Center South, 5th
Floor
302 West Washington St.
Indianapolis, IN 46204-2770
(317)232-6286

Fax: (317) 232-7979
 Email: David.Arthur@atg.in.gov
ATTORNEY TO BE NOTICED

Defendant**CRAIG HANKS**

*in his official capacity as Superintendent
 of the Wabash Valley Correctional
 Facility*

represented by **David A. Arthur**
 (See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-----------|--|
| 02/03/2005 | <u>1</u> | COMPLAINT for Declaratory and Injunctive Relief against J. DAVID DONAHUE, CRAIG HANKS , filed by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> (2) (3) (NKD,) (Entered: 02/03/2005)) |
| 02/03/2005 | <u>2</u> | CIVIL COVER SHEET by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>3</u> | Summons Issued as to J. DAVID DONAHUE, CRAIG HANKS, STEVE CARTER. (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>4</u> | MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>5</u> | MAGISTRATE JUDGE'S Summary of CMP Notice (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>6</u> | RECEIPT #201-1137 in the amount of \$ 150.00 filing fee. (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>7</u> | MOTION for Class Certification by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (NKD,) (Entered: 02/03/2005) |
| 02/03/2005 | <u>8</u> | MEMORANDUM in Support re <u>7</u> MOTION for Class Certification filed by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (NKD,) (Entered: 02/03/2005) |
| 02/14/2005 | <u>9</u> | NOTICE of Appearance by Richard M. Bramer on behalf of J. DAVID DONAHUE, CRAIG HANKS (Bramer, Richard) (Entered: 02/14/2005) |
| 02/16/2005 | <u>10</u> | RETURN of Service by CMRRR J. DAVID DONAHUE served on 2/8/2005. (NKD,) (Entered: 02/16/2005) |
| 02/16/2005 | <u>11</u> | RETURN of Service by CMRRR CRAIG HANKS served on 2/7/2005. (NKD,) (Entered: 02/16/2005) |
| 02/16/2005 | <u>12</u> | RETURN of Service by CMRRR Steve Carter, Attorney General of State of Indiana. (NKD,) (Entered: 02/16/2005) |
| 02/28/2005 | <u>13</u> | MOTION for Extension of Time to March 28, 2005 in which to <u>1</u> Complaint <i>to be answered</i> by all defendants. (Attachments: # <u>1</u> Text of Proposed Order)(Bramer, Richard) (Entered: 02/28/2005) |
| 03/01/2005 | <u>14</u> | ORDER granting <u>13</u> Defendants' Motion for Extension of Time to File response to Plaintiff's Complaint to and including 3/28/2005 . Signed by Judge William G. Hussmann Jr. on 3/1/2005. (FBD) (Entered: 03/01/2005) |
| 03/07/2005 | <u>15</u> | NOTICE of Change of Address of Co-Counsel by Kenneth J. Falk (Falk, Kenneth) (Entered: 03/07/2005) |
| 03/08/2005 | <u>16</u> | NOTICE of Filing Proposed Order by all plaintiffs (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/08/2005) |
| 03/09/2005 | <u>17</u> | NOTICE of Filing of Substitute Proposed Order by all plaintiffs (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/09/2005) |
| 03/10/2005 | <u>18</u> | ORDER granting plaintiffs' <u>7</u> Motion to Certify Class; it is ORDERED that this case is certified as a class for injunctive and declaratory relief; it is further ORDERED that class is defined as; all prisoners currently, and in the future, confined within the |

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| | | Secured Housing Unit at the Wabash Valley Correctional Facility who are mentally ill; it is further ORDERED that Kenneth J. Falk and David C. Fathi are appointed as counsel for class pursuant to Rule 23(g) of Federal Rules of Civil Procedure. Signed by Judge Larry J. McKinney on 03/10/05. cm (NKD,) (Entered: 03/10/2005) |
| 03/28/2005 | <u>19</u> | Second MOTION for Extension of Time to March 30, 2005 to answer Plaintiffs' Complaint by all defendants. (Attachments: # <u>1</u> Text of Proposed Order)(Bramer, Richard) (Entered: 03/28/2005) |
| 03/30/2005 | <u>20</u> | ANSWER to Complaint and affirmative defenses by J. DAVID DONAHUE, CRAIG HANKS.(Bramer, Richard) (Entered: 03/30/2005) |
| 03/31/2005 | <u>21</u> | ORDER granting <u>19</u> Defendant, Deputy Attorney General's Motion for Extension of Time to File answer to Plaintiff's Complaint to and including 3/30/2005 . Signed by Judge William G. Hussmann Jr. on 3/31/2005. (FBD) (Entered: 03/31/2005) |
| 03/31/2005 | <u>22</u> | NOTICE by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS Following Rule 26(f) Conference Outlining Discovery Plan (Falk, Kenneth) (Entered: 03/31/2005) |
| 04/08/2005 | <u>23</u> | NOTICE of Service of Initial Disclosures by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS (Falk, Kenneth) (Entered: 04/08/2005) |
| 05/09/2005 | <u>24</u> | NOTICE of Substitution of Appearance by David A. Arthur replacing Richard M. Bramer, Deputy Attorney General on behalf of J. DAVID DONAHUE, CRAIG HANKS (Arthur, David) (Entered: 05/09/2005) |
| 05/17/2005 | <u>25</u> | NOTICE of Appearance by Todd A. Weaver on behalf of J. DAVID DONAHUE, CRAIG HANKS (Weaver, Todd) (Entered: 05/17/2005) |
| 05/20/2005 | <u>26</u> | STIPULATION to Enter Qualified Protective Order Pursuant to the Health Insurance Portability and Accountability Act (Joint) by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/20/2005) |
| 05/20/2005 | <u>27</u> | Unopposed MOTION to Give Notice to Class by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit A – Class Notice)(Falk, Kenneth) (Entered: 05/20/2005) |
| 05/25/2005 | <u>28</u> | ORDER GRANTING Joint Stipulation to Enter Qualified Protective Order. (SEE ENTRY). Signed by Judge William G. Hussmann Jr. on 5/25/2005. (FBD) (Entered: 05/25/2005) |
| 05/25/2005 | <u>29</u> | ORDER DIRECTING NOTICE TO PLAINTIFF CLASS (SEE ENTRY). Signed by Judge William G. Hussmann Jr. on 5/25/2005. (FBD) (Entered: 05/25/2005) |
| 06/13/2005 | <u>30</u> | SCHEDULING ORDER: TELEPHONIC Status Conference set for 8/24/2005 02:00 PM before Magistrate Judge William G. Hussmann Jr . Signed by Judge William G. Hussmann Jr. on 6/13/05. (TMD) (Entered: 06/13/2005) |
| 06/23/2005 | <u>31</u> | MOTION request for copy of court record by BRIAN MAST. (VS,) (Entered: 06/23/2005) |
| 06/28/2005 | <u>32</u> | STIPULATION –Joint Supplemental– to Enter Qualified Protective Order Pursuant to the Health Insurance Portability and Accountability Act by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 06/28/2005) |
| 06/28/2005 | <u>33</u> | ENTRY directing further proceedings; counsel for plaintiff shall respond appropriately to request for putative class member Dominguez regarding action; request has been filed and scanned into the clerk's docket. Signed by Judge Larry J. McKinney on 06/28/05. (VS,) (Entered: 06/28/2005) |
| 06/29/2005 | <u>34</u> | Qualified PROTECTIVE ORDER Pursuant to the Health Insurance Portability and Accountability Act. Signed by Judge William G. Hussmann Jr. on 6/29/05. (TMD) (Entered: 06/29/2005) |
| 07/01/2005 | <u>35</u> | NOTICE by BRIAN MAST, MICHAEL WOODS, EUGENE WELLS Concerning Matthew Dominguez (Falk, Kenneth) (Entered: 07/01/2005) |

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| 08/01/2005 | <u>36</u> | ENTRY directing further proceedings denying <u>31</u> Motion for copy of entire record; clerk shall supply Mr. Dominguez with copy of docket sheet and copy of his request; Signed by Judge Larry J. McKinney on 08/01/05. (VS,) (Entered: 08/01/2005) |
| 08/09/2005 | <u>37</u> | MOTION for transfer to another facility by BRIAN MAST. (NKD,) (Entered: 08/09/2005) |
| 08/18/2005 | <u>38</u> | ENTRY directing further proceedings; denying <u>37</u> Motion to transfer to another prison. Signed by Judge Larry J. McKinney on 08/18/05. (VS,) (Entered: 08/18/2005) |
| 09/01/2005 | <u>39</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Telephonic Status Conference held on 8/24/2005. Parties are directed to file joint CMP by 9/09/05. (TMD) (Entered: 09/01/2005) |
| 09/07/2005 | <u>40</u> | CASE MANAGEMENT PLAN TENDERED by all plaintiffs. (Attachments: # <u>1</u> Mag. Judge's Summary of Case Mgt. Plan)(Falk, Kenneth) (Entered: 09/07/2005) |
| 09/12/2005 | <u>41</u> | ORDER: CASE MANAGEMENT PLAN APPROVED. SCHEDULING ORDER:The Conference set 8/24/05 WAS HELD. Settlement Conference set for 3/16/2006 10:00 AM in room #210 before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 9/12/05. (TMD) (Entered: 09/13/2005) |
| 10/11/2005 | <u>42</u> | Witness List <i>and Exhibit List –Preliminary–</i> by all plaintiffs. (Falk, Kenneth) (Entered: 10/11/2005) |
| 11/10/2005 | <u>43</u> | Exhibit List <i>and Witness List</i> by J. DAVID DONAHUE, CRAIG HANKS.. (Arthur, David) (Entered: 11/10/2005) |
| 12/29/2005 | <u>44</u> | Joint MOTION <i>to Extend Case Management Deadlines</i> by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/29/2005) |
| 12/29/2005 | <u>45</u> | MOTION <i>to Establish Trial Date</i> by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/29/2005) |
| 01/04/2006 | <u>46</u> | ORDER granting <u>45</u> Motion for order to establish trial date. Court Trial set for 7/10/2006 09:30 AM in room #215 before Judge Larry J. McKinney. Signed by Judge William G. Hussmann Jr. on 1/04/06. (TMD) (Entered: 01/04/2006) |
| 01/04/2006 | <u>47</u> | ORDER granting <u>44</u> Motion to Extend Case Management Deadlines . Signed by Judge William G. Hussmann Jr. on 1/04/06. (TMD) (Entered: 01/04/2006) |
| 01/12/2006 | <u>48</u> | Minute Entry on unscheduled conference call held 1/06/06: Court Trial set for 7/10/06 is VACATED AND RESET to 8/28/2006 (7 days) at 09:00 AM in room #215 before Judge Larry J. McKinney. The settlement conference set 3/16/06 is confirmed. Signed by Judge William G. Hussmann Jr. on 1/12/06. (TMD) (Entered: 01/12/2006) |
| 03/23/2006 | <u>49</u> | Unopposed MOTION for Extension of Time to April 4, 2006 <i>to Serve Expert Reports</i> by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/23/2006) |
| 03/23/2006 | <u>50</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Settlement Conference held on 3/16/2006. Current trial setting of 8/28/06 is CONFIRMED. Defendants counsel is directed to make arrangements to have the first day of the trial conducted at the Wabash Valley Correctional Facility in Carlisle, Indiana, commencing at 9:00 a.m. (EDT), and to have thesecond day of the trial (August 29, 2006) conducted at the New Castle Correctional Facility in New Castle, Indiana, commencing at 9:00 a.m. (EDT). All subsequent days of the trial will be conducted in Courtroom 202 of the U.S.Courthouse in Indianapolis, Indiana. (TMD) (Entered: 03/24/2006) |
| 03/28/2006 | <u>51</u> | ORDER granting plaintiffs' <u>49</u> Motion for Extension of Time; plaintiffs are to serve their expert reports no later than 04/04/06, with defendant to file their reports 30 days thereafter . Signed by Judge Larry J. McKinney on 03/28/06. (NKD,) (Entered: 03/28/2006) |
| 04/04/2006 | <u>52</u> | NOTICE by all plaintiffs <i>of Service of Experts' Reports on Defendants</i> (Falk, Kenneth) (Entered: 04/04/2006) |
| 04/27/2006 | <u>53</u> | Unopposed MOTION for Extension of Time to 05/05/2006 <i>to file witness and exhibit lists</i> by J. DAVID DONAHUE, CRAIG HANKS. (Attachments: # <u>1</u> Text of Proposed Order)(Arthur, David) (Entered: 04/27/2006) |

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| 04/28/2006 | <u>54</u> | Witness List <i>and Exhibit List – Final</i> by all plaintiffs. (Falk, Kenneth) (Entered: 04/28/2006) |
| 05/02/2006 | <u>55</u> | ORDER granting <u>53</u> Motion for Extension of Time to File witness and exhibit lists to 05/05/06 . Signed by Judge Larry J. McKinney on 05/02/06. (VS,) (Entered: 05/02/2006) |
| 05/05/2006 | <u>56</u> | Joint MOTION <i>to Extend Case Management Deadlines So That Parties May Pursue Settlement</i> by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/05/2006) |
| 05/10/2006 | <u>57</u> | ORDER granting <u>56</u> Motion to Extend Case Management Deadline. Final witness and exhibit list and expert disclosure due 6/09/06. Dispositive Motions due by 7/7/2006. Motions to preclude or limit expert testimony shall be filed no later than 8/11/06. Parties shall file a status report concerning settlement no later than 6/05/06. Signed by Judge William G. Hussmann Jr. on 5/10/06. (TMD) (Entered: 05/10/2006) |
| 05/10/2006 | <u>58</u> | SCHEDULING ORDER: Final Pretrial Conference set for 8/11/06 at 11:00 AM in room #204 before Judge Larry J. McKinney. Signed by Judge Larry J. McKinney on 05/10/06. (GJQ) (Entered: 05/10/2006) |
| 06/05/2006 | <u>59</u> | STATUS REPORT (<i>Joint</i>) by all plaintiffs. (Falk, Kenneth) (Entered: 06/05/2006) |
| 06/05/2006 | <u>60</u> | Order on Attorney Conference call held 5/31/06. Settlement Conference set for 7/6/2006 09:30 AM in room #210 before Magistrate Judge William G. Hussmann Jr. Current trial setting of 8/28/06 remains on calendar. Other internal litigation deadlines are STAYED until a settlement conference can be held. Signed by Judge William G. Hussmann Jr. on 6/05/06. (TMD) (Entered: 06/05/2006) |
| 06/09/2006 | <u>61</u> | ORDER APPROVING <u>59</u> Status Report filed by BRIAN MAST,, MICHAEL WOODS,, EUGENE WELLS. Settlement conference set 7/6/06 at 9:30 am. Signed by Judge William G. Hussmann Jr. on 6/09/06. (TMD) (Entered: 06/09/2006) |
| 07/20/2006 | <u>62</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Settlement Conference held on 7/6/2006. (SMD) (Entered: 07/21/2006) |
| 07/21/2006 | | SCHEDULING ORDER: Status Conference set for 7/24/2006 01:30 PM Telephonic before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 7/20/06. (SMD) (Entered: 07/21/2006) |
| 07/25/2006 | <u>63</u> | MOTION to Withdraw as Attorney by J. DAVID DONAHUE, CRAIG HANKS. (Attachments: # <u>1</u> Text of Proposed Order)(Weaver, Todd) (Entered: 07/25/2006) |
| 07/25/2006 | <u>64</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Telephonic Status Conference held on 7/24/2006. (TMD) (Entered: 07/25/2006) |
| 07/25/2006 | | SCHEDULING ORDER: Final pre-trial conference set 8/11/06 and trial date of 8/28/06 are VACATED. Bench Trial set (7 days) for 11/13/2006 09:00 AM in room #215 before Judge Larry J. McKinney. Final Pretrial Conference set for 10/19/2006 11:00 AM in room #204 before Judge Larry J. McKinney. Settlement Conference set for 8/28/2006 01:30 PM in room #328 before Magistrate Judge William G. Hussmann Jr. Discovery due by 9/22/2006. Signed by Judge William G. Hussmann Jr. on 7/25/06. (TMD) (Entered: 07/25/2006) |
| 07/26/2006 | <u>65</u> | ORDER granting <u>63</u> Motion to Withdraw as Attorney. Appearance of Todd A. Weaver for defendants is withdrawn. Signed by Judge William G. Hussmann Jr. on 7/26/06. (TMD) (Entered: 07/26/2006) |
| 09/25/2006 | <u>66</u> | MOTION <i>for Defendants to Bring a Representative of the New Castle Correctional Facility to October 11, 2006 Settlement Conference</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/25/2006) |
| 10/05/2006 | <u>67</u> | ORDER granting <u>66</u> Motion for Defendants to Bring a Representative of the New Castle Correctional Facility to the 10/11/06 Settlement Conference. Signed by Judge William G. Hussmann Jr. on 10/5/06. (SMD) (Entered: 10/05/2006) |
| 10/05/2006 | <u>68</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Status Conference held on 9/13/2006. (SMD) (Entered: 10/05/2006) |

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| 10/05/2006 | | SCHEDULING ORDER: Settlement Conference set for 10/11/2006 10:00 AM in room #355 (IP) before Magistrate Judge John Paul Godich. Defendants are directed to have present a representative from the Indiana Department of Correction. Signed by Judge William G. Hussmann Jr. on 10/5/06. (SMD) (Entered: 10/05/2006) |
| 10/11/2006 | <u>69</u> | Joint MOTION for Continuance of Trial and Final Pre-Trial Conference, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 10/11/2006) |
| 10/11/2006 | <u>70</u> | ENTRY for 10/11/06: The parties appeared in person and by counsel for Settlement Conference. Conference held and concluded w/o resolution., SCHEDULING ORDER: Settlement Conference set for 11/6/2006 01:30 PM in room #355 before Magistrate Judge John Paul Godich. The parties were ordered to appear in person and by counsel and Defts were ordered to produce CMA representatives. Signed by Judge John Paul Godich on 10/11/06. (SWM) (Entered: 10/13/2006) |
| 10/12/2006 | <u>71</u> | ORDER granting <u>69</u> Motion for Continuance. Trial set 11/13/06 and final pretrial conference set 10/19/06 are VACATED. Telephonic Status Conference set for 1/3/2007 05:00 PM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 10/12/06. (TMD) (Entered: 10/13/2006) |
| 12/07/2006 | <u>72</u> | ORDER: The parties appeared by counsel for Telephone Status Conference on 12/6/06. SCHEDULING ORDER: Status Conference set for 12/22/2006 11:00 AM in room #355 before Magistrate Judge John Paul Godich. Pltfs are ordered to appear by counsel. Defts are ordered to appear by counsel and with appropriate representatives of the IDOC. Signed by Judge John Paul Godich on 12/7/06. (SWM) (Entered: 12/08/2006) |
| 01/04/2007 | <u>73</u> | SCHEDULING ORDER: Status Conference set for 1/23/2007 01:30 PM in room #355 before Magistrate Judge John Paul Godich. Defts are ordered to produce CMA representatives in person. Signed by Judge John Paul Godich on 1/4/07. (SWM) (Entered: 01/05/2007) |
| 01/19/2007 | <u>74</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Telephonic Status Conference held on 1/3/2007. By separate order, a settlement conference has been set before Magistrate John Paul Godich on 1/23/07. (NRN) (Entered: 01/19/2007) |
| 01/30/2007 | <u>75</u> | NOTICE, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS of Tendering of Private Settlement Agreement. (Attachments: # <u>1</u> Private Settlement Agreement) (Falk, Kenneth) (Entered: 01/30/2007) |
| 01/30/2007 | <u>76</u> | MOTION to Approve Form and Manner of Class Notice and Request to Set Fairness Hearing, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Class Notice# <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 01/30/2007) |
| 02/05/2007 | <u>77</u> | ORDER granting <u>76</u> Motion APPROVED and shall be given as specified in paragraphs 25 and 26 of private settlement agreement Hearing set for 3/30/2007 10:00 AM in room #215 before Judge Larry J. McKinney.. Signed by Judge Larry J. McKinney on 02/05/07. (VS) (Entered: 02/05/2007) |
| 02/08/2007 | <u>78</u> | Letter from Nathan Gaustad regarding case status. (PG) (Entered: 02/09/2007) |
| 03/20/2007 | <u>79</u> | MOTION for Continuance of Fairness Hearing/Report of Class Counsel, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Summary of Prisoner Comments# <u>2</u> Prisoner Comments Pt 1# <u>3</u> Prisoner Comments Pt. 2# <u>4</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/20/2007) |
| 03/22/2007 | <u>80</u> | ORDER granting <u>79</u> Motion for ContinuanceSCHEDULING ORDER: Hearing set for 6/6/2007 10:00 AM in room #202 before Judge Larry J. McKinney.. Signed by Judge Larry J. McKinney on 03/22/07. (VS) (Entered: 03/22/2007) |
| 04/10/2007 | <u>81</u> | MOTION for Conference, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/10/2007) |
| 04/16/2007 | <u>82</u> | Letter Regarding case - Oscar Smith # 861084 (VS) (Entered: 04/16/2007) |

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| 04/30/2007 | <u>83</u> | ORDER granting <u>81</u> Motion for conference.SCHEDULING ORDER: Status Conference set for 5/18/2007 10:00 AM in room #353 (Indianapolis) before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 4/30/07. (TMD) (Entered: 04/30/2007) |
| 05/25/2007 | | SCHEDULING ORDER: Fairness Hearing set for 6/06/07 is VACATED AND RESET to 9/7/2007 10:00 AM in room #202 before Judge Larry J. McKinney. Signed by Judge William G. Hussmann Jr. on 5/25/07. (TMD) (Entered: 05/25/2007) |
| 05/25/2007 | <u>84</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Pretrial Conference held on 5/18/2007. (TMD) (Entered: 06/01/2007) |
| 07/12/2007 | <u>85</u> | Letter received from Steven o'Bryant concerning settlement of case (VS) (Entered: 07/12/2007) |
| 08/13/2007 | <u>86</u> | MOTION for Attorneys' Conference, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS., (Attachments: # <u>1</u> Text of Proposed Order Order No. 1# <u>2</u> Text of Proposed Order Order No. 2)(Falk, Kenneth) (Entered: 08/13/2007) |
| 08/15/2007 | <u>87</u> | ORDER granting <u>86</u> Motion for Attorneys' Conference. Telephonic conference of attorneys is set for 8/28/2007 09:30 AM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 8/15/07. (TMD) (Entered: 08/15/2007) |
| 08/31/2007 | <u>88</u> | Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Status Conference held on 8/28/2007. (SMD) (Entered: 08/31/2007) |
| 08/31/2007 | | SCHEDULING ORDER:Fairness Hearing set for 9/7/07 VACATED and RESET for 9/21/2007 10:00 AM in room #202 in Indianapolis before Judge Larry J. McKinney. Signed by Judge William G. Hussmann Jr. on 8/31/07. (SMD) (Entered: 08/31/2007) |
| 09/05/2007 | <u>89</u> | CORRECTING ORDER: Fairness Hearing set for 9/07/07 is RESET to 11/21/2007 10:00 AM in room #202 before Judge Larry J. McKinney. Signed by Judge William G. Hussmann Jr. on 9/05/07. (TMD) (Entered: 09/05/2007) |
| 09/18/2007 | <u>90</u> | MOTION to Appear pro hac vice by Elizabeth Alexander, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(PG) (Entered: 09/18/2007) |
| 09/18/2007 | <u>91</u> | *VOIDED* RECEIPT #IP 3275 in the amount of \$ 30.00 for phv fee, Alexander (PG) Modified on 9/19/2007 (WJC). Modified on 9/19/2007 (WJC). (Entered: 09/18/2007) |
| 09/20/2007 | <u>92</u> | RECEIPT #TH 000178 in the amount of \$ 30.00 FOR (Elizabeth Alexader) PHV (VS) (Entered: 09/20/2007) |
| 09/21/2007 | <u>93</u> | NOTICE of Substitution of Appearance by Kenneth J. Falk replacing <i>David Fathi</i> on behalf of all plaintiffs (Falk, Kenneth) (Entered: 09/21/2007) |
| 09/24/2007 | <u>94</u> | ORDER granting <u>90</u> Motion to Appear pro hac vice. Attorney Elizabeth Alexander for BRIAN MAST, EUGENE WELLS and MICHAEL WOODS added. Signed by Judge William G. Hussmann Jr. on 9/24/07. (TMD) Modified on 9/24/2007 (TMD). (Entered: 09/24/2007) |
| 10/18/2007 | <u>95</u> | NOTICE (<i>JOINT</i>) of Substitution of Attachment to Private Settlement Agreement and Plaintiffs' Motion to Approve Form and Manner of Notice to the Class, filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS (Attachments: # <u>1</u> class notice# <u>2</u> Executive Directive# <u>3</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 10/18/2007) |
| 10/18/2007 | <u>96</u> | Letter Regarding medications – James Snodgrass (VS) (Entered: 10/19/2007) |
| 10/19/2007 | <u>97</u> | ORDER granting plaintiff's Motion to Approve Form and Manner of Supplemental Notice to the Class; supplemental notice to the class is approved; notice shall be given and class counsel shall file their report as provided in Motion. Signed by Judge Larry J. McKinney on 10/19/07. (NKD) (Entered: 10/22/2007) |
| 10/25/2007 | <u>98</u> | Submission of Entry concerning case, filed by Plaintiff BRIAN MAST. (NKD) (Entered: 10/25/2007) |

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| 11/05/2007 | <u>99</u> | Submission of Entry, filed by Plaintiff BRIAN MAST. (NKD) (Entered: 11/05/2007) |
| 11/19/2007 | <u>100</u> | Submission <i>Report of Class Counsel Following Notice to the Class</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Attachment – Prisoner letters)(Falk, Kenneth) (Entered: 11/19/2007) |
| 11/20/2007 | <u>101</u> | Submission <i>Supplemental Report to the Court Following Notice to the Class</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Falk, Kenneth) (Entered: 11/20/2007) |
| 11/21/2007 | <u>102</u> | ENTRY: Parties appear by counsel for Class Action Settlement Fairness Hearing on 11/21/07. On the record the Court made findings pursuant to Rule 23(e) and to the factors for making a finding that a settlement is fair, reasonable, and adequate pursuant to the Seventh Circuit's directives. Parties shall provide the necessary Order for the Court's signature. Signed by Judge Larry J. McKinney on 11/21/07. (GJQ) (Entered: 11/21/2007) |
| 11/26/2007 | <u>103</u> | NOTICE of <i>Submission of Proposed Order</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 11/26/2007) |
| 11/26/2007 | <u>104</u> | ORDER finding private settlement agreement to be fair, reasonable and adequate pursuant to rule 23(e) of the federal rules of civil procedure; ORDERED this matter is hereby STAYED for two years from this date, thereafter to be dismissed without prejudice to being reinstated by plaintiffs or class members pursuant to terms of paragraph 28 of the private settlement agreement. Signed by Judge Larry J. McKinney on 11/26/07. (VS) (Entered: 11/27/2007) |
| 12/05/2007 | <u>105</u> | MOTION to <i>Establish Schedule to File For Attorneys' Fees Pursuant to Paragraph 23 of the Private Settlement Agreement</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/05/2007) |
| 12/06/2007 | <u>106</u> | ORDER granting plaintiff's <u>105</u> Motion to establish schedule to file for attorney fees; plaintiff's shall have to and including 02/03/08n to file initial request for attorneys' fees and costs for monitoring. Signed by Judge Larry J. McKinney on 12/06/07. (VS) (Entered: 12/06/2007) |
| 01/16/2008 | <u>107</u> | Submission of a document filed by JOHN ERIC THOMAS(CBU) (Entered: 01/17/2008) |
| 01/30/2008 | <u>109</u> | MOTION for Temporary Restraining Order, filed by Plaintiff BRIAN MAST. (PG) (Entered: 02/01/2008) |
| 01/31/2008 | <u>108</u> | MOTION for Extension of Time to March 4, 2008 <i>for Plaintiffs to File for Attorneys' Fees and Costs (Agreed)</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 01/31/2008) |
| 02/06/2008 | <u>110</u> | ORDER granting Plaintiffs' <u>108</u> Motion for Extension of Time to File initial request for attorneys' fees and costs for monitoring to 3/4/08. Signed by Magistrate Judge William G. Hussmann, Jr on 2/6/08. (SMD) (Entered: 02/06/2008) |
| 02/15/2008 | <u>111</u> | MOTION for Pretrial Conference, filed by Plaintiff BRIAN MAST. (VS) (Entered: 02/19/2008) |
| 02/25/2008 | <u>112</u> | ENTRY Directing Further Proceedings; ORDER denying <u>109</u> Motion for temporary restraining order filed by Brian Mast. Signed by Judge Larry J. McKinney on 02/25/08. (NKD) (Entered: 02/26/2008) |
| 02/27/2008 | <u>113</u> | Second MOTION for Extension of Time to April 3, 2008 <i>for Plaintiffs to File for Attorneys' Fees and Costs</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 02/27/2008) |
| 03/03/2008 | <u>114</u> | ORDER granting plaintiff's <u>113</u> Motion for Extension of Time; plaintiffs shall have to and including 04/03/08 to file their initial request for attorneys' fees and costs for monitoring in this matter. Signed by Judge Larry J. McKinney on 03/03/08. (NKD) (Entered: 03/04/2008) |

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| 03/07/2008 | <u>115</u> | MOTION for pre-trial conference, filed by Plaintiff BRIAN MAST. (NKD) (Entered: 03/07/2008) |
| 04/01/2008 | <u>116</u> | Third MOTION for Extension of Time to May 5, 2008 <i>for Plaintiffs to File for Attorneys' Fees and Costs (Agreed)</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/01/2008) |
| 04/03/2008 | <u>117</u> | ORDER granting <u>116</u> Motion for Extension of Time to 5/05/08 to file initial request for attorneys' fees and costs. Signed by Magistrate Judge William G. Hussmann, Jr on 4/03/08. (TMD) (Entered: 04/03/2008) |
| 05/02/2008 | <u>118</u> | Fourth MOTION for Extension of Time to June 4, 2008 <i>for Plaintiffs to File for Attorneys' Fees and Costs</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/02/2008) |
| 05/07/2008 | <u>119</u> | ORDER granting <u>118</u> Motion for Extension of Time to 6/04/08 for filing of initial request for attorneys' fees and costs. Signed by Magistrate Judge William G. Hussmann, Jr on 5/07/08. (TMD) (Entered: 05/07/2008) |
| 06/03/2008 | <u>120</u> | NOTICE <i>Concerning Attorneys' Fees and Costs</i> , filed by Plaintiffs BRIAN MAST, MICHAEL WOODS, EUGENE WELLS (Falk, Kenneth) (Entered: 06/03/2008) |
| 08/07/2008 | <u>121</u> | ORDER denying <u>111</u> Motion for Pretrial Conference; denying <u>115</u> Motion. Signed by Judge Larry J. McKinney on 08/07/08. (VS) (Entered: 08/07/2008) |
| 10/06/2008 | <u>122</u> | Submission APPEARANCE of Class Action Plaintiff, filed by Eric D. Smith(TRG) (Entered: 10/07/2008) |
| 10/07/2008 | <u>123</u> | MOTION for Order Holding Defendants in Contempt of Court for Violating the Settlement Agreement and for Award of Punitive Damages, filed by Eric D. Smith. (Attachments: # <u>1</u> Attachment No. 1, # <u>2</u> Attachment No. 2)(TRG) (Entered: 10/07/2008) |
| 10/21/2008 | <u>124</u> | ENTRY concerning selected matters; denying <u>123</u> Motion for order holding defendants in contempt of court. Signed by Judge Larry J. McKinney on 10/21/08. (VS) (Entered: 10/21/2008) |
| 03/25/2009 | <u>125</u> | SCHEDULING ORDER: Telephonic Status Conference set for 4/28/2009 03:00 PM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 3/25/2009.(TMD) (Entered: 03/25/2009) |
| 03/25/2009 | <u>126</u> | Unopposed MOTION for Continuance of <i>telephonic status conference</i> , filed by Defendants J. DAVID DONAHUE, CRAIG HANKS. (Attachments: # <u>1</u> Text of Proposed Order)(Arthur, David) (Entered: 03/25/2009) |
| 03/26/2009 | <u>127</u> | ORDER granting <u>126</u> Motion for Continuance of telephonic status conference. Telephonic Status Conference set for 4/28/09 is VACATED AND RESET TO 6/1/2009 11:00 AM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 3/26/2009. (TMD) (Entered: 03/26/2009) |
| 05/29/2009 | <u>128</u> | SCHEDULING ORDER: Telephonic Status Conference set for 6/01/09 is RESET TO 6/2/2009 11:00 AM (bridge)before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 5/29/2009.(TMD) (Entered: 05/29/2009) |
| 06/04/2009 | <u>129</u> | Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 6/2/2009. (TMD) (Entered: 06/05/2009) |
| 06/04/2009 | | SCHEDULING ORDER: Telephonic Status Conference set for 12/7/2009 09:15 AM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 6/4/2009.(TMD) (Entered: 06/05/2009) |
| 09/16/2009 | <u>130</u> | Clerk's Notice of Change of Terre Haute Division Mailing Address. (JD) (Entered: 09/16/2009) |

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| 11/30/2009 | <u>131</u> | NOTICE <i>to the Court Concerning Case Status (JOINT)</i> , filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 11/30/2009) |
| 12/04/2009 | <u>132</u> | ORDER re <u>131</u> Notice to Court Concerning Case Status filed by EUGENE WELLS, BRIAN MAST and MICHAEL WOODS – Based on the information set out herein, the telephone status conference set for 12/7/09 @ 9:15 am is VACATED. Signed by Magistrate Judge William G. Hussmann, Jr on 12/4/2009.(SMD) (Entered: 12/04/2009) |
| 12/31/2009 | <u>133</u> | CLOSED DISMISSED without prejudice ; pursuant to Court's Entry of 11/26/07, subject to reinstatement by plaintiffs or class members pursuant to terms of paragraph 28 of parties' Private Settlement Agreement. Signed by Judge Larry J. McKinney on 12/31/2009.(NKD) (Entered: 12/31/2009) |
| 06/15/2010 | <u>134</u> | DECLARATION of John Eric Thomas by BRIAN MAST. (NKD) (Entered: 06/16/2010) |
| 06/03/2013 | <u>135</u> | MOTION Requesting Copies of the complt and any amended complts – Request made by Kyle Payment. (Attachments: # <u>1</u> Envelope)(CBU) (Entered: 06/04/2013) |
| 06/10/2013 | <u>136</u> | ENTRY – The non-party request for a copy of the complaint [Dkt. No. 135] is granted to the extent that Kyle L. Payment is notified that the cost of obtaining a copy of the 21-page complaint with attachments is Ten Dollars and Fifty Cents (\$10.50). (See Entry.) Copy mailed pursuant to distribution list. Signed by Judge Larry J. McKinney on 6/10/2013. (RSF) (Entered: 06/10/2013) |
| 10/06/2014 | <u>137</u> | NOTICE of Claim for Tort filed by JOE HOWARD MCCLAIN. No c/s. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Envelope) (AH) (Entered: 10/07/2014) |
| 03/18/2019 | <u>138</u> | STIPULATION <i>to Terminate Private Settlement Agreement Following Notice to the Class and Approval by the Court / Joint Motion to Approve Manner of Notice</i> , filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Falk, Kenneth) (Entered: 03/18/2019) |
| 03/18/2019 | <u>139</u> | MOTION <i>to Approve Class Notice</i> , filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Attachments: # <u>1</u> Proposed class notice, # <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/18/2019) |
| 03/19/2019 | <u>140</u> | ORDER REASSIGNING CASE. Pursuant to Title 28 U.S.C. Section 137 and Local Rule 401(f) of the Southern District of Indiana, the Clerk is directed to randomly reassign this case to a District Judge and Magistrate Judge. Upon completion of the reassignment the Clerk will notify the parties in the case of the newly assigned Judges. Signed by Judge Jane Magnus-Stinson on 3/19/2019.(NLR) (Entered: 03/19/2019) |
| 03/19/2019 | <u>141</u> | NOTICE of Reassignment of Case to Judge James Patrick Hanlon and Magistrate Judge Doris L. Pryor. Judge Larry J. McKinney, Magistrate Judge William G. Hussmann, Jr is no longer assigned to this case. Please include the new case number, 2:05-cv-00037-JPH-DLP , on all future filings in this matter. (NLR) (Entered: 03/19/2019) |
| 03/20/2019 | <u>142</u> | ORDER APPROVING FORM AND MANNER OF CLASS NOTICE – The plaintiffs' Motion to Approve Class Notice, dkt <u>139</u> , is granted. IT IS ORDERED that the proposed class notice is approved, and it shall be given as set out in the parties' Stipulation. IT IS FURTHER ORDERED that no earlier than 30 days after the notice is first posted or delivered as set out in the Stipulation, plaintiffs' counsel shall report back to the Court as to the results of the notice. The requested fairness hearing shall be set by separate Order. (See Order.) Signed by Judge James Patrick Hanlon on 3/20/2019. (DMW) (Entered: 03/20/2019) |
| 03/20/2019 | <u>143</u> | ENTRY REOPENING CASE – This action was closed on December 31, 2009, subject to reinstatement by plaintiffs or class members pursuant to the terms of the parties' Private Settlement Agreement. See dkt 75-1. The parties have now stipulated to terminate the Private Settlement Agreement following notice to the class and approval by the Court. Accordingly, this civil case is now reinstated, consistent with 18 U.S.C. § 3626(c). The clerk is directed to reopen this action on the docket. (See Entry.) Signed by Judge James Patrick Hanlon on 3/20/2019. (DMW) (Entered: 03/20/2019) |

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| 03/20/2019 | <u>144</u> | ORDER SETTING FAIRNESS HEARING – The Court now SCHEDULES this matter for a fairness hearing on June 20, 2019, at 10:00 a.m. in Room 131, United States Courthouse, 921 Ohio Street, Terre Haute, Indiana. Signed by Judge James Patrick Hanlon on 3/20/2019. (DMW) (Entered: 03/20/2019) |
| 03/20/2019 | <u>145</u> | MOTION to Approve Amended Class Notice, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Attachments: # <u>1</u> Amended class notice, # <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/20/2019) |
| 04/02/2019 | <u>146</u> | ORDER – Granting <u>145</u> Motion to Approve Amended Class Notice. The amended class notice shall be given in the manner provided in this Court's Order of March 20, 2019 (Dkt. <u>142</u>), in place of the notice previously approved in that Order. Signed by Judge James Patrick Hanlon on 4/2/2019. (DMW) (Entered: 04/02/2019) |
| 04/17/2019 | <u>147</u> | MOTION for Leave to Intervene, filed by non-party PHILLIP LITTLER. (Attachments: # <u>1</u> Exhibits)(MAT) (Entered: 04/17/2019) |
| 05/01/2019 | <u>148</u> | Letter from Non-party, Mitakuye Oyasin. (Attachments: # <u>1</u> Envelope) (MAT) (Entered: 05/02/2019) |
| 05/03/2019 | <u>149</u> | MOTION for Acknowledgement, filed by Non-Party PHILLIP LITTLER. (Attachments: # <u>1</u> Exhibit)(LBT) (Entered: 05/03/2019) |
| 05/15/2019 | <u>150</u> | DECLARATION of Non-Party, Gregory A. Taylor. (Attachments: # <u>1</u> Exhibit)(DMW) (Entered: 05/15/2019) |
| 06/06/2019 | <u>151</u> | ENTRY DISCUSSING PHILLIP LITTLER'S MOTION TO INTERVENE – Phillip Littler, an Indiana State prisoner, seeks leave to intervene in this class action. The request to intervene, dkt <u>147</u> , is denied as unnecessary because Rule 23(e) (5) of the Federal Rules of Civil Procedure specifically provides that "[a]ny class member may object to the proposal if it requires court approval." Mr. Littler's motion to acknowledge the fact that he filed a motion for leave to intervene, dkt <u>149</u> , is granted. The motion was received and filed. (See Entry.) Copy via U.S. Mail pursuant to distribution list. Signed by Judge James Patrick Hanlon on 6/6/2019. (DMW) (Entered: 06/07/2019) |
| 06/10/2019 | <u>152</u> | REPORT of Class Counsel by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Bates, # <u>2</u> Exhibit Cuckovic, # <u>3</u> Exhibit Dimmett, # <u>4</u> Exhibit Douglass, # <u>5</u> Exhibit Hale, # <u>6</u> Exhibit Justise, # <u>7</u> Exhibit Grimsley, # <u>8</u> Exhibit McDaniel, # <u>9</u> Exhibit Miller, # <u>10</u> Exhibit Riley, # <u>11</u> Exhibit Robertson, # <u>12</u> Exhibit Spivey, # <u>13</u> Exhibit Valle, # <u>14</u> Exhibit Phipps, # <u>15</u> Exhibit Prisoner A– Seal Notice, # <u>16</u> Exhibit Prisoner B– Seal Notice, # <u>17</u> Exhibit Prisoner C– Seal Notice, # <u>18</u> Exhibit Prisoner D– Seal Notice, # <u>19</u> Exhibit Prisoner E– Seal Notice, # <u>20</u> Exhibit Prisoner F– Seal Notice, # <u>21</u> Exhibit Prisoner G– Seal Notice, # <u>22</u> Exhibit Prisoner H– Seal Notice, # <u>23</u> Exhibit Prisoner I– Seal Notice, # <u>24</u> Exhibit Prisoner J– Seal Notice, # <u>25</u> Exhibit Prisoner K– Seal Notice, # <u>26</u> Exhibit Prisoner L– Seal Notice, # <u>27</u> Exhibit DSM–IV Excerpt)(Falk, Kenneth) (Entered: 06/10/2019) |
| 06/10/2019 | <u>153</u> | Unopposed SEALED MOTION to Maintain Certain Documents Under Seal, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Attachments: # <u>1</u> Letter–Prisoner A, # <u>2</u> Letter –Prisoner B, # <u>3</u> Letter–Prisoner C, # <u>4</u> Letter–Prisoner D, # <u>5</u> Letter–Prisoner E, # <u>6</u> Letter–Prisoner F, # <u>7</u> Letter–Prisoner G, # <u>8</u> Letter–Prisoner H, # <u>9</u> Letter–Prisoner I, # <u>10</u> Letter–Prisoner J, # <u>11</u> Letter–Prisoner K, # <u>12</u> Letter–Prisoner L)(Falk, Kenneth) (Entered: 06/10/2019) |
| 06/10/2019 | <u>154</u> | MOTION to Maintain Document Under Seal <u>153</u> Unopposed SEALED MOTION to Maintain Certain Documents Under Seal , filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 06/10/2019) |
| 06/10/2019 | <u>155</u> | BRIEF/MEMORANDUM in Support re <u>153</u> Unopposed SEALED MOTION to Maintain Certain Documents Under Seal , filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS. (Falk, Kenneth) (Entered: 06/10/2019) |
| 06/17/2019 | <u>156</u> | The Plaintiff's Unopposed Motion to Maintain Certain Documents Under Seal and Motion to Maintain the Motion Under Seal, dkts <u>153</u> and <u>154</u> , are granted. Docket number 153 discloses individual mental health histories and shall remain restricted to court users and case participants. Docket number 154 remains unrestricted. (See |

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| | | Order.) Signed by Judge James Patrick Hanlon on 6/17/2019. (DMW) (Entered: 06/17/2019) |
| 06/18/2019 | <u>157</u> | NOTICE of Submission of Proposed Order, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 06/18/2019) |
| 06/20/2019 | <u>158</u> | NOTICE of Citation to Supplemental Authority, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Falk, Kenneth) (Entered: 06/20/2019) |
| 06/24/2019 | <u>159</u> | NOTICE of Submission of Proposed Order, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) (Entered: 06/24/2019) |
| 06/24/2019 | <u>160</u> | MINUTE ORDER for proceedings held before Judge James Patrick Hanlon: On June 20, 2019, the Court held a hearing on the parties' Stipulation to Terminate Private Settlement Agreement Following Notice to the Class and Approval by the Court, dkt. 138, to determine if the proposed stipulation is fair, reasonable and adequate as required under Fed. R. Civ. P. 23(e)(2). Plaintiffs appeared by counsel, Kenneth Faulk, and Defendants appeared by counsel, senior Deputy Attorney General David Arthur. The hearing was recorded by Court Reporter, David Moxley. The Court found that proper and adequate notice was given, consistent with the Court's Order, dkt. 142, and the requirements of Federal Rule of Civil Procedure 23(e)(1). Prior to the hearing, counsel filed a proposed order, dkt. 157. Within seven (7) days, counsel shall prepare and submit a supplemental proposed final judgment. The Stipulation to Terminate the Private Settlement Agreement is taken under advisement. (*See Entry for further details.) Signed by Judge James Patrick Hanlon. (PKP) (Entered: 06/25/2019) |
| 06/27/2019 | <u>161</u> | NOTICE of Submission of Additional Letter from Prisoner, filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Attachments: # <u>1</u> Exhibit Letter from Mr. Sims) (Falk, Kenneth) (Entered: 06/27/2019) |
| 07/02/2019 | <u>162</u> | NOTICE of Submission of Additional Information from Prisoner (SECOND), filed by Plaintiffs BRIAN MAST, EUGENE WELLS, MICHAEL WOODS (Falk, Kenneth) (Entered: 07/02/2019) |
| 07/23/2019 | <u>163</u> | ORDER – On March 18, 2019, the parties filed a Stipulation to Terminate the Private Settlement Agreement Following Notice to the Class and Approval by the Court ("the Stipulated Agreement"). On June 20, 2019, the Court conducted a fairness hearing, as required under Federal Rule of Civil Procedure 23(e). For the reasons that follow, the Court finds that the Stipulated Agreement is fair, reasonable, and adequate, and approves the termination of the Private Settlement Agreement. Dkt. <u>138</u> . Extending the operation of the IPAS Agreement will bring immediate, concrete benefits to many current and future DOC prisoners with serious mental illness. In contrast, the continued existence of the Mast Agreement would likely bring very little benefit to very few, if any, DOC prisoners. The agreement to terminate the Mast Agreement is fair, reasonable, and adequate. The parties' Stipulated Agreement is acknowledged and allowed to take effect. A separate order closing the case shall now issue. (See Order.) Signed by Judge James Patrick Hanlon on 7/23/2019. (DMW) (Entered: 07/23/2019) |
| 07/23/2019 | <u>164</u> | ORDER CLOSING CASE – The parties having filed their Stipulation to Terminate Private Settlement Agreement Following Notice to the Class and Approval by the Court, dkt. <u>138</u> , and the Court having concluded that the Stipulation to Terminate is fair, reasonable, and adequate, the Stipulation to Terminate is now deemed effective. The Private Settlement Agreement, dkt. 75–1, is TERMINATED, and, this matter is CLOSED. Signed by Judge James Patrick Hanlon on 7/23/2019. (DMW) (Entered: 07/23/2019) |
| 01/08/2020 | <u>165</u> | Submission of previously filed court order, filed by Plaintiff BRIAN MAST. (TMC) (Entered: 01/09/2020) |