

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:09-cv-00215-JMS-MJD**

ARNAOUT et al v. WARDEN
Assigned to: Judge Jane Magnus-Stinson
Referred to: Magistrate Judge Mark J. Dinsmore
Cause: 42:2000 Job Discrimination (Public Accommodations)

Date Filed: 06/18/2009
Date Terminated: 01/11/2013
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

JOHN LINDH

represented by **Gavin Minor Rose**
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V.

Defendant

WARDEN
*Federal Correctional Institution Terre
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Date Filed	#	Docket Text
06/18/2009	<u>1</u>	COMPLAINT against WARDEN, filed by ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Exhibit a)(VS) (Entered: 06/19/2009)

06/18/2009	<u>2</u>	CIVIL COVER SHEET, filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (VS) (Entered: 06/19/2009)
06/18/2009	<u>3</u>	Summons Issued as to WARDEN. Attorney General Office of USA (VS) (Entered: 06/19/2009)
06/18/2009	<u>4</u>	NOTICE of Appearance by Kenneth J. Falk on behalf of Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (VS) (Entered: 06/19/2009)
06/18/2009	<u>5</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (VS) (Entered: 06/19/2009)
06/18/2009	<u>6</u>	MAGISTRATE JUDGE'S Summary of CMP Notice (VS) (Entered: 06/19/2009)
06/18/2009	<u>7</u>	RECEIPT #th 000862 in the amount of \$ 350.00 (VS) (Entered: 06/19/2009)
07/08/2009	<u>8</u>	SUMMONS Returned Executed by all plaintiffs. WARDEN served on 7/1/2009. (Falk, Kenneth) (Entered: 07/08/2009)
08/18/2009	<u>9</u>	NOTICE of Appearance by Thomas E. Kieper on behalf of Defendant WARDEN. (Kieper, Thomas) (Entered: 08/18/2009)
08/18/2009	<u>10</u>	NOTICE of Parties' First Extension of Time, filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 08/18/2009)
09/16/2009	<u>11</u>	Clerk's Notice of Change of Terre Haute Division Mailing Address. (JD) (Entered: 09/16/2009)
09/23/2009	<u>12</u>	<i>Defendant's ANSWER to <u>1</u> Complaint and Defendant's Affirmative Defenses</i> , filed by WARDEN.(Kieper, Thomas) (Entered: 09/23/2009)
11/09/2009	<u>13</u>	MOTION to Amend/Correct <i>Complaint</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Proposed amended complaint, # <u>2</u> Exhibit A-C to Proposed Amended Complaint, # <u>3</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 11/09/2009)
11/09/2009	<u>14</u>	BRIEF/MEMORANDUM in Support re <u>13</u> MOTION to Amend/Correct <i>Complaint</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Falk, Kenneth) (Entered: 11/09/2009)
11/17/2009	<u>15</u>	Unopposed MOTION for Extension of Time to December 22, 2009, filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 11/17/2009)
12/03/2009	<u>16</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Summary of CMP)(Falk, Kenneth) (Entered: 12/03/2009)
12/16/2009	<u>17</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Dispositive Motions due by 8/23/2010. Settlement Conference set for 5/20/2010 10:00 AM in room #131 before Magistrate Judge William G. Hussmann, Jr. In light of the potential for SJ to resolve this matter, a trial date will be set at the settlement conference. Signed by Magistrate Judge William G. Hussmann, Jr., on 12/16/2009.(NRN) (Entered: 12/16/2009)
12/22/2009	<u>18</u>	RESPONSE in Opposition re <u>13</u> MOTION to Amend/Correct <i>Complaint Defendant's Objection to Plaintiff's Motion to File Amended Complaint</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Exhibit 1, Declaration of Harvey G. Church, # <u>2</u> Exhibit 2, Declaration of Bashar Murad)(Kieper, Thomas) (Entered: 12/22/2009)
12/23/2009	<u>19</u>	ORDER granting <u>15</u> Motion for Extension of Time to File Reponse to Amended Complaint to 12/22/2009. Signed by Magistrate Judge William G. Hussmann, Jr., on 12/23/2009. (NRN) (Entered: 12/23/2009)
12/28/2009	<u>20</u>	MOTION for Extension of Time to January 25, 2010 to file reply to <u>13</u> MOTION to Amend/Correct <i>Complaint</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/28/2009)

12/29/2009	<u>21</u>	ORDER granting <u>20</u> Motion for Extension of Time to File Reply re <u>13</u> MOTION to Amend/Correct <i>Complaint</i> . Reply due by 1/25/2010. Signed by Magistrate Judge William G. Hussmann, Jr., on 12/29/2009. (NRN) (Entered: 12/29/2009)
01/25/2010	<u>22</u>	NOTICE of Service of Initial Disclosures, filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Falk, Kenneth) (Entered: 01/25/2010)
01/25/2010	<u>23</u>	REPLY in Support of Motion re <u>13</u> MOTION to Amend/Correct <i>Complaint</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Exhibit Declaration–Lindh, # <u>2</u> Exhibit Declaration–Arnaout)(Falk, Kenneth) (Entered: 01/25/2010)
01/25/2010	<u>24</u>	NOTICE of Service of Initial Disclosures, filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 01/25/2010)
02/22/2010	<u>25</u>	Witness List – <i>Preliminary</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER, Exhibit List <i>Preliminary</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Falk, Kenneth) (Entered: 02/22/2010)
03/23/2010	<u>26</u>	Witness List, filed by Defendant WARDEN, Exhibit List, filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 03/23/2010)
03/24/2010	<u>27</u>	MOTION to Allow Plaintiffs to Appear at the Settlement Conference by Telephone and to Excuse Randall Royer from the Conference if Suitable Arrangements Cannot be Made for his Telephonic Appearance, filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/24/2010)
04/01/2010	<u>28</u>	MOTION to Dismiss <i>Randall Royer and His Claim</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 04/01/2010)
04/01/2010	<u>29</u>	BRIEF/MEMORANDUM in Support re <u>28</u> MOTION to Dismiss <i>Randall Royer and His Claim</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Decl. of B. Shoemaker)(Kieper, Thomas) (Entered: 04/01/2010)
04/09/2010	<u>30</u>	MOTION for Extension of Time to May 19, 2010 to file response to <u>28</u> MOTION to Dismiss <i>Randall Royer and His Claim</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/09/2010)
04/12/2010	<u>31</u>	ORDER granting <u>30</u> Motion for Extension of Time to File Response to 5/19/2010 re <u>28</u> MOTION to Dismiss <i>Randall Royer and His Claim</i> . Signed by Magistrate Judge William G. Hussmann, Jr., on 4/12/2010. (NRN) (Entered: 04/13/2010)
04/16/2010	<u>32</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr.: Attorney Conference Call held on 4/13/2010. The settlement conference set for 5/20/2010 10:00 AM is converted to a Telephonic Status Conference before Magistrate Judge William G. Hussmann, Jr. The <u>27</u> Motion to Allow Plaintiffs to Appear by Telephone is DENIED, as moot, in light of the fact that the May 20th conference will no longer be held as a settlement conference. At the May 20th status conference, counsel shall advise the Magistrate Judge if the parties would agree to a resolution of this lawsuit under the terms and conditions as explained in this Entry. (NRN) (Entered: 04/16/2010)
04/16/2010		ORDER denying as moot <u>27</u> Motion. Signed by Magistrate Judge William G. Hussmann, Jr., on 4/16/2010. (NRN) (Entered: 04/16/2010)
05/03/2010	<u>33</u>	RESPONSE to Motion re <u>28</u> MOTION to Dismiss <i>Randall Royer and His Claim</i> , filed by Plaintiffs ENAAM ARNAOUT, RANDALL T ROYER. (Falk, Kenneth) (Entered: 05/03/2010)
05/25/2010	<u>34</u>	STATUS REPORT <i>Concerning Exhaustion of Remedies by Proposed Plaintiff Lindh</i> by ENAAM ARNAOUT, RANDALL T ROYER. (Falk, Kenneth) (Entered: 05/25/2010)
05/25/2010	<u>35</u>	Submission <i>Proposed Order in Support of Motion to Dismiss, Dkt. #28</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 05/25/2010)

05/26/2010	<u>36</u>	ORDER granting , without prejudice defendant's <u>28</u> Motion to Dismiss Randall Royer from this cause because Court lacks jurisdiction; Randall Royer's claim is dismissed. Signed by Judge Larry J. McKinney on 5/26/2010. cm (NKD) (Entered: 05/26/2010)
05/28/2010	<u>37</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 5/20/2010. Telephonic Status Conference set for 11/8/2010 09:30 AM before Magistrate Judge William G. Hussmann Jr. (SMD) (Entered: 05/28/2010)
06/16/2010	<u>38</u>	Reassignment of Case to Judge Jane Magnus-Stinson. Judge Larry J. McKinney no longer assigned to the case. Please include the new case number (2:09-cv-00215-JMS-WGH), which includes the initials of the newly assigned judge, on all future filings in this matter. (TRG) (Entered: 06/16/2010)
06/28/2010	<u>39</u>	ORDER granting <u>13</u> Motion to Amend/Correct complaint; plaintiff may file Amended Complaint within three days; Defendant shall answer or respond within 20 days thereafter; Court notes parties have dicussed issue of exhaustion [dkt 34], Parties ORDERED to meet and confer about a briefing schedule for class certification (taking into account whether any additional discovery need to be performed) as well as any other issues that may need to be addressed; If parties can agree to briefing schedule, they must file proposal by July 7, 2010 . If they cannot reach agreement by that time, they should request, by the same deadline, a telephone conference with the Magistrate Judge, who will issue an appropriate schedule under the circumstances. Signed by Judge Jane Magnus-Stinson on 6/28/2010. (VS) (Entered: 06/29/2010)
06/29/2010	<u>40</u>	AMENDED COMPLAINT against WARDEN, filed by ENAAM ARNAOUT, John Lindh. (Attachments: # <u>1</u> Exhibit Arnaout grievances, # <u>2</u> Exhibit Lindh grievances)(Falk, Kenneth) (Entered: 06/29/2010)
06/29/2010	<u>41</u>	NOTICE <i>Accompanying Plaintiffs' Filing of Amended Class Action Complaint for Declaratory and Injunctive Relief</i> , filed by Plaintiffs ENAAM ARNAOUT, John Lindh (Falk, Kenneth) (Entered: 06/29/2010)
06/29/2010	<u>42</u>	NOTICE of Appearance by Kenneth J. Falk on behalf of Plaintiff John Lindh. (Falk, Kenneth) (Entered: 06/29/2010)
07/02/2010	<u>43</u>	MOTION for approval of <i>-Briefing Schedule and Status Report</i> , filed by Plaintiffs ENAAM ARNAOUT, John Lindh. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) Modified on 7/6/2010 (NRN). (Entered: 07/02/2010)
07/07/2010	<u>44</u>	ORDER Approves <u>43</u> Motion for approval of briefing schedule and stauts report; ORDERED Plaintiffs are to file motion for class certification and supporting memorandum no later than 07/09/10; Defendant will file its response memorandum no later than 08/30/10; Plaintiffs will file any reply memorandum no later than 17 days after the defendant files her response memorandum. Signed by Judge Jane Magnus-Stinson on 7/7/2010. (VS) (Entered: 07/07/2010)
07/08/2010	<u>45</u>	MOTION to Certify Class, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Falk, Kenneth) (Entered: 07/08/2010)
07/08/2010	<u>46</u>	BRIEF/MEMORANDUM in Support re <u>45</u> MOTION to Certify Class, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Attachments: # <u>1</u> Exhibit Church deposition, # <u>2</u> Exhibit Aranaout Declaration, # <u>3</u> Exhibit Bilal Affidavit, # <u>4</u> Exhibit Chandia Affidavit, # <u>5</u> Exhibit Twitty Affidavit, # <u>6</u> Exhibit Carr Affidavit, # <u>7</u> Exhibit Haouari Affidavit, # <u>8</u> Exhibit Dhafir Affidavit)(Falk, Kenneth) (Entered: 07/08/2010)
07/16/2010	<u>47</u>	ANSWER <i>Defendant's Answer to Plaintiffs' Amended Complaint and Defendant's Affirmative Defenses</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 07/16/2010)
08/05/2010	<u>48</u>	Joint MOTION to Amend/Correct <i>Case Management Plan</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 08/05/2010)

08/09/2010	<u>49</u>	ORDER granting <u>48</u> Motion to Amend Case Management Plan. Signed by Magistrate Judge William G. Hussmann, Jr on 8/9/2010. (SMD) (Entered: 08/09/2010)
08/16/2010	<u>50</u>	MOTION for Extension of Time to August 30, 2010 <i>to file for Summary Judgment</i> , filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH, RANDALL T ROYER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 08/16/2010)
08/17/2010	<u>51</u>	ORDER granting <u>50</u> Motion for Extension of Time to File motion for summary judgment and supporting materials to 08/30/10. Signed by Judge Jane Magnus-Stinson on 8/17/2010. (VS) (Entered: 08/17/2010)
08/18/2010	<u>52</u>	NOTICE of Appearance by William Lance McCoskey on behalf of Defendant WARDEN. (McCoskey, William) (Entered: 08/18/2010)
08/19/2010	<u>53</u>	Submission of Signature Requirement re <u>52</u> Notice of Appearance by WARDEN. (McCoskey, William) (Entered: 08/19/2010)
08/25/2010	<u>54</u>	NOTICE of Filing <i>Signature Pages for the Deposition of Harvey G. Church</i> by ENAAM ARNAOUT, JOHN LINDH (Attachments: # <u>1</u> Deposition Signature Pages) (Falk, Kenneth) (Entered: 08/25/2010)
08/26/2010	<u>55</u>	MOTION for Summary Judgment, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Attachments: # <u>1</u> Exhibit Church deposition, # <u>2</u> Exhibit Admissions, # <u>3</u> Exhibit Supplemental Declaration-Lindh, # <u>4</u> Exhibit Declaration-Royer)(Falk, Kenneth) (Entered: 08/26/2010)
08/26/2010	<u>56</u>	BRIEF/MEMORANDUM in Support re <u>55</u> MOTION for Summary Judgment, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Falk, Kenneth) (Entered: 08/26/2010)
08/30/2010	<u>57</u>	RESPONSE in Opposition re <u>45</u> MOTION to Certify Class, filed by Defendant WARDEN. (McCoskey, William) (Entered: 08/30/2010)
08/30/2010	<u>58</u>	MOTION to Consolidate Cases, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 08/30/2010)
08/30/2010	<u>59</u>	MOTION to Consolidate Cases - <i>CORRECTED</i> -, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 08/30/2010)
09/07/2010	<u>60</u>	REPLY in Support of Motion re <u>45</u> MOTION to Certify Class, filed by Plaintiffs ENAAM ARNAOUT, JOHN LINDH. (Falk, Kenneth) (Entered: 09/07/2010)
09/09/2010	<u>61</u>	ORDER granting plaintiffs Arnaout and Lindh's <u>59</u> Motion to Consolidate Cases. The two cases are consolidated, for all purposes, and shall be captioned as specified in this Entry. Clerk shall docket this Entry in Cause No. 2:10-cv-00175 and close Cause No. 2:10-cv-00175. Signed by Judge Jane Magnus-Stinson on 9/09/2010. (Service by US mail) (NKD) (Entered: 09/10/2010)
09/16/2010	<u>62</u>	MOTION to Dismiss <i>Enaam Arnaout</i> , filed by Plaintiffs ENAAM ARNAOUT, BRIAN CARR, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 09/16/2010)
09/17/2010	<u>63</u>	ORDER granting plaintiffs' <u>62</u> Motion to Dismiss Enaam Arnaout from this case. Enaam Arnaout is dismissed from this action. Signed by Judge Jane Magnus-Stinson on 9/17/2010. (NKD) (Entered: 09/17/2010)
09/20/2010	<u>64</u>	NOTICE <i>Concerning Status of Plaintiff Brian Carr as Class Representative</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH (Falk, Kenneth) (Entered: 09/20/2010)
09/21/2010	<u>65</u>	Unopposed MOTION for Extension of Time to November 9, 2010 to file response to <u>55</u> MOTION for Summary Judgment, filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 09/21/2010)
09/22/2010	<u>66</u>	ORDER granting <u>65</u> Motion for Extension of Time to File Response re <u>55</u> MOTION for Summary Judgment. Defendant shall have through November 9, 2010, to file his response to Plaintiffs motion for summary judgment, and to file a summary judgment in favor of defense in this cause. Plaintiffs shall have through

		December 7, 2010, to respond to Defendants summary judgment and to reply in support of their summary judgment. Defendant shall have until December 22, 2010, to reply to Plaintiffs response to its summary judgment motion. Signed by Judge Jane Magnus-Stinson on 9/22/2010. (NKD) (Entered: 09/22/2010)
11/08/2010	<u>67</u>	ORDER denying Plaintiff's <u>45</u> Motion to Certify Class. Plaintiffs have not sufficiently defined a class and have failed to establish numerosity, their Motion to Certify the Class, <u>45</u> , is DENIED . Plaintiffs have until December 3, 2010 to move to join additional inmates whose affidavits were submitted as evidence for class certification if those individuals seek to be named plaintiffs in this case. (See Order for Details) Signed by Judge Jane Magnus-Stinson on 11/8/2010. (NKD) (Entered: 11/09/2010)
11/09/2010	<u>68</u>	MOTION for Summary Judgment <i>and Response In Opposition to Plaintiffs' Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 11/09/2010)
11/09/2010	<u>69</u>	Appendix of Exhibits in Support of Motion re <u>68</u> MOTION for Summary Judgment <i>and Response In Opposition to Plaintiffs' Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Exhibit 1- Decl. of H. Church, # <u>2</u> Exhibit 2- Decl. of D. Holston, # <u>3</u> Exhibit 3 - Decl. of F. Coleman & att. Notice to Inmate, # <u>4</u> Exhibit 4 - Decl. of S. Harvey, # <u>5</u> Exhibit 5 - Decl. of C. Lockett, # <u>6</u> Exhibit 6- Decl. of H. Marberry, # <u>7</u> Exhibit 7 - Decl. of A. Amonette & att. CV, # <u>8</u> Exhibit 8 - Decl. of L. Smith & atts. 1 - 3, # <u>9</u> Exhibit 8 - att. 4 - Terroist Recruitment, # <u>10</u> Exhibit 8 - att. 5 - Review of Religious Srvs., # <u>11</u> Exhibit 9 - Decl. of C. Gonzalez)(Kieper, Thomas) (Entered: 11/09/2010)
11/09/2010	<u>70</u>	MOTION for Leave to File <i>Oversized Brief</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Att. 1 - Resp. to Plt. MSJ and Memo in Support of Cross-MSJ, # <u>2</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 11/09/2010)
11/12/2010	<u>71</u>	ORDER (See order for more details) parties motions for summary judgment, [dkt. 55; 68], are DENIED as premature without prejudice to refile pursuant to this Order, and the Wardens Motion for Leave to File an Oversized Brief, [dkt. 70], is DENIED as moot . Signed by Judge Jane Magnus-Stinson on 11/12/2010. (VS) (Entered: 11/12/2010)
11/12/2010	<u>72</u>	TRIAL PROCEDURES AND PRACTICES before Judge Jane Magnus-Stinson. (VS) (Entered: 11/12/2010)
11/15/2010	<u>73</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr.: Status Conference held on 11/8/2010. Status Conference set for 4/22/2011 09:30 AM Telephonic before Magistrate Judge William G. Hussmann, Jr. (NRN) (Entered: 11/15/2010)
11/19/2010	<u>74</u>	MOTION to Vacate <i>Deadline for Final Witness and Exhibit Lists and to Modify Case Management Deadlines (AGREED)</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 11/19/2010)
11/22/2010	<u>75</u>	ORDER granting Agreed <u>74</u> Motion to Vacate Deadline The current deadline of November 23, 2010, for the filing of final witness and exhibit lists is vacated. In the event that plaintiffs file a motion to amend the complaint and in the event that this is approved by the Court, that within thirty (30) days of the pleadings being closed that the parties shall file an amended case management plans specifying dates for: Disclosure of expert witnesses. Filing of final witness and exhibit lists. Completion of Discovery (if new parties are added). Filing of dispositive motions. In the event that plaintiffs do not join parties and move to amend the complaint, the time to file the final witness and exhibit list is extended to thirty (30) days after the expiration of the joinder deadline established by the Court. Signed by Judge Jane Magnus-Stinson on 11/22/2010. (NKD) (Entered: 11/22/2010)
12/01/2010	<u>76</u>	MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Attachments: # <u>1</u> Proposed Am. Complaint, # <u>2</u> Exhibit 1- Second Am. Compl, # <u>3</u> Exhibit 2-Second Am. Compl, # <u>4</u> Exhibit 3-Second Am. Compl, # <u>5</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/01/2010)

12/01/2010	<u>77</u>	BRIEF/MEMORANDUM in Support re <u>76</u> MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Falk, Kenneth) (Entered: 12/01/2010)
12/14/2010	<u>78</u>	RESPONSE in Opposition re <u>76</u> MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Supplement Attachment 1 Declaration of T. Myers)(Kieper, Thomas) (Entered: 12/14/2010)
12/17/2010	<u>79</u>	MOTION for Extension of Time to January 17, 2011 to file reply to <u>76</u> MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs so that Relevant Documents may be Reviewed</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 12/17/2010)
12/20/2010	<u>80</u>	ORDER granting <u>79</u> Motion for Extension of Time to File Reply to 1/17/2011 re <u>76</u> MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs</i> . Signed by Magistrate Judge William G. Hussmann, Jr., on 12/20/2010. (NRN) (Entered: 12/20/2010)
01/07/2011	<u>81</u>	Amended MOTION to Amend/Correct <i>File Substituted Second Amended Complaint to Join Additional Plaintiff</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Attachments: # <u>1</u> Proposed amended complaint, # <u>2</u> Ex 1 to proposed amended complaint, # <u>3</u> Ex. 2 to proposed amended complaint, # <u>4</u> Ex. 3 to proposed amended complaint, # <u>5</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 01/07/2011)
01/07/2011	<u>82</u>	BRIEF/MEMORANDUM in Support re <u>81</u> Amended MOTION to Amend/Correct <i>File Substituted Second Amended Complaint to Join Additional Plaintiff</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Falk, Kenneth) (Entered: 01/07/2011)
01/07/2011	<u>83</u>	REPLY in Support of Motion re <u>76</u> MOTION to Amend/Correct <i>Second Amended Complaint to Join Additional Plaintiffs (Reply Concerning Motion)</i> , filed by Plaintiffs BRIAN CARR, JOHN LINDH. (Falk, Kenneth) (Entered: 01/07/2011)
01/18/2011	<u>84</u>	ENTRY (Marginal) – <u>76</u> Motion is denied as moot in light of docket 81. JMS, DJ, 1/18/11(NKD) (Entered: 01/18/2011)
01/25/2011	<u>85</u>	ORDER – Plaintiffs, having filed their Amended Motion to file Substituted Second Amended Complaint to Join Additional Plaintiffs (Doc No. 81), and Court having read Motion and being duly advised, finds that good cause exists to grant it. IT IS THEREFORE ORDERED that Second Amended Complaint for Declaratory and Injunctive Relief submitted with Amended Motion to File Substituted Second Amended Complaint may be filed by plaintiffs within three days of this Order. Defendant shall answer or otherwise respond within twenty days thereafter. Signed by Judge Jane Magnus-Stinson on 1/25/2011. (NKD) (Entered: 01/25/2011)
01/25/2011	<u>86</u>	AMENDED COMPLAINT (<i>Second</i>) for <i>Declaratory and Injunctive Relief</i> against WARDEN, filed by BRIAN CARR, JOHN LINDH, Ali Asad Chandia. (Attachments: # <u>1</u> Exhibit Lindh grievances, # <u>2</u> Exhibit Carr grievances, # <u>3</u> Exhibit Chandia grievances)(Falk, Kenneth) (Entered: 01/25/2011)
01/25/2011	<u>87</u>	NOTICE of Appearance by Kenneth J. Falk on behalf of Plaintiff Ali Asad Chandia. (Falk, Kenneth) (Entered: 01/25/2011)
01/28/2011	<u>88</u>	ANSWER to <i>Plaintiffs' Second Amended Complaint and Defendant's Affirmative Defenses</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 01/28/2011)
02/23/2011	<u>89</u>	MOTION to Amend <i>Case Management Plan</i> , filed by Plaintiffs BRIAN CARR, Ali Asad Chandia, JOHN LINDH (Attachments: # <u>1</u> Text of Proposed Order) (Falk, Kenneth) Modified on 2/24/2011 (NKD). (Entered: 02/23/2011)
02/24/2011	<u>90</u>	ORDER granting <u>89</u> Motion to Amend/Correct Case Management Plan. Signed by Magistrate Judge William G. Hussmann, Jr on 2/24/2011. (SMD) (Entered: 02/24/2011)
05/03/2011	<u>91</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr.: Status Conference held on 4/22/2011. Status Conference set for 11/15/2011 09:30 AM Telephonic before Magistrate Judge William G. Hussmann, Jr. (NRN)

		(Entered: 05/03/2011)
05/16/2011	<u>93</u>	NOTICE of <i>Serving Expert Witness Disclosure</i> , filed by Defendant WARDEN (Kieper, Thomas) (Entered: 05/16/2011)
05/24/2011	<u>94</u>	Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge William G. Hussmann, Jr no longer assigned to the case. Please include the new case number (2:09-cv-00215-JMS-MJD), which includes the initials of the newly assigned judge, on all future filings in this matter. (NKD) (Entered: 05/24/2011)
06/02/2011	<u>95</u>	SCHEDULING ENTRY: This telephone status conference currently scheduled for Tuesday, November 15, 2011 at 9:30 a.m. is hereby VACATED. This matter is set for a telephone status conference on Monday, August 1, 2011 at 3:00 p.m. The purpose of this conference is to discuss case status. Counsel shall attend the conference by calling the phone number to be provided by the court in an email. Signed by Magistrate Judge Mark J. Dinsmore on 6/2/2011.(NKD) (Entered: 06/03/2011)
06/06/2011	<u>96</u>	Unopposed MOTION for Extension of Time to August 30, 2011 <i>for Filing of Dispositive Motions</i> , filed by Plaintiffs BRIAN CARR, Ali Asad Chandia, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 06/06/2011)
06/07/2011	<u>97</u>	ORDER – Plaintiffs, having filed their <u>96</u> Unopposed Motion to Extend Deadlines for Filing of Dispositive Motions, and the Court having read the Motion, and being duly advised, finds that good cause exists to grant it, and, IT IS THEREFORE ORDERED that the deadlines for the filing of dispositive motions be extended as follows: Plaintiffs to file their motion for summary judgment and supporting material no later than July 1, 2011. Defendant to file his cross-motion for summary judgment and supporting material combined with her response in opposition to plaintiffs' motion no later than thirty-one days after plaintiffs' filing. Plaintiffs to file their reply in support of their motion combined with their response in opposition to the cross-motion no later than thirty-one days after defendant's filing. Defendant to file his reply in support of cross-motion for summary judgment no later than 17 days after plaintiffs' filing. Signed by Judge Jane Magnus-Stinson on 6/7/2011. (NKD) Modified on 6/8/2011 (NKD). (Entered: 06/07/2011)
06/07/2011	<u>98</u>	Amended MOTION for Extension of Time to August 30, 2011 <i>to File Dispositive Motions (Unopposed)</i> , filed by Plaintiffs BRIAN CARR, Ali Asad Chandia, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 06/07/2011)
06/08/2011	<u>99</u>	ORDER granting <u>98</u> Motion to extend deadlines for filing of Dispositive Motions; Plaintiffs to file their motion for summary judgment and supporting material no later than August 30, 2011 Defendant to file his cross-motion for summary judgment and supporting material combined with her response in opposition to plaintiffs motion no later than thirty-one days after plaintiffs' filing. Plaintiffs to file their reply in support of their motion combined with their response in opposition to the cross-motion no later than thirty-one days after defendants filing Defendant to file his reply in support of cross-motion for summary judgment no later than 17 days after plaintiffs' filing. Signed by Judge Jane Magnus-Stinson on 6/8/2011. (VS) (Entered: 06/08/2011)
07/22/2011	<u>100</u>	MOTION for Continuance <i>Telephone Status Conference</i> , filed by Plaintiffs BRIAN CARR, Ali Asad Chandia, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 07/22/2011)
07/25/2011	<u>101</u>	ORDER granting <u>100</u> Motion for Continuance; (Status Conference set for 8/9/2011 03:30 PM in Telephonic before Magistrate Judge Mark J. Dinsmore) All other requirements of the Court's Order dated 6/2/2011 [dkt. 95] remain in full force and effect. Signed by Magistrate Judge Mark J. Dinsmore on 7/25/2011.(VS) (Entered: 07/25/2011)
08/05/2011	<u>103</u>	STIPULATION OF FACTS, filed by Plaintiffs BRIAN CARR, ALI ASAD CHANDIA, JOHN LINDH. (Falk, Kenneth) Modified on 8/22/2011 (VS). (Entered: 08/05/2011)

08/10/2011	<u>104</u>	***STRICKEN ***PER CORRECTED ENTRY #105***Minute Order for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 8/9/2011. The parties appeared by telephone for a status conference. The parties discussed plaintiff's claim for social security benefits. The parties also discussed case management deadlines. The Court hereby enlarges the deadline to complete all discovery to September 30, 2011. All other requirements of the Approved Case Management Plan [dkt. 18] remain in full force and effect. In addition, the parties are to evaluate their claims to explore the possibility of settlement. Signed by Magistrate Judge Mark J. Dinsmore.(VS) Modified on 8/11/2011 (VS). (Entered: 08/11/2011)
08/11/2011	<u>105</u>	Corrected Minute Order for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 8/9/2011. This Corrected Minute Entry Strikes the Minute Entry dated 8/10/11 [Dkt. 104]. The parties appeared by telephone for a status conference. The parties discussed the status of discovery and the cross-motions for summary judgement. The parties report they believe the filing of the cross-motions for summary judgement will dispose of this case. Signed by Magistrate Judge Mark J. Dinsmore.(VS) (Entered: 08/11/2011)
08/29/2011	<u>106</u>	Second MOTION for Summary Judgment, filed by Plaintiffs BRIAN CARR, ALI ASAD CHANDIA, JOHN LINDH. (Attachments: # <u>1</u> Exhibit Coleman Dep. Excerpts, # <u>2</u> Exhibit Lindh Supp. Declaration 2, # <u>3</u> Exhibit Chandia Supp. Affidavit, # <u>4</u> Exhibit Carr Supp. Declaration, # <u>5</u> Exhibit Haouari Supp. Affidavit, # <u>6</u> Exhibit Dhafir Supp. Affidavit, # <u>7</u> Exhibit Arnaout Supp. Declaration 2, # <u>8</u> Exhibit Warden Memo June 1, 2009, # <u>9</u> Exhibit Warden Memo Aug. 10, 2009, # <u>10</u> Exhibit Church Dep. Excerpts, # <u>11</u> Exhibit Lockett Dep. Excerpts)(Falk, Kenneth) (Entered: 08/29/2011)
08/29/2011	<u>107</u>	BRIEF/MEMORANDUM in Support re <u>106</u> Second MOTION for Summary Judgment, filed by Plaintiffs BRIAN CARR, ALI ASAD CHANDIA, JOHN LINDH. (Falk, Kenneth) (Entered: 08/29/2011)
09/20/2011	<u>108</u>	MOTION for Extension of Time to October 10, 2011 to file response to <u>106</u> Second MOTION for Summary Judgment, filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 09/20/2011)
09/21/2011	<u>109</u>	ORDER granting <u>108</u> Motion for Extension of Time to File Response to 10/10/2011 to file his response to Plaintiffs <u>106</u> Second MOTION for Summary Judgment, and to file a counter-motion for summary judgment in favor of the defense in this cause. The remaining schedule for reply briefs remains as set in the June 8, 2011, Order previously entered. Signed by Magistrate Judge Mark J. Dinsmore on 9/21/2011. (VS) (Entered: 09/21/2011)
10/04/2011	<u>110</u>	MOTION to Dismiss <i>Brian Carr and Ali Asad Chandia</i> , filed by Plaintiffs BRIAN CARR, ALI ASAD CHANDIA, JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 10/04/2011)
10/05/2011	<u>111</u>	ORDER granting <u>110</u> Motion to Dismiss Brian Carr and Ali Asad Chandia from this case. Parties BRIAN CARR and ALI ASAD CHANDIA are dismissed from this action, without prejudice. Signed by Judge Jane Magnus-Stinson on 10/5/2011.(NKD) (Entered: 10/05/2011)
10/11/2011	<u>112</u>	Cross MOTION for Summary Judgment <i>and Response in Opposition to <u>106</u> Plaintiff's Second Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Kieper, Thomas) Modified on 12/2/2011 (LBT). (Entered: 10/11/2011)
10/11/2011	<u>113</u>	Appendix of Exhibits in Support of Motion re <u>112</u> Cross MOTION for Summary Judgment <i>and Response in Opposition to Plaintiff's Second Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Exhibit 1-Decl. of Harvey Church, # <u>2</u> Exhibit 2-Decl of D. Holston, # <u>3</u> Exhibit 3-Decl. of T. Coleman, # <u>4</u> Exhibit 4-Decl. of S. Harvey, # <u>5</u> Exhibit 5-Decl. of J. Oliver, # <u>6</u> Exhibit 6-Decl. of C. Lockett, # <u>7</u> Exhibit 7-Decl. of I. Ammonette, # <u>8</u> Exhibit 8-Decl. of L. Smith, # <u>9</u> Exhibit 8-Decl. of L. Smith-Att. 1, # <u>10</u> Exhibit 8-Decl. of L. Smith-Att. 2, # <u>11</u> Exhibit 8-Decl. of L. Smith-Att. 3, # <u>12</u> Exhibit 8-Decl. of L. Smith-Att. 4, pp 1-70, # <u>13</u> Exhibit 8-Decl. of L. Smith-Att. 4, pp 71 to 128, # <u>14</u> Exhibit 8-Decl. of L. Smith, Att. 5, # <u>15</u> Exhibit 9-Decl. of C. Gonzales, # <u>16</u> Exhibit 10-Decl. of H. Joyner, # <u>17</u> Exhibit 11-Decl. of J. Pryor)(Kieper,

		Thomas) (Entered: 10/11/2011)
10/11/2011	<u>114</u>	RESPONSE in Opposition re <u>106</u> Second MOTION for Summary Judgment <i>and Memorandum in Support of <u>112</u> Defendant's Second Cross-Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Kieper, Thomas) Modified on 12/2/2011 (LBT). (Entered: 10/11/2011)
11/11/2011	<u>115</u>	RESPONSE in Opposition re <u>112</u> Cross MOTION for Summary Judgment <i>and Response in Opposition to Plaintiff's Second Motion for Summary Judgment and Reply Memorandum in Support of Plaintiffs' Second Motion for Summary Judgment <u>106</u></i> , filed by Plaintiffs BRIAN CARR, ALI ASAD CHANDIA, JOHN LINDH. (Attachments: # <u>1</u> Exhibit Holston Deposition, # <u>2</u> Exhibit Coleman Deposition, # <u>3</u> Affidavit Randall Royer, # <u>4</u> Affidavit Avon Twitty)(Falk, Kenneth) (Entered: 11/11/2011)
12/01/2011	<u>116</u>	REPLY in Support of Motion re <u>112</u> Cross MOTION for Summary Judgment <i>and Response in Opposition to <u>106</u> Plaintiff's Second Motion for Summary Judgment</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Att. 1 – Incident Report, pgs. 1 & 2)(Kieper, Thomas) Modified on 12/2/2011 to create link to Second Motion for SJ (LBT). (Entered: 12/01/2011)
12/08/2011	<u>117</u>	SCHEDULING ORDER: Hearing on Cross-Motions for Summary Judgment set for 12/19/2011 01:30 PM in room #349, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana, before Judge Jane Magnus-Stinson. Counsel shall have 30 minutes per side. Signed by Judge Jane Magnus-Stinson on 12/6/2011.(SMD) (Entered: 12/08/2011)
12/08/2011	<u>118</u>	MOTION for Continuance of <i>Hearing Presently Set for December 19, 2011, at 1:30 p.m.</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 12/08/2011)
12/08/2011	<u>119</u>	ORDER granting <u>118</u> Defendant's Motion for Continuance – Hearing on 12/19/2011 is ordered CONTINUED. Hearing is reset for 12/22/2011 02:00 PM (E.T.) in room #349, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. The parties are allowed 30 minutes each for argument. Signed by Judge Jane Magnus-Stinson on 12/8/2011. (JKS) (Entered: 12/09/2011)
12/22/2011	<u>120</u>	ENTRY FOLLOWING ORAL ARGUMENT – On December 22, 2011, the Court heard oral argument on the parties' cross-motions for summary judgment, [dkts. <u>106</u> ; <u>122</u>], which the Court took UNDER ADVISEMENT. Plaintiff was present by counsel Kenneth Falk, and Defendant was present by counsel Thomas Kieper and William McCoskey and by client representative Katherine Siereveld. The Court reporter was Jean Knepley. Signed by Judge Jane Magnus-Stinson on 12/22/2011.(JD) (Entered: 12/23/2011)
02/03/2012	<u>121</u>	ORDER granting in part and denying in part <u>106</u> Motion for Summary Judgment; denying <u>112</u> Motion for Summary Judgment. For the foregoing reasons, the Court GRANTS in part and DENIES in part Mr. Lindhs Motion for Summary Judgment, [dkt. 106], and DENIES the Wardens Cross-Motion for Summary Judgment, [dkt. 112]. The Court finds as a matter of law that recitation of the five daily Muslim group prayers is a religious exercise rooted in Mr. Lindhs sincerely held religious beliefs. However, genuine issues of material fact exist regarding whether the Warden has substantially burdened Mr. Lindhs exercise of religion. And the Warden has not satisfied his burden of showing either that the policy on group prayer is in furtherance of the compelling governmental interest of prison security, or that he has used the least restrictive means to further the governments interest. (SEE ORDER FOR MORE DETAILS.). Signed by Judge Jane Magnus-Stinson on 2/3/2012. (MRI) Modified on 2/3/2012 (MRI). (Entered: 02/03/2012)
02/08/2012	<u>122</u>	SCHEDULING ORDER: Status Conference set for 2/14/2012 at 11:10 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. Signed by Magistrate Judge Mark J. Dinsmore on 2/7/2012.(RSF) (Entered: 02/08/2012)
02/21/2012	<u>123</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 2/14/2012. Scheduling Order entered. Parties are

		instructed to file a motion for a site visit by the District Judge. (SMD) (Entered: 02/21/2012)
03/06/2012	<u>124</u>	Witness List (<i>Second Preliminary</i>), filed by Plaintiff JOHN LINDH, Exhibit List (<i>Second Preliminary</i>), filed by Plaintiff JOHN LINDH. (Falk, Kenneth) (Entered: 03/06/2012)
03/06/2012	<u>125</u>	Joint MOTION for Court to Conduct Site Visit at the Communications Management Unit, filed by Plaintiff JOHN LINDH, Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/06/2012)
03/06/2012	<u>126</u>	Witness List <i>Second Preliminary</i> , filed by Defendant WARDEN, Exhibit List <i>Second Preliminary</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 03/06/2012)
03/06/2012	<u>127</u>	Witness List <i>Supplement to Second Preliminary</i> , filed by Plaintiff JOHN LINDH. (Falk, Kenneth) (Entered: 03/06/2012)
03/07/2012	<u>128</u>	SEALED Order granting parties' joint motion for a site visit to FCI Terre Haute. (copy to US Marshals Service) Signed by Judge Jane Magnus-Stinson on 3/7/2012.(SMD) (Entered: 03/07/2012)
03/08/2012	<u>129</u>	**DATES VACATED AT DKT <u>134</u> ** SCHEDULING ORDER Bench Trial set for 7/30/2012 at 9:00 AM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Final Pretrial Conference set for 7/13/2012 at 1:00 PM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Counsel are reminded of the required pretrial preparation deadlines set forth in paragraph VIII of the case management plan. Signed by Judge Jane Magnus-Stinson on 3/8/2012.(RSF) Modified on 4/5/2012 (RSF). (Entered: 03/08/2012)
03/08/2012	<u>130</u>	PROCEDURES AND PRACTICES before Judge Jane Magnus-Stinson. (RSF) (Entered: 03/08/2012)
03/12/2012	<u>131</u>	SEALED ENTRY – The parties are ordered to file the sealed statement by March 26, 2012. The Court notes that the visit should occur during a time of day when one of the daily prayers that is the subject of the litigation is being recited. Signed by Judge Jane Magnus-Stinson on 3/12/2012.(RSF) (Entered: 03/12/2012)
03/15/2012	<u>132</u>	MOTION for Continuance of <i>Trial Setting</i> , filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 03/15/2012)
03/23/2012	<u>133</u>	SEALED <i>JOINT REPORT TO THE COURT</i> , filed by Plaintiff RANDALL T ROYER, Defendant WARDEN. (Falk, Kenneth) (Entered: 03/23/2012)
04/04/2012	<u>134</u>	ORDER granting <u>132</u> Motion for Continuance. Scheduling: Bench Trial reset for 8/27/2012 at 9:00 AM (location of the trial shall be determined and set by a future Order of this Court) before Judge Jane Magnus-Stinson. Final Pretrial Conference reset for 8/2/2012 at 9:00 AM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Counsel are reminded of the required pretrial preparation deadlines set forth in paragraph VIII of the case management plan. Counsel are further reminded to review the undersigned's Practices and Procedures, available at http://www.insd.uscourst.gov/Publications/CourtroomProceduresJMS.pdf . Signed by Judge Jane Magnus-Stinson on 4/4/2012.(RSF) (Entered: 04/05/2012)
04/04/2012	<u>135</u>	PROCEDURES AND PRACTICES before Judge Jane Magnus-Stinson. (RSF) (Entered: 04/05/2012)
04/06/2012	<u>136</u>	NOTICE of Appearance by Gavin Minor Rose on behalf of Plaintiff JOHN LINDH. (Rose, Gavin) (Entered: 04/06/2012)
05/01/2012	<u>137</u>	MOTION for Writ of Habeas Corpus ad testificandum (<i>for Dhafir, Haouari, Chandia</i>), filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Writ for Dhafir/Haouari/Chandia, # <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/01/2012)

05/01/2012	<u>138</u>	MOTION for Writ of Habeas Corpus ad testificandum (<i>for Royer</i>), filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Wit (for Royer))(Falk, Kenneth) (Entered: 05/01/2012)
05/01/2012	<u>139</u>	MOTION for Writ of Habeas Corpus ad testificandum (<i>Lindh</i>), filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Writ (Lindh))(Falk, Kenneth) (Entered: 05/01/2012)
05/01/2012	<u>140</u>	MOTION for Writ of Habeas Corpus ad testificandum (<i>Carr</i>), filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Writ (Carr), # <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/01/2012)
05/02/2012	<u>141</u>	ORDER granting <u>137</u> Motion for Writ of Habeas Corpus ad testificandum concerning Dr. Rafil Dhafir, Mokhtar Haouari, and Ali Asad Chandia. Signed by Judge Jane Magnus-Stinson on 5/2/2012. (RSF) (Entered: 05/03/2012)
05/02/2012	<u>143</u>	ORDER granting <u>138</u> Motion for Writ of Habeas Corpus ad testificandum concerning Randall Royer. Signed by Judge Jane Magnus-Stinson on 5/2/2012. (RSF) (Entered: 05/03/2012)
05/02/2012	<u>145</u>	ORDER granting <u>139</u> Motion for Writ of Habeas Corpus ad testificandum concerning John Lindh. Signed by Judge Jane Magnus-Stinson on 5/2/2012. (RSF) (Entered: 05/03/2012)
05/02/2012	<u>147</u>	** See corrected document at <u>148</u> ** ORDER granting <u>140</u> Motion for Writ of Habeas Corpus ad testificandum concerning Brian Carr. Signed by Judge Jane Magnus-Stinson on 5/2/2012. (RSF) Modified on 5/3/2012 (RSF). (Entered: 05/03/2012)
05/02/2012	<u>148</u>	CORRECTED DOCUMENT – Please disregard document re <u>147</u> Order on Motion for Writ of Habeas Corpus ad testificandum which was Docketed in Error. Corrected document has been attached to this entry. (RSF) (Entered: 05/03/2012)
05/03/2012	<u>142</u>	WRIT of Habeas Corpus Ad Testificandum issued concerning Dr. Rafil Dhafir, Mokhtar Haouari, and Ali Asad Chandia. (RSF) (Entered: 05/03/2012)
05/03/2012	<u>144</u>	WRIT of Habeas Corpus Ad Testificandum issued concerning Randall Royer. (RSF) (Entered: 05/03/2012)
05/03/2012	<u>146</u>	WRIT of Habeas Corpus Ad Testificandum issued concerning John Lindh. (RSF) (Entered: 05/03/2012)
05/03/2012	<u>149</u>	WRIT of Habeas Corpus Ad Testificandum issued concerning Brian Carr. (RSF) (Entered: 05/03/2012)
06/18/2012	<u>150</u>	RETURN of USM Service upon Defendant WARDEN regarding <u>142</u> – served on 5/6/12. (RSF) (Entered: 06/18/2012)
06/18/2012	<u>151</u>	RETURN of USM Service upon Defendant WARDEN regarding <u>146</u> – served on 5/6/12. (RSF) (Entered: 06/18/2012)
06/25/2012	<u>152</u>	**PLEASE DISREGARD – DOCUMENT STRICKEN AT ENTRY <u>154</u> ** Letter from IMAM ASIM AHMAD, non-party, regarding congregational prayers and guidelines. (JD) Modified on 7/10/2012 (RSF). (Entered: 06/26/2012)
06/29/2012	<u>153</u>	MOTION to Strike <i>Civil Docket Item #152</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 06/29/2012)
07/10/2012	<u>154</u>	ENTRY – The defendant's motion to strike <u>153</u> is granted for the reasons set forth in the motion, those being principally that the filing <u>152</u> was not made by a party, was not served on counsel for the parties, and contains unsubstantiated, conclusory assertions which cannot properly be presented to the court through a letter or other informal means. The filing referred to above <u>152</u> is stricken and is of no effect. Signed by Judge Jane Magnus-Stinson on 7/10/2012. (RSF) (Entered: 07/10/2012)
07/17/2012	<u>155</u>	Joint MOTION for Extension of Time to August 1, 2012 to File Proposed <i>Stipulations of Fact</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 07/17/2012)

07/18/2012	<u>162</u>	ORDER granting <u>155</u> Joint Motion for Extension of Time – IT IS THEREFORE ORDERED that the Joint Motion is GRANTED and the time for filing stipulations of fact with the Court is extended to and including August 1, 2012. Signed by Judge Jane Magnus–Stinson on 7/18/2012. (JKS) (Entered: 07/19/2012)
07/19/2012	<u>156</u>	Witness List , filed by Plaintiff JOHN LINDH. (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>157</u>	Exhibit List , filed by Plaintiff JOHN LINDH. (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>158</u>	NOTICE of Filing of <i>Deposition Summaries</i> by JOHN LINDH (Attachments: # <u>1</u> Exhibit Dep. Summary of Church (30(b)(6)), # <u>2</u> Exhibit Dep. Summary of Arnaout, # <u>3</u> Exhibit Dep. Summary of Twitty, # <u>4</u> Exhibit Dep. Summary of Bilal, # <u>5</u> Exhibit Dep. Summary of Lockett, # <u>6</u> Exhibit Dep. Summary of Church (2d), # <u>7</u> Exhibit Dep. Summary of Coleman, # <u>8</u> Exhibit Dep. Summary of Holston) (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>159</u>	TRIAL BRIEF by JOHN LINDH. (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>160</u>	Proposed Findings of Fact by JOHN LINDH. (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>161</u>	MOTION to <i>Separate Witnesses</i> , filed by Plaintiff JOHN LINDH. (Rose, Gavin) (Entered: 07/19/2012)
07/19/2012	<u>163</u>	** PLEASE DISREGARD – WITHDRAWN PER ENTRY AT <u>170</u> ** Exhibit List , filed by Defendant WARDEN. (Kieper, Thomas) Modified on 7/23/2012 (RSF). (Entered: 07/19/2012)
07/19/2012	<u>164</u>	** PLEASE DISREGARD – WITHDRAW PER ENTRY AT <u>170</u> ** Witness List , filed by Defendant WARDEN. (Kieper, Thomas) Modified on 7/23/2012 (RSF). (Entered: 07/19/2012)
07/19/2012	<u>165</u>	Exhibit List , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 07/19/2012)
07/19/2012	<u>166</u>	Witness List , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 07/19/2012)
07/19/2012	<u>167</u>	Proposed Findings of Fact by WARDEN. (Kieper, Thomas) (Entered: 07/19/2012)
07/19/2012	<u>168</u>	TRIAL BRIEF by WARDEN. (Kieper, Thomas) (Entered: 07/19/2012)
07/19/2012	<u>169</u>	MOTION to Withdraw <i>Docket Items</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Kieper, Thomas) (Entered: 07/19/2012)
07/23/2012	<u>170</u>	ORDER – granting <u>169</u> Motion to Withdraw Docket Items <u>163</u> and <u>164</u> . Said entries are withdrawn from the record of this cause. Signed by Magistrate Judge Mark J. Dinsmore on 7/23/2012. (RSF) (Entered: 07/23/2012)
07/26/2012	<u>171</u>	OBJECTION <i>Partial Objection to Plaintiff's Notice of Filing of Deposition Summaries</i> by WARDEN. Related document: <u>158</u> NOTICE of Filing filed by JOHN LINDH. (Attachments: # <u>1</u> Exhibit Attachment 1, # <u>2</u> Exhibit Attachment 2, # <u>3</u> Exhibit Attachment 3)(McCoskey, William) (Entered: 07/26/2012)
07/26/2012	<u>172</u>	OBJECTION <i>Partial Objection to Plaintiff's Motion to Separate Witnesses</i> by WARDEN. (Kieper, Thomas) (Entered: 07/26/2012)
07/26/2012	<u>173</u>	OBJECTION <i>Partial Objection to Plaintiff's Final Exhibit List</i> by WARDEN. (Kieper, Thomas) (Entered: 07/26/2012)
08/01/2012	<u>174</u>	Exhibit List (<i>Joint Amended Final Exhibit List</i>), filed by Plaintiff JOHN LINDH, Defendant WARDEN. (Rose, Gavin) (Entered: 08/01/2012)
08/01/2012	<u>175</u>	STIPULATION of <i>Facts and Evidentiary Stipulation (Joint)</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 08/01/2012)
08/06/2012	<u>176</u>	MINUTE ORDER for proceedings held before Judge Jane Magnus–Stinson: Final Pretrial Conference held on 8/2/2012. ORDER granting in part <u>161</u> Motion to separate witnesses, with the exception of the Warden and the Imam, who will be permitted to remain seated at counsel table. The parties will submit proposed

		conclusions of law and findings of law in lieu of or in addition to trial briefs (at their choice.) Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.)(SMD) (Entered: 08/06/2012)
08/14/2012	<u>177</u>	MINUTE ENTRY for proceedings held before Judge Jane Magnus-Stinson: On August 14, 2012, the parties appeared by counsel for a telephonic status conference in this matter. The parties discussed trial logistics. The Government shall file (under seal) its logistical proposal and its underlying basis by August 17, 2012. Plaintiff shall respond by August 21, 2012. Signed by Judge Jane Magnus-Stinson.(RSF) (Entered: 08/14/2012)
08/14/2012	<u>178</u>	STIPULATION <i>Amending Paragraphs 29 and 52 of the Joint Stipulation of Facts and Evidentiary Stipulation (Doc. No. 175)</i> , filed by Plaintiff JOHN LINDH, Defendant WARDEN. (Falk, Kenneth) (Entered: 08/14/2012)
08/17/2012	<u>179</u>	SEALED <i>Warden's Report Regarding Trial Logistics</i> , filed by Defendant WARDEN. (Attachments: # <u>1</u> Att. 1 – Decl. of John C. Oliver)(Kieper, Thomas) (Entered: 08/17/2012)
08/20/2012	<u>181</u>	SEALED Entry Discussing Plaintiff's Objection to Video Conference Trial – Plaintiff's objection to video conference trial 180 must be overruled. The Defendant is to ensure that videoconferencing capabilities, as well as a private telephone line through which plaintiff can communicate with his counsel, are arranged. (See Entry.) Signed by Judge Jane Magnus-Stinson on 8/20/2012.(RSF) (Entered: 08/21/2012)
08/22/2012	<u>182</u>	ENTRY that the Court Trial set for 8/27/2012 will begin at 09:00 AM in room #349, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus-Stinson. Signed by Judge Jane Magnus-Stinson on 8/22/2012.(SMD) (Entered: 08/22/2012)
08/28/2012	<u>183</u>	MINUTE ENTRY for proceedings held before Judge Jane Magnus-Stinson. Day 1 of Bench Trial held on 8/27/2012. Parties were present in person and by counsel. Plaintiff began his case in chief. Exhibits were offered into evidence. Witnesses testified. Plaintiff rested. Defendant began his case in chief. Exhibits were offered into evidence. Witnesses testified. Due to the late hour, the Court recessed, to reconvene on August 28, 2012 at 1:00 p.m. Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.)(RSF) (Entered: 08/28/2012)
08/29/2012	<u>184</u>	Minute Entry for proceedings held before Judge Jane Magnus-Stinson: Bench Trial continues on 8/28/2012. Court to reconvene on August 29, 2012 at 9:00 am. (Court Reporter Jean Knepley.) (SMD) (Entered: 08/29/2012)
08/30/2012	<u>185</u>	MINUTE ENTRY for proceedings held before Judge Jane Magnus-Stinson. Day 3 of Bench Trial continues on 8/29/2012. Plaintiff was present by counsel and via video teleconference, and Defendant was present in person and by counsel. Defendant continued his case in chief. Exhibits were entered into evidence. Witnesses testified. Due to the late hour, the Court recessed, to reconvene on August 30, 2012 at 9:00 a.m. Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.)(RSF) (Entered: 08/30/2012)
08/31/2012	<u>186</u>	MINUTE ORDER for proceedings held before Judge Jane Magnus-Stinson – On August 30, 2012, the Court resumed its bench trial in this action. Plaintiff was present by counsel and via video teleconference, and Defendant was present in person and by counsel. Defendant continued his case-in-chief. Exhibits were entered into evidence. Witnesses testified. The parties agreed that submission of final arguments would be best accomplished after the transcript of the trial is completed. The Court requested that the parties submit their summations in the form of Proposed Findings of Fact and Conclusions of Law, with reference to the transcript utilizing the CM/ECF page designation. The parties will have until forty-five (45) days following the filing of the official transcript to submit their proposed findings. Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.) (JKS) (Entered: 08/31/2012)
09/07/2012	<u>187</u>	RETURN of USM Service as to Defendant WARDEN regarding <u>144</u> – served on 8/7/12 (RSF) (Entered: 09/10/2012)

10/11/2012	<u>188</u>	TRANSCRIPT of Bench Trial, Day 1 held on 8-27-12 before Judge Jane Magnus-Stinson. (256 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 11/1/2012. Release of Transcript Restriction set for 1/9/2013. (Knepley, Jean) Released on 10/16/2012 per Order dated 10/16/2012 (SWM). (Entered: 10/11/2012)
10/11/2012	<u>189</u>	TRANSCRIPT of Bench Trial, Day 2 held on 8-28-12 before Judge Jane Magnus-Stinson. (132 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 11/1/2012. Release of Transcript Restriction set for 1/9/2013. (Knepley, Jean) Released on 10/16/2012 per Order dated 10/16/2012 (SWM). Released on 1/11/2013 (SWM). (Entered: 10/11/2012)
10/11/2012	<u>190</u>	SEALED TRANSCRIPT of Sealed Excerpt from Bench Trial, Day 3 held on 8-29-12 before Judge Jane Magnus-Stinson. (21 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). (Knepley, Jean) (Entered: 10/11/2012)
10/11/2012	<u>191</u>	TRANSCRIPT of Bench Trial, Day 3 held on 8-29-12 before Judge Jane Magnus-Stinson. (195 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 11/1/2012. Release of Transcript Restriction set for 1/9/2013. (Knepley, Jean) Released on 10/16/2012 per Order dated 10/16/2012 (SWM). Modified on 10/16/2012 (SWM). Released on 1/11/2013 (SWM). (Entered: 10/11/2012)
10/11/2012	<u>192</u>	TRANSCRIPT of Bench Trial, Day 4 held on 8-30-12 before Judge Jane Magnus-Stinson. (197 pages.) Court Reporter/Transcriber: Jean Knepley (Telephone: (317) 686-0197). Please review <u>Local Rule 80-2</u> for more information on redaction procedures. Redaction Statement due 11/1/2012. Release of Transcript Restriction set for 1/9/2013. (Knepley, Jean) Released on 10/16/2012 per Order dated 10/16/2012(SWM). Released on 1/11/2013 (SWM). (Entered: 10/11/2012)
10/11/2012	<u>193</u>	NOTICE of FILING of OFFICIAL TRANSCRIPT of Bench Trial, Volumes 1 - 4 held before Judge Jane Magnus-Stinson on August 27 - August 30, 2012 (Knepley, Jean) (Entered: 10/11/2012)
10/11/2012	<u>194</u>	NOTICE of FILING of OFFICIAL TRANSCRIPT under SEAL of Sealed Excerpt from Volume 3 (Day 3 of Bench Trial) held before Judge Jane Magnus-Stinson on August 29, 2012 (Knepley, Jean) (Entered: 10/11/2012)
10/16/2012	<u>195</u>	NOTICE , filed by Plaintiff JOHN LINDH, Defendant WARDEN (McCoskey, William) (Entered: 10/16/2012)
10/16/2012	<u>196</u>	ENTRY re <u>195</u> Joint Notice To The Court - The Court approves the request for expedited release of the transcript. (Marginal Notation). Signed by Judge Jane Magnus-Stinson on 10/16/2012. (JKS) (Entered: 10/16/2012)
11/19/2012	<u>197</u>	Letter from BRIAN E. CARR (Attachments: # <u>1</u> Supporting Documents) (JKS) (Entered: 11/20/2012)
11/21/2012	<u>198</u>	Proposed Findings of Fact by JOHN LINDH. (Falk, Kenneth) (Entered: 11/21/2012)
11/26/2012	<u>199</u>	TRIAL BRIEF <i>Defendant's Post-Trial Brief</i> by WARDEN. (Kieper, Thomas) (Entered: 11/26/2012)
01/11/2013	<u>200</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW. Court finds that the Warden's policy prohibiting daily group prayer by Muslim inmates violates RFRA. The Warden will have 60 days in which to employ anew policy with respect to daily group prayer for Muslims. The Court is issuing today a permanent injunction to take effect in 60 days. Signed by Judge Jane Magnus-Stinson on 1/11/2013.(SMD) (Entered: 01/11/2013)

01/11/2013	<u>201</u>	CLOSED JUDGMENT in favor of Plaintiff, John Lindh, against Defendant, Warden. PERMANENT INJUNCTION shall issue prohibiting the Warden from enforcing the policy against daily congregate prayer for Muslims, including Mr. Lindh, for whom daily congregate prayer is a sincerely held religious belief. This injunction shall not be construed so as to prohibit less restrictive measures intended by the Warden to promote safety and security in the Federal Correctional Institution, Terre Haute, Indiana. Signed by Judge Jane Magnus-Stinson on 1/11/2013.(SMD) (Entered: 01/11/2013)
01/18/2013	<u>202</u>	Unopposed MOTION for Extension of Time to <i>File for Attorneys' Fees and Costs</i> , filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 01/18/2013)
01/22/2013	<u>203</u>	ORDER – Plaintiff, having filed his Unopposed Motion to Extend Time to File for Attorneys' Fees and Costs, and the Court having read the Motion, and being duly advised, finds that good cause exists to grant it, and, IT IS THEREFORE ORDERED that the time for Plaintiff to file for his reasonable attorneys' fees and costs is extended until 30 days after the time to appeal this Court's Judgment expires or, if an appeal is filed, until 90 days after the Seventh Circuit issues its mandate in this case or 30 days after the denial of certiorari or an opinion by the United States Supreme Court, whichever date is latest. Signed by Judge Jane Magnus-Stinson on 1/22/2013. (RSF) (Entered: 01/22/2013)
03/26/2013	<u>204</u>	MOTION for Attorney Fees , filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Exhibit CJA Pay Chart, # <u>2</u> Affidavit Kenneth J. Falk, # <u>3</u> Affidavit Gavin M. Rose, # <u>4</u> Affidavit Michael K. Sutherlin)(Falk, Kenneth) (Entered: 03/26/2013)
03/26/2013	<u>205</u>	BRIEF/MEMORANDUM in Support re <u>204</u> MOTION for Attorney Fees , filed by Plaintiff JOHN LINDH. (Falk, Kenneth) (Entered: 03/26/2013)
03/29/2013	<u>206</u>	CLERK'S ENTRY FOR MARCH 29, 2013 – Counsel are advised that the exhibits received in the above cause are now released and may be receipted for in the Clerk's Office, 105 U.S. Courthouse, 46 E. Ohio Street, Indianapolis, Indiana between 8:30 a.m. and 4:30 p.m. Counsel may call Michelle Imel at 317-229-3672 regarding exhibits. The items will be disposed of on April 10, 2013, if not taken. (RSF) (Entered: 04/01/2013)
04/08/2013	<u>207</u>	STIPULATION to <i>Settle Plaintiff's Claim for Attorney's Fees and Costs</i> , filed by Plaintiff JOHN LINDH, Defendant WARDEN. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/08/2013)
04/09/2013	<u>208</u>	ORDER – The parties having filed their Stipulation to Settle Plaintiff's Claim for Attorneys' Fees and Costs, and the Court having read the Stipulation and being duly advised finds that it should be approved, and, IT IS THEREFORE ORDERED that the Stipulation is APPROVED and made the ORDER of the Court, and, IT IS FURTHER ORDERED that plaintiff's Petition for Attorney's Fees and Costs (ECF No. 204) is therefore DENIED as moot. Signed by Judge Jane Magnus-Stinson on 4/9/2013. (RSF) (Entered: 04/09/2013)
04/10/2013	<u>209</u>	MOTION (<i>VERIFIED</i>) to <i>Hold Defendant in Contempt</i> , filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Inmate Bulletin – CMU Worship, # <u>2</u> Prayer Times, # <u>3</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/10/2013)
04/26/2013	<u>210</u>	RESPONSE in Opposition re <u>209</u> MOTION (<i>VERIFIED</i>) to <i>Hold Defendant in Contempt</i> , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 04/26/2013)
04/29/2013	<u>211</u>	REPLY in Support of Motion re <u>209</u> MOTION (<i>VERIFIED</i>) to <i>Hold Defendant in Contempt</i> , filed by Plaintiff JOHN LINDH. (Falk, Kenneth) (Entered: 04/29/2013)
05/06/2013	<u>212</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 5/3/2013. The conference was scheduled to discuss the parties availability for an in person pretrial conference to discuss Plaintiff's Motion for Contempt. Pretrial Conference set for 5/9/2013 at 9:00 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. Defendant will make arrangements to have Plaintiff available telephonically, if needed and will make arrange for the Warden to participate telephonically. Signed by Magistrate Judge Mark J. Dinsmore.(RSF) (Entered: 05/06/2013)

05/09/2013	<u>213</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Settlement Conference held on 5/9/2013. The parties appeared in person and by counsel for a settlement conference to discuss issues relating to the Plaintiff's Motion to Hold Defendant in Contempt [Dkt. 209]. Telephonic Status Conference set for 5/23/2013 at 4:00 PM before Magistrate Judge Mark J. Dinsmore. Counsel shall attend the status conference by calling the designated phone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore.(RSF) (Entered: 05/10/2013)
05/23/2013	<u>215</u>	RESPONSE in Opposition re <u>209</u> MOTION (<i>VERIFIED</i>) to Hold Defendant in Contempt , filed by Defendant WARDEN. (Attachments: # <u>1</u> Att. 1 – FCC Terre Haute – Inmate Bulletin)(Kieper, Thomas) (Entered: 05/23/2013)
05/24/2013	<u>216</u>	Surreply re <u>209</u> MOTION (<i>VERIFIED</i>) to Hold Defendant in Contempt – Response to Defendant's Supplement to Verified Response in Opposition to Plaintiff's Verified Petition to Hold Defendant in Contempt, filed by Plaintiff JOHN LINDH. (Falk, Kenneth) (Entered: 05/24/2013)
05/28/2013	<u>217</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 5/23/2013. Parties appeared by telephone for a Status Conference. The parties discussed Plaintiff's Motion to Hold Defendant in Contempt [Dkt. 209]. Signed by Magistrate Judge Mark J. Dinsmore.(RSF) (Entered: 05/28/2013)
06/21/2013	<u>218</u>	SCHEDULING ORDER: Contempt Hearing set for 6/26/2013 01:00 PM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus–Stinson. Each party shall have 30 minutes for argument, and should file a witness and exhibit list by close of business June 25, 2013, if any witnesses are to be called or exhibits submitted beyond what is already on the Court's docket. The Court directs the parties to specifically be prepared to address, with citation to relevant authority, the following questions: For Plaintiff: Please provide authority to support the notion that the Court's review of the current policy of the Defendant is properly brought through a contempt petition, as opposed to a new lawsuit. For Defendant: Please explain how the current policy can possibly be considered the least restrictive means of burdening Plaintiff's sincerely held religious believe in congregate daily prayer given that the Defendant already implemented (and then abandoned) a less restrictive alternative. Signed by Judge Jane Magnus–Stinson on 6/21/2013.(MRI) (Entered: 06/21/2013)
06/25/2013	<u>219</u>	Unopposed MOTION for Continuance of Hearing Scheduled for June 26, 2013, filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 06/25/2013)
06/25/2013	<u>220</u>	ORDER – granting <u>219</u> Motion for Continuance. Contempt Hearing reset for 6/27/2013 at 9:00 AM in room #307, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge Jane Magnus–Stinson. Signed by Judge Jane Magnus–Stinson on 6/25/2013.(RSF) (Entered: 06/25/2013)
06/25/2013	<u>221</u>	NOTICE Concerning Witnesses and Exhibits for Contempt Hearing, filed by Plaintiff JOHN LINDH (Falk, Kenneth) (Entered: 06/25/2013)
06/25/2013	<u>222</u>	NOTICE of Provision of Relevant Authority, filed by Plaintiff JOHN LINDH (Falk, Kenneth) (Entered: 06/25/2013)
06/25/2013	<u>223</u>	MOTION to Have Plaintiff Appear at Contempt Hearing Via Video–Conferencing, filed by Plaintiff JOHN LINDH. (Attachments: # <u>1</u> Text of Proposed Order)(Rose, Gavin) (Entered: 06/25/2013)
06/25/2013	<u>224</u>	Witness List , filed by Defendant WARDEN, Exhibit List , filed by Defendant WARDEN. (Kieper, Thomas) (Entered: 06/25/2013)
06/25/2013	<u>225</u>	ORDER – granting <u>223</u> Motion to Have Plaintiff Appear at Contempt Hearing Via Video–Conferencing. IT IS THEREFORE ORDERED that arrangements shall be made so that the plaintiff may appear at the contempt hearing on this cause (scheduled for 9:00 a.m. on June 27, 2013) via video–conferencing from the CMU in Terre Haute, Indiana. IT IS FURTHER ORDERED that the defendant shall produce the plaintiff to appear via video–conferencing. Counsel shall appear in

		Room 349, U.S. Courthouse, 46 E. Ohio St, Indpls, IN. Signed by Judge Jane Magnus-Stinson on 6/25/2013. (RSF) (Entered: 06/26/2013)
06/27/2013	<u>226</u>	MINUTE ORDER for proceedings held before Judge Jane Magnus-Stinson: Evidentiary Hearing held on 6/27/2013. The Court held an evidentiary hearing on Plaintiff's Petition to Hold Defendant in Contempt, [dkt. 209], which the Court took UNDER ADVISEMENT. Plaintiff was present by videoconference and by counsel Kenneth Falk and Gavin Rose, and Defendant was present in person and by counsel Thomas Kieper. Bureau of Prison counsel Katherine Siereveld was also present. Joint Exhibits 1 and 2 were admitted into evidence by stipulation. Defendant Warden John C. Oliver testified. Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.)(MRI) (Entered: 06/27/2013)
07/19/2013	<u>227</u>	ORDER – The Court DENIES Mr. Lindh's Motion to Hold Defendant in Contempt, [dkt. 209], as the Court finds its earlier order was not unambiguous and required clarification. Within this order, the Court has clarified its earlier order with an unambiguous command, and it ORDERS the Warden to consider his current policy in light of that command and comply within thirty days. (See Order.) Signed by Judge Jane Magnus-Stinson on 7/19/2013. (RSF) (Entered: 07/19/2013)

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