

U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:11-cv-00731-MJD-WTL

SNIDER v. SUPERINTENDENT, WABASH VALLEY
CORRECTIONAL FACILITY et al
Assigned to: Magistrate Judge Mark J. Dinsmore
Referred to: Judge William T. Lawrence
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/31/2011
Date Terminated: 11/04/2013
Jury Demand: None
Nature of Suit: 555 Prisoner Petitions –
Prison Condition
Jurisdiction: Federal Question

Plaintiff**BILL SNIDER**

*on his own behalf, and on behalf of a class
of those similarly situated.*

represented by **Kenneth J. Falk**
ACLU OF INDIANA
1031 East Washington Street
Indianapolis, IN 46202-3952
(317) 635-4059 x104
Fax: (317) 635-4105
Email: kfalk@aclu-in.org
ATTORNEY TO BE NOTICED

V.

Defendant

**SUPERINTENDENT, WABASH
VALLEY CORRECTIONAL
FACILITY**

represented by **David A. Arthur**
INDIANA OFFICE OF THE
ATTORNEY GENERAL
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
(317)232-6286
Fax: (317) 232-7979
Email: David.Arthur@atg.in.gov
ATTORNEY TO BE NOTICED

Defendant

**UNIT MANAGER, SPECIAL
CONFINEMENT UNIT, WABASH
VALLEY CORRECTIONAL
FACILITY**

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

Date Filed	#	Docket Text
05/31/2011	<u>1</u>	COMPLAINT against SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY and UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY, filed by BILL SNIDER. (Attachments: # <u>1</u> Offender Grievance Case Report)(JKS) (Entered: 06/01/2011)
05/31/2011	<u>2</u>	CIVIL COVER SHEET, filed by Plaintiff BILL SNIDER. (JKS) (Entered: 06/01/2011)
05/31/2011	<u>3</u>	RECEIPT #IP024381 in the amount of \$ 350.00 (JKS) (Entered: 06/01/2011)
05/31/2011	<u>4</u>	Summons Issued as to SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, and UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (JKS) (Entered: 06/01/2011)

05/31/2011	<u>5</u>	NOTICE of Appearance by Kenneth J. Falk on behalf of Plaintiff BILL SNIDER. (JKS) (Entered: 06/01/2011)
05/31/2011	<u>6</u>	NOTICE of Appearance by Jan P. Mensz on behalf of Plaintiff BILL SNIDER. (JKS) (Entered: 06/01/2011)
05/31/2011	<u>7</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JKS) (Entered: 06/01/2011)
06/10/2011	<u>8</u>	RETURN of Service by CMRRR, filed by All Plaintiffs. UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY served on 6/3/2011. (Menz, Jan) (Entered: 06/10/2011)
06/10/2011	<u>9</u>	RETURN of Service by CMRRR, filed by BILL SNIDER. SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY served on 6/2/2011. (Menz, Jan) (Entered: 06/10/2011)
06/21/2011	<u>10</u>	MOTION to Certify Class, filed by Plaintiff BILL SNIDER. (Falk, Kenneth) (Entered: 06/21/2011)
06/21/2011	<u>11</u>	BRIEF/MEMORANDUM in Support re <u>10</u> MOTION to Certify Class, filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Population Statistical Report)(Falk, Kenneth) (Entered: 06/21/2011)
06/23/2011	<u>12</u>	NOTICE of Appearance by Adam Clay on behalf of Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Clay, Adam) (Entered: 06/23/2011)
06/23/2011	<u>13</u>	NOTICE of Appearance by David A. Arthur on behalf of Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Arthur, David) (Entered: 06/23/2011)
06/23/2011	<u>14</u>	NOTICE of Parties' First Extension of Time, filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Clay, Adam) (Entered: 06/23/2011)
07/21/2011	<u>15</u>	Unopposed MOTION for Extension of Time to 08/20/11 to Answer Complaint, filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order Granting Unopposed Motion for Enlargement of Time)(Clay, Adam) (Entered: 07/21/2011)
07/22/2011	<u>16</u>	ORDER granting defts' <u>15</u> Motion for Extension of Time to File response to complaint to 8/20/2011. Signed by Magistrate Judge Mark J. Dinsmore on 7/22/2011. (SWM) (Entered: 07/22/2011)
08/22/2011	<u>17</u>	ANSWER to <u>1</u> Complaint, filed by SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY.(Clay, Adam) (Entered: 08/22/2011)
09/12/2011	<u>18</u>	SCHEDULING ENTRY: Initial Pretrial Conference set for 10/18/2011 03:00 PM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. The parties shall file a proposed Case Management Plan ("CMP") no fewer than seven days before the pretrial conference (see Entry for additional information). Signed by Magistrate Judge Mark J. Dinsmore on 9/12/2011.(SWM) (Entered: 09/13/2011)
10/04/2011	<u>19</u>	MOTION to Withdraw as Attorney (<i>Jan Mensz</i>), filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 10/04/2011)
10/05/2011	<u>20</u>	MOTION for Summary Ruling on Plaintiff's Motion for Class Certification, filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 10/05/2011)

10/05/2011	<u>21</u>	ORDER granting <u>19</u> Motion to Withdraw as Attorney. Attorney Jan P. Mensz withdrawn. Signed by Magistrate Judge Mark J. Dinsmore on 10/5/2011. (SWM) (Entered: 10/06/2011)
10/06/2011	<u>22</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiff BILL SNIDER. (Falk, Kenneth) (Entered: 10/06/2011)
10/19/2011	<u>23</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Initial Pretrial Conference held on 10/18/2011. The Court will approve the Case Management Plan, by separate order, with the changes to which the parties have agreed. Status Conference set for 1/18/2012 10:30 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss case status. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 10/20/2011)
10/19/2011	<u>24</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED. Dispositive Motions due by 4/30/2012. Signed by Magistrate Judge Mark J. Dinsmore on 10/19/2011.(SWM) (Entered: 10/20/2011)
10/26/2011	<u>25</u>	SCHEDULING ORDER: Bench Trial set for 11/26/2012 at 9:00 AM in room #202, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge William T. Lawrence. Final Pretrial Conference set for 10/25/2012 at 2:00 PM in room #204, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Judge William T. Lawrence.`(DW) (Entered: 10/27/2011)
10/26/2011	<u>26</u>	TRIAL PROCEDURES AND PRACTICES before Judge William T. Lawrence. (DW) (Entered: 10/27/2011)
10/31/2011	<u>27</u>	NOTICE of Service of Initial Disclosures, filed by Plaintiff BILL SNIDER. (Falk, Kenneth) (Entered: 10/31/2011)
10/31/2011	<u>28</u>	Witness List <i>-Preliminary-</i> , filed by Plaintiff BILL SNIDER, Exhibit List <i>-Preliminary-</i> , filed by Plaintiff BILL SNIDER. (Falk, Kenneth) (Entered: 10/31/2011)
10/31/2011	<u>29</u>	MOTION for Extension of Time to November 14, 2011 <i>to Make Settlement Demand</i> , filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 10/31/2011)
10/31/2011	<u>30</u>	NOTICE of Service of Initial Disclosures, filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Clay, Adam) (Entered: 10/31/2011)
11/02/2011	<u>31</u>	ORDER granting Plt's <u>29</u> Motion for Extension of Time to make settlement demand to 11/14/2011. Signed by Magistrate Judge Mark J. Dinsmore on 11/2/2011. (SWM) (Entered: 11/03/2011)
11/30/2011	<u>32</u>	Witness List <i>Preliminary</i> , filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY, Exhibit List <i>Preliminary</i> , filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Clay, Adam) (Entered: 11/30/2011)
01/23/2012	<u>34</u>	ORDER: IT IS THEREFORE ORDERED that this case is certified as a class action as to the claim that the diet within the Special Confinement Unit at the Wabash Valley Correctional Facility violates the Eighth Amendment. This class is certified pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure, with Bill Snider as class representative, and is defined as: All prisoners now, and in the future, confined to the Special Confinement Unit at Wabash Valley Correctional Facility. IT IS FURTHER ORDERED that Kenneth J. Falk is appointed class counsel pursuant to Rule 23(g) of the Federal Rules of Civil Procedure. Signed by Judge William T. Lawrence on 1/23/2012. (DW) (Entered: 01/23/2012)

01/24/2012	<u>35</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 1/18/2012. Status Conference set for 2/27/2012 04:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss the status of discovery. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 01/24/2012)
02/29/2012	<u>37</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephone Status Conference held on 2/27/2012. The parties discussed the status of discovery. Status Conference set for 3/20/2012 04:40 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss whether additional time is necessary to conduct discovery and to establish a briefing schedule for anticipated cross- motions for summary judgement. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 02/29/2012)
03/26/2012	<u>39</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 3/20/2012. The parties discussed the status of discovery and case management deadlines. The parties approved CMP [Dkt. 24] is amended as follows: Dispositive motions due by 10/5/2012. All discovery shall be completed by 9/21/2012. The Court further VACATES the Final Pretrial Conference scheduled for 10/25/2012, and the Trial scheduled for 11/26/2012. These dates will be rescheduled by separate order at a later date. Status Conference set for 5/22/2012 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss case status. 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.(SWM) (Entered: 03/26/2012)
04/05/2012	<u>40</u>	STIPULATION to Enter Qualified Protective Order Pursuant to the Health Insurance Portability and Accountability Act and State Law, filed by Plaintiff BILL SNIDER, Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 04/05/2012)
04/11/2012	<u>41</u>	MOTION to Intervene PRO SE PLTF-JOHN ERIC THOMAS. (CBU) (Entered: 04/12/2012)
04/20/2012	<u>42</u>	Entry Discussing John Eric Thomas' Motion to Intervene: Mr. Thomas has not supplied sufficient information from which an appropriate analysis relating to permissive intervention can be made. His motion for such intervention <u>41</u> is therefore denied ***SEE ENTRY FOR ADDITIONAL INFORMATION***. Signed by Judge William T. Lawrence on 4/20/2012. Copy sent to John Eric Thomas via US Mail. (DW) (Entered: 04/20/2012)
04/23/2012	<u>43</u>	Qualified Protective Order Pursuant to the Health Insurance Portability and Accountability Act and Indiana Statutes (see Order for details). Signed by Magistrate Judge Mark J. Dinsmore on 4/23/2012.(SWM) (Entered: 04/23/2012)
04/25/2012	<u>44</u>	Letter from John Eric Thomas to Kenneth J. Falk. (DW) (Entered: 04/25/2012)
05/23/2012	<u>46</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephone Status Conference held on 5/22/2012. Telephonic Status Conference set for 6/14/2012 10:30 AM before Magistrate Judge Mark J. Dinsmore. Signed by Magistrate Judge Mark J. Dinsmore. (TMA) (Entered: 05/23/2012)
06/06/2012	<u>48</u>	MOTION for copy of complaint filed by Non-Party John Eric Thomas.. (DW) (Entered: 06/11/2012)
06/18/2012	<u>49</u>	Joint MOTION to Modify Case Management Deadlines, filed by Plaintiff BILL SNIDER, Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 06/18/2012)

06/20/2012	<u>50</u>	Minute Entry for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 6/14/2012. Plaintiff reports they have completed analysis of the medical records and have engaged a dietician to go to the facility to review a sampling of food trays. The parties further discussed case management deadlines and were advised to file a motion to amend. Status Conference set for 8/17/2012 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss case status. 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.(SWM) (Entered: 06/20/2012)
06/21/2012	<u>51</u>	MARGINAL ENTRY granting Non-Party Eric Thomas' <u>48</u> Motion for copy of complaint (see Marginal Entry bottom of Pg. 1) c/m. Signed by Magistrate Judge Mark J. Dinsmore on 6/21/2012. (SWM) (Entered: 06/22/2012)
06/21/2012	<u>52</u>	ORDER granting Parties' <u>49</u> Joint Motion to Modify Case Management Deadlines. Discovery due by 12/21/2012. Dispositive Motions due by 1/11/2013 (see Order for other established deadlines). Signed by Magistrate Judge Mark J. Dinsmore on 6/21/2012.(SWM) (Entered: 06/22/2012)
07/25/2012	<u>54</u>	MOTION for Pretrial Conference, filed by John Eric Thomas.. (WJC) (Entered: 07/27/2012)
07/26/2012	<u>53</u>	ENTRY RESETTING CONFERENCE (TIME ONLY): This matter is currently set for a telephonic Status Conference on Friday, August 17, 2012 at 3:00 p.m. The court now changes the time to 4:20 p.m. All other requirements of the Court's Order dated 6/20/2012 (Dkt. 50) are still in order and effect. Signed by Magistrate Judge Mark J. Dinsmore on 7/26/2012.(SWM) (Entered: 07/26/2012)
07/31/2012	<u>55</u>	ENTRY: A pretrial conference is scheduled for August 17, 2012. Mr. Thomas' motion for pretrial conference has been considered. That motion <u>54</u> is denied because there is nothing in such motion warranting any adjustment in the conference already scheduled. Signed by Judge William T. Lawrence on 7/31/2012. Copy sent to John E. Thomas via US Mail. (DW) (Entered: 08/01/2012)
07/31/2012	<u>56</u>	STATEMENT of John Eric Thomas. (DW) (Entered: 08/02/2012)
08/03/2012	<u>57</u>	Unopposed MOTION for Continuance of August 17, 2012, Status Conference, filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order Granting Unopposed Motion to Continue Status Conference)(Clay, Adam) (Entered: 08/03/2012)
08/06/2012	<u>58</u>	ORDER granting Defts' <u>57</u> Motion for Continuance of Telephonic Status Conference. Status Conference RESET for 8/20/2012 02:10 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. All other requirements of the Court's Order dated 6/20/12 [Dkt. 50] remain in full force and effect. Signed by Magistrate Judge Mark J. Dinsmore on 8/6/2012.(SWM) (Entered: 08/07/2012)
08/10/2012	<u>59</u>	Letter from Non Party Aaron Isby-Israel to Judge re: Food Problems/Kenneth Falk. (DW) (Entered: 08/14/2012)
08/22/2012	<u>61</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 8/20/2012. Plaintiffs' Counsel reported on the dietician's examination of the food trays and proposed that the parties enter into an agreement whereby the Defendant would monitor the portions of food for a period of time to be determined. Status Conference set for 9/13/2012 02:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to determine if the parties were able to enter into an agreement regarding the monitoring of the portions of food. The parties should also be prepared to discuss adjustments to the case management deadlines. 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. (SWM) (Entered: 08/22/2012)
09/14/2012	<u>63</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 9/13/2012. The parties report that

		the Department of Correction will implement a monitoring program to ensure that meal portions are correct. Accordingly, this matter is stayed until further order of the Court. Status Conference set for 12/17/2012 10:30 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss case status. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 09/14/2012)
12/17/2012	<u>65</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephone Status Conference held on 12/17/2012. Telephonic Status Conference set for 2/4/2013 03:00 PM before Magistrate Judge Mark J. Dinsmore. Signed by Magistrate Judge Mark J. Dinsmore. (TMA) (Entered: 12/17/2012)
01/14/2013	<u>66</u>	MOTION Demanding investigation filed by NON-PARTY John Eric Thomas.. (Attachments: # <u>1</u> Exhibit B)(DW) Modified on 1/18/2013 (DW). (Entered: 01/16/2013)
01/18/2013	<u>67</u>	ENTRY: A copy of the motion filed by Mr. Thomas on January 15, 2013, shall be included with the distribution of this Entry. The motion demanding federal rights investigation <u>66</u> is denied because the court does not conduct or compel investigations on behalf of litigants. Signed by Judge William T. Lawrence on 1/18/2013. Copy of Entry and Motion sent to John Thomas via US Mail. (DW) (Entered: 01/18/2013)
01/22/2013	<u>68</u>	AMENDED ENTRY: A copy of the motion filed by Mr. Thomas on January 14, 2013, shall be included with the distribution of this Entry. The motion demanding federal rights investigation <u>66</u> is denied because the court does not conduct or compel investigations on behalf of litigants. Signed by Judge William T. Lawrence on 1/22/2013. Copy sent to John Thomas via US Mail.(DW) (Entered: 01/22/2013)
02/06/2013	<u>70</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 2/4/2013. Plaintiffs have made a settlement proposal to Defendants. The parties are anticipating approval of the settlement within the next few weeks. Status Conference set for 3/6/2013 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss status of the settlement proposal. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 02/06/2013)
03/07/2013	<u>72</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 3/6/2013. Plaintiffs have proposed a draft settlement agreement to Defendants which is in the final stages of approval by the State. Once the settlement is approved, Plaintiffs will move to schedule a fairness hearing for approval of the Class Action settlement. Status Conference set for 4/18/2013 04:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss status of the settlement. If the matter is settled prior to the call, Counsel was advised to call chambers and the telephonic status conference will be vacated. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 03/08/2013)
04/16/2013	<u>74</u>	MOTION to Withdraw Attorney Appearance of Adam Clay, filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion for Leave to Withdraw Appearance of Adam Clay)(Arthur, David) (Entered: 04/16/2013)
04/18/2013	<u>75</u>	ORDER granting <u>74</u> Motion to Withdraw Attorney Appearance. Attorney Adam Clay withdrawn. Signed by Magistrate Judge Mark J. Dinsmore on 4/18/2013. (SWM) (Entered: 04/18/2013)
04/25/2013	<u>76</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 4/18/2013. The parties are still awaiting approval of the settlement agreement by the State. Once the settlement is

		approved, Plaintiffs will move to schedule a fairness hearing for approval of the Class Action settlement. Status Conference set for 5/22/2013 10:30 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of this conference is to discuss status of the settlement. If the matter is settled prior to the call, Counsel was advised to call chambers and the telephonic status conference will be vacated. Counsel shall attend the status conference by calling the designated phone number, to be provided by the court via email. Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 04/26/2013)
05/02/2013	<u>79</u>	MOTION (Letter) for court's assistance no c/s filed by Aaron Isby.. (DW) (Entered: 05/08/2013)
05/04/2013	<u>77</u>	MOTION for Continuance of <i>Telephonic Status Conference</i> , filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 05/04/2013)
05/06/2013	<u>78</u>	ORDER granting Pltf's <u>77</u> Motion for Continuance of Telephonic Status Conference. Status Conference RESET for 5/24/2013 01:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. All other requirements of the Court's order dated 4/25/2013 [Dkt. 76] remain in full force and effect. Signed by Magistrate Judge Mark J. Dinsmore on 5/6/2013.(SWM) (Entered: 05/06/2013)
05/09/2013	<u>80</u>	MOTION for Injunctive Relief c/s filed by non-party John Eric Thomas, Pro Se.. (DW) (Entered: 05/14/2013)
05/22/2013	<u>82</u>	ENTRY: The motion seeking injunctive relief [Dkt 80] is denied because Mr. Thomas refers therein to other litigation, pending in No. 1:08-cv-1317-TWP-MJD, and does not seek relief associated with the claims in this case. Signed by Judge William T. Lawrence on 5/22/2013. Copy sent to John Thomas via US Mail. (DW) (Entered: 05/22/2013)
05/30/2013	<u>83</u>	MINUTE ENTRY for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 5/24/2013. The parties report they are still awaiting approval of the settlement agreement by the State. Settlement Conference set for 7/15/2013 09:00 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. If the parties advise the Court in advance of the settlement conference that an agreed resolution of this matter has been reached, then the settlement conference will be vacated (see Entry for additional information). Signed by Magistrate Judge Mark J. Dinsmore.(SWM) (Entered: 05/30/2013)
06/19/2013	<u>84</u>	CONSENT to Prisoner E-Service by BILL SNIDER. Pursuant to General Order 2013-1, documents submitted by BILL SNIDER to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (DW) (Entered: 06/19/2013)
06/24/2013	<u>85</u>	ORDER REGARDING E-FILING PROGRAM: It has come to the Court's attention that Plaintiff Bill Snider has filed a consent form in this action expressing his desire to participate in the Prisoner Electronic Filing Program ("E-Filing"). Inasmuch as Mr. Snider is represented by counsel, he generally is not entitled under the Federal Rules of Civil Procedure to receive service of the court's orders directly from the court; rather, those orders are served on Mr. Snider's attorney. Federal Rule of Civil Procedure 77(d) directs the clerk to serve notice of the court's orders entries on parties as provided in Rule 5(b); Rule 5(b)(1), in turn, provides that "[i]f a party is represented by attorney, service under this rule must be made on the attorney unless the court orders service on the party." The Court sees no reason to deviate from the general rule in this case, and therefore declines to order that Mr. Snider be served directly, with the exception of this Order . After this Order is served, the consent form filed by Mr. Snider shall have no effect in this case as long as Mr. Snider is represented by counsel. The Clerk is directed to take whatever action necessary on the CM/ECF system to effectuate this Order. Signed by Judge William T. Lawrence on 6/24/2013.(DW) (Entered: 06/24/2013)

07/12/2013	<u>86</u>	Unopposed MOTION for Continuance of <i>settlement conference</i> , filed by Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Text of Proposed Order)(Arthur, David) (Entered: 07/12/2013)
07/12/2013	<u>87</u>	ORDER granting Defts' <u>86</u> Motion for Continuance of Settlement Conference. Settlement Conference RESET for 8/28/2013 11:30 AM in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. In all other respects, the entry at docket no. 83 remains in effect. The Court does not anticipate any further continuances of this settlement conference. Signed by Magistrate Judge Mark J. Dinsmore on 7/12/2013.(SWM) (Entered: 07/12/2013)
08/26/2013	<u>88</u>	STIPULATION of Parties to Enter into Private Settlement Agreement After Plaintiffs' Counsel Gives Notice to the Class and After Fairness Hearing / Motion to Approve Form and Manner of Notice, filed by Plaintiff BILL SNIDER, Defendants SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, UNIT MANAGER, SPECIAL CONFINEMENT UNIT, WABASH VALLEY CORRECTIONAL FACILITY. (Attachments: # <u>1</u> Proposed Class Notice, # <u>2</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 08/26/2013)
08/27/2013	<u>89</u>	CONSENT to Jurisdiction to US Magistrate Judge by All Parties. (Arthur, David) (Entered: 08/27/2013)
08/27/2013	<u>90</u>	REFERENCE ORDER: IT IS ORDERED: This case is referred to the currently assigned United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fe d. R. Civ. P. 73. Should this case be reassigned to a magistrate judge other than the magistrate judge assigned the date of this order, any attorney or party of record may object within 30 days of such reassignment. If no objection is filed, the consent will remain in effect. Signed by Judge William T. Lawrence on 8/27/2013.(DW) (Entered: 08/27/2013)
08/27/2013	<u>91</u>	SCHEDULING ENTRY: In light of the parties Stipulation to Enter into Private Settlement Agreement [Dkt. 88], the Court sua sponte VACATES Settlement Conference scheduled for August 28, 2013 [dkt. 87]. Signed by Magistrate Judge Mark J. Dinsmore on 8/27/2013.(SWM) (Entered: 08/27/2013)
08/30/2013	<u>92</u>	SCHEDULING ORDER: Status Conference set for 9/6/2013 03:00 PM in Telephonic before Magistrate Judge Mark J. Dinsmore. The purpose of the conference is to discuss the parties Stipulation to Enter Into Private Settlement Agreement [Dkt. 88]. Counsel shall attend the 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 on 8/30/2013.(SWM) (Entered: 08/30/2013)
09/06/2013	<u>94</u>	ORDER: The parties, having filed their Stipulation to Enter into Private Settlement Agreement after Plaintiffs' Counsel Gives Notice to the Class and After Fairness Hearing/Motion to Approve Form and Manner of Notice, and the Court having read the filing and being duly advised enters the following orders. IT IS ORDERED that notice to the class of the proposed private settlement agreement shall be given as specified in Section I V of the agreement and class counsel shall make his report within the time, and in the manner, specified in Section IV of the proposed agreement. IT IS FURTHER ORDERED that this matter is set for a fairness hearing pursuant to Rule 23(e) of the Federal Rules of Civil Procedure on November 4, 2013, at 2:00 p.m. in Room 243, United States Courthouse, Indianapolis, Indiana. Signed by Magistrate Judge Mark J. Dinsmore on 9/6/2013.(SWM) (Entered: 09/09/2013)
09/09/2013	<u>95</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 9/6/2013. The parties discussed issues relating to the fairness hearing, which the Court will schedule by separate order. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 09/09/2013)
09/13/2013	<u>96</u>	MARGINAL ENTRY denying Aaron Isby's <u>79</u> Motion (letter) for Court's assistance c/m. Signed by Magistrate Judge Mark J. Dinsmore on 9/13/2013.

		(SWM) (Entered: 09/13/2013)
10/07/2013	<u>97</u>	AFFIDAVIT of Timothy Greenlee (Non-Party) no c/s. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelope)(DW) (Entered: 10/08/2013)
10/21/2013	<u>98</u>	REPORT of Class Counsel Following Notice to the Class by All Plaintiffs. (Attachments: # <u>1</u> Comments Class Member Douglas, # <u>2</u> Comments Class Member Howard, # <u>3</u> Comments Class Member Rodgers)(Falk, Kenneth) (Entered: 10/21/2013)
11/01/2013	<u>99</u>	REPORT (SUPPLEMENTAL) of Class Counsel Following Notice to the Class by BILL SNIDER. (Falk, Kenneth) (Entered: 11/01/2013)
11/01/2013	<u>100</u>	Submission of Proposed Final Order, filed by Plaintiff BILL SNIDER. (Attachments: # <u>1</u> Text of Proposed Order)(Falk, Kenneth) (Entered: 11/01/2013)
11/04/2013	<u>101</u>	ORDER re <u>100</u> Submission of Proposed Final Order – The Court finds that the Private Settlement Agreement is a fair, reasonable, and adequate resolution of this matter. Pursuant to the Private Settlement Agreement, this case is now listed as inactive on this Court's docket and, absent an order from this Court or a subsequent written agreement by the parties, this case will be dismissed on May 5, 2014, without further notice. The dismissal will be without prejudice. Signed by Magistrate Judge Mark J. Dinsmore on 11/4/2013.(JD) (Entered: 11/04/2013)
11/04/2013	<u>102</u>	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: The Court conducted a fairness hearing on 11/4/2013 on Plaintiff's Stipulation to Enter into Private Settlement. The Court reviewed the affidavits and other submissions of the parties and heard argument in support of the Stipulation. The Court further found that the proposed settlement was fair, reasonable and adequate and was not the product of collusion among the parties. The Court will enter the final order by separate order. Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 11/04/2013)

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