

CLASS, LEADTR, TERMED

**U.S. District Court
Eastern District of Kentucky (Lexington)
CIVIL DOCKET FOR CASE #: 5:93-cv-00290-HRW**

Robinson, et al v. Hambrick, et al
Assigned to: Henry R. Wilhoit, Jr
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/09/1993
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: U.S. Government
Defendant

Plaintiff**Gloria Batton Robinson**

represented by **Douglas L. McSwain**
Sturgill, Turner, Barker & Moloney
PLLC
155 E. Main Street
Suite 400
Lexington, KY 40507-1317
859-255-8581
Fax: 859-231-0851
Email: dmcswain@sturgillturner.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Antoinette M. Frink**

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Conchita Washington**

represented by **Conchita Washington**
14826-039
FMC-CARSWELL
P.O. Box 27137
Forth Worth, TX 76127
PRO SE

Douglas L. McSwain
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Sunday Torres
TERMINATED: 08/10/1995

represented by **Douglas L. McSwain**
(See above for address)

TERMINATED: 08/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Nita Young
TERMINATED: 08/10/1995

represented by **Douglas L. McSwain**
(See above for address)
TERMINATED: 08/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Patricia M. Darks

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Norma Fay Cook

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Angela Sanchez-Martinez
TERMINATED: 08/10/1995

represented by **Douglas L. McSwain**
(See above for address)
TERMINATED: 08/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Martha Marie Preston

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Titilola I. Odusanya
TERMINATED: 08/10/1995

represented by **Douglas L. McSwain**
(See above for address)
TERMINATED: 08/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Alberta Anderson
TERMINATED: 08/10/1995

represented by **Douglas L. McSwain**
(See above for address)
TERMINATED: 08/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Loven L. Lewis**represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Plaintiff****Lori Saunders**represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Plaintiff****Reshawn Richardson**represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Plaintiff****Ozie B. Collins**represented by **Ozie B. Collins**
#22644044
FCC-FLORENCE
P.O. Box 7000
Florence, CO 81226-7000
PRO SE

V.

Intervenor Plaintiff**Jane Doe(s)***is a resident of North Carolina and a sister to one of the inmates incarcerated at FMC, Lexington. Jane Doe requests to proceed in this action under the pseudonym "Jane Doe" but will supply to the Court in camera her name and address as*represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Intervenor Plaintiff****John Hoe***is a resident of Georgia and is a cousin to one of the inmates incarcerated at FMC, Lexington. John Hoe hereby requests to proceed in this action under the pseudonym "John Hoe" but will supply to the Court in camera his name and*represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Intervenor Plaintiff**

Jane Roe

is a resident of Florida and is a relative or friend of one of the inmates incarcerated at FMC, Lexington. Jane Roe hereby requests to proceed in this action under the pseudonym "Jane Roe" but will supply to the Court in camera

Intervenor Plaintiff**Jane Poe**

is a resident of New York and is a sister to one of the inmates incarcerated at FMC, Lexington. Jane Poe hereby requests to proceed in this action under the pseudonym "Jane Poe" but will supply to the Court in camera her name and

Intervenor Plaintiff**Jane Moe**

is a resident of Oregon and is related by marriage to one of the inmates incarcerated at FMC, Lexington. Jane Moe hereby requests to proceed in this action under the pseudonym "Jane Moe" but will supply to the Court in camera her name and

V.

Defendant**Margaret C. Hambrick**

*Warden, FMC-Lexington, Kentucky
TERMINATED: 10/18/1994*

represented by **Douglas L. McSwain**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

represented by **Douglas L. McSwain**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

represented by **Douglas L. McSwain**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

represented by **David L. Bunning**
U.S. Attorney's Office
700 Scott Street
Second Floor
P.O. Box 72
Covington, KY 41012-0072
859-655-3200
*TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Henry A. Azar, Jr.
U.S. Department of Justice
901 E. Street, NW
Suite 1047
Washington, DC 20530
*TERMINATED: 10/18/1994
LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
U.S. Department of Justice
901 E Street, N.W.
Room 928
Civil Division
Washington, DC 20530
202-616-8211
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
U.S. Department of Justice
20 Massachusetts Avenue, NW
Benjamin Franklin Station
P.O. Box 883
Washington, DC 20044
202-514-3357
Fax: 202-616-8208
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kathleen Hawk
sued as Director of Bureaus of Prisons

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Janet Reno

represented by **David L. Bunning**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Raphael O. Gomez
U.S. Department of Justice
901 E Street, N.W.
Room 814
Civil Division
Washington, DC 20530
202-514-3374
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Prisons

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**David Woody**

*in his capacity as Chief, Trust Fund
Systems of the Trust Fund Branch of the
Bureau of Prisons*

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Michael A. Atwood**

*in his capacity as Chief, Trust Fund
Branch of the Bureau of Prisons*

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**USA**

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeff Clair
U.S. Department of Justice
Appellate Staff
Civil Division
Washington, DC 20530
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Janet Reno
Attorney General of the United States

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

Margaret C. Hambrick
Warden, FMC, Lexington
TERMINATED: 10/18/1994

represented by **David L. Bunning**
(See above for address)
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
TERMINATED: 10/18/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

Kathleen Hawk
Director of the Federal Bureau of
Prisons

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.
(See above for address)
TERMINATED: 12/06/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen E. Moriarty
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent M. Garvey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

USA

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.

(See above for address)

TERMINATED: 12/06/1995

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Kathleen E. Moriarty

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Vincent M. Garvey

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Defendant

Federal Bureau of Prisons

represented by **David L. Bunning**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Henry A. Azar, Jr.

(See above for address)

TERMINATED: 12/06/1995

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Kathleen E. Moriarty

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Vincent M. Garvey

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Movant

Patricia M. Darks

represented by **Patricia M. Darks**

FMC-CARSWELL

P.O. Box 27137

Forth Worth, TX 76127

PRO SE

Movant

Melvin P. Deutsch

represented by **Melvin P. Deutsch**

FCI-OTISVILLE

P.O. Box 1000
Otisville, NY 10963
PRO SE

Movant

James A. McKines

represented by **James A. McKines**
USP-LOMPOC
3901 Klein Boulevard
United States Penitentiary
Lompoc, CA 93436
PRO SE

Movant

Jimmy g. Nixon, Sr.

represented by **Jimmy g. Nixon, Sr.**
FCI-TEXARKANA
P.O. Box 7000
Texarkana, TX 75501
PRO SE

Movant

Billy Ray Hastings

represented by **Billy Ray Hastings**
04981-003
FCI-MARIANNA
3625 FCI Road
P.O. Box 7006
Marianna, FL 32447-7006
PRO SE

Movant

Jamers A. McKines

represented by **Jamers A. McKines**
USP-LOMPOC
3901 Klein Boulevard
United States Penitentiary
Lompoc, CA 93436
PRO SE

Movant

Willie Bud Reed, Jr.

represented by **Willie Bud Reed, Jr.**
27232-004
FCI-MIAMI
P.O. Box 779800
Miami, FL 33177
PRO SE

Movant

Michael Joseph Kearns

represented by **Michael Joseph Kearns**
FCI-TEXARKANA
P.O. Box 7000
Texarkana, TX 75501
PRO SE

Movant

George D. Farquhar
TERMINATED: 05/08/2001

represented by **George D. Farquhar**
FCI-TEXARKANA
P.O. Box 7000
Texarkana, TX 75501
PRO SE

Movant

Clarence T. Fox, Jr.

represented by **Clarence T. Fox, Jr.**
FCI-MANCHESTER
P.O. Box 4000
Manchester, KY 40962-4000
PRO SE

Defendant

Arthur F. Beeler

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Arthur F. Beeler

represented by **David L. Bunning**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Jane Toe
a resident of the State of Indiana

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Jane Zoe
a resident of the State of Florida

represented by **Douglas L. McSwain**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/02/1993		MOTION by plaintiff Sunday Torres for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) (DC) (Entered: 08/06/1993)
06/02/1993		MOTION by plaintiff Sunday Torres for temporary restraining order (Filed in Lex. Civ. 93-217 as 1-2) (DC) (Entered: 08/06/1993)
06/03/1993		MOTION by plaintiff Sunday Torres for preliminary injunction protecting plttfs from harassment, unnecessary restrictions, deprivations beyond those currently imposed at time of filing of the complaint herein (Filed in Lex. Civ. 93-217 as DE#2-1) (DC) (Entered: 08/06/1993)
06/03/1993		MOTION by plaintiff Sunday Torres for order to defts to allow plttfs to post copies of complaint and related documentation on the inmate bulletin (Filed in Lex. Civ. 93-217 DE#3-1) (DC) (Entered: 08/06/1993)
06/03/1993		MOTION by plaintiff Sunday Torres for immediate hearing on motion for preliminary injunction and motion for injunctive relief for class pending resolution of complaint (Filed in Lex. Civ. 93-217 DE#4-1) (DC) (Entered: 08/06/1993)
07/09/1993	1	COMPLAINT (4 Summons(es) issued) with copy (referred to Mag Judge Peggy E. Patterson) (DC) Modified on 07/14/1993 (Entered: 07/09/1993)
07/09/1993	2	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink to expedite emergency hearing on implementation of new telephone system at FMC-Lex and to request Injunction to stay implementation of new telephone system until this matter has been resolved by court (DC) (Entered: 07/09/1993)
07/09/1993	3	LETTER from plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink to court notifying court of implementation of new phone system on 7/12/93 and attaching a copy of the Warden's Certificate of Inmate's Trust Account but they did not file a motion to proceed in forma pauperis (DC) (Entered: 07/09/1993)
07/09/1993	4	ORDER by Judge Henry R. Wilhoit Jr., granting motion to expedite emergency hearing on implementation of new telephone system at FMC-Lex and to request Injunction to stay implementation of new telephone system until this matter has been resolved by court [2-1], , CASE STAYED , ; summons issue for defts Margaret Hambrick and Kathleen Hawk in Lex civil 93-290; that this order shall be served forthwith upon the Warden at the FMC-Lex or upon her designated represnetative by the U.S. Marshall's Service; response / brief due 7/30/93 (cc: all counsel) (DC) (Entered: 07/09/1993)
07/09/1993		COMMENT: RF/636B (SKV) (Entered: 08/25/1993)
07/12/1993	5	MOTION by Official Defendant Margaret C. Hambrick, Official Defendant Kathleen Hawk to consolidate cases Lex. Civ. 93-217 and Lex. Civ. 93-290 (DC) (Entered: 07/14/1993)

07/12/1993	6	LETTER from plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink attaching Exhibit A mistakenly left out of Motion ot Request an Emergency Hearing (DC) (Entered: 07/14/1993)
------------	---	--

07/12/1993	7	MOTION by Official Defendant Margaret C. Hambrick, Official Defendant Kathleen Hawk for hearing (DC) (Entered: 07/14/1993)
07/13/1993	7	MOTION by Official Defendant Margaret C. Hambrick, Official Defendant Kathleen Hawk to set aside order [4-5] (DC) (Entered: 07/14/1993)
07/13/1993	8	RETURN OF SERVICE by Official Defendant Margaret C. Hambrick of Order staying implementation of ITS System by U.S. Marshal on 7/9/93 at 5:05 p.m. (DC) (Entered: 07/14/1993)
07/13/1993		MOTION by defendant Margaret C. Hambrick to set aside order [4-1], [4-2], [4-3], [4-4], [4-5] (Filed in Lex. Civ. 93-217 DE#12-1) (DC) Modified on 08/06/1993 (Entered: 08/06/1993)
07/13/1993		MOTION by defendant Margaret C. Hambrick for hearing (Filed In Lex Civl 93-217 (DE#12-2) (DC) (Entered: 08/06/1993)
07/14/1993		MOTION by plaintiff Sunday Torres to amend motion for preliminary injunction and/or temporary restraining order to prevent implementation of new non-collect telephone calling, telephone system to Motion for permanent injunctive relief (Filed in Lex. Civ. 93-217 DE#13-1) (DC) (Entered: 08/06/1993)
07/14/1993		MOTION by plaintiff Sunday Torres to amend prisoner class action complaint (Filed in Lex. Civ. 93-217 DE#15-1) (DC) (Entered: 08/06/1993)
07/14/1993		MOTION by plaintiff Sunday Torres to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#19-1) (DC) (Entered: 08/06/1993)
07/14/1993		MOTION by plaintiff Conchita Washington to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#20) (DC) (Entered: 08/06/1993)
07/14/1993		REPORT AND RECOMMENDATION re: Motions to proceed in forma Pauperis of Washington and Torres concerning motion to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#20) [0-1], motion to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#19-1) [0-1] by Mag Judge J. G. Wehrman ; responses to the RR due within 10 days of service or further appeal is waived (Filed in Lex. Civ. 93-217 DE#21-1) (cc: all counsel) (DC) Modified on 08/06/1993 (Entered: 08/06/1993)
07/19/1993	9	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink for protective order to prevent retaliation for filing this civil action (DC) (Entered: 07/19/1993)

07/19/1993	10	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink to dismiss motion of government to consolidate Lex. Civ. 93-217 and Lex. Civ. 93-290 (DC) (Entered: 07/19/1993)
07/22/1993	11	ORDER by Judge Karl S. Forester finding the motion to dismiss motion of government to consolidate Lex. Civ. 93-217 and Lex. Civ. 93-290 [10-1] moot., granting motion to consolidate cases Lex. Civ. 93-217 and Lex. Civ. 93-290 [5-1] 5:93-cv-290 with member cases 5:93-cv-217; motion of plttf for appointment of counsel, filed in Lex. Civ. 93-217 is GRANTED; Hon. Douglas McSwain is appointed as counsel for the plttfs; Action Lex. Civ. 93-217 is hereby CONSOLIDATED with the action Lex. Civ. 93-290 and Lex. Civ. 93-217 is TRANSFERRED to the Hon. Henry R. Wilhoit the presiding judge in 93-290 to be assigned for a hearing on all remaining motions. (cc: all counsel) (DC) Modified on 07/22/1993 (Entered: 07/22/1993)
07/22/1993	12	RETURN OF SERVICE executed upon defendant Margaret C. Hambrick, defendant Kathleen Hawk on 7/15/93 by U.S. Marshal personally serving U.S. Atty with copy of complaint and summons on Marianna Clay (DC) (Entered: 07/22/1993)
07/23/1993	13	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink for hearing to set status conference prior to any scheduled evidentiary hearing to clarify the legal posture and issues involved in these cases and to address pending motions filed by the plttfs (DC) Modified on 07/23/1993 (Entered: 07/23/1993)
07/23/1993	14	MOTION by defendant Margaret C. Hambrick, defendant Kathleen Hawk for hearing for status conference to consider all prehearing matters which the court deems necessary (DC) (Entered: 07/26/1993)
07/26/1993	15	MOTION by plaintiff Conchita Washington, plaintiff Sunday Torres, plaintiff Gloria Batton Robinson for discovery for pending action/hearing for permanent injunctive relief to prevent implementation of the new non-collect telephone calling, telephone system (DC) (Entered: 07/26/1993)
07/29/1993	16	ORDER by Judge Henry R. Wilhoit Jr. setting hearing on motion for hearing to set status conference prior to any scheduled evidentiary hearing to clarify the legal posture and issues involved in these cases and to address pending motions filed by the plttfs [13-1] 11:30 8/2/93 setting hearing on motion for hearing for status conference to consider all prehearing matters which the court deems necessary [14-1] 11:30 8/2/93 in Courtroom B, Lex. (cc: all counsel) (DC) (Entered: 07/29/1993)
07/29/1993	17	ORDER by Judge Henry R. Wilhoit Jr. the above styled caes having been consolidated it is ORDERED that all pleadings shall hence forth be filed only in the lead case Lex. Civ. 93-290 and the Clerk is directed to enter the parties in civil action 93-217 into the lead case. (cc: all counsel) (DC) (Entered: 08/02/1993)
08/05/1993	18	ORDER by Judge Henry R. Wilhoit Jr. taking under advisement on

		<p>9/6/93 the motion to set aside order [4-1], [4-2], [4-3], [4-4], [4-5] (Filed in Lex. Civ. 93-217 DE#12-1) [0-1], taking under advisement on 9/6/93 the motion to set aside order [4-5] [7-1] granting motion for protective order to prevent retaliation for filing this civil action [9-1] granting motion for discovery for pending action/hearing for permanent injunctive relief to prevent implementation of the new non-collect telephone calling, telephone system [15-1] granting motion for hearing (Filed In Lex Civ 93-217 (DE#12-2) [0-1], granting motion for hearing [7-1] taking under advisement on 9/6/93 the motion for preliminary injunction protecting plttfs from harassment, unnecessary restrictions, deprivations beyond those currently imposed at time of filing of the complaint herein (Filed in Lex. Civ. 93-217 as DE#2-1) [0-1], taking under advisement on 9/6/93 the motion for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) [0-1] granting motion for preliminary injunction protecting plttfs from harassment, unnecessary restrictions, deprivations beyond those currently imposed at time of filing of the complaint herein (Filed in Lex. Civ. 93-217 as DE#2-1) [0-1], taking under advisement on 9/6/93 the motion for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) [0-1] finding the motion for order to defts to allow plttfs to post copies of complaint and related documentation on the inmate bulletin (Filed in Lex. Civ. 93-217 DE#3-1) [0-1] moot. taking under advisement on 9/6/93 the motion for temporary restraining order (Filed in Lex. Civ. 93-217 as 1-2) [0-1], taking under advisement on 9/6/93 the motion for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) [0-1] adopting motion REPORT AND RECOMMENDATION re: Motions to proceed in forma Pauperis of Washington and Torres [0-1] granting motion to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#20) [0-1], granting motion to proceed in forma pauperis (Filed in Lex. Civ. 93-217 DE#19-1) [0-1] taking under advisement on 9/6/93 the motion to amend prisoner class action complaint (Filed in Lex. Civ. 93-217 DE#15-1) [0-1], taking under advisement on 9/6/93 the motion to amend motion for preliminary injunction and/or temporary restraining order to prevent implementation of new non-collect telephone calling, telephone system to Motion for permanent injunctive relief (Filed in Lex. Civ. 93-217 DE#13-1) [0-1] taking under advisement on 9/6/93 the motion to set aside order [4-1], [4-2], [4-3], [4-4], [4-5] (Filed in Lex. Civ. 93-217 DE#12-1) [0-1], taking under advisement on 9/6/93 the motion to set aside order [4-5] [7-1] granting motion for immediate hearing on motion for preliminary injunction and motion for injunctive relief for class pending resolution of complaint (Filed in Lex. Civ. 93-217 DE#4-1) [0-1], taking under advisement on 9/6/93 the motion for temporary restraining order (Filed in Lex. Civ. 93-217 as 1-2) [0-1] ; discovery ddl 9/7/93 , ; motion filing ddl 9/7/93 (cc: all counsel) (DC) (Entered: 08/06/1993)</p>
08/11/1993	19	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres for show cause hearing (DC) (Entered: 08/11/1993)
08/11/1993	19	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres for immediate writ (DC) (Entered: 08/11/1993)

08/11/1993	19	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres for preliminary injunction enjoining and staying the effective date of certain regulations promulgated pursuant to the "rule-making" process of the Administrative Procedures Act (DC) (Entered: 08/11/1993)
08/11/1993	20	MOTION by plaintiffs to amend complaint (Document headed "Notice of Tender of First Amended Complaint) (DC) Modified on 08/13/1993 (Entered: 08/13/1993)
08/11/1993		PROPOSED First Amended Complaint submitted by plaintiff (DC) (Entered: 08/13/1993)
08/12/1993	21	ORDER by Judge Henry R. Wilhoit Jr. granting motion for show cause hearing [19-1]; setting hearing on motion for preliminary injunction enjoining and staying the effective date of certain regulations promulgated pursuant to the "rule-making" process of the Administrative Procedures Act [19-1] 3:00 8/17/93; setting hearing on motion for immediate writ [19-1] 3:00 8/17/93 (cc: all counsel) (SKV) Modified on 08/13/1993 (Entered: 08/12/1993)
08/17/1993	22	RESPONSE by defendant Margaret C. Hambrick, defendant Kathleen Hawk, plaintiff Sunday Torres to motion for preliminary injunction enjoining and staying the effective date of certain regulations promulgated pursuant to the "rule-making" process of the Administrative Procedures Act [19-1], to motion for immediate writ [19-1] (DC) (Entered: 08/18/1993)
08/17/1993	23	GENERAL MINUTES: Hearing was held on Motions on 8/17/93. Sherry Music, Court Reporter. Court heard counsel on the pending motions. Counsel for the plttfs shall prepare and submit an order in conformity with the court's ruling on the pending motions. (cc: all counsel) (DC) (Entered: 08/18/1993)
08/17/1993	24	AFFIDAVIT of MICHAEL ATWOOD in support of installation of telephone system at FMC (DC) (Entered: 08/18/1993)
08/18/1993	25	ORDER by Judge Henry R. Wilhoit Jr. granting motion to amend complaint (Document headed "Notice of Tender of First Amended Complaint) [20-1] (cc: all counsel) (DC) (Entered: 08/18/1993)
08/18/1993	26	FIRST AMENDED COMPLAINT [1-1] by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres (DC) Modified on 02/24/1995 (Entered: 08/18/1993)
08/18/1993	27	INJUNCTION by Judge Henry R. Wilhoit Jr. This matter is before the court on the Motion of PLtffs for Show Cause Hearing and Writ of Injunciton and the Court having heard parties and being advised it is ORDERED that for the reasons stated by the court on the record, the court is granting motion for preliminary injunction enjoining and staying the effective date of certain regulations promulgated pursuant to the

		<p>"rule-making" process of the Administrative Procedures Act [19-1], granting motion for immediate writ [19-1]; The defts, including specifically defts Janet Reno, Kathleen Hawk and Margaret Hambrick are hereby ENJOINED from clsoing the notice and comment period on the propped rule pertaining to the Inmate Telephone System published in the Federal Register 58 F.R. 39096-97 on or about 7/21/93 until 60 days has expired from the date of entry of this injunction. During such 60 day comment period the defts shall continue to accept and consider comments received from the general public, including the pltffs and their counsel, as contemplated in 5 USC 553(c)(1993); this injunction shall be personally served on the Warden of FMC by the U.S. Marshall's Service and upon the Asst. U.S. Atty. representing the other defts in this lawsuit who shall promptly give notice of same to the defts. (cc: counsel) (DC) (Entered: 08/18/1993)</p>
08/18/1993	28	<p>STIPULATION of parties that they consent, stipulate and agree that defts will not object of the jurisdiciton, venue and adjudicative processes available to pltffs in this Court to judicially review the rule-making procedures and/or any final "Rule" promulgated by the Bureau of Prisons relating to the Inmate Telephone System (ITS). This stipulation applies iwthout regard to whether any particular person or entity including the pltffs have timely filed a comment with respect to any proposed ITS or related rule and without regard to the scope of any comment that may be filed by any person or entity; pltffs counsel agree and stipulate that pltffs will not object of the defts promulgation of a final rule after the extended notice and comment period has expired. Pltffs counsel however expressly reserves the right to request a stay, injunction, or other appropriate remedy enjoining and/or postponing the implementation of the final rule. Thereafter, all parties request an expedited hearing in these proceedings. Defts further agree that they will give immediate notice to pltffs counsel of publication of the final rule. (DC) (Entered: 08/18/1993)</p>

08/18/1993	29	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres for order of court for preparation of transcript requiring that a transcript of the hearing held on 8/17/93 be prepared at the expense of the Clerk and to be taxable as costs at the conclusion of this case (DC) (Entered: 08/19/1993)
08/19/1993	30	RESPONSE by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno to motion for order of court for preparation of transcript requiring that a transcript of the hearing held on 8/17/93 be prepared at the expense of the Clerk and to be taxable as costs at the conclusion of this case [29-1] (DC) (Entered: 08/20/1993)
08/23/1993	31	TRANSCRIPT filed of MOTION HEARING before Hon. Henry Wilhoit, Jr. Date(s) of transcript 08/17/93 at 2:30 p.m. (DC) (Entered: 08/23/1993)
08/23/1993	32	RETURN OF SERVICE of Order & Injunction by U.S. Marshal upon David Bunning, AUSA on 8/19/93 at 9:50 a.m. (DC) (Entered: 08/23/1993)
08/24/1993	33	RETURN OF SERVICE executed upon defendant Margaret C. Hambrick on 8/23/93 by U.S. Marshal of complaint and summons (DC) (Entered: 08/24/1993)
08/24/1993	34	RETURN OF SERVICE of Order of 8/18/93 showing service by U.S. Marshal on Margaret Hambrick, Warden by personal service on 8/23/93 at 10:25 a.m. (DC) (Entered: 08/24/1993)
08/30/1993	35	ORDER by Judge Henry R. Wilhoit Jr. court upon oral representation of counsel that this matter has been satisfactorily resolved by agreement and that this motion is withdrawn it is ORDERED that the motion is STRICKEN from the docket as MOOT; finding the motion for order of court for preparation of transcript requiring a transcript of the hearing held on 8/17/93 be prepared at the expense of the Clerk and to be taxable as costs at the conclusion of this case [29-1] moot. (cc: all counsel) (DC) (Entered: 08/31/1993)
09/01/1993		SUMMONS issued as to defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant USA, defendant FBP on Amended Complaint and given to atty for service (13 summons issued and delivered to atty for service) (DC) (Entered: 09/02/1993)
09/08/1993	36	ORDER by Judge Henry R. Wilhoit Jr. matter is before the court on its own motion; pursuant to a standing of the court these consolidated cases were initially assigned to magistrates. However, it is implicit from subsequent orders from the court that the references have been withdrawn. Accordingly, it is ORDERED that any reference of these consolidated cases to a mag. is hereby withdrawn; terminating case referral to Mag Judge Peggy E. Patterson, (cc: all counsel) (DC) (Entered: 09/08/1993)
09/10/1993	37	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M.

		Frink, plaintiff Conchita Washington, plaintiff Sunday Torres for temporary restraining order restraining the defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions , for request for hearing (DC) (Entered: 09/10/1993)
09/10/1993	38	MEMORANDUM by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink, plaintiff Conchita Washington, plaintiff Sunday Torres in support of motion for temporary restraining order restraining the defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions [37-1], of motion for request for hearing [37-2] (DC) (Entered: 09/10/1993)

09/10/1993		----- V O L U M E II ----- ----- (DC) (Entered: 09/10/1993)
09/13/1993	39	ORDER by Judge Henry R. Wilhoit Jr. setting hearing on motion for temporary restraining order restraining the defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions [37-1] 4:00 9/13/93, granting motion for request for hearing [37-2] (cc: all counsel) (DC) (Entered: 09/13/1993)
09/13/1993	40	RESPONSE by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant USA, defendant FBP to [37-1], Motion for TRO (LGB) (Entered: 09/14/1993)
09/13/1993	41	GENERAL MINUTES: Hearing held on 9/13/93 on pla's Motion for TRO. Peggy Weber, Official Court Reporter. Counsel directed to prepare and submit proposed agreed order, consistent with Court's oral ruling, granting in part and denying in part the Motion for TRO. (cc: all counsel) (LGB) (Entered: 09/14/1993)
09/13/1993	42	WITNESS list of TRO hearing by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant USA, defendant FBP (LGB) (Entered: 09/14/1993)
09/14/1993	43	TEMPORARY RESTRAINING ORDER by Judge Henry R. Wilhoit Jr. : 1) The Court finds preliminarily that the Inmate Commissary and Welfare Fund may be improperly expended on implementation of the ITS. The Court further preliminarily that plas are irreparably harmed by the BOP implementing any further ITS in other penal institutions and charging same to the inmate Fund. Accordingly, the BOP should maintain the status quo until the Court can entertain Motions for Class Certification and Preliminary Injunction. 2) Court concludes preliminarily that the BOP and ind. dfts are TEMPORARILY RESTRAINED from implementing the ITS in any other penal institution or taking any further steps to implement ITS and further that the BOP and ind. dfts are TEMPORARILY RESTRAINED from charging the Inmate Commissary and Welfare Fund with any further expenses connected to the ITS. 3) That notice of this TRO shall be served immediately upon the U.S. Atty who is directed to give immediate notice of the TRO to the BOP and all dfts in this action. (cc: all counsel) (LGB) (Entered: 09/14/1993)
09/14/1993	44	MOTION by defendants to clarify the temporary restraining order entered on 9/14/93 at 2:40 p.m. (DC) (Entered: 09/15/1993)
09/14/1993	45	MOTION by defendant to supplement 9/13/93 Response of Deft to TRO [40-1] (DC) (Entered: 09/15/1993)
09/14/1993	46	RETURN OF SERVICE unexecuted - attempted as to defendant FBP with U.S. Marshal showing unexecuted USM 299 not returned (DC) (Entered: 09/15/1993)
09/14/1993	47	RETURN OF SERVICE unexecuted - attempted as to defendant

		Kathleen Hawk with U.S. Marshal returning unexecuted USM form 299 not returned (DC) (Entered: 09/15/1993)
09/15/1993	48	RESPONSE by plaintiffs to motion to supplement 9/13/93 Response of Deft to TRO [40-1] [45-1], to motion to clarify the temporary restraining order entered on 9/14/93 at 2:40 p.m. [44-1] (DC) (Entered: 09/15/1993)

09/17/1993	49	MEMORANDUM, OPINION, AND ORDER: by Judge Henry R. Wilhoit Jr. granting motion to supplement 9/13/93 Response of Deft to TRO [40-1] [45-1] denying motion to clarify the temporary restraining order entered on 9/14/93 at 2:40 p.m. [44-1] (cc: all counsel) (DC) (Entered: 09/17/1993)
09/17/1993	50	ANSWER by defendant to First Amended Complaint [26-1], to Complaint [1-1] (DC) (Entered: 09/19/1993)
09/21/1993	51	TRANSCRIPT filed of Hearing on Motion for TRO before Hon. Henry Wilhoit, Jr. Date(s) of transcript 9/13/93 at 4:00 p.m. (DC) (Entered: 09/21/1993)
09/21/1993	52	ATTORNEY APPEARANCE for defendant by Vincent M. Garvey, Kathleen E. Moriarty (DC) (Entered: 09/21/1993)
09/22/1993	53	MOTION by plaintiff to certify class action , request for hearing (DC) (Entered: 09/23/1993)
09/22/1993	54	MEMORANDUM by plaintiff in support of motion to certify class action [53-1], of motion request for hearing [53-2] (DC) (Entered: 09/23/1993)
09/22/1993	55	MOTION by plaintiff to intervene and add parties Jane Doe, Jane Roe, Jane Poe, and Jane Moe (DC) (Entered: 09/23/1993)
09/22/1993		PROPOSED Intervening Complaint submitted by plaintiff (DC) (Entered: 09/23/1993)
09/22/1993	56	MOTION by plaintiff for order for show cause hearing to make defts show cause why they should not be held in contempt for violating this Court's injunction against retaliation toward plaintiffs (DC) (Entered: 09/23/1993)
09/22/1993	57	MOTION by plaintiff extend Temporary Restraining Order , request for hearing (DC) (Entered: 09/23/1993)
09/22/1993	58	MOTION by intervenor plaintiff Jane Doe(s) to certify intervening complaint as class action (DC) (Entered: 09/23/1993)

09/22/1993	59	MEMORANDUM by plaintiff in support of motion to certify intervening complaint as class action [58-1] (DC) (Entered: 09/23/1993)
09/22/1993	60	MOTION by intervenor plaintiff for preliminary injunction restraining the Defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions , request for hearing (DC) (Entered: 09/23/1993)
09/22/1993	61	MOTION by plaintiff to amend First Amended Complaint (DC) (Entered: 09/23/1993)
09/22/1993		PROPOSED Second Amended Complaint submitted by plaintiff, (DC) (Entered: 09/23/1993)
09/22/1993		----- V O L U M E III ----- ----- (DC) (Entered: 09/23/1993)
09/22/1993	62	MOTION by plaintiff for preliminary injunction to stop the implementation of the ITS phone system and also request a hearing on this motion at the earliest convenience of the court (DC) (Entered: 09/23/1993)
09/22/1993	63	MEMORANDUM by plaintiff in support of motion for preliminary injunction to stop the implementation of the ITS phone system and also request a hearing on this motion at the earliest convenience of the court [62-1] (DC) (Entered: 09/23/1993)
09/24/1993	64	ORDER by Judge Henry R. Wilhoit Jr. granting motion extend Temporary Restraining Order [57-1]; and the TRO is extended 10 days to expire 10/04/93. (cc: all counsel) (DC) (Entered: 09/27/1993)
09/24/1993	65	RESPONSE (OPPOSITION) by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant USA, defendant FBP to Motion of Pltffs to Extend TRO (DC) (Entered: 09/27/1993)
09/30/1993	66	MOTION by plaintiff Gloria Batton Robinson, plaintiff Antoinette M. Frink in limine for Preliminary Injunction Hearing (DC) (Entered: 09/30/1993)
09/30/1993	67	MOTION by plaintiff for order requiring a transcript of the hearing held on 9/13/93 to be prepared at the expense of the Clerk's Office and to be taxable as costs at the conclusion of this case (DC) (Entered: 09/30/1993)

09/30/1993	68	ORDER by Judge Henry R. Wilhoit Jr. that plttfs motion for a preliminary injunction and all other motions are assigned for hearing on 10/4/93 at 9:00 a.m. in Courtroom B., Lex; setting hearing on motion for order requiring a transcript of the hearing held on 9/13/93 to be prepared at the expense of the Clerk's Office and to be taxable as costs at the conclusion of this case [67-1] 9:00 10/4/93, setting hearing on motion in limine for Preliminary Injunction Hearing [66-1] 9:00 10/4/93, setting hearing on motion for preliminary injunction to stop the implementation of the ITS phone system and also request a hearing on this motion at the earliest convenience of the court [62-1] 9:00 10/4/93, setting hearing on motion to amend First Amended Complaint [61-1] 9:00 10/4/93, setting hearing on motion for preliminary injunction restraining the Defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions [60-1] 9:00 10/4/93, setting hearing on motion request for hearing [60-2] 9:00 10/4/93, setting hearing on motion to certify intervening complaint as class action [58-1] 9:00 10/4/93, setting hearing on motion request for hearing [57-2] 9:00 10/4/93, setting hearing on motion for order for show cause hearing to make defts show cause why they should not be in contempt for violating this Court's injunction against retaliation toward plaintiffs [56-1] 9:00 10/4/93, setting hearing on motion to intervene and add parties Jane Doe, Jane Roe, Jane Poe, and Jane Moe [55-1] 9:00 10/4/93, setting hearing on motion to certify class action [53-1] 9:00 10/4/93, setting hearing on motion request for hearing [53-2] 9:00 10/4/93, setting hearing on motion to amend prisoner class action complaint (Filed in Lex. Civ. 93-217 DE#15-1) [0-1] 9:00 10/4/93, setting hearing on motion to amend motion for preliminary injunction and/or temporary restraining order to prevent implementation of new non-collect telephone calling, telephone system to Motion for permanent injunctive relief (Filed in Lex. Civ. 93-217 DE#13-1) [0-1] 9:00 10/4/93, setting hearing on motion to set aside order [4-1], [4-2], [4-3], [4-4], [4-5] (Filed in Lex. Civ. 93-217 DE#12-1) [0-1] 9:00 10/4/93, setting hearing on motion to set aside order [4-5] [7-1] 9:00 10/4/93, setting hearing on stay motion CASE STAYED [4-2] 9:00 10/4/93, setting hearing on motion for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) [0-1] 9:00 10/4/93 (cc: all counsel) (DC) (Entered: 09/30/1993)
10/01/1993	69	ATTORNEY APPEARANCE for defendants by Henry A. Azar Jr. (DC) (Entered: 10/01/1993)
10/01/1993	70	RESPONSE by defendant to motion for order for show cause hearing to make defts show cause why they should not be held in contempt for violating this Court's injunction against retaliation toward plaintiffs [56-1] (DC) (Entered: 10/01/1993)
10/01/1993	71	RESPONSE by defendant to motion for preliminary injunction to stop the implementation of the ITS phone system and also request a hearing on this motion at the earliest convenience of the court [62-1], to motion to amend First Amended Complaint [61-1], to motion for preliminary injunction (Filed in Lex. Civ. 93-217; DE#1-1) [0-1] (DC) (Entered:

		10/01/1993)
10/01/1993	72	MOTION by plaintiff for writ of habeas corpus ad testificandum for witnesses to appear (DC) (Entered: 10/01/1993)
10/01/1993	73	ORDER by Judge Henry R. Wilhoit Jr. granting motion for writ of habeas corpus ad testificandum for witnesses to appear [72-1]; that on 10/4/93 at 9:00 a.m. in Lex. the following incarcerated witnesses shall be produced for testimony: Conchita Washington; Sunday Torres; gloria Batton Robinson; Antoinette M. Frink; Nita Young; Patricia M. Darks; Norma Fay Cook; Angela Sanchez Martinez; Martha Marie Preston; Titilola I. Odusanya; Alberta Anderson; Loven L. Lewis; Loris Saunders and Reshawn Richardson. (cc: all counsel) (DC) (Entered: 10/01/1993)
10/04/1993	74	EXHIBIT list used during Evidentiary Hearing on Pltff's Motion for Preliminary Injunction on 10/4/93 before Judge Wilhoit (DC) (Entered: 10/06/1993)
10/04/1993	74	WITNESS list used during Evidentiary Hearing held on 10/4/93 before Judge Henry Wilhoit (DC) (Entered: 10/06/1993)
10/07/1993		----- V O L U M E III ----- ----- (DC) (Entered: 10/14/1993)
10/08/1993	75	TRANSCRIPT filed of PRELIMINARY INJUNCTION before Hon. Henry Wilhoit, Jr. Date(s) of transcript 10/08/93 at 9:00 a.m. (DC) (Entered: 10/12/1993)
10/08/1993	76	NOTICE by plaintiffs of filing Proposed Draft of Findings of Fact and Conclusions of Law Regarding Preliminary Injunction (DC) (Entered: 10/13/1993)

10/12/1993	77	RESPONSE by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant USA, defendant FBP to motion in limine for Preliminary Injunction Hearing [66-1], to motion for preliminary injunction restraining the Defts from any further implementation of the Inmate Telephone System at federal penal and correctional institutions [60-1] (DC) (Entered: 10/13/1993)
10/12/1993	78	RESPONSE by defendant to motion to certify intervening complaint as class action [58-1] (DC) (Entered: 10/13/1993)
10/12/1993	79	RESPONSE by defendant to motion to certify class action [53-1] (DC) (Entered: 10/13/1993)
10/13/1993	80	FINDINGS OF FACT and conclusions of law by Judge Henry R. Wilhoit Jr. (cc: all counsel) (DC) (Entered: 10/13/1993)
10/13/1993	80	PRELIMINARY INJUNCTION by Judge Henry R. Wilhoit Jr., A. The Defts are preliminarily enjoined from any further implementation of the ITS at all federal prisons in the county UNLESS a collect-call system is also made available to inmates. The collect call system that must be made available shall be substantially equivalent to the collect call system now available to inmates where the ITS has not yet been implemented and available for inmates use in accordance with 28 CFR 540.104(1993); B. In penal and correctional facilities where the direct dial ITS is fully operational the defts will be preliminarily enjoined from operation of the ITS UNLESS a collect cally system as described in A is also made available to inmates within a reasonable time not to exceed 60 days after entry of the Preliminary Injunction. In the event it appears that no such collect call system can be made available at a given institution within that time the defts shall petition this court for extension of the 60 day period but an extension will be granted only for good cause shown and will likely be granted subject to interim remedial measures such as providing free ITS direct dial calls to indigent inmates during such time as it takes to make such a collect call system available; C. The defts are preliminarily enjoined from conditioning use of the direct dial ITS or the collect call system on any inmate's participation or refusal to participate in the Inmate financial Responsibility Program; D. the Defts may continue to require inmates who wish to use the direct dial ITS to submit a list of no more than 20 numbers to be called. The defts are preliminarily enjoined from restrictng inmates use of the collect-call system to numbers on their respective lists or limiting such calls only to "family or friends."; E. Defts are further preliminarily enjoined from using any proceeds from the Commissary Fund to pay the implementation of the ITS or the collect call system at any federal penal or correctional institution including any expenses incurred in connection with the continued lease or purchase of ITS equipment and any salaries or benefits of personnel hired by the Bureau in connection with the operation of the ITS as well as any software modification or other expenses incurred with respect to making available an adequate collect-call capability, provided however that inmates shall be required to pay for any calls made on the

		direct dial ITS and defts may pay from the Commissary Fund such amounts necessary to cover the actual costs of inmates direct dial calls. The "freeze" of expenditures from the Commissary Fund in place under this Court's previous TRO is hereby lifted to the extent of the payment of the costs of inmates calls (approximately \$10.8 million per year according to the evidence). (cc: all counsel) (DC) Modified on 10/13/1993 (Entered: 10/13/1993)
10/15/1993	81	SECOND AMENDED COMPLAINT by plaintiff (DC) (Entered: 02/24/1995)
10/15/1993	81	ORDER by Judge Henry R. Wilhoit Jr. granting motion for order requiring a transcript of the hearing held on 9/13/93 to be prepared at the expense of the Clerk's Office and to be taxable as costs at the conclusion of this case [67-1] finding the motion in limine for Preliminary Injunction Hearing [66-1] moot. granting motion to amend First Amended Complaint [61-1] finding the motion request for hearing [60-2] moot. taking under advisement on 11/13/93 the motion to certify intervening complaint as class action [58-1] taking under advisement on 11/13/93 the motion to certify intervening complaint as class action [58-1] finding the motion request for hearing [57-2] moot. denying motion for order for show cause hearing to make defts show cause why they should not be held in contempt for violating this Court's injunction against retaliation toward plaintiffs [56-1] taking under advisement on 11/13/93 the motion to intervene and add parties Jane Doe, Jane Roe, Jane Poe, and Jane Moe [55-1] taking under advisement on 11/13/93 the motion to certify class action [53-1] finding the motion request for hearing [53-2] moot. denying motion to set aside order [4-5] [7-1] (cc: all counsel) (DC) (Entered: 10/18/1993)
10/15/1993	82	REPLY by plaintiffs to response to motion to certify intervening complaint as class action [58-1] (DC) (Entered: 10/18/1993)
10/15/1993	83	NOTICE by plaintiffs to Court of Submission of "Commentary" (DC) (Entered: 10/18/1993)
10/15/1993	84	REPLY by plaintiff to response to motion for preliminary injunction (DC) (Entered: 10/18/1993)
10/15/1993	85	REPLY by plaintiff to response to motion to certify intervening complaint as class action [58-1], motion to certify class action [53-1] (DC) (Entered: 10/18/1993)

10/20/1993	86	ANSWER by defendant to [26-1] (DC) (Entered: 10/21/1993)
10/21/1993	87	NOTICE by plaintiffs to court of additional submission of "Declarations" and "Comments" (DC) (Entered: 10/21/1993)
10/21/1993	88	ORDER by Judge Henry R. Wilhoit Jr. court after review of the record notes that no scheduling deadlines have been established in this case and being sufficiently advised it is ORDERED that; within 10 days from service of this order the parties shall FILE A STATUS REPORT advising the court as to the following information; length of time counsel reasonably believes will be necessary to file any pretrial motions and to complete all pretrial discovery; the probable length of a trial and whether there will be issues ot submit to a jury; the dates that are mutually convenient with counsel to assign this case for trial; responses due 11/5/93 (cc: all counsel) (DC) (Entered: 10/25/1993)
10/21/1993		----- V O L U M E 5 ----- ----- (DC) (Entered: 11/08/1993)
11/01/1993	89	NOTICE OF APPEAL by defendant from Dist. Court decision Preliminary Injunction enterd 10/13/93 [80-1] (cc: all counsel) (DC) (Entered: 11/01/1993)
11/01/1993	90	MOTION by defendants to expedite consideration of defts motion for partial stay pending appeal of the preliminary injunction (DC) (Entered: 11/01/1993)
11/01/1993	91	MOTION by defendants for partial stay pending appeal of the preliminary injunction (DC) (Entered: 11/01/1993)
11/01/1993	92	MEMORANDUM by defendant in support of motion for partial stay pending appeal of the preliminary injunction [91-1] (DC) (Entered: 11/01/1993)
11/01/1993	93	MOTION by plaintiff to expedite ruling on class certifications (DC) (Entered: 11/02/1993)
11/01/1993	94	MOTION by plaintiff to amend complaint to conform to proff and for expedited ruling on same (DC) (Entered: 11/02/1993)
11/02/1993	95	NOTICE by plaintiffs of filing Exhibit "A" to Pltffs Motion to Amend (DC) (Entered: 11/02/1993)

11/02/1993	96	ORDER by Judge Henry R. Wilhoit Jr. granting motion to amend complaint to conform to proff and for expedited ruling on same [94-1]; Clerk shall file Amended Complaint as of the date of its tender. (cc: all counsel) (DC) (Entered: 11/02/1993)
11/02/1993	97	THIRD AMENDED COMPLAINT [26-1], [1-1] by plaintiff; adding David Woody, Michael A. Atwood, Bureau of Prisons, USA (DC) Modified on 02/24/1995 (Entered: 11/02/1993)
11/03/1993	98	RESPONSE by defendants to motion to expedite ruling on class certifications [93-1] (DC) (Entered: 11/04/1993)
11/04/1993	99	JOINT MOTION by plaintiffs, defendants to extend time up to and including 11/16/93 to file a status report (DC) (Entered: 11/04/1993)
11/05/1993	100	RESPONSE by plaintiff to motion for partial stay pending appeal of the preliminary injunction [91-1] (DC) (Entered: 11/05/1993)
11/05/1993	100	MOTION by plaintiff to strike witness declarations (DC) (Entered: 11/05/1993)
11/05/1993	101	REPLY by plaintiff to response to motion to expedite ruling on class certifications [93-1] (DC) (Entered: 11/05/1993)
11/08/1993	102	ORDER by Judge Henry R. Wilhoit Jr. Court upon its own motion and being sufficiently advised it is ORDRED that this case is assigned for hearing on pending motions on Friday, November 12, 1993 at 10:00 a.m. in Courtroom B, Lexington; setting hearing on motion to strike witness declarations [100-1] 10:00 11/12/93, setting hearing on motion to extend time up to including 11/16/93 to file a status report [99-1] 10:00 11/12/93, setting hearing on motion to expedite ruling on class certifications [93-1] 10:00 11/12/93, setting hearing on motion for partial stay pending appeal of the injunction [91-1] 10:00 11/12/93, setting hearing on motion to expedite consideration of defts motion for partial stay pending appeal of the preliminary injunction [90-1] 10:00 11/12/93, setting hearing on motion to certify intervening complaint as class action [58-1] 10:00 11/12/93, setting hearing on motion to intervene and add parties Jane Doe, Jane Roe, Jane Poe, and Jane Moe [55-1] 10:00 11/12/93, setting hearing on motion to certify class action [53-1] 10:00 11/12/93, setting hearing on stay motion [4-2] 10:00 11/12/93 (cc: all counsel) (DC) (Entered: 11/08/1993)
11/08/1993	103	NOTIFICATION by 6CCA of Appellate Docket Number 93-6414 (DC) (Entered: 11/08/1993)
11/15/1993	104	TRANSCRIPT DESIGNATION and Ordering Form for dates: re transcript [75-1], re transcript [51-1], re transcript [31-1] (DC) (Entered: 11/15/1993)
11/16/1993	105	NOTICE by defendants of filing that during the hering on 11/12/93 court asked defts whether they would stipulate that they would not raise the absence of certification of a plttf claiss in their appeal of the 10/13/93

		Preliminary Injunction. With this notice defts inform the court that defts are UNABLE TO enter such a stipulation (DC) (Entered: 11/16/1993)
--	--	--

11/16/1993	107	JOINT STATUS REPORT by plaintiff, defendant, plaintiff, defendant, plaintiff, defendant (DC) (Entered: 11/18/1993)
11/17/1993	108	ORDER by Judge Henry R. Wilhoit Jr. granting motion to expedite consideration of defts motion for partial stay pending appeal of the preliminary injunction [90-1] denying motion for partial stay pending appeal of the preliminary injunction [91-1] granting motion to intervene and add parties Jane Doe, Jane Roe, Jane Poe, and Jane Moe [55-1] granting motion to extend time up to and including 11/16/93 to file a status report [99-1] [100-1] motion to strike witness declarations, that the parties shall have to 12:00 noon on 11/19/93 to file a stipulation that certain technical issues will not be raised before the court of appeals. If said stipulation is not filed, plttfs counsel shall submit a proper order, as to class certification for the Court's consideration. (cc: all counsel) (DC) (Entered: 11/18/1993)
11/17/1993	106	TRANSCRIPT of proceedings for the following date(s): 11/12/93 before Hon. Henry R. Wilhoit, Jr. Hearing on Pending Motions (Re: [89-1]) (DC) (Entered: 11/18/1993)
11/17/1993	151	INTERVENOR'S COMPLAINT filed by Jane Doe, John Hoe, Jane Roe, Jane Poe and Jane Moe (DC) (Entered: 01/31/1994)
11/18/1993	109	ORDER by Judge Henry R. Wilhoit Jr. This matter is before the Court on the Pltff-Inmates Motion to Certify Class Action. This Motion has been pending before the Court since the inception of this lawsuit. This court as stated at the hearing on 11/12/93 is never quick to certify a class action and therefore offered to counsel the opportunity to stipulate as to certain issues to be presented on appeal in lieu of certifying a class at this stage in the lawsuit. Notice having been received by the Court that the defts do not wish to stipulate any issues the court enters the following findings and conclusions regarding class certification. It is ORDERED AND CERTIFIED that all federally incarcerated inmates serving their period of incarceration in a federal penal or medical institution be and the same are hereby certified as members of a nationwide class of plttfs prosecuting this lawsuit. The court finds that questions of law and fact, common to the members of the aforesaid class, predominate over any questions affecting only individual members and that therefore a class action is superior to any other available method for the fair and efficient adjudication of this controversy. Court specifically finds the class of all federally incarcerated inmates as herein described meets the numerosity prerequisite. Court finds that factual questions pertaining to the harm to inmates by virtue of the ITS and legal questions pertaining to the trust funds, Communicaitons Act and constitutional rithst are common issues to be litigated as to all members of the certified class. Further the court finds that the plttfs in this lawsuit have brought claims typical of the class and will fairly and adequately represent and protect the interests of the class. Court notes that defts have claimed the plttfs in this lawsuit do not represent the interests of the entire class as herein certified. Court believes, however, there is adequacy of representation. The proof in this

		<p>case reveals that while some inmates may prefer the ITS over a collect-call system and a system that complies iwth the law. All inmates deisre whtat the plttfs seek in this case, i.e, a dual collect-call and direct-dial system. The court furthermore concludes that certificaion is proper in this case in any event because the defts have taken acitons of general application toward the entire class herein certified. In this circumstance, certification is proper even if a few members are saisfied with the ITS as opposed to some other system. This is true since all members of the certified class have the smae legal interest in the proper applicaiton of the federal laws and the trust terms implicated int his case. Court therefore concludes that this action shall proceed as a class action. Relief sought by the representative plttss is predominantly injunctive and declaratory in nature and the actions of the defts have been taken toward the members fo the plttfs class such that inconsistenet or varying adjudications iwth respect to any individual member of the class would establish incompatible standards of conduct for the defts; moreover, a jdugment in this lawsuit would as a practical matter be dispositive of or substantially impari or impede the itnerest of all federal inmates whether or not joined as parties to this action. Court notes that 2 inmate actions raising some of the issues brought by the representative Plttfs herein are currently pending in Kansas and Georgia. Given the nature of the class certification herein the Corut directs the plttfs counsel herein to prepare an appropriate notice to the plttf inmates and the respective clerks of court in those other pending actions notifying the plttf inmates therein and the respective courts of the pendency of this class action. The notice shall include a copy of this Certification Order a copy of the Third Amended Complaint and a copy of this Court's Preliminary Injunciton entered 10/13/93. the notice shall state that the plttf inmates in those pendig actions will not be ocnsidered members of the plttfs class herein certified unless the said plttf inmates indicate in writing to this or their respective courts that they wish to be considered members of the class certified in this action and agree to stay proceedings on their own claims in their respective lawsuits. The notice to be prepared by plttfs counsel shall be approved by this court prior to sending the notice. Furthermore, it appears to the Court that notice of this Class Certification Order should be posted by the Deft Federal Bureau of Prison in all federal penal institutions so that all federal inmates who are members of the class herein certified may have a reasonable opportunity to be apprised of the pendency of this action and the entry of this class certification order. Defts are hereby given (7) days after receipt of service of this order to show cause if any they have why such a notice should not be posted in all federal penal institutions apprising the inmates of this information. (cc: all counsel) (DC) (Entered: 11/18/1993)</p>
11/23/1993	110	ANSWER by defendant to Third Amended Comlaint [97-1] (DC) Modified on 12/06/1993 (Entered: 12/01/1993)
11/24/1993	111	MOTION by defendants for order of court to modify the 10/13/93 Preliminary Injunction (DC) Modified on 12/06/1993 (Entered: 12/01/1993)

12/02/1993	112	AMENDED ANSWER to Third Amended Complaint by defendant to [97-1] (DC) Modified on 12/06/1993 (Entered: 12/02/1993)
12/02/1993	113	MOTION by Paul Fazzini to intervene (DC) Modified on 12/06/1993 (Entered: 12/03/1993)
12/06/1993	114	MOTION by David Luckie Cochran to intervene (DC) (Entered: 12/07/1993)
12/06/1993	115	MOTION by Lewis N. Dixon to intervene (DC) (Entered: 12/07/1993)

12/06/1993	116	MOTION by J. L. Harrison to intervene (DC) (Entered: 12/07/1993)
12/06/1993	117	MOTION by Dennis Friday to intervene (DC) (Entered: 12/07/1993)
12/07/1993	118	MOTION by Ernest Jack Hill to intervene (DC) (Entered: 12/07/1993)
12/08/1993	119	ORDER (6CCA) that the district court's October 13, 1993 preliminary injunction is STAYED insofar as it applies to penal and correctional facilities where the direct dial ITS system is fully operational. In all other Federal penal and correctional facilities where the direct dial ITS system is not yet operational, the preliminary injunction shall remain in full force and effect. It is further ORDERED that this appeal is expedited. The clerk is directed to expedite the briefing schedule and advise the parties accordingly. Oral argument or submission shall be scheduled as soon as possible upon completion of briefing. (cc: all counsel) (DC) (Entered: 12/08/1993)
12/10/1993	120	MOTION by Titilola I. Odusanya to intervene , to compel immigration and naturalization service to release inmate/deft on bond pending determination of the board of immigration appeals (DC) (Entered: 12/14/1993)
12/10/1993	121	NOTICE by plaintiffs of Submission Pursuant to Class Certification Order (DC) (Entered: 12/14/1993)
12/14/1993	122	ACKNOWLEDGMENT OF DOCUMENT #109 Received by 6CCA (DC) (Entered: 12/16/1993)
12/16/1993	123	RESPONSE by defendants to motion of Paul Fazzini to intervene [113-1] (DC) (Entered: 12/17/1993)
12/16/1993	124	MOTION by Kenneth A. Friedman to intervene (DC) (Entered: 12/19/1993)
12/16/1993	125	MOTION by Eldon Yocum for order from this court for the News-Leader to print defts names to be added in FR Civ P23(b)(I) and (B)(2) Class Actions and bill the Western District of Missouri (DC) (Entered: 12/19/1993)
12/16/1993	126	MOTION by Richard Tagliamonte for order finding defts in contempt of court for not properly posting Class Certification Order (DC) (Entered: 12/19/1993)

12/17/1993	127	MOTION by Thomas Falater to intervene and be listed as a plaintiff to this action (DC) (Entered: 12/19/1993)
12/17/1993	128	MOTION by Sue Monroe for protective order directing defts to retain her at her present place of incarceration until she is either released from incarceration or this civil case is resolved (DC) (Entered: 12/19/1993)
12/20/1993	129	MOTION by Movants, David Byron Haynie and James David Pack for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to include them in a class action by virtue of their passiveness (SKV) (Entered: 12/20/1993)
12/20/1993	130	MOTION by Movant, William D. Hoppingarner to intervene and be named as plaintiff in this action (SKV) (Entered: 12/20/1993)
12/20/1993	131	MOTION by Movant, Melvin Walker, Sr. (#52633-080) to intervene and be named as a plaintiff in this action (SKV) (Entered: 12/20/1993)
12/20/1993	132	MOTION by Stephen S. Newberg (28429-048) to intervene and be named as a plaintiff in this action (SKV) (Entered: 12/20/1993)
12/20/1993	133	MOTION by Movant, Michael Hutman to intervene and be named as a plaintiff in this action (SKV) (Entered: 12/20/1993)
12/20/1993	134	MOTION by plaintiff Titilola I. Odusanya for emergency stay in immigration proceedings (SKV) (Entered: 12/21/1993)
12/21/1993	135	MOTION by Movant, Kevin Robert Shaw to intervene and be named as a plaintiff in this action (SKV) (Entered: 12/21/1993)
12/21/1993	136	MOTION by Movant, Louis J. Ferriol for reconsideration of any order requiring BOP to terminate ITS in view that fourteen inmates from one particular prison does not necessarily represent the entire federal prison populous (SKV) (Entered: 12/21/1993)
12/29/1993	137	LETTER from Mike Smith addressed to Doug McSwain with copy to this court informing Mr. McSwain and court of his action pending in Northern Dist or Alabama involving FRP and the phone system's policy link (DC) (Entered: 12/29/1993)

01/03/1994	138	REPLY by Paul Fazzani to response to motion to intervene [113-1] (DC) (Entered: 01/03/1994)
01/03/1994		SUBMITTED re motion to intervene [113-1] is submitted (DC) (Entered: 01/03/1994)
01/03/1994	139	MOTION by defendants to extend time to respond to applicaiton/motion for appearance class action and joinder to case filed by Kenneth A. Friedman (DC) (Entered: 01/05/1994)
01/06/1994	140	MOTION by Thomas Chatfield to intervene (DC) (Entered: 01/10/1994)
01/10/1994	141	MOTION by defendant for standing order governing responses to filings by federal inmates for applicaiton/motion for appearance class action and joinder to case (DC) (Entered: 01/10/1994)
01/10/1994	142	MEMORANDUM by defendant in support of motion for standing order governing responses to filings by federal inmates for applicaiton/motion for appearance class action and joinder to case [141-1] (DC) (Entered: 01/10/1994)
01/10/1994		----- V O L U M E 6 ----- ----- (DC) (Entered: 01/27/1994)
01/12/1994	143	MOTION by Gregory Booze to intervene as plaintiff in this action (DC) (Entered: 01/21/1994)
01/12/1994	144	NOTICE by Kevin Taylor of appearance in class suit (DC) (Entered: 01/21/1994)
01/12/1994	145	MOTION by Kevin Taylor to intervene as plaintiff (DC) (Entered: 01/21/1994)
01/12/1994	146	AFFIDAVIT of KEVIN G. TAYLOR re Motion to Intervene [145-1] (DC) (Entered: 01/21/1994)

01/19/1994	147	MOTION by Robert Lindham to intervene as plaintiff (DC) (Entered: 01/21/1994)
01/21/1994	148	MOTION by defendants to dismiss this action with prejudice as to plaintiff-intervenors (DC) (Entered: 01/21/1994)
01/25/1994	149	MOTION by Louis C. Sheptin to intervene as plaintiff in this action (DC) (Entered: 01/27/1994)
01/25/1994	150	ORDER by Judge Henry R. Wilhoit Jr. This matter is before the court on various motions. Although the abovestyled action is presently before the Court of Appeals for the Sixth Circuit the matters pending may be determined with no injury or interference to appellate jurisdiction. Other inmates move to intervene and/or for the Court to take specific actions with regard to matters that affect the particular inmate but that are unrelated to this litigation. These motions are not properly brought in this actions and shall be overruled without prejudice; denying motion to intervene [113-1] denying motion to intervene [114-1] denying motion to intervene [115-1] denying motion to intervene [116-1] denying motion to intervene [117-1] denying motion to intervene [118-1] denying motion to intervene [124-1] denying motion for order from this court for the News-Leader to print depts names to be added in FR Civ P23(b)(I) and (B)(2) Class Actions and bill the Western District of Missouri [125-1] denying motion to intervene and be listed as a plaintiff to this action [127-1] denying motion to intervene and be named as plaintiff in this action [130-1] denying motion to intervene and be named as a plaintiff in this action [131-1] denying motion to intervene and be named as a plaintiff in this action [131-1] denying motion to intervene and be named as a plaintiff in this action [132-1] denying motion to intervene and be named as a plaintiff in this action [133-1] denying motion to intervene and be named as a plaintiff in this action [135-1] denying motion to intervene [140-1] granting motion for standing order governing responses to filings by federal inmates for application/motion for appearance class action and joinder to case [141-1] denying motion to intervene [120-1], denying motion to compel immigration and naturalization service to release inmate/deft on bond pending determination of the board of immigration appeals [120-2] denying motion for protective order directing depts to retain her at her present place of incarceration until she is either released from incarceration or this civil case is resolved [128-1] denying motion for emergency stay in immigration [134-1] denying motion for emergency stay in immigration proceedings [134-1] denying motion for reconsideration of any order requiring BOP to terminate ITS in view that fourteen inmates from one particular prison does not necessarily represent the entire federal prison populous [136-1] denying letter [137-1] granting motion to extend time to respond to applicaiton/motion for appearance class action and joinder to case filed by Kenneth A. Friedman [139-1]; that the parties by counsel shall brief the motions of Richard Tagliamonte (DE#12) and David Byron Haynie and James David Pack (DE#129) as if they were initially filed five days following entry of this order; taking under advisement on 2/25/94 the motion for order finding

		defts in contempt of court for not properly posting Class Certification Order [126-1] taking under advisement on 2/25/94 the motion for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to include them in a class action by virtue of their passiveness [129-1]; upon request the Clerk is directed to provide the parties copies of DE #126 and 129 at the court's expense. (cc: all counsel) (DC) (Entered: 01/27/1994)
01/28/1994	152	MOTION by Mary Hudon to compel compliance from Federal Correctional Institution in Marianna, Florida to order US to comply with its previous order of 10/13/93 (DC) (Entered: 02/01/1994)
02/04/1994	153	ORDER by Judge Henry R. Wilhoit Jr. Pltffs Notice of Pendency of Class Action is hereby APPROVED and that plaintiffs counsel is authorized to mail same forthwith to the parties mentioned in this Court's previous Order Certifying Class Action with a return date of 3/21/94. (cc: all counsel) (DC) (Entered: 02/08/1994)
02/11/1994	154	ORDER (6CCA) pltffs motion to clarify is DENIED.(cc: all counsel) (DC) (Entered: 02/14/1994)
02/11/1994	155	MOTION by Dennis Friday to intervene as plaintiff in action (DC) (Entered: 02/14/1994)
02/14/1994	156	MOTION by Paul Fazzini to proceed in forma pauperis (DC) (Entered: 02/14/1994)
02/14/1994	157	NOTICE OF APPEAL by Movant/Appellant Paul Fazzini from Dist. Court decision Order denying motion to intervene [150-1] (cc: all counsel) (DC) (Entered: 02/14/1994)
02/14/1994		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [157-1] (cc: all counsel) (DC) (Entered: 02/14/1994)

02/14/1994	158	RESPONSE by defendant to motion for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to include them in a class action by virtue of their passiveness [129-1] (DC) (Entered: 02/15/1994)
02/14/1994	159	MOTION by defendant for order of court to accept facsimile copy of declaration of Carol M. Hawthorne attached as Exhibit 1 to Defts Opposition to Motion of Richard Tagliamonte for order finding defts in contempt of court for not properly posting class cert order (DC) (Entered: 02/15/1994)
02/14/1994	160	RESPONSE by defendant to motion for order finding defts in contempt of court for not properly posting Class Certification Order [126-1] (DC) (Entered: 02/15/1994)
02/15/1994	161	RESPONSE by plaintiff to motion for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to include them in a class action by virtue of their passiveness [129-1], to motion for order finding defts in contempt of court for not properly posting Class Certification Order [126-1] (DC) (Entered: 02/15/1994)
02/17/1994	162	NOTICE by defendants of filing certificate of service for their motion to dismiss (DC) (Entered: 02/17/1994)
02/17/1994	163	MOTION by Renard M. King for temporary restraining order , or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/17/1994	164	MOTION by Robert Stewart for temporary restraining order , or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/17/1994	165	MOTION by Michael Walton for temporary restraining order , and/or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/17/1994	166	MOTION by Freddy Tohill for temporary restraining order , or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/17/1994	167	MOTION by Jay Arnold Rode for temporary restraining order , and/or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/17/1994	169	MOTION (REQUEST) by Jay Arnold Rode, Robert D. Farrer, Freddy Tohill, Renard M. King, Michael Walton, Gloria Batton Robinson for production of documents pursuant to Rule 34, FRCP (SKV) (Entered: 02/18/1994)

02/18/1994	168	MOTION by Robert D. Farrer for temporary restraining order , and/or for preliminary injunction (SKV) (Entered: 02/18/1994)
02/22/1994	170	MOTION by Ernest Jack Hill III for order directing Clerk to Provide Ernest Jack Hill, III copies of Docket entries 126 and 129 (SKV) (Entered: 02/22/1994)
02/22/1994	171	NOTICE by defendants of FILING declaration of Carol M. Hawthorne (the original) to be substituted for facsimile copy as Exhibit 1 to Dfts' opposition to Motion by Richard Tagliamonte for Order findings dfts in contempt of Court for not properly posting class certification order (SKV) (Entered: 02/23/1994)
02/22/1994	172	NOTICE by defendants of FILING District Court orders dismissing Smith v. Hawk (S.D. Ga.) and Moskowitz v. Bureau of Prisons, (M.D. Pa.), suits brought by pro se inmates challenging aspects of Inmate Telephone System (SKV) (Entered: 02/23/1994)
02/25/1994	173	ORDER by Judge Henry R. Wilhoit Jr.: that pltfs' Notice of Pendency of Class Action is APPROVED and pltfs' counsel authorized to mail same forthwith to parties mentioned in Court's previous Order Certifying class action w/ return date of 4/30/94 (cc: all counsel) (SKV) (Entered: 02/25/1994)
02/28/1994	174	MOTION (REQUEST) by Frank Evans for inclusion (SKV) (Entered: 02/28/1994)
03/01/1994	175	MOTION by plaintiffs to supplement Injunction Record [80-1] due to misleading arugment made by dfts. (SKV) (Entered: 03/03/1994)
03/01/1994	176	MOTION by plaintiffs to expedite ruling on motion to supplement (SKV) (Entered: 03/03/1994)
03/03/1994	177	MOTION (REQUEST) by Frank Evans for inclusion in class action (SKV) (Entered: 03/03/1994)
03/03/1994	178	MOTION by Kevin Taylor for order ruling on motion to intervene filed 1/12/94 by Kevin Taylor (SKV) (Entered: 03/03/1994)
03/04/1994	179	REPLY by David Byron Haynie, James David Pack to response to motion for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to include them in a class action by virtue of their passiveness [129-1] (SKV) (Entered: 03/04/1994)

03/07/1994	180	ORDER by Judge Henry R. Wilhoit Jr. granting motion to supplement Injunction Record [80-1] due to misleading arugment made by dfts. [175-1] (cc: all counsel) (SKV) (Entered: 03/07/1994)
03/07/1994		TRANSMITTED supplemental record on appeal to 6CCA re [89-1] Copy of Order entered 3/7/94 (RF. #180) allowing pltf./appellee to supplement record on appeal (SKV) (Entered: 03/07/1994)
03/07/1994	181	NOTIFICATION by 6CCA of Appellate Docket Number 94-1573 (DC) (Entered: 03/07/1994)
03/09/1994	182	MOTION by Paul Fazzini for order to provide a copy of the record for an appeal (SKV) (Entered: 03/09/1994)
03/09/1994	183	TRANSCRIPT DESIGNATION and Ordering Form for dates: Transcript on file in Clerk's office (SKV) (Entered: 03/09/1994)
03/09/1994	184	STANDING ORDER by Judge Henry R. Wilhoit Jr.: 1) all pro se pleadings in the nature of motions to intervene, opt in, or to be recognized in present class action are OVERRULED; 2) all pro se pleadings in nature of motions seeking sanctions, protective orders, or restraining orders against the Bureau of Prisons are OVERRULED; 3) Clerk directed to serve copy of this standing order on any movant that tenders a pleading falling w/in scope of this standing order. (cc: all counsel) (SKV) (Entered: 03/09/1994)
03/14/1994		TRANSMITTED supplemental record on appeal to 6CCA re [89-1] of Copy of Motion to supplement appeal record [175-1] and copy of Order sustaining motion to supplement appeal record [180-1] (SKV) (Entered: 03/14/1994)
03/16/1994	185	ACKNOWLEDGMENT OF Document RF. #180 Received by 6CCA (SKV) (Entered: 03/16/1994)
03/18/1994	186	RESPONSE by defendant Margaret C. Hambrick, defendant Kathleen Hawk, defendant Janet Reno, defendant FBP, defendant David Woody, defendant Michael A. Atwood, defendant USA to Pltfs' motion to supplement injunction record and NOTICE OF FILING Dfts/Appellants' motion to supplement record on appeal, supplemental brief for dfts/appellants, and supplemental joint appendix (ATTACHMENTS IN SEP.VOL.) (SKV) (Entered: 03/18/1994)
03/21/1994	187	ACKNOWLEDGMENT OF DOCUMENTS Received by 6CCA - Copy of Motion (#175) and Copy of Order (#180) (SKV) (Entered: 03/21/1994)
03/21/1994	188	ORDER by Judge Henry R. Wilhoit Jr. 1) denying motion for order finding dfts in contempt of court for not properly posting Class Certification Order [126-1]; 2) denying motion for temporary restraining order which would in effect prohibit and foreclose this Tribunal's allowing a prisoner to them in a class action by virtue of their passiveness [129-1]; 3) Clerk directed to service copy of March 9, 1994 Standing

		Order on movants (cc: all counsel) (SKV) (Entered: 03/22/1994)
--	--	--

03/21/1994	189	ORDER by Judge Henry R. Wilhoit Jr. 1) denying motion to proceed in forma pauperis [156-1] denying motion for order to provide a copy of the record for an appeal [182-1]; 2) Clerk directed to serve Paul Fazzini w/ copy of March 9, 1994 Standing Order; 3) denying motion for order directing Clerk to Provide Ernest Jack Hill, III copies of Docket entries 126 and 129 [170-1] (cc: all counsel) (SKV) (Entered: 03/22/1994)
03/21/1994	190	ORDER by Judge Henry R. Wilhoit Jr. 1) denying motion to intervene as plaintiff in this action [143-1] denying to intervene as plaintiff [145-1] denying motion to intervene as plaintiff [147-1] denying motion to intervene as plaintiff in this action [149-1] denying motion to compliance from Federal Correctional Institution in Marianna, Florida to order US to comply with its previous order of 10/13/93 [152-1] denying motion for temporary restraining order [163-1], denying motion for preliminary injunction [163-2] denying motion for temporary restraining order [164-1], denying motion for preliminary injunction [164-2] denying motion for temporary restraining order [165-1], denying motion for preliminary injunction [165-2] denying motion for temporary restraining order [166-1], denying motion for preliminary injunction [166-2] denying motion for temporary restraining order [167-1], denying motion for preliminary injunction [167-2] denying motion temporary restraining order [168-1], denying motion for preliminary injunction [168-2] denying motion for inclusion [174-1] denying motion for inclusion in class action denying motion for order ruling on motion to intervene 1/12/94 by Kevin Taylor [178-1]; 2) Clerk directed to serve movants w/ copy of 3/9/94 standing order in addition to this order (cc: all counsel) (SKV) (Entered: 03/22/1994)
04/01/1994	191	REQUEST (MOTION) by William Blohm for leave of Court to proceed as amicus curiae on behalf of dfts (Copy of Standing Order mailed to William Blohm) REF. #184 (SKV) (Entered: 04/12/1994)
04/01/1994		PROPOSED BRIEF OF AMICUS CURIAE on behalf of dfts submitted by William Blohm (SKV) (Entered: 04/12/1994)
04/01/1994	192	REQUEST (MOTION) by Betty Jean Murphy to redeem telephone numbers submitted to FMC Lexington prior to lawsuit (COPY OF STANDING ORDER [RF. #184] mailed to Betty Jean Murphy) (SKV) (Entered: 04/12/1994)
04/04/1994	193	REQUEST (MOTION) by Subir Chaklader to enjoin as a party to the class action (COPY OF STANDING ORDER [RF. #184] mailed to Subir Chaklader) (SKV) (Entered: 04/12/1994)
04/04/1994	194	REQUEST (MOTION & NOTICE OF CHANGE OF ADDRESS) by Jay Arnold Rode for change of address to Jay Rode #26954-008, F.P.C. Boron, P.O. Box 1000, Boron, CA 93596-1000 (COPY OF STANDING ORDER [RF. #184] mailed to Jay Rode at new address (SKV) (Entered: 04/12/1994)
04/08/1994	195	REQUEST (NOTICE & COMPLAINT)) by Albert L. Rutherford for

		non-compliance of this Court's Order bar against forced use of the I.T.S. Telephone System (COPY OF STANDING ORDER [RF. #184] mailed to Albert L. Rutherford) (SKV) (Entered: 04/12/1994)
04/11/1994	196	REQUEST (EMERGENCY EXPARTE MOTION) by Andrew F. Karacsonyi for Court to direct Warden Yusuff to show cause why she should not be found in contempt for violating this Court's injunction issued on 10/13/93 (COPY OF STANDING ORDER [Rf. #184] mailed to Andrew F. Karacsonyi) (SKV) Modified on 04/12/1994 (Entered: 04/12/1994)
04/12/1994	197	NOTICE OF APPEAL by David Byron Haynie, James David Pack from Dist. Court decision overruling motion for contempt, motion for tro and directing Clerk to send Standing Order entered 3/9/94 [184-1], and Standing Order entered 3/9/94 [188-1] (cc: all counsel) (SKV) (Entered: 04/14/1994)
04/13/1994	198	ORDER by Judge Henry R. Wilhoit Jr. 1) denying dfts' motion for order of court to modify the 10/13/93 Preliminary [111-1]; 2) PASSING the motion to dismiss this action with prejudice as to plaintiff-intervenors [148-1]; 3) denying pro se motion to intervene plaintiff in action [155-1], and denying pro se motion for production of documents pursuant to Rule 34, FRCP [169-1]; 4) denying dfts' motion for order of court to accept facsimile copy of declaration of Carol M. Hawthorne attached as Exhibit 1 to Defts Opposition to Motion of Richard Tagliamonte for order finding defts in contempt of court for not properly posting class cert order [159-1] (cc: all counsel) (SKV) (Entered: 04/14/1994)

04/18/1994		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [197-1] (cc: all counsel) (SKV) (Entered: 04/18/1994)
04/20/1994	199	ADDENDUM TO BRIEF of AMICUS CURIAE FILED by William Blohm, Reg. No. 01462-050, FCI Butner, P.O. Box 1000, Butner NC 27509 on behalf of Dfts. (SKV) (Entered: 04/22/1994)
04/25/1994	200	AMENDMENT to ADDENDUM of BRIEF of Amicus Curiae [199-1] filed by William Blohm on behalf of dfts. (SKV) Modified on 04/25/1994 (Entered: 04/25/1994)
04/29/1994	201	MOTION by plaintiffs to file amendment to third amended complaint (SKV) (Entered: 05/02/1994)
04/29/1994	202	MOTION by intervenor plaintiffs to file amendment to intervening complaint (SKV) (Entered: 05/02/1994)
04/29/1994	203	MOTION by intervenor plaintiffs & MEMORANDUM for entry of order regarding preliminary injunction (SKV) (Entered: 05/02/1994)
04/29/1994	204	MOTION by plaintiffs for show cause order (SKV) (Entered: 05/02/1994)
04/29/1994		----- V O L U M E S E V E N ----- ----- (SKV) Modified on 05/02/1994 (Entered: 05/02/1994)
04/29/1994	205	MOTION by plaintiffs for entry of order regarding preliminary injunction in light of "Final Rule" (SKV) (Entered: 05/02/1994)
04/29/1994	206	MOTION by plaintiffs & intervenor plaintiffs to shorten response time , and for expedited hearing & ruling (SKV) (Entered: 05/02/1994)
05/02/1994	207	RESPONSE (OPPOSITION) by defendants to pltfs' and intervening pltfs' motion to shorten response time [206-1] and to motion for expedited hearing & ruling [206-2] (SKV) (Entered: 05/02/1994)

05/03/1994	208	INFORMATION REQUEST & Statement of Anthony White, #03372-082, P.O. Box 1000, Loretto, PA 15940; mailed copy of Standing Order - RF. #184 (SKV) Modified on 05/03/1994 (Entered: 05/03/1994)
05/03/1994	209	REPLY by plaintiffs to response to motion to shorten response time [206-1] (SKV) (Entered: 05/03/1994)
05/05/1994	210	AMENDMENT TO ADDENDUM to Brief of Amicus Curiae on behalf of Dfts. [199-1] filed by William Blohm, Reg. No. 01462-050, FCI Butner, P.O. Box 1000, Butner, NC 27509-1000 (SKV) (Entered: 05/05/1994)
05/06/1994	211	ORDER by Judge Henry R. Wilhoit Jr.: that 1) Clerk place tendered documents on left side of file; 2) Clerk serve copy of tendered documents on pltf's counsel; 3) Clerk shall not enter documents in record unless appropriately resubmitted by Counsel. (cc: all counsel) (SKV) (Entered: 05/06/1994)
05/06/1994	212	ORDER by Judge Henry R. Wilhoit Jr.: 1) denying motion to shorten response time [206-1], denying motion for expedited hearing & ruling [206-2]; 2) pltfs. and intervening pltfs' motions to amend and motions pertaining to preliminary injunction are HELD IN ABEYANCE pending resolution of the appeal of the preliminary injunction; 3) pltfs motion to show cause shall be briefed according to local rules (cc: all counsel) (SKV) (Entered: 05/06/1994)
05/17/1994	213	RESPONSE BRIEF by defendants in opposition to pltfs' motion for show cause order [204-1] (SKV) (Entered: 05/18/1994)
05/17/1994	214	MOTION by plaintiffs for attorney fees with supporting memorandum & exhibits (SKV) (Entered: 05/18/1994)
05/23/1994	215	NOTIFICATION by 6CCA of Appellate Docket Number 94-5560 re Appeal of Haynie and Pack (SKV) Modified on 05/23/1994 (Entered: 05/23/1994)
05/23/1994	216	MOTION of dfts for leave to file declaration of Alberto Mungia (SKV) (Entered: 05/24/1994)
05/27/1994	217	MOTION by defendants for leave to propound additional interrogatories (SKV) (Entered: 05/31/1994)
05/27/1994	218	MOTION by defendants to hold pltfs' motion for award of EAJA attorney fees in abeyance pending disposition of the appeal of the preliminary injunction, or in the alternative, until pltfs. have responded to defts' interrogatories (SKV) (Entered: 05/31/1994)

05/27/1994	219	MEMORANDUM by defendant in support of motion to hold pltfs' motion for award of EAJA attorney fees in abeyance pending disposition of the appeal of the preliminary injunction, or in the alternative, until pltfs. have responded to defts' interrogatories [218-1] (SKV) (Entered: 05/31/1994)
06/08/1994		TRANSMITTED supplemental record on appeal to 6CCA re [89-1]; copies of pleading ## 109, 113, 123, 138, 150, 153 (SKV) (Entered: 06/08/1994)
06/20/1994	220	RESPONSE by plaintiffs to motion to hold pltfs' motion for award of EAJA attorney fees in abeyance pending disposition of the appeal of the preliminary injunction, or in the alternative, until pltfs. have responded to defts' interrogatories [218-1] and to motion for leave to propound additional interrogatories [217-1] (SKV) (Entered: 06/22/1994)
06/20/1994	220	MOTION by plaintiffs to expedite dfts' response to EAJA motion (SKV) (Entered: 06/22/1994)
07/05/1994	221	REPLY by defendant USA, defendant Michael A. Atwood, defendant David Woody, defendant FBP, defendant Kathleen Hawk, defendant Janet Reno, defendant Margaret C. Hambrick to response to motion to hold pltfs' motion for award of EAJA attorney fees in abeyance pending disposition of the appeal of the preliminary injunction, or in the alternative, until pltfs. have responded to defts' interrogatories [218-1] (SKV) (Entered: 07/05/1994)
07/15/1994	222	ORDER by Judge Henry R. Wilhoit Jr. granting motion for leave to file declaration of Alberto Mungia [216-1]; original signed declaration of Alberto Mungia is substituted for the facsimile copy as Exhibit 1 to Dfts' Brief in Opposition to Pltfs' Motion to Show Cause (cc: all counsel) (SKV) (Entered: 07/18/1994)
07/15/1994	223	ORDER by Judge Henry R. Wilhoit Jr.: 1) granting motion for leave to propound additional interrogatories [217-1]; 2) dfts granted leave to propound dfts' second set of interrogatories to pltf. inmates, a copy of which was attached as Exhibit B to Motion (cc: all counsel) (SKV) (Entered: 07/18/1994)
07/19/1994	224	MOTION (NOTICE) by defendant Margaret C. Hambrick to substitute party Arthur F. Beeler, Jr., Warden of FMC-Lexington as dft in place of Margaret C. Hambrick (SKV) Modified on 07/20/1994 (Entered: 07/20/1994)
07/20/1994	225	MOTION by plaintiffs for clarification of Order granting dfts right to propound second set of interrogatories (SKV) (Entered: 07/20/1994)
07/28/1994	226	MANDATE from 6CCA dismissing the appeal [197-1] for lack of jurisdiction (SKV) (Entered: 07/28/1994)
08/02/1994	227	ORDER by Judge Henry R. Wilhoit Jr. 1) denying motion for show cause order [204-1]; 2) granting motion to hold pltfs' motion for award of

		EAJA attorney fees in abeyance pending disposition of the appeal of the preliminary injunction [218-1] (cc: all counsel) (SKV) (Entered: 08/03/1994)
--	--	--

08/26/1994	228	CERTIFIED COPY of 6CCA Order: (cc: all counsel) dismissing the appeal [157-1] for want of prosecution (SKV) (Entered: 08/29/1994)
09/12/1994		NOTIFICATION by 6CCA of Appellate Docket Number 94-6142 (DC) (Entered: 09/12/1994)
09/15/1994	229	REQUEST by Lawrence R. DeFilippis for inclusion in class action; copy of STANDING ORDER dated 3/9/94 mailed to Lawrence R. DeFilippis (SKV) (Entered: 09/15/1994)
09/20/1994	230	MOTION by plaintiffs-class for enforcement and renewal of plaintiffs' motion filed 9/22/94 (R.56) (SKV) (Entered: 09/20/1994)
10/06/1994		----- V O L U M E E I G H T ----- ----- (SKV) (Entered: 10/14/1994)
10/07/1994	231	LETTER from 6CCA enclosing corrected page of decision originally sent on 9/26/94 (SKV) (Entered: 10/11/1994)
10/07/1994	232	RESPONSE of defendants to motion for enforcement and renewal of plaintiffs' motion filed 9/22/94 (R.56) [230-1] (SKV) (Entered: 10/11/1994)
10/13/1994	233	ORDER by Judge Henry R. Wilhoit Jr. setting hearing on motion for enforcement and renewal of plaintiffs' motion filed 9/22/94 (R.56) [230-1] and all pending motions 10:00 10/18/94 (cc: all counsel) (SKV) (Entered: 10/13/1994)
10/14/1994	234	MOTION by plaintiffs' class for protective order re: certain discovery requests pertaining to fees (SKV) (Entered: 10/14/1994)
10/14/1994	236	MOTION plaintiffs' class for notice to class of Sixth Circuit Court of Appeals' Panel Opinion and Class counsel's petition for rehearing and for posting of class counsel's status notices hereafter (SKV) (Entered: 10/14/1994)
10/14/1994	235	MOTION of plaintiffs' class to renew request for interim award of attorney fees pursuant to EAJA and for authorization to class counsel to accept partial payment of fees from interested third parties (SKV) (Entered: 10/14/1994)

10/17/1994	237	RESPONSE by defendant to motion for notice to class of Sixth Circuit Court of Appeals' Panel Opinion and Class counsel's petition for rehearing and for posting of class counsel's status notices hereafter [236-1] (DC) (Entered: 10/17/1994)
10/17/1994	238	RESPONSE by defendant to motion for protective order re: certain discovery requests pertaining to fees [234-1] (DC) (Entered: 10/17/1994)
10/17/1994	238	RESPONSE by defendant to motion to renew request for interim award of attorney fees pursuant to EAJA and for authorization to class counsel to accept partial payment of fees from interested third parties [235-1] (DC) Modified on 10/19/1994 (Entered: 10/17/1994)
10/18/1994	239	ORDER by Judge Henry R. Wilhoit Jr. granting motion to substitute party Arthur F. Beeler, Jr., Warden of FMC-Lexington as dft in place of Margaret C. Hambrick [224-1] terminating defendant Margaret C. Hambrick, intervenor defendant Margaret C. Hambrick; adding Arthur F. Beeler, defendant; Arthur F. Beeler, intervening defendant. (cc: all counsel) (DC) Modified on 10/19/1994 (Entered: 10/19/1994)
10/21/1994	240	ORDER by Judge Henry R. Wilhoit Jr. On October 18, 1994 action was called for a hearing on pending motions. Peggy Weber, Court Reporter; it is ORDERED; granting motion for enforcement and renewal of plaintiffs' motion filed 9/22/94 protecting the plaintiffs in this action from retaliation by the BOP and from being transferred from FMC-Lexington be and it is sustained (R.56) [230-1] for protective order that the court Protective Order of 8/5/93 be and it is amended to the extent that the debt be and they are enjoined from moving any of the named plaintiffs from FMC-Lexington without first obtaining leave of court, unless consent is given, in writing by plaintiffs counsel and the plaintiff inmate; taking under advisement on 12/21/94 the motion for protective order re: certain discovery requests pertaining to fees [234-1]; taking under advisement on 11/1/94 the motion to renew request for interim award of attorney fees pursuant to EAJA and for authorization to class counsel to accept partial payment of fees from interested third parties [235-1]; that counsel for the plaintiffs-class shall have Friday, October 21, 1994 to submit to the court, in camera, a plan and a proposed order as to the plaintiffs motion for authorization to accept partial payment of fees from interested third parties (part 2 of docket number 235); granting motion for notice to class of Sixth Circuit Court of Appeals' Opinion and Class counsel's petition for rehearing and for posting of class counsel's status notices hereafter [236-1], as reflected in the transcript of this hearing. The cost of copies for said postings shall be charged to the Commissary Trust Fund. An accounting of the cost of the copies being charged to the Commissary Trust Fund shall be provided to plaintiffs-class counsel; that the debt's request to post responsive notices be and it is denied; granting motion to substitute party Arthur F. Beeler, Jr., Warden of FMC-Lexington as dft in place of Margaret C. Hambrick [224-1]; that all other pending motions are passed pending the mandate from the 6CCA. (cc: all counsel) (DC) (Entered: 10/21/1994)

10/25/1994	241	MOTION by plaintiffs for show cause order requiring defendants to show cause why they should not be held in contempt for intimidation of plaintiffs (SKV) (Entered: 10/26/1994)
10/27/1994	242	ORDER by Judge Henry R. Wilhoit Jr. setting hearing on motion for show cause order requiring defendants to show cause why they should not be held in contempt for intimidation of plaintiffs [241-1] 10:00 11/3/94 (cc: all counsel) (SKV) (Entered: 10/27/1994)
10/28/1994	243	ORDER by Judge Henry R. Wilhoit Jr.: plaintiff's counsel may accept fee and expense payments as set out in said counsel's proposed Plan submitted in camera to this Court, that said Plan shall be filed in Court record UNDER SEAL and shall not be subject to disclosure to any party, person or entity unless ordered by the Court, and the Court further approves Plaintiffs' counsel's receiving fee and expense payments from a legal defense fund as described in the proposed Plan submitted in camera by said counsel (cc: all counsel) (SKV) (Entered: 10/28/1994)
10/28/1994	244	SEALED PROPOSED PLANS FOR ACCEPTANCE OF FEE AND EXPENSE PAYMENTS FROM INTERESTED PERSONS as Ordered filed [243-1] (SKV) (Entered: 10/28/1994)
10/28/1994	245	MOTION by plaintiffs for writ of habeas corpus ad testificandum for Conchita Washington, Antoinette Frink, Norma Cook and Edith Schoor (SKV) (Entered: 10/28/1994)
10/28/1994	246	MOTION by plaintiffs to expedite defendants' response time to Motion for Rule 62(c) injunction (SKV) (Entered: 10/28/1994)

10/28/1994	247	MOTION by plaintiffs for Rule 62(c) injunction pending issuance of Appellate Mandate or, if denied for temporary restraining order and request for expedited consideration of motion (SKV) (Entered: 10/28/1994)
10/31/1994	248	ORDER by Judge Henry R. Wilhoit Jr. setting hearing on motion for Rule 62(c) injunction pending issuance of Appellate Mandate or, if denied for temporary restraining order and request for expedited consideration of motion [247-1] 10 :00 11/3/94 (cc: all counsel) (SKV) Modified on 11/01/1994 (Entered: 10/31/1994)
10/31/1994	249	ORDER by Judge Henry R. Wilhoit Jr. granting motion for writ of habeas corpus ad testificadum for Conchita Washington, Antoinette Frink, Norma Cook and Edith Schoor [245-1]; that said inmates shall be produced for testimony at the 11/3/94 Show Cause hearing at 9:00 AM and kept in custody of US Marshal until such time as their testimony may be called for during the hearing (cc: all counsel) (SKV) (Entered: 10/31/1994)
11/01/1994	250	RESPONSE to motion to renew request for interim award of attorney fees pursuant to EAJA and for authorization to class counsel to accept partial payment of fees from interested third parties [235-1] (SKV) (Entered: 11/01/1994)
11/04/1994	251	TRANSCRIPT filed of HEARING HELD ON PENDING MOTIONS before Judge Wilhoit Date(s) of transcript 10/18/94 @ 10:20 AM (SEP. VOL.) (SKV) (Entered: 11/04/1994)
11/04/1994	252	MINUTE ORDER by Judge Henry R. Wilhoit Jr.: 1) motion for Rule 62 (c) injunction pending issuance of Appellate Mandate is OVERRULED IN PART; and SUSTAINED IN PART as to implementaion of BOP new "IFRP Rule" scheduled to become effective on 1/3/95; 2) alternative motion of plaintiffs for temporary restraining order [247-1] is OVERRULED; 3) portion of hearing regarding motion of plaintiffs for order requiring dfts to show cause why they should not be held in contempt for intimidation of plaintiffs is CONTINUED to Friday, November 4, 1994 at 9:00 AM for further proceedings (cc: all counsel) (SKV) Modified on 11/04/1994 (Entered: 11/04/1994)
11/04/1994	253	ORDER by Judge Henry R. Wilhoit Jr.: pltfs' motion for injunction pending appeal be GRANTED in part and DENIED in part; requests for Rule 62(c) injunction, or alternatively for TRO to enjoin or restrain the dfts from any further spending from the Commissary Fund on the ITS and same are DENIED; plaintiffs' request to enjoin BOP from implementing 28 C.F.R. Section 545.11(d)(10)(as amended 4-4-94) and GRANTED; during pendency of Dfts' appeal of this Court's Preliminary Injunction, and continuing until 10 days after issuance of mandate from Sixth Circuit Court of Appeals, the BOP is enjoined from implementing its new "rule" tying inmate participation in Inmate Financial Responsibility Program to inmate telephone use. (cc: all counsel) (SKV) (Entered: 11/04/1994)

11/04/1994	254	EXHIBIT list of exhibits introduced at hearing held 11/3-4/94 on motions of plaintiffs (SKV) (Entered: 11/04/1994)
11/04/1994	254	WITNESS list of testimony introduced at hearing on motions held 11/3-4/94 (SKV) (Entered: 11/04/1994)
11/04/1994	254	EXHIBITS attached to witness and exhibit list from hearing held 11/3-4/94 on plaintiffs' motions (SKV) (Entered: 11/04/1994)
11/07/1994		----- V O L U M E N I N E ----- ----- (SKV) (Entered: 11/08/1994)

11/07/1994	255	MINUTE ORDER by Judge Henry R. Wilhoit Jr.: HEARING HELD ON PLAINTIFFS' MOTION TO SHOW CAUSE; Peggy Weber, Court Reporter; 1) Court reserves right to make additions, deletions or amendments to its oral ruling made on the record; 2) further, Court concludes that change in pltf's work status the week of 10/18/94 was in direct retaliation for pltf. Washington's active participation in this lawsuit; 3) granting motion for show cause order requiring defendants to show cause why they should not be held in contempt for intimidation of plaintiffs [241-1]; 4) Court reiterates no action to be taken by BOP which would be considered retaliation for participation in this lawsuit; pltf's. be allowed to maintain their legal papers in the strictest of confidence; 5) sanctions and limitations imposed on pltf. Washington's commissary account be lifted immediately and use of commissary not be interfered with while motion for reconsideration or any other matter is pending, as Court would consider the imposition of further sanctions; 6) pltf's' counsel granted period of two weeks to submit petition for fees regarding motion for show cause order w/ itemized statement of fees claimed, and supporting authority for granting of such fees; 7) dfts are granted period of two weeks thereafter w/in which to file any response to pltf's' counsel's petition for fees regarding motion for show cause order. (cc: all counsel) (SKV) Modified on 11/08/1994 (Entered: 11/08/1994)
11/07/1994	256	TRANSCRIPT filed of HEARING ON MOTION FOR SHOW CAUSE ORDER before Judge Wilhoit Date(s) of transcript 11/3/94 - VOL I; (SEP. VOL.) (SKV) Modified on 11/08/1994 (Entered: 11/08/1994)
11/07/1994	257	TRANSCRIPT filed of HEARING MOTION FOR SHOW CAUSE ORDER before Judge Wilhoit Date(s) of transcript 11/4/94 - VOL. II; (SEP. VOL.) (SKV) (Entered: 11/08/1994)
11/07/1994	258	MOTION by plaintiffs to extend time to reply to dfts' response in opposition to pltf's' motion for award of EAJA attorney's fees (SKV) (Entered: 11/08/1994)
11/09/1994	259	NOTICE OF APPEAL by plaintiff from Dist. Court decision Minute Order from hearing [255-1], and Order Granting in Part and Denying in Part pltf's' motion for injunction pending appeal dated 11/5/94 [253-1] (cc: all counsel) (SKV) (Entered: 11/09/1994)
11/09/1994	260	ORDER by Judge Henry R. Wilhoit Jr. granting motion to extend time to reply to dfts' response in opposition to pltf's' motion for award of EAJA attorney's fees [258-1]; plaintiffs have until Monday, November 14, 1994 to reply to Dfts' response in opposition to pltf's' motion for award of EAJA Attorney's fees. (cc: all counsel) (SKV) (Entered: 11/09/1994)
11/09/1994		NOTIFICATION to 6CCA; Short Record Faxed 11/9/94 and Mailed 11/10/94, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [259-1] (cc: all counsel) (SKV) (Entered: 11/10/1994)
11/14/1994	261	MOTION of plaintiffs and intervening plaintiffs for expedited response (10 days from service) to pltf's' discovery requests pertaining to fee

		application (SKV) Modified on 11/15/1994 (Entered: 11/15/1994)
11/14/1994	262	MOTION of plaintiffs for leave to file reply brief in excess of fifteen (15) pages (SKV) (Entered: 11/15/1994)
11/14/1994		PROPOSED REPLY to Dfts' opposition to award of EAJA Attorney fees (SKV) (Entered: 11/15/1994)
11/18/1994	263	MOTION by plaintiffs for award of attorney fees and expenses incurred w/ regard to motion to show cause w/ attached affidavit and memorandum in support (SKV) (Entered: 11/18/1994)

11/18/1994	264	MOTION by defendants for leave to transfer the named plaintiffs from FMC Lexington w/ supporting memorandum (SKV) (Entered: 11/18/1994)
11/23/1994	265	TRANSCRIPT DESIGNATION and Ordering Form for dates: transcript on file in Clerk's office re transcript [257-1], re transcript [256-1], re transcript [251-1] (SKV) (Entered: 11/28/1994)
11/28/1994	266	NOTIFICATION by 6CCA of Appellate Docket Number 94-6452 (SKV) (Entered: 11/28/1994)
12/02/1994	267	RESPONSE (OPPOSITION) by defendant to motion for award of attorney fees and expenses incurred w/ regard to motion to show cause [263-1] (DC) (Entered: 12/05/1994)
12/06/1994	268	RESPONSE by plaintiffs to motion for leave to transfer the named plaintiffs from FMC Lexington [264-1] (DC) (Entered: 12/07/1994)
12/16/1994	269	REPLY MEMORANDUM to response to motion for award of attorney fees and expenses incurred w/ regard to motion to show cause [263-1] (SKV) (Entered: 12/16/1994)
12/16/1994	270	AFFIDAVIT of Joe C. Savage re Reply Memorandum regarding plaintiffs' motion for award of fees regarding contempt [269-1] (SKV) (Entered: 12/16/1994)
12/16/1994	271	AFFIDAVIT of William E. re Reply Memorandum regarding plaintiffs' motion for award of fees regarding contempt [269-1] (SKV) (Entered: 12/16/1994)
12/19/1994	272	REPLY to response to motion for leave to transfer the named plaintiffs from FMC Lexington [264-1] (SKV) (Entered: 12/19/1994)
01/04/1995	273	NOTICE OF APPEAL by intervenor defendant Janet Reno, defendant Arthur F. Beeler, defendant Kathleen Hawk, defendant Michael A. Atwood, defendant David Woody, defendant FBP, defendant USA from Dist. Court decision [255-1] (cc: all counsel) (SKV) (Entered: 01/04/1995)
01/05/1995		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [273-1] (cc: all counsel) (SKV) (Entered: 01/05/1995)

01/06/1995	274	MEMORANDUM, OPINION, AND ORDER: by Judge Henry R. Wilhoit Jr. denying motion for leave to transfer the named plaintiffs from FMC Lexington [264-1]; the named defts are not to be transferred. (cc: all counsel) (DC) (Entered: 01/06/1995)
01/15/1995		----- V O L U M E T E N ----- ----- (SKV) (Entered: 01/18/1995)
01/17/1995	275	NOTIFICATION by 6CCA of Appellate Docket Number 95-5049 (SKV) (Entered: 01/17/1995)
01/17/1995	276	MOTION by plaintiffs for temporary injunction pursuant to the All Writs Act w/ attached supporting memorandum (SKV) Modified on 01/18/1995 (Entered: 01/18/1995)
01/17/1995	277	CASES IN SUPPORT in support of plaintiff's motion for temporary injunction pursuant to the All Writs Act [276-1] (SKV) (Entered: 01/18/1995)
01/18/1995	278	JOINT STIPULATION re Motion for Interim Temporary Injunction [276-1]: 1) until 3/13/95 or Court rules on plaintiffs' motion for interim temporary injunction dfts agree to conduct themselves w/ respect to ITS and Commissary Fund Trust's operations, as if they were under the continuing effect of Court's 10/13/93 Preliminary Injunction as partially stayed by the 6ccac on 12/7/93; this agreement may be enforced by Order of the court; 2) Dfts agree they will nto install the ACCO systems in any institution other than Miami Detention Cetner during the time their counsels takes to respond to Plaintiffs' Motion for Interim Temporary Injunction which should not exceed 15 days from today's date; 3) parties agree to be available for expedited hearing after dfts' response memorandum is filed before any other facilities are installed w/ ITS or ACCO so long as Court is able to schedule hearing on or before 2/13/95; 4) dfts agree to keep plaintiffs informed of installation time-table for ACCO (past and for fiscal year 1995 until plaintiffs' Motion for Interim Injunction if heard). signed by Douglas L. McSwain for plaintiffs and Kathleen Moriarty for dfts on 1/17/95 (SKV) (Entered: 01/18/1995)
01/18/1995	279	ORDER by Judge Henry R. Wilhoit Jr.: 1) setting hearing on motion for temporary injunction pursuant to the All Writs Act [276-1] 1:30 2/1/95 in Courtroom B, Lex.,KY; 2) response of dft to said motion be filed by noon 1/26/95; 3) reply of plaintiff-class be filed no later than close of business on 1/31/95. (cc: all counsel) (SKV) (Entered: 01/18/1995)
01/19/1995	280	CERTIFIED COPY of Order from 6CCA dismissing the appeal voluntarily [259-1] (cc: all counsel) (SKV) (Entered: 01/19/1995)
01/19/1995	281	MOTION by plaintiffs to compel discovery w/ supporting memorandum attached (SKV) (Entered: 01/19/1995)
01/19/1995	282	MOTION by plaintiffs to expedite response to motion to enter order compelling discovery , and for hearing on Motion to enter order compelling discovery (SKV) (Entered: 01/19/1995)

01/19/1995	283	CERTIFICATION by plaintiffs' counsel pursuant to Local Rule 6 regarding attempts to resolve discovery dispute (SKV) (Entered: 01/19/1995)
------------	-----	---

01/20/1995	284	NOTICE by plaintiffs of Request for Production of Documents pursuant to FRCP 34(c) and 45(b)(1) (SKV) (Entered: 01/23/1995)
01/25/1995		----- V O L U M E E L E V E N -----(SKV) Modified on 01/31/1995 (Entered: 01/26/1995)
01/26/1995	285	RESPONSE (OPPOSITION) by defendants to motion for temporary injunction pursuant to the All Writs Act [276-1] (SKV) (Entered: 01/26/1995)
01/26/1995	286	TRANSCRIPT DESIGNATION and Ordering Form for dates: re transcript [257-1], re transcript [256-1], re transcript [251-1] are on file in the Clerk's office (SKV) (Entered: 01/26/1995)
01/27/1995	287	MOTION by plaintiffs for writ of habeas corpus ad testificandum , or in the alternative for furlough to attend court on 2/1/95: (1) Antoinette Frink; (2) Patricia Darks; (3) Jerry Clark (DC) (Entered: 01/27/1995)
01/30/1995	288	ORDER by Judge Karl S. Forester granting motion for writ of habeas corpus ad testificandum [287-1], granting motion for furlough to attend court on 2/1/95: (1) Antoinette Frink; (2) Patricia Darks; (3) Jerry Clark [287-2]; inmates shall be produced for testimony at the February 1, 1995 hearing at 1:00 p.m. and kept in the custody of the U.S. Marshal until such time as their testimony may be called for during such hearing. (cc: all counsel) (DC) (Entered: 01/30/1995)
01/30/1995	289	ADDITIONAL MOTION by plaintiff for writ of habeas corpus ad testificandum to allow the following witnesses be available for the hearing on Wednesday, February 1, 1995 at 1:00 p.m. (1) Gilbert J. Mims; (2) Joe Mohwish; and to strike Jerry Clark from their request filed 1/27/95 (DC) Modified on 01/30/1995 (Entered: 01/30/1995)
01/30/1995	290	ORDER by Mag. Judge James Todd granting motion for writ of habeas corpus ad testificandum to allow the following witnesses be available for the hearing on Wednesday, February 1, 1995 at 1:00 p.m. (1) Gilbert J. Mims; (2) Joe Mohwish; and to strike Jerry Clark from their request filed 1/27/95 [289-1]; it is ORDERED that the following inmates shall be produced for testimony at the February 1, 1995 hearing at 1:00 p.m. and kept in custody of the U.S. Marshal until such time as their testimony may be called for during such hearing: Gilbert J. Mims; Joe Mohwish; it is further ORDERED that inmate Jerry Clark be stricken from the the list of witnesses to appear at said hearing. (cc: all counsel) (DC) Modified on 01/30/1995 (Entered: 01/30/1995)
01/30/1995	291	RETURN OF SERVICE by plaintiffs of Subpoena in a Civil Case Duces Tecum to Vicky Evans by fax on 1/30/95 (SKV) (Entered: 01/31/1995)
01/31/1995	292	REPLY by plaintiffs to defendants' response to motion for temporary injunction pursuant to the All Writs Act [276-1] (SKV) (Entered: 01/31/1995)

01/31/1995	293	NOTICE OF FILING by defendants the Supplemental Declaration of Peter M. Carlson, the Supplemental Declaration of Sandra J. Bellinger and the Eighth Declaration of Michael Atwood (SKV) (Entered: 01/31/1995)
------------	-----	---

01/31/1995	294	NOTICE OF APPEAL from Dist. Court decision (Memorandum, Opinion & Order denying dfts. motion to transfer inmates) [274-1] (cc: all counsel) (SKV) (Entered: 01/31/1995)
02/02/1995	295	MOTION by plaintiffs in limine excluding dfts from attempting to produce any evidence from witness David Woody and Michael Atwood or any other witnesses when their testimony will be based upon documents or information not disclosed to plaintiffs pursuant to discovery requests , and to strike Affidavits of said witnesses & any supporting documentation or summaries of exhibits which have been prepared in reliance upon documents not produced pursuant to discovery requests (SKV) (Entered: 02/02/1995)
02/02/1995	296	RESPONSE (OPPOSITION) by defendants to plaintiffs' motion to compel discovery [281-1] (SKV) (Entered: 02/02/1995)
02/02/1995		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [294-1] (cc: all counsel) (SKV) (Entered: 02/02/1995)
02/02/1995	297	GENERAL MINUTES: before Judge Wilhoit HEARING HELD Date(s) 2/1/95; Court Reporter Peggy Weber; hearing on motion for temporary injunction pursuant to the All Writs Act [276-1] was begun but not concluded; matter continued to 2/2/95 at 9:00 AM for further hearing (cc: all counsel) (SKV) (Entered: 02/03/1995)
02/03/1995	298	GENERAL MINUTES: HEARING HELD before Judge Wilhoit Date(s) 2/2/95; Court Reporter Peggy Weber; denying motion in limine excluding dfts from attempting to produce any evidence from witness David Woody and Michael Atwood or any other witnesses when their testimony will be based upon documents or information not disclosed to plaintiffs pursuant to discovery requests [295-1], denying motion to strike Affidavits of said witnesses & any supporting documentation or summaries of exhibits which have been prepared in reliance upon documents not produced pursuant to discovery requests [295-2]; an evidentiary hearing on plaintiffs' motion for temporary injunction pursuant to the All Writs Act was resumed, but not concluded, matter is continued to 2/3/95 at 9:00 AM for further hearing (cc: all counsel) (SKV) (Entered: 02/03/1995)
02/03/1995	299	EXHIBIT list of exhibits introduced at evidentiary hearing held 2/1/95 & 2/2/95 (SKV) (Entered: 02/06/1995)
02/03/1995	299	WITNESS list of witnesses testifying at evidentiary hearing held 2/1/95 and 2/2/95 (SKV) (Entered: 02/06/1995)
02/03/1995		----- V O L U M E 12 ----- ----- (DC) (Entered: 03/08/1995)
02/08/1995	300	NOTICE OF FILING FOR IN CAMERA INSPECTION by defendants of Legal Memorandum dated 5/16/91 and 6/10/91 from Wallace H. Cheney, Asst. Director and General Counsel of BOP to Robert J.

		Newport, Deputy Asst. Director for the Administration Division of BOP (SKV) (Entered: 02/09/1995)
02/13/1995	301	NOTIFICATION by 6CCA of Appellate Docket Number 95-5195 (SKV) (Entered: 02/13/1995)

02/13/1995	305	TRANSCRIPT DESIGNATION and Ordering Form for dates: 2/1/95 re transcript [302-1] (DC) (Entered: 02/14/1995)
02/14/1995	302	TRANSCRIPT VOL.I filed of motion hearing before Judge Wilhoit Date (s) of transcript 2/1/95 (separate volume) (Entered: 02/14/1995)
02/14/1995	303	TRANSCRIPT VOL.II filed of motion hearing before Judge Wilhoit Date(s) of transcript 2/2/95(separate volume) (Entered: 02/14/1995)
02/14/1995	304	TRANSCRIPT VOL.III filed of motion hearing before Judge Wilhoit Date(s) of transcript 2/3/95(separate volume) (Entered: 02/14/1995)
02/21/1995	306	CERTIFIED COPY of judgment from 6CCA remanding the matter back to District Court: district court's preliminary injunction is MODIFIED to prohibit only statutorily unauthorized purchases or expenditures from the Commissary Fund; further ORDERED preliminary injunction is DISSOLVED in all other respects; matter is REMANDED to district court for further proceedings consistent w/ opinion [Appeal [89-1] MANDATE ISSUED 2/8/95; PUBLISHED OPINION ATTACHED (cc: all counsel) (SKV) (Entered: 02/21/1995)
02/21/1995	307	ANSWER to AMENDMENT TO THIRD AMENDED COMPLAINT [97-1] by defendants (SKV) (Entered: 02/22/1995)
02/21/1995	308	ANSWER to INTERVENING COMPLAINT [151-1] and Amendment to intervening complaint by defendants (SKV) (Entered: 02/22/1995)
02/23/1995	309	ORDER by Judge Henry R. Wilhoit Jr.: CONTINUATION EVIDENTIARY HEARING HELD on 2/3/95; Peggy Weber Court Reporter; IN REFERENCE TO PENDING MOTIONS IT IS ORDERED: 1) denying dfts' motion to dismiss this action with prejudice as to plaintiff-intervenors [148-1]; 2) granting pltfs' motion to file amendment to third amended complaint [201-1]; 3) granting pltfs' motion to file amendment to intervening complaint [202-1]; 4) denying the pltfs' motion for entry of order regarding preliminary injunction [203-1] and pltfs' motion for preliminary injunction in light of "Final Rule" [205-1] as moot; 5) granting pltfs' motion for attorney fees [214-1] and Court will enter a written opinion; 6) denying the pltfs' motion to expedite dfts' response to EAJA motion [220-1] as moot; 7) denying the pltfs' motion for order re: certain discovery requests pertaining to fees [234-1] as moot; 8) granting pltfs' motion to renew request for award of attorney fees pursuant to EAJA and for authorization to class counsel to accept partial payment of fees from interested third parties [235-1]; 9) denying the pltfs' motion for expedited response (10 days from service) to pltfs' discovery requests pertaining to fee application [261-1] and the pltfs' motion to expedite defendants' response time to Motion for Rule 62(c) injunction [246-1] as moot; 10) granting pltfs' motion for leave to file reply brief in excess of fifteen (15) pages [262-1]; 11) granting pltfs' motion for award of attorney fees and expenses incurred w/ regard to motion to show cause [263-1] and Court's written opinion will enter; 12) denying the pltfs' motion to expedite response to motion to enter order compelling

		discovery [282-1] as moot; 13) granting pltfs' motion for hearing on Motion to enter order compelling discovery [282-2]; 14) granting in part and denying in part pltfs' motion compel discovery [281-1]; EVIDENTIARY HEARING on pltfs'motion for temporary injunction pursuant to the All Writs Act having concluded IT IS FURTHER ORDERED: 15) granting pltfs' motion for temporary injunction pursuant to the All Writs Act [276-1] as reflected by the minutes of this proceeding; COURT HAVING CONSIDERED the matter of scheduling IT IS ORDERED: 16) discovery ddl 4/29/95; dfts' counsel shall marshal all relevant documents for inspection and/or copying at Washington D.C.; dfts' counsel shall provide room w/ copy machine for use of pltfs' counsel at time of production and inspection; dfts' counsel shall be available to assist pltfs' counsel at time of production and inspection or provide someone to assist pltfs' counsel in locating document; 17) parties shall have to 4/28/95 to arrive at all possible stipulations; 18) PRETRIAL CONFERENCE set for 9:00 5/3/95 in Courtroom B at Lex., KY; 19) BENCH TRIAL set for 9:00 5/15/95 ; in Courtroom B at Lexington, KY (cc: all counsel) (SKV) (Entered: 02/24/1995)
02/23/1995	310	AMENDMENT by intervenor plaintiff Jane Moe, intervenor plaintiff Jane Poe, intervenor plaintiff Jane Roe, intervenor plaintiff John Hoe to Intervening Complaint [151-1] adding Count IV (DC) (Entered: 02/24/1995)
02/23/1995	311	AMENDMENT by plaintiff to Third Amended Complaint [97-1] (DC) (Entered: 02/24/1995)
02/28/1995	312	MEMORANDUM, OPINION, AND ORDER: by Judge Henry R. Wilhoit Jr. It is ORDERED that (1) the legal memoranda dated 5/16/91 and 6/10/91 from Wallace H. Cheney, Assistant Director and General Counsel of the Bureau of Prisons to Robert J. Newport, Deputy Assistant Director for the Administration Division of the Bureau of Prisons be PRODUCED for inspection and or copying by the plaintiffs; (2) that these documents shall remain under seal in the record; and (3) that the defts are ordered to advise plaintiffs counsel within 7 days of the entry of this order of its intention to agree to the unsealing and production of the documents or of its intention to file an interlocutory appeal. (cc: all counsel) (DC) (Entered: 02/28/1995)

03/06/1995	313	CERTIFIED COPY of Order from 6CCA dismissing the appeal pursuant to appellants' motion to voluntarily dismiss appeal [273-1] (cc: all counsel) (SKV) (Entered: 03/06/1995)
03/06/1995	314	NOTICE by plaintiff Conchita Washington of Filing this date a copy of the attached correspondence (Exhibit "A" hereto) to Hon. Janet Reno and Hon. Kathleen Hawk. The Court is hereby placed on notice of the demand made by plaintiffs' class counsel upon the aforesaid pertaining to a certain bill now pending in Congress, H.R.667 passed by the House of Representatives (DC) (Entered: 03/07/1995)
03/09/1995	315	FIRST AGREED PROTECTIVE ORDER by Judge Henry R. Wilhoit Jr.: It is ORDERED that the "confidential" information pertaining to Privacy Act matters tht may be contained in documents and suppl interrogatory responses shall be considered for the purposes of this order to include specifically information set out herein; the protected doucments and suppl interogatory responses and all copies thereof may be maintained under seal; except as otherwise provided in this order protected documents and supplemental interrogatory responses may be disclsoed only to counsel for the parties to this litigation or persons in the employ of counsel for the parties; should counsel for any party with to sue any protected document or suppl interrogatory response containing "confidential" information as herein defined in any filing with the court or in evidence that counsel shall take appropriate steps to have any such protected document(s) or supplemental interrogatory resposne(s) placed under seal, or in the alternative to redact those portions of the document (s) or supplemental interrogatory response(s) containing the "confidential" information as defined herein; if any party wishes to modify this order the party shall first request that the other agree to the modification and if no satisfactory agreement is reached, may petition to the court for modification. (cc: all counsel) (DC) (Entered: 03/10/1995)
03/17/1995	316	NOTICE OF FILING by defendants of letter responding to letter from pltfs' Counsel to Attorney General and Director of Federal Bureau of Prisons (SKV) (Entered: 03/17/1995)
03/20/1995	317	NOTICE by plaintiffs of filing IN CAMERA kof certain executed Acknowledgements of First Agreed Protective Order pursuant to the terms of the First Agreed Protective Order (DC) (Entered: 03/20/1995)
04/04/1995	318	ORDER by Judge Henry R. Wilhoit Jr. Pursuant to Fed Rule of Civ Procedure it is hereby ORDERED that defts are granted leave of court to take the deposition upon oral examination of the following named pltffs in this action who are confined in fed penal or correctional institutions: (1) Antoinette M. Frink (Reg. No. 61900-061); (2) Norma Fay Cook (Reg. No. 56503-080); (3) Conchita Washington (Reg. No. 14826-039); (4) Lori Sauders (Reg No. 16547-083); (5) Patricia M. Darks (Reg No. 7382-012); (6) Martha Marie Preston (Reg No. 46494-079); (7) Gloria Batton Robinson (Reg NO. 46494-079); (8) Loven L. Lewis (Reg No. 08898-017; and (9) Reshawn Richardson (Reg NO. 02106-061).(cc: all counsel) (DC) (Entered: 04/05/1995)

04/05/1995	319	JOINT MOTION by defendant USA, plaintiff Conchita Washington for trial continuance (DC) (Entered: 04/06/1995)
04/07/1995	320	ORDER by Judge Henry R. Wilhoit Jr. This matter is before the Court upon the parties joint motion to continue the bench trial now scheduled for 5/31/95 (319-1). The court having considered this matter and being sufficiently advised it is ORDERED HEREIN AS FOLLOWS ; (1) that parties joint motion to continue the trial date be and same ehreby is GRANTED; (2) that the pretrial conference scheduled on 5/3/95 be and the same hereby is SET ASIDE and will be rescheduled by subsequent order of the court; (3) that the bench trial is rescheduled for 7/31/95 at the our of 9:00 a.m. in Courtroom B, Lex; court trial set for 9:00 7/31/95 (cc: all counsel) (DC) (Entered: 04/07/1995)
04/10/1995	321	ORDER by Judge Henry R. Wilhoit Jr. Court upon its own motion and beign sufficiently advised it is ORDERED that the action is assigned for pretrial conference on 7/7/95 at 10:00 a.m. in Courtroom B, Lexington; pretrial conference set for 10:00 7/7/95 (cc: all counsel) (DC) (Entered: 04/11/1995)
04/21/1995	322	MOTION by Jane Toe, Jane Zoe to file Second Amendment to Intervening Complaint to Add 2 Intervening Plaintiffs and to Dismiss one intervening plaintiff and to withdraw damages claims (DC) (Entered: 04/24/1995)
04/21/1995		PROPOSED Second Amendment to Intervenin tendered by intervenor plaintiff Jane Toe, intervenor plaintiff Jane Zoe (DC) (Entered: 04/24/1995)

04/21/1995	323	ANSWERS by plaintiffs to Defts Third Set of Interrogatories and Second Set of Document Requests to Plaintiff Inmates (DC) (Entered: 04/24/1995)
04/21/1995	324	RESPONSE TO Defts Second Set of REQUEST for production of admissions by intervenor plaintiff Jane Toe, intervenor plaintiff Jane (DC) (Entered: 04/24/1995)
04/21/1995	325	ANSWERS by intervenor plaintiff to Defts Second Set of Interrogatories and Second Set of Document Requests to Plaintiff-Intervenors (DC) (Entered: 04/24/1995)
04/25/1995	326	EX PARTE MOTION by Patricia M. Darks for order of transportation for appearance at trial (DC) (Entered: 04/25/1995)
05/05/1995	327	ORDER by Judge Henry R. Wilhoit Jr. Upon representation of counsel it has come to the Court's attention that a discovery dispute has arisen regarding the submission of information by the named plaintiffs at their depositions currently scheduled to begin on Monday, May 8, 1995. The court was notified of this dispute at the close of business on Thursday, May 4, 1995. The undersigned will attend a conference beginning Saturday, May 6, 1995, and is not scheduled to return until late Wednesday evening. Per conference call, counsel indicated that the dispute concerned the production of tax returns, asset information and a list of names, addresses and telephone numbers of individuals who have received collect calls from the named plaintiffs. Counsel for the named plaintiffs has no objection to providing this information if it is placed under seal or if a protective order is entered by the court. The BOP objects to this procedure. The court sua sponte ORDERS that the information requested by defts, the tax returns, the asset information, and the names addresses and telephone numbers of those individuals receiving collect calls from the named plaintiffs shall be SEALED until further order of the Court. (cc: all counsel) (DC) (Entered: 05/05/1995)
05/09/1995	328	UNOPPOSED MOTION by defendant USA to extend time to respond to the Intervening Plaintiffs Motion to Amend Complaint (DC) (Entered: 05/10/1995)
05/12/1995	329	ORDER by Judge Henry R. Wilhoit Jr. granting motion to extend time to respond to the Intervening Plaintiffs Motion to Amend Complaint [328-1]; it is hereby ORDERED that defts shall have until 5/16/95 to respond to the intervening plaintiffs Motion for Order permitting second amendment to intervening complaint to add 2 intervening plaintiffs and to dismiss one intervening plaintiff and to withdraw damages claims. (cc: all counsel) (DC) (Entered: 05/12/1995)
05/16/1995	330	SECOND UNOPPOSED MOTION by defendant USA to extend time to respond to the intervening plaintiffs Motion to Amend Complaint (DC) (Entered: 05/17/1995)
05/22/1995	331	UNOPPOSED MOTION by defendant USA for second protective order (DC) (Entered: 05/22/1995)

05/22/1995	332	ORDER by Judge Henry R. Wilhoit Jr. granting motion to extend time to respond to the intervening plaintiffs Motion to Amend Complaint [330-1]; defts shall have until 6/6/95 to respond to the intervening plaintiffs Motion for order permitting Second Amendment to Intervening Complaint. (cc: all counsel) (DC) (Entered: 05/22/1995)
05/24/1995	333	PROTECTIVE ORDER by Judge Henry R. Wilhoit Jr. : granting motion for second protective order [331-1]; It is ORDERED THAT: (1) the protected documents (which are bate-labelled pages 23,225-23, 786) shall be stamped "CONFIDENTIAL" to indicate that they are covered by the terms of this Second Agreed Protective Order. The protected documents shall be provided to plttfs counsel and shall be sued by them for the sole purpose of mediation in the instant action. Plaintiffs counsel may disclose the protected documents and any information contained in them to the mediator, defts counsel and any BOP employee involved in mediation, but may not disclose them to any other person, including but not limited to John D. O'Keefe and any other consultant or expert witness for any party, or to any telecommunications provider or manufacturer or for any other reason; all individuals who have access to the protected documents pursuant to this Second Agreed Protective Order shall be given a copy of this Order prior to disclosure of any protected documents to such individuals and they shall sign a written acknowledgement of their agreement; by agreeing to the entry of this Second Agreed Protective Order defts do not waive their claim that the protected documents are protected by the deliberate process privilege and containe confidential commercial or proprietary information regarding an agency procurement that are protected from disclosure; plttfs do not waive any objection that the protected documents are not protected by the deliberate process privilege and do not contain confidential commercial or proprietary information of GTE and Opus Telecom, Inc. This order does not constitute any ruling on the question of whether any particular document is properly discoverable and does not constitute any ruling on any potential objection to the discoverability or admissibility of any document; any failure to comply with the provisions of this Second Agreed Protective Order willful or otherwise may render the responsible party subject to the imposition of any sanctions the court may deem appropriate. (cc: all counsel) (DC) (Entered: 05/25/1995)

06/01/1995	334	DEPOSITION of PATRICIA M. DARKS taken on the following date(s): 5/11/95 at 9:30 a.m. by: defts (SEP. VOL.) (DC) (Entered: 06/01/1995)
06/07/1995	335	ACKNOWLEDGEMENT OF PROTECTIVE ORDER by plaintiffs (DC) (Entered: 06/07/1995)
06/13/1995	336	ORDER by Judge Henry R. Wilhoit Jr. The court upon its own motion and being sufficiently advised it is ORDERED that the pretrial conference scheduled in the action on 7/7/95 be and same hereby is CONTINUED to FRIDAY, JULY 14, 1995 at the hour of 10:00 a.m. in Courtroom B, Lexington; pretrial conference set for 10:00 7/14/95 (cc: all counsel) (DC) (Entered: 06/14/1995)
06/14/1995	337	LETTER by Sue Monroe to court re: settlement negotiations (DC) (Entered: 06/14/1995)
07/07/1995	338	ORDER by Judge Henry R. Wilhoit Jr. Upon oral request of plaintiff class counsel and their being no objection by defts it is hereby ORDERED that the PRETRIAL CONFERENCE set for Friday, July 14, 1995 at 10:00 a.m. is SET ASIDE until further ORDERS of the court (cc: all counsel) (DC) (Entered: 07/07/1995)
07/25/1995	339	ORDER by Judge Henry R. Wilhoit Jr. Upon representation of counsel that the above styled action has been resolved by settlement agreement in principle and the court being sufficiently advised it is ORDERED that the trial now set on 7/31/95 be and same hereby is SET ASIDE. (cc: all counsel) (DC) (Entered: 07/25/1995)
07/31/1995	340	ORDER by Judge Henry R. Wilhoit Jr. Upon request of counsel and the court being sufficiently advised it is ORDERED that the above-referenced case be and same is assigned for a preliminary fairness hearing on Friday, August 4, 1995 at 1:30 p.m. in Courtroom b, U.S.D.C., Lexington; in-court hearing set for 1:30 8/4/95 (cc: all counsel) (DC) (Entered: 07/31/1995)
08/02/1995	341	JOINT MOTION by parties for approval of the proposed settlement agreement and entry of order providing notice to the class of the proposed settlement agreement (DC) (Entered: 08/02/1995)
08/02/1995		----- V O L U M E 13 ----- ----- (DC) (Entered: 08/22/1995)
08/03/1995	342	NOTICE by plaintiff Conchita Washington to the Court and to the defts of the filing of the attached Memorandum (Exhibit "A") from plaintiffs counsel to the plaintiff-class of inmates (DC) (Entered: 08/03/1995)
08/04/1995	343	ORDER PROVIDING NOTICE TO THE CLASS OF THE PROPOSED SETTLEMENT AGREEMENT by Judge Henry R. Wilhoit Jr. granting motion for approval of the proposed settlement agreement and entry of order providing notice to the class of the proposed settlement agreement [341-1]; WHEREFORE it is hereby ORDERED that within 15 days after entry of this order the Bureau of Prisons shall: (1) send the attached

Notice of Proposed Settlement and Fairness Hearing and the proposed Settlement Agreement to each correctional institution operated by the Bureau of Prisons; (2) make the Notice of Proposed Settlement and Fairness Hearing and the proposed Settlement Agreement available for inspection and review by the inmates in the institution law libraries during the comment period; and (3) post a notice in the institution commissaries and law libraries stating that the Notice of Proposed Settlement and Fairness Hearing and the Settlement Agreement are available for review by the inmates in the law libraries; and it is further ORDERED that any member of the plaintiff class who wishes to comment on or raise an objection to the Settlement Agreement may submit a written statement to the United States District Court for the Eastern District of Kentucky, Lexington Division, P.O. Box 3074, Lexington, KY 40596-3074. To be considered by the court, the written statement must be received by the Clerk of the Court no later than 45 days from the entry of this order. The written statement shall contain the individual's name, address, and inmate register number, along with a statement of his or her comment(s) on or objection(s) to the Settlement Agreement and the reason(s) for the comment(s) or objection(s); and it is further ORDERED that pursuant to Rule 23(e) of the Fed Rules of Civil Procedure the court will hold a hearing on 11/3/95 at 11:00 a.m. in Courtroom B, Lexington, KY to determine whether the proposed Settlement Agreement should be approved. (9/22/95 comments due) (cc: all counsel) (DC) (Entered: 08/07/1995)

08/04/1995	344	NOTICE of Proposed Settlement and Fairness Hearing (DC) Modified on 08/22/1995 (Entered: 08/07/1995)
08/10/1995	345	ORDER by Judge Henry R. Wilhoit Jr. On 8/4/95 action was called for preliminary fairness hearing Peggy Weber, Court Reporter. It is ORDERED that (1) on oral motion of the defts and by agreement of counsel the following named plttfs, no longer in the custody of the Bureau of Prisons, shall be stricken as party plttfs in this action: Sunday Torres, Nita Young, Angela Sanchez-Martinex, Titilola Odusanya and Alberta Anderson; (2) that on oral request of the plttfs the Application to Proceed in Forma Pauperis in actions to enfoce the agreement in these consolidated cases is to be signed by the applicant udner the penalty of perjury. Certification by the institution as to the prisoner financial account at the institution is not required; (3) that by agreement of the parties the form complaint, attachment D to the proposed settlement agreement, shall be amended to reflect the Ashland Division, rather than the Lexington Division, as the forum in which inmate complaints may be brought before the Court as to the settlement agreement. (cc: all counsel) (DC) (Entered: 08/14/1995)
08/21/1995	346	NOTICE OF OBJECTIONS of Scott A. Fountain, #02158-090, P.O. Box 8500, Florence, Colorado 81226-8500 to Proposed Settlement Agreement [344-1] (DC) (Entered: 08/22/1995)
08/21/1995	347	COMMENT/OBJECTIONS from Clarence L. McClain , #96757-024, P.O. Box 33-Unit D1, Terre Haute, Indiana 47808, to Proposed Settlement Agreement [344-1] (DC) (Entered: 08/22/1995)
08/23/1995	348	OBJECTIONS from Steven M. Wirth, 04337-030, Box 2000/Dorm 4, Talladega, AL 35160-8799 to proposed settlement agreement [344-1] (DC) (Entered: 08/23/1995)
08/24/1995	349	OBJECTIONS of Frank Sacco, 95551-131, U.S. Penitentiary, P.O. Box 1000, Marion, IL 62959; to Proposed Settlement Agreement [344-1] in 5:93-cv-00290 (DC) (Entered: 08/24/1995)
08/25/1995	350	OBJECTIONS of Lorenz Karlic, 94228-012, ADX Florence, P.O. Box 8500, Florence, Colorado 81226, to Proposed Settlement Agreement [344-1] (DC) (Entered: 08/25/1995)
08/28/1995	351	OBJECTIONS by David Solan, 15985-018, FCI McKean, P.O. Box 8000, Bradford, PA 16701-0980 to Proposed Settlement Agreement [344-1] (DC) (Entered: 08/28/1995)
08/28/1995	352	ORDER by Judge Henry R. Wilhoit Jr. It is therefore ORDERED AND ADJUDGED: (1) finding the motion for order of transportation for appearance at trial [326-1] moot., (2) finding the motion to file Second Amendment to Intervening Complaint to Add 2 Intervening Plaintiffs and Dismiss one intervening plaintiff and to withdraw damages claims [322-1] moot; (3) that this is not a final and appealable order. (cc: all counsel) (DC) (Entered: 08/30/1995)

09/05/1995	353	OBJECTIONS & COMMENTS by David Cerullo to notice of proposed settlement agreement [344-1] (DC) (Entered: 09/06/1995)
09/06/1995	354	OBJECTIONS of Fred Anderson (02777052), Federal Correctional Institution, P.O. Box 7000, Fort Dix, NJ 08640 to notice of proposed settlement agreement [344-1] (DC) (Entered: 09/06/1995)

09/08/1995	355	OBJECTIONS by Dr. Emory M. Ghana, 11416-050, U.S.P. Allenwood, P.O. Box 3000, White Deer, PA 17887; to proposed settlement agreement [344-1] (DC) (Entered: 09/08/1995)
09/11/1995	356	OBJECTIONS of William M. Furman, 46279-080, FCC/FPC "S" Unit, P.O. Box 5000, Florence, CO 81226-5000 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/11/1995)
09/12/1995	357	EX PARTE MOTION by Patricia M. Darks to dismiss Douglas McSwain as court appointed counsel and allow representation by Jack Diamond, Sherman Oaks, CA (DC) (Entered: 09/12/1995)
09/12/1995		PROPOSED Revised Settlement Agreement tendered by Patricia Darks, inmate in Carswell Medical Center, P.O.Box 27137, Fort Worth, TX 76127 (DC) (Entered: 09/12/1995)
09/12/1995	358	OBJECTIONS/REJECTION by Angela Carlini to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	359	OBJECTIONS/REJECTIONS by Jo Anne Carter to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	360	OBJECTIONS/REJECTIONS by Glenda Graham, 61436-079, Carswell Medical Center, P.O. Box 27137, Fort Worth, TX 76127 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	361	OBJECTIONS/REJECTIONS by Kara Artus to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	362	OBJECTIONS/REJECTIONS by Joan Samson to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	363	OBJECTIONS/REJECTIONS by Bisi Latural to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/12/1995	364	OBJECTIONS/REJECTIONS by Juanita W. Cooper to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)

09/12/1995	365	OBJECTIONS/REJECTIONS by Gala Hood to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/12/1995)
09/13/1995	366	TRANSCRIPT filed of Preliminary Fairness Hearing before Hon. Henry R. Wilhoit, Jr. Date(s) of transcript 8/4/95 at 1:30 p.m.; Peggy Weber, Court Reporter (DC) (Entered: 09/13/1995)
09/13/1995	367	LETTER from Andre R. Jennings, 35467-060, FCI Morgantown, P.O. Box 1000 (Bennett Unit), Morgantown, WV 26507-1000 to Douglas McSwain re: comments on settlement agreement (DC) (Entered: 09/14/1995)
09/15/1995	368	OBJECTIONS by Gerard Phillip Biemer, FPC Nellis A.F.B., Area II, C.S. 4500/13336-076, North Las Vegas, NV 89036-4500 to proposed settlement agreement [344-1] (DC) (Entered: 09/15/1995)
09/15/1995	369	OBJECTIONS by Henry Gherman to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/15/1995)
09/18/1995	370	OBJECTIONS by Kevin Pollard, 02276-112, Terminal Island, California, P.O. Office Box, 3007, Terminal Island, California 90731; to notice [344-1] in 5:93-cv-00290 (DC) (Entered: 09/18/1995)
09/18/1995	371	OBJECTIONS by John Smith, to Proposed Settlement Agreement [344-1] REDACTED AND SUBSTITUTED ON 9/22/95 PURSUANT TO COURT'S ORDER AND ORIGINAL SEALED AND PLACED TO LEFT OF RECORD (DC) Modified on 10/13/1995 (Entered: 09/18/1995)
09/18/1995	372	OBJECTIONS by Douglas Nyhuis, 06548-040, P.O. Box 8000, Bradford, PA 16701-0980 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/18/1995)
09/18/1995	373	OBJECTIONS by Meredith Brumfield, 03974-081, LVC D-1; C/O PO Box 1000, Leavenworth, Kansas 66048; to Proposed Settlement Agreement [344-1] in 5:93-cv-00290 (DC) (Entered: 09/18/1995)
09/18/1995	374	OBJECTIONS by Donald R. Morabito, 05324-035, D-Right, POB 420, FCI Fairton, Fairton, NJ 08320 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/18/1995)
09/20/1995	375	OBJECTIONS by Dewayne Albert Crompton, 03502-090, USP-Lompoc, 3901 Klein Blvd., Lompoc, CA, 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/20/1995)

09/20/1995	376	MOTION by Gust Marion Janis for show cause order: alleged contempt based on violation of court order (DC) (Entered: 09/20/1995)
09/20/1995	377	MOTION by Gust Marion Janis for sanctions under Rule 11 against the defts (DC) (Entered: 09/20/1995)
09/20/1995	378	MOTION by Gust Marion Janis to continue proposed settlement and fairness hearing 60 days for Gust Marion to intervene as a class member (DC) (Entered: 09/20/1995)
09/20/1995	379	OBJECTIONS by Gust Marion Janis, 27760-048, USP-Lompac, 3901 Klein Blvd., Lompoc, CA 93436, to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/20/1995)
09/21/1995	380	EXPEDITED MOTION by defendant USA to seal Docket Entry 371 filed by John Smith (DC) Modified on 09/22/1995 (Entered: 09/21/1995)
09/21/1995	381	OBJECTIONS by Joseph L. Davis to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/21/1995)
09/21/1995	382	OBJECTIONS by Howard N. Ingram to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/21/1995)
09/21/1995	383	OBJECTIONS by Ralph J. Hinojosa to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/21/1995)
09/21/1995	384	ORDER by Judge Henry R. Wilhoit Jr. ORDERS: (1) granting motion to seal Docket Entry 371 [380-1]; it is further ORDERED that the Clerk is directed place DE#371 under seal and to substitute the redacted document attached to this order DE#371; and it is further ORDERED that counsel for plttfs are not to disclose the unredacted copy of DE#371 outside the law firm of Sturgill, Turner & Truitt or to use the redacted information in in any public document or filing and it is further ORDERED that the Clerk shall mail a copy of this order to the who filed DE#371 and the inmate shall have the right to file a motion to unseal all or part of DE#371 within 10 days of receipt of this order; provided however that the inmate's motion shall be filed under seal and shall remain under until such time as this court rules on the inmate's motion. (cc: all counsel) (DC) Modified on 09/22/1995 (Entered: 09/22/1995)
09/21/1995		----- V O L U M E 14 ----- ----- (DC) (Entered: 09/25/1995)
09/22/1995	385	OBJECTIONS by Paul Lee, 01656-037, FCI Cumberstone, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)

09/22/1995	386	OBJECTIONS by Kenneth Andrew Friedman, 90459-011, P.O. Box 1000, Leavenworth, KS 66048 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	387	OBJECTIONS by Timothy Allen Crawford to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	388	OBJECTIONS by Robert E. Bradley, 02806-036, P.O. Box 8000, Bradford, PA 16701-0980 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	389	OBJECTIONS by Lee Alphonso Moore, 01169-025, P.O. Box 1000, Leavenworth, KS 66048 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	390	OBJECTIONS by John Jay Powers, P.O. Box 157(089), Watsontown, PA 1777, to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	391	OBJECTIONS by William M. Neyland, 57311-065, P.O. Box 1000, Leavenworth, KS 66048, to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/22/1995)
09/22/1995	392	NOTICE of filing by Doug McSwain the attached pleadings received by plttfs from the following class members: (1) Alfred Bregantini (Returned Complaint forms w/letter); (2) Carl Thomspson; (3) David Lee Moore; (4) Clarence L. McClain; (5) Willie Tamakloe; (6) Stanley R. Stern; (7) Ben Kalka; (8) Howard N. Ingram (DC) (Entered: 09/25/1995)
09/22/1995	393	NOTICE by counsel Doug McSwain of filing attached objection by David Zink, 11076-077, P.O. Box 1000, Marion, IL 62959 (DC) (Entered: 09/25/1995)
09/22/1995	394	NOTICE by counsel Douglas McSwain of filing attached objection of Isaiah Evans, III to Proposed Settlement Agreement (DC) (Entered: 09/25/1995)
09/25/1995	395	OBJECTIONS by Stanley R. Stern, 35310-054; Robert Cheek, 08158-058 Petersburg Federal Prison Camp, Box 1000, Petersburg, Virginia 23804 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	396	MOTION by Clarence L. McClain, 96757-024, P.O. Box 33- Unit D-1, Terre Haute, IN 47808 for representative parties status (DC) (Entered: 09/25/1995)

09/25/1995	397	OBJECTIONS by Clarence L. McClain, 96757-024, P.O. Box 33- Unit D-1, Terre Haute, IN 47808; to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	398	OBJECTIONS by Carl Thompson, 90712-011, USP-Lompoc (C-Unit), 3901 Klein Blvd., Lommpoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	399	NOTICE by David Solan, 15985-018, to the court of possible vindictive act by defts against class member in retaliation for his previous filing of an objection to the Proposed ITS Settlement Agreement (DC) (Entered: 09/25/1995)
09/25/1995	400	OBJECTIONS by Frederick W. Bauer, 02706-090, P.O. Box 1000, Oxford, Wisconsin 53952-1000; to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	401	OBJECTIONS by Charlie Powell, 14194-057, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	402	OBJECTIONS by Gregory K. Michael, 36067-054, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	403	OBJECTIONS by Ben Kalka, 84449-011, FCI Sheridan, Unit 4A, P.O. Box 5000, Sheridan, Oregon 97378-5000 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	404	NOTICE by Ben Kalka of listing of plttf parties in interest to the Proposed Settlement Agreement (DC) (Entered: 09/25/1995)
09/25/1995	405	OBJECTIONS by Victor Gonzalez, 07610-069, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	406	OBJECTIONS by Paris Francis Lundis, 05212-068, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	407	OBJECTIONS by Admiral Britt, 87192-012, USP-Lompoc, 3901 Klein Blvd. Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)

09/25/1995	408	OBJECTIONS by Keith Maydak, 04904-068, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	409	OBJECTIONS by Willie Tamakloe, 13915-050, FCI Fairton - C/R, P.O. Box 420, Fairton, New Jersey 08320 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	410	OBJECTIONS by Timothy J. Evans, 02551-078, P.O. Box 7000, Unit Admin, Det., Texarkana, Texas 75505-7000 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	411	OBJECTIONS by David Lee Moore, 33812-198, USP-Lompoc, 3901 Klein Blvd., Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/25/1995	412	OBJECTIONS by Donald Dean Austin, FPC Nellis A.F.B., Area II, C.S. 4500/05566-097, North Las Vegas, Nevada 89036-4500 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/25/1995)
09/26/1995	413	OBJECTIONS by Allen Parr, 43669-066, USP-Lompoc, 3901 Klein Blvd, Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	414	OBJECTIONS by Darryl D. Lewis, 88525-011, USP-Lompoc, 3901 Klein Blvd, Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	415	OBJECTIONS by Edward Lopez, 08255-168, USP-Lompoc, 3901 Klein Blvd, Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	416	OBJECTIONS by Daniel Badaracco, 58367-065, USP-Lompoc, 3901 Klein Blvd., Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	417	OBJECTIONS by James Beverly, 97246-012, USP-Lompoc, 3901 Klein Blvd, Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	418	OBJECTIONS by Michael L. Montalvo, 87224-012, USP-Lompoc, 3901 Klein Blvd, Lompoc, CA 93436 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)

09/26/1995	419	NOTICE by Joseph L. Schepis Jr. of Withdrawal from Class Action Suit and stating any settlement occurring will not act as a bar from future litigation by Mr. Schepis as he reserves the right to do so (DC) (Entered: 09/26/1995)
09/26/1995	420	OBJECTIONS by Ozie B. Collins, 22644044, P.O. Box 1000, Leavenworth, KS 66048-100 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	421	OBJECTIONS by Patricia Williams, 22056-013, P.O. Box 2149, Brxan, TX 77805 to Proposed Settlement Agreement [344-1] (DC) (Entered: 09/26/1995)
09/26/1995	422	NOTICE by counsel Doug McSwain of filing objection of G. Bustamante, 68872-012, USP (ADX), P.O. Box 8500, Florence, CO 81226-8500 with multiple attachments (DC) (Entered: 09/26/1995)
09/26/1995	423	RESPONSE by class counsel to motion to dismiss Douglas McSwain as court appointed counsel and allow representation by Jack Diamond, Sherman Oaks, CA [357-1] (SKV) (Entered: 09/27/1995)
10/02/1995	424	NOTICE by Robert C. MacElvain, 09214-002, D-119, P.O. Box 700, FPC Yankton, South Dakota 57078 (DC) (Entered: 10/03/1995)
10/02/1995	425	OBJECTIONS by Clifford Gibby, Inmate Number 03451-015, FCI Cumbersome, P.O. Box 1000, Cumberland, MD 21501 to Proposed Settlement Agreement [344-1] (DC) Modified on 10/04/1995 (Entered: 10/03/1995)
10/04/1995	426	RESPONSE (OPPOSITION) by defendant USA to motions by Gust Maion Janis to continue proposed settlement and fairness hearing 60 days for Gust Marion to intervene as a class member [378-1], to motion for under Rule 11 against the defts [377-1], to motion for show cause order: alleged contempt based on violation of court order [376-1] (DC) (Entered: 10/04/1995)
10/09/1995		----- V O L U M E 15 ----- ----- (DC) (Entered: 10/11/1995)
10/10/1995	427	ORDER by Judge Henry R. Wilhoit Jr. It is hereby ORDERED that counsel msut file a response to all written comments and objections which wre filed with the Clerk of Court no later than 9/22/95 and that such response by Counsel to these objections must be filed with the Clerk of the Court no later than 10/30/95. Additionally, the Clerk is hereby ORDERED to check each timely filed objection/comment for a certificate of service indicating that it has been served upon both counsel for the plaintiff, Douglas McSwain, Ann D. Sturgill, Gene L. Humphreys and counsel for the defts, Raphael O. Gomez, Kathleen E. Moriarty. If after checking each objection for a certificate of service the Clerk finds that an objection does not contain the aforementioned certificates of service the clerk is hereby DIRECTED to copy the timely filed objection and promptly serve it upon both the aforementioned counsel for plaintiff

		class and counsel for deft. (cc: all counsel) (DC) (Entered: 10/10/1995)
10/10/1995	428	ORDER by Judge Henry R. Wilhoit Jr. It is ORDERED and ADJUDGED that any objections to the Proposed Settlement Agreement received and filed by the Clerk's Office after 9/22/95 will not be considered by the court in its evaluation of the fairness of the proposed settlement agreement in this case. The following objections were filed out of time and/or not in compliance with the aforementioned orders and therefore will not be considered: (Docket entries: 395,397,398, 400-418; 420; 421; 422 and 425). This list is not necessarily exhaustive as additional untimely objections may continue to be filed. (cc: all counsel) (DC) (Entered: 10/10/1995)

10/10/1995	429	MOTION by Patricia M. Darks to proceed in forma pauperis (DC) (Entered: 10/10/1995)
10/10/1995	430	MOTION by Patricia M. Darks for protective order (DC) (Entered: 10/10/1995)
10/10/1995	431	MOTION by Patricia M. Darks for order to "opt-out" of class action individual plaintiffs that object to Proposed Settlement Agreement (DC) (Entered: 10/10/1995)
10/10/1995	432	MOTION by Patricia M. Darks to continue fairness hearing (DC) (Entered: 10/10/1995)
10/10/1995	433	MEMORANDUM OF LAW TO SUPPORT PLAINTIFFS REJECTION OF "SETTLEMENT AGREEMNT" (OBJECTIONS) by Patricia M. Darks to notice [344-1] (DC) (Entered: 10/10/1995)
10/10/1995	434	MOTION by plaintiffs Conchita Washington for attorney fees and expenses. If Agreement is not approved Pltffs request the court to treat this Motion as a motion for "interim" fees and expenses (DC) Modified on 10/11/1995 (Entered: 10/11/1995)
10/10/1995	435	MOTION AND MEMORANDUM by plaintiff Conchita Washington for attorney fees and expenses contingent upon the court approving the Settlement Agreement at the fairness hearing scheduled 11/3/95 (DC) Modified on 10/11/1995 (Entered: 10/11/1995)
10/10/1995	436	AFFIDAVIT of DOUGLAS L. MCSWAIN re Motion for Attorney Fees and Expenses [435-1] (DC) (Entered: 10/11/1995)
10/10/1995	437	AFFIDAVIT of WILLIAM L. WALSH JR re Motion of Doug McSwain for Attorney Fees and Expenses [434-1] (DC) (Entered: 10/11/1995)
10/10/1995	438	AFFIDAVIT of ROBERT A. BEIZER re Motion for Attorney Fees [434-1] (DC) (Entered: 10/11/1995)
10/10/1995	439	AFFIDAVIT of JAMES J. REGAN re Motion for Attorney Fees [434-1] (DC) (Entered: 10/11/1995)

10/10/1995	440	AFFIDAVIT of HELAINE GRACE ELDERKIN re Motion for Attorney Fees and Expenses [434-1] (DC) (Entered: 10/11/1995)
10/11/1995	441	RESPONSE by defendant USA to letter of Inmate John Smith of 9/27/95 (DC) (Entered: 10/11/1995)
10/11/1995	442	MEMORANDUM ORDER: by Judge Henry R. Wilhoit Jr. It is hereby ORDERED that: (1) Ms. Darks, DE#357), is not construed as a motion for this court to appoint anyone to represent her individually; (2) Ms. Darks' DE#357 is not a motion to substitute counsel or bring any additional counsel into this case; (3) Ms. Darks' DE#357 is not a motion to provide copies; (4) Ms. Darks' DE#357 is not a motion to remove Class Counsel as counsel for the entire class; (5) Ms. Darks' DE#357 is construed to be a motion to opt-out of this class, which is hereby DENIED; (6) to the extent the Class Counsel's response (DE#423) seeks for this court to issue a general order that members of a class certified pursuant to Fed R Civ P 23(b)(1) and (b)(2) may not opt-out of the class action, it is further hereby ORDERED that all objections or other comments which can be construed as requests to opt-out of the class are hereby DENIED; denying motion to dismiss Douglas McSwain as court appointed counsel and allow representation by Jack Diamond, Sherman Oaks, CA [357-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	443	ORDER by Judge Henry R. Wilhoit Jr. This matter is before the court for consideration of plaintiff Patricia Dark's memorandum of law in support of plaintiff's rejection of settlement agreement which was filed on 10/10/95. As by prior orders of this court all objections to the settlement agreement in order to be considered must have been timely filed on or before 9/22/95 and as this construed objection has been filed as of 10/10/95 no further consideration shall be given to this memorandum/objection as it is not timely filed. (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	444	ORDER by Judge Henry R. Wilhoit Jr. With regard to Patricia Darks's motion to opt-out of the class action, this issue has been determined by separate order of 10/11/95 which considers the matter raised in DE#357 and the responses thereto in DE#423 and which concludes that class members may not opt-out of this action. Consequently, (1) the plaintiff's motion to opt-out of the class action on her behalf of DENIED; and (2) to the extent the plaintiff brings this motion on behalf of other inmates, she is without authority to assert any such claims and thus any claims made on behalf of other inmates by Patricia Darks are DENIED; denying motion for order to "opt-out" of class action individual plaintiffs that object to Proposed Settlement Agreement [431-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	445	ORDER by Judge Henry R. Wilhoit Jr. As has previously been set forth in an Order of this court the plaintiff is represented by class counsel and pursuant to this court's inherent power to manage its docket, the plaintiff is without authority to litigate this matter on her own behalf.

		Consequently, hereafter any pleading submitted by Patricia Darks which has not been signed by class counsel of record will be ordered stricken and will not be considered. Accordingly, the plaintiff's motion for continuance of fairness hearing is DENIED; denying motion to continue fairness hearing [432-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	446	ORDER by Judge Henry R. Wilhoit Jr. As has been previously determined in this matter by Order of the undersigned dated 11/18/93 this court has determined that a plaintiff may not opt-out of this class action. As it appears Patricia Darks is attempting to opt-out of this action as a plaintiff and to hire separate counsel because she in some manner objects to the settlement agreement, and as it has been previously determined that such is not permissible the plttf's motion to proceed in forma pauperis and to have this court provide funds by which she may require class counsel to copy specified documents in order to forward them to Atty Jack Diamond is DENIED; moreover, theplttf is hereby on notice that since she is represented by class counsel in this matter purusant to the inherent power of this court to manage its docket any furhter motions that the ptlff may wish to have brought before this court must be directed to class counsel Douglas McSwain and will only be considered by this court when they are signed and submitted by plttf's appointed counsel. Should plttf continue to submit additional motions without the signature of plttf's class counsel said motions will be stricken from the record; denying motion to proceed in forma pauperis [429-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	447	ORDER by Judge Henry R. Wilhoit Jr. As each of the aforementioned motions by Gust Marion janis constitutes an attempt by this class member to circumvent the use of class counsel in bringing matters before this court, pursuant to the inherent power of this court to manage its docket, and in light of the fact that Gust Marion Janis is representd by counsel in this matter the aforementioned and set forth motions by Gust Marion Janis are improperly before this court and are hereby ordered OVERRULED; denying motion for show cause order: alleged contempt based on violation of court order [376-1] denying motion for sanctions under Rule 11 against the defts [377-1] denying motion to continue proposed settlement and fairness hearing 60 days for Gust Marion to intervene as a class member [378-1] denying response [426-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/13/1995	448	ORDER by Judge Henry R. Wilhoit Jr. It is noted that should Darks continue to bring matters before this court without going through her court-appointed class counsel and should Darks continue to improperly practice law by attempting to represent other persons before this court she is hereby on notice that she may be subject to sanctions by this court; denying motion for protective order [430-1] (cc: all counsel) (DC) Modified on 10/16/1995 (Entered: 10/16/1995)
10/16/1995	449	EX PARTE MOTION by Gust Marion Janis for protective order to issue to defts to preseve and not to destroy evidence and declaration of class

		member Gust Marion Janis (DC) (Entered: 10/16/1995)
10/16/1995	450	ORDER by Judge Henry R. Wilhoit Jr. It is therefore ORDERED and ADJUDGED that: (1) that the letter of October 10, 1995 construed to be a motion to enlarge time in which the movant may file a motion to unseal docket entry number 371 up to and including 10 days after he has been served with a redacted copy of docket entry 371 is SUSTAINED, and (2) that movant's request for a copy of the redacted version of docket entry number 371 is OVERRULED as MOOT. (cc: all counsel) (DC) (Entered: 10/17/1995)

10/19/1995	451	ORDER by Judge Henry R. Wilhoit Jr. ex parte motion by Gust Marion Janis for protective order to issue to defts to preseve and not to destroy evidence and declaration of class member Gust Janis [449-1] are OVERRULED (cc: all counsel) (CBD) (Entered: 10/19/1995)
10/24/1995	452	MOTION by plaintiff for reconsideration of Order entered 10/10/95 striking objections as untimely filed (DC) (Entered: 10/25/1995)
10/24/1995	453	REPLY by Gust Marion Janis to response to Motion of Janis for Show Cause Order, Motion for a Continuance of Proposed Settlement and Fairness Hearing, and Motion for Sanctions under Rule 11 (Docket Numbers for Motions are #376, 377 & 378) (DC) Modified on 10/25/1995 (Entered: 10/25/1995)
10/27/1995	454	NOTICE by plaintiffs, defendants of Filing an agreement in principle to resolve plaintiffs' request for an award of costs and attorneys fees in this case. Defts will not file a response to, and the court does not need to address Plaintiffs Motion for Award of Attorneys Fees and Expenses at this time (DC) (Entered: 10/27/1995)
10/30/1995	455	NOTICE OF APPEAL by Patricia M. Darks from Dist. Court decision [448-1], [446-1], [445-1], [444-1], [443-1], [442-1] (cc: all counsel) (DC) (Entered: 10/31/1995)
10/30/1995		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [455-1] (cc: all counsel) (DC) (Entered: 10/31/1995)
10/30/1995	456	MEMORANDUM by defendant USA in support of the Proposed Settlement Agreement (Filed Separately) (DC) Modified on 10/31/1995 (Entered: 10/31/1995)
10/30/1995	457	MOTION by plaintiffs for leave to file memorandum responsive to objections to the proposed settlement agreement in excess of 50 pages (DC) (Entered: 10/31/1995)
10/30/1995		PROPOSED Memorandum on Class Members Objections to Settlement Agreement tendered by plaintiffs counsel, Doug McSwain (DC) (Entered: 10/31/1995)
11/01/1995	458	ORDER by Judge Henry R. Wilhoit Jr. It is therefore ORDERED and ADJUDGED that (1) granting motion for reconsideration of Order entered 10/10/95 striking objections as untimely filed [452-1]; (2) that the court's order of 10/10/95 is AMENDED to the extent that the Court will consider the objections listed above as timely filed. (cc: all counsel) (DC) (Entered: 11/01/1995)
11/01/1995		----- V O L U M E 16 ----- ----- (DC) (Entered: 12/07/1995)

11/03/1995	459	MOTION by William Michael Furman for order for relief for violation of rights (DC) (Entered: 11/03/1995)
11/03/1995	460	ORDER by Judge Henry R. Wilhoit Jr. denying motion for representative parties status [396-1] (cc: all counsel) (DC) (Entered: 11/03/1995)
11/03/1995	461	JOINT MOTION by defendants, plaintiffs for approval of the settlement agreement (DC) (Entered: 11/03/1995)
11/03/1995	462	ORDER APPROVING CLASS ACTION SETTLEMENT AGREEMENT by Judge Henry R. Wilhoit Jr. The court held a hearing on 11/3/95 to consider the Joint Motion for Approval of the Settlement Agreement. After having considered the Joint Motion and the arguments of counsel for the plaintiff class and the defts the court finds that the Settlement Agreement is the product of serious, informed, noncollusive negotiations between the plaintiffs and defts and does not improperly grant preferential treatment to the class representatives or any segment of the class; The court also notes that less than 1% of the 90/114 inmates in federal correctional institutions filed objections to the Settlement Agreement which is a factor that weighs heavily in favor of approving the Agreement. Moreover, after considering the objections the arguments of counsel and the record in this case the court concludes that the objections do not adequately take account of the fact that the class might not obtain all the relief the objectors seek if this case were to go to trial. The court further finds that the provisions delaing with collect calling in Section II of the Agreement and the provisions dealing with the Inmate Financial Responsibility Program in Section III will provide the class with substantial benefits that are not available to inmates under the BOP' current inamate telephone system and inmate telephone regulations and that that the plttf class had to compromise some of their claims in order to obtain the Settlement Agreement. Accordingly, the court finds that the agreement taken as a whole, is fair, reasonable and adequate to all concerned. WHEREFORE, it is hereby ORDERED that the Settlement Agreement attached to this order should be approved (5:93-cv-00217 5:93-cv-00217) (cc: all counsel) (DC) Modified on 11/03/1995 (Entered: 11/03/1995)
11/03/1995	463	JOINT STIPULATION OF DISMISSAL by parties to dismiss the intervening complaint (Class Action), the intervening plttfs amendment to Intervening Complaint and the intervening plttfs Second Amendment to Intervening Complaint (DC) (Entered: 11/03/1995)
11/03/1995	464	JOINT STIPULATION OF DISMISSAL by defendant, plaintiff to dismiss the issues raised by Intervening Plttf Virginia Ruff (who filed a motion to intervene in this case under the pseudonym "Jane Zoe" (DC) (Entered: 11/03/1995)
11/03/1995	465	EXHIBIT list used during course of Fairness Hearing and Settlement Conference on 11/3/95 at 11:00 a.m. (DC) (Entered: 11/06/1995)
11/06/1995	466	NOTIFICATION by 6CCA of Appellate Docket Number 95-6455 (DC)

		(Entered: 11/07/1995)
11/09/1995	467	DEPOSITION of RESHAWN RICHARDSON taken on the following date(s): 6/1/95 at 9:00 a.m. by: defts (SEP. VOL.) (DC) (Entered: 11/09/1995)
11/09/1995	468	DEPOSITION of LORI SAUNDERS taken on the following date(s): 06/01/95 at 1:30 p.m. by: defts (SEP. VOL.) (DC) (Entered: 11/09/1995)
11/09/1995	469	DEPOSITION of GLORIA BATTON ROBINSON taken on the following date(s): 05/10/95 at 2:00 p.m. by: defts (SEP. VOL.) (DC) (Entered: 11/09/1995)

11/09/1995	470	DEPOSITION of MARTHA MARIE PRESTON taken on the following date(s): 5/10/95 at 9:30 a.m. by: deft (SEP. VOL.) (DC) (Entered: 11/09/1995)
11/09/1995	471	DEPOSITION of NORMA FAY COOK taken on the following date(s): 05/08/95 at 2:30 p.m. by: defts (SEP. VOL.) (DC) (Entered: 11/09/1995)
11/13/1995	472	ORDER by Judge Henry R. Wilhoit Jr. On November 3,1 995 action was called for a hearing to determine if the settlement agreement should be approved. The proceedings was recorded by Peggy Westman Weber. It is now therefore ORDERED (1) that the oral moiton of the defts for the court to set aside the portion of the court's previous order of 10/21/94 (DE#240) prohibiting the Bureau of Prisons from moving any of the named plttffs from the Fed Medcial Center at Lexington, KY be and it is sustained; (2) that the motion of Clarence L. McClain, an objector to the proposed settlement agreement, to permit him representative party status (DE#396) be and it is overruled; (3) that the notice of possible vindictive act by defts (DE#399) be and it is construed by the court as a motion by inmate David Solan; and said motion be and it is overruled; (4) that the motion of William Michael Furman for relief for violations of rights (DE#459) be and it is overruled; (5) that the motion of the plttffs' class counsel for leave to file memorandum response to objections to the proposed settlement agreement in excess of 50 pages (DE#457) be and it is sustained. (cc: all counsel) (DC) (Entered: 11/13/1995)
11/17/1995	473	MANDATE from 6CCA Upon consideration of the appellants motion to voluntarily dismiss the appeal. It is ORDERED that the motion be and it hereby is GRANTED and the appeal is dismissed; dismissing the appeal [294-1] (DC) (Entered: 11/17/1995)
11/27/1995	474	LETTER from Robert Saunders, CV7895 - P.O. Box 7895, Camp Hill, PA 17001 requesting name of plaintiff's counsel - sent him name and address this date (DC) (Entered: 11/28/1995)
11/27/1995	475	NOTICE OF APPEAL by Movant Melvin P. Deutsch, 97217-024, FCI Otisville, Unit Fourt "A", Room Number 200, Post oFfice Box Number 1000, Otisville, New York 10963; from Dist. Court decision [462-2] (cc: all counsel) (DC) (Entered: 11/28/1995)
11/27/1995		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [475-1] (cc: all counsel) (DC) (Entered: 11/28/1995)
11/27/1995	476	JOINT STIPULATION OF DISMISSAL of parties (DC) (Entered: 11/28/1995)
11/28/1995	477	TRANSCRIPT DESIGNATION and Ordering Form for dates: N/A (DC) (Entered: 11/28/1995)
11/30/1995	478	MOTION by Ozie B. Collins, 22644044, U.S. Penitentiary, P.O. Box 1000, Leavenworth, Kansas 66048-1000 seeking determination of motion of objection (DC) (Entered: 12/01/1995)

12/01/1995	479	ORDER by Judge Henry R. Wilhoit Jr. This matter is before the court on the Plaintiffs Motion for Award of Attorneys Fees and Expenses and the Court being advised that the parties have settled this issue and the court being further requested by plttfs counsel to be discharged from serving as court-appointed counsel, it is hereby ORDRED, ADJUDGED AND DECREED that pursuant to the Stipulation of Dismissal filed by the plttfs and defts, the plttfs' request for an award of costs and attorneys fees incurred in this action shall be DISMISSED WITH PREJUDICE. It is further ORDERED that the plttfs counsel Douglas L. McSwain and the law firm of Sturgill, Turner & Truitt are hereby DISCHARGED from any further service as court-appointed counsel herein for the plttfs class EXCEPT and to the extent that said counsel are hereby designated to receive service, on behalf of the class, of certain documents and status reports required to be filed in this court pursuant to the terms of the Settlement Agreement between the plttfs class and defts as appoved by this court on 11/3/95; dismissing case (cc: all counsel) (DC) (Entered: 12/01/1995)
------------	-----	---

12/04/1995	480	NOTICE OF APPEAL by Keith Maydak, Box 1000, Cumberland, MD 21501; from Dist. Court decision [472-1] (cc: all counsel) (DC) Modified on 03/11/1996 (Entered: 12/05/1995)
12/04/1995	481	NOTICE OF APPEAL by Charlie Powell, Box 1000, Cumberland, MD 21501 from Dist. Court decision [472-1] (cc: all counsel) (DC) Modified on 12/05/1995 (Entered: 12/05/1995)
12/04/1995	482	NOTICE OF APPEAL by Jerry Williamson, Box 1000, Cumberland, MD 21501 from Dist. Court decision [472-1] (cc: all counsel) (DC) (Entered: 12/05/1995)
12/04/1995	483	NOTICE OF APPEAL by Clifton Gibbs, Box 1000, Cumberland, MD 21501 from Dist. Court decision [472-1] (cc: all counsel) (DC) Modified on 12/05/1995 (Entered: 12/05/1995)
12/04/1995	484	NOTICE OF APPEAL by Paul Lee, Box 1000, Cumberland, MD 21501 from Dist. Court decision [472-1] (cc: all counsel) (DC) (Entered: 12/05/1995)
12/04/1995		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [484-1], [483-1], [482-1], [481-1], [480-1] (cc: all counsel) (DC) (Entered: 12/05/1995)
12/06/1995	485	NOTICE by defendants of Withdrawal of Appearance of Henry A. Azar, Jr. as counsel for defts. Kathleen E. Moriarty and Vincent M. Garvey will continue to be counsel for defts in this case (DC) (Entered: 12/06/1995)
12/12/1995	486	OBJECTIONS by Richard Keats, 35146-066, Unit 1B, P.O. Box 2000, FCI Allenwood, White Deer,PA 17887-2000 to Settlement Agreement (DC) (Entered: 12/12/1995)
12/18/1995	487	CERTIFIED COPY of 6CCA Order: Pursuant to 28 USC 1915(a) an appeal may not be taken in forma pauperis if the trial court certifies that it is not taken in good faith. There being no certification in this appeal, the court of appeals retains jurisdiction but REMANDS this matter to the district court for inquiry under 28 USC 1915(a). It is ORDERED that this appeal is remanded to the district court for the limited purpose of determining whether this appeal should go forward in forma pauperis and if not to so certify with a brief statement of reasons. Jurisdiction shall be retained in this court pending the district court's ruling. The district court shall file the statement or certification as a supplemental record, to be forwarded to this court for inclusion in the record on appeal. (cc: all counsel) (DC) (Entered: 12/20/1995)
12/19/1995	488	NOTIFICATION by 6CCA of Appellate Docket Number 95-6650; Melvin Deutsch; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)
12/19/1995	489	NOTIFICATION by 6CCA of Appellate Docket Number 95-6651; Keith Maydak; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)

12/19/1995	490	NOTIFICATION by 6CCA of Appellate Docket Number 95-6652; Charlie Powell; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)
12/19/1995	491	NOTIFICATION by 6CCA of Appellate Docket Number 95-6653; Jerry Williamson; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)
12/19/1995	492	NOTIFICATION by 6CCA of Appellate Docket Number 95-6654; Clifton Gibbs; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)
12/19/1995	493	NOTIFICATION by 6CCA of Appellate Docket Number 95-6655; Paul Lee; Mary Patterson, Case Manager (DC) (Entered: 12/20/1995)
12/28/1995	494	TRANSCRIPT DESIGNATION and Ordering Form from Michael Deutsch for dates: N/A (DC) (Entered: 12/28/1995)
12/29/1995	495	MOTION by Ozie B. Collins for consideration or in the alternative motion for reconsideration (DC) (Entered: 12/29/1995)
01/02/1996	496	LETTER from Dr. Emory M. Ghana, 11416-050, USP Allenwood, P.O. Box 3000, White Deer, PA, 17887; to court requesting copy of disposition which has not been made available to plttf and other party plttfs at Allenwood; also disposition of objections (DC) (Entered: 01/02/1996)
01/03/1996	497	OBJECTIONS by David Cerullo, 23443-013, FCI Sandstone, Sandstone, MN 55072 to telephone service and there being "no provision made for friends and family to send in funds earmarked for "telephone only" (Entered: 01/04/1996)
01/04/1996	498	MEMORANDUM, OPINION, AND ORDER: by Judge Henry R. Wilhoit Jr. It is hereby ORDERED AND ADJUDGED that the members of the class seeking to appeal may not proceed in forma pauperis in accordance with 28 USC 1915(a). (cc: all counsel) (DC) (Entered: 01/05/1996)
01/16/1996	499	MAIL Returned [487-1] addressed to plaintiff Patricia M. Darks; returned marked Unclaimed (DC) (Entered: 01/16/1996)
01/19/1996	500	MOTION by plaintiff Gloria Batton Robinson for order for enforcement, renewal and further relief of Judge's Order filed 8/5/93 (DC) (Entered: 01/22/1996)

01/22/1996	501	MAIL Returned [498-1] addressed to plaintiff Patricia M. Darks (DC) (Entered: 01/22/1996)
02/01/1996	502	LETTER from Raymond Stoddard, 15898-083, U.S. Penitentiary, P.O. Box 1000, Marion, IL 62959, requesting information about lawyer that represented this matter and objecting to amount of time inmates are allowed to use telephones (Sent him a copy of front sheet of docket sheet showing Doug McSwain's address) (DC) (Entered: 02/02/1996)
02/01/1996		----- V O L U M E 17 ----- ----- (DC) (Entered: 03/25/1996)
02/05/1996	503	NOTICE OF APPEAL by Melvin P. Deutsch from Dist. Court decision filed 1/4/96 (cc: all counsel) (DC) (Entered: 02/07/1996)
02/05/1996		NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [503-1] (cc: all counsel) (DC) (Entered: 02/07/1996)
02/05/1996	504	RESPONSE by defendants to motion for order for enforcement, renewal and further relief of Judge's Order filed 8/5/93 [500-1] (DC) (Entered: 02/07/1996)
02/13/1996	505	REPLY by plaintiff Gloria Batton Robinson to response to motion for order for enforcement, renewal and further relief of Judge's Order filed 8/5/93 [500-1] (DC) (Entered: 02/15/1996)
02/14/1996	506	LETTER (ADDENDUM) from plaintiff Gloria Batton Robinson to plaintiff's motion for enforcement, renewal and further relief of Judge's order filed 8/5/93 (DC) (Entered: 02/15/1996)
02/16/1996	507	LETTER from Dan LaPlante requesting information on any enforcement cases filed as to the settlement agreement (DC) (Entered: 02/16/1996)
02/20/1996	508	MOTION by Morris B. Kessler, 23165-044, P.O. Box 4000, Springfield, MO 65801-4000 to intervene (DC) (Entered: 02/20/1996)
02/21/1996	509	ORDER by Judge Henry R. Wilhoit Jr. It is hereby ORDERED (1) that the portion of plaintiff's Robinson's and Pltff's Preston's motion seeking this court to consider matters pursuant to FRCP 60(b)(3) is GRANTED; (2) that the court relieves the pltffs of the final order of this court dismissing the action for the limited purpose of considering the pltffs cliams for retaliatory conduct; (3) that insofar as the motion for protective order is brought by pltff Preston it is DENIED as MOOT; (4) that insofar as the motion for protective order is brought by pltff Robinson it is DENIED for the reasons set forth above [500-1] (cc: all counsel) (DC) (Entered: 02/21/1996)

02/23/1996	510	MANDATE from 6CCA dismissing the appeal [481-1], dismissing the appeal [480-1] for want of prosecution. (DC) (Entered: 02/23/1996)
02/28/1996	511	NOTIFICATION by 6CCA of Appellate Docket Number 96-5214 (DC) (Entered: 02/28/1996)
02/28/1996		RECEIPT from Keith Maydak for \$105.00 filing fee to 6CCA (DC) (Entered: 02/28/1996)
03/01/1996	512	LETTER from 6CCA requesting copies of pleadings (DC) (Entered: 03/01/1996)
03/04/1996	513	MAIL Returned [509-1] addressed to Melvin P. Deutsch showing forwarding order expired (DC) (Entered: 03/05/1996)
03/05/1996	514	LETTER to Mary Patterson re: copies of record she had requested for appeal purposes; and forwarding documents to her this date (DC) (Entered: 03/05/1996)
03/08/1996	515	CERTIFIED COPY of 6CCA Order: Reintating appeal of Keith Maydak; app no. 95-6651. (cc: all counsel) (DC) (Entered: 03/11/1996)
03/11/1996	516	OBJECTIONS by Paul Fazzini, 92015-024, 3901 Klein Boulevard, Lompoc, CA 93436, to Settlement Agreement (DC) (Entered: 03/11/1996)
03/11/1996	516	MOTION by Paul Fazzini to excuse lateness due to inability to obtain copy of Settlement Agreement (DC) (Entered: 03/11/1996)
03/22/1996	517	ORDER by Judge Henry R. Wilhoit Jr. It is ORDERED finding the motion to intervene [508-1] moot. (cc: all counsel) (DC) (Entered: 03/26/1996)
04/08/1996	518	CERTIFIED COPY of 6CCA Order: (cc: all counsel) dismissing the appeal for want of prosecution [503-1] (SKV) (Entered: 04/08/1996)

04/23/1996	519	MAIL Returned [517-1] addressed to Melvin P. Deutsch; forwarding order expired (DC) (Entered: 04/23/1996)
04/26/1996	520	STRICKEN Pursuant to Court's Order of 5/10/96; DE#525; document placed to left side of record (DC) Modified on 05/10/1996 (Entered: 04/26/1996)
05/03/1996	521	DEPOSITION of CONCHITA WASHINGTON taken on the following date(s): 5/9/95 at 9:30 a.m. by: defts (SEP. VOL.) (DC) (Entered: 05/03/1996)
05/03/1996	522	DEPOSITION of ANTOINETTE MCRAE FRINK taken on the following date(s): 5/8/95 at 9:30 a.m. by: defts (SEP. VOL.) (DC) (Entered: 05/03/1996)
05/03/1996	523	CERTIFIED COPY of 6CCA Order: It is ORDERED that the motion be and it hereby GRANTED. The appeal has now been placed on the active docket. (cc: all counsel) (DC) (Entered: 05/03/1996)
05/03/1996	524	CERTIFICATE by defendants of Compliance With Section XI, of the Settlement Agreement (DC) (Entered: 05/03/1996)
05/10/1996	525	ORDER by Judge Henry R. Wilhoit Jr. It is hereby ORDERED AND ADJUDGED: (1) that the Clerk shall UNFILE docket entry number 520 in the above-styled action and place it in the left side of the record; (2) that the docket entry number 520 "NOTICE" by plttf Conchita Washington shall be STRICKEN from the docket. (cc: all counsel) (DC) (Entered: 05/10/1996)
06/10/1996	526	CERTIFIED COPY of 6CCA Order: Upon consideration that appellant has cured the default which led to dismissal of the appeal by submitting a financial affidavit and prison account statement, it is ORDERED that the appeal be REINSTATED to the active docket; reinstating appeal No. 956652. (cc: all counsel) (DC) (Entered: 06/11/1996)
07/08/1996	527	CERTIFIED COPY of 6CCA Order: It is ORDERED that these causes be and it hereby are dismissed for want of prosecution; dismissing the appeal [503-1], dismissing the appeal [482-1], dismissing the appeal [483-1], dismissing the appeal [484-1] (DC) (Entered: 07/08/1996)
07/15/1996	528	ORDER by Judge Henry R. Wilhoit Jr. finding the motion seeking determination of motion of objection [478-1] moot. finding the motion for consideration or in the alternative motion for reconsideration [495-1] moot. finding the motion to excuse lateness due to inability to obtain copy of Settlement Agreement [516-1] moot., finding the objection [516-1] moot. (cc: all counsel) (DC) (Entered: 07/15/1996)
07/16/1996	529	MOTION by plaintiff Conchita Washington for order for clerk to provide mailings for indigent plaintiff to involved/interested parties (DC) (Entered: 07/16/1996)

07/16/1996	530	CERTIFICATION OF NON-MAILING by plaintiff Conchita Washington (DC) (Entered: 07/16/1996)
07/16/1996	531	LETTER from plaintiff Conchita Washington stating that she discovered documentation regarding motion for order was sent without the accompanying data which is on the way was sent out in advance of the full package and please don't send it back (DC (Entered: 07/16/1996)
07/22/1996	532	MANDATE from 6CCA dismissing the appeal [475-1] (DC) (Entered: 07/23/1996)
07/23/1996	533	MAIL Returned [528-1] addressed to plaintiff Patricia M. Darks; no forwarding address (DC) (Entered: 07/23/1996)
08/02/1996	534	NOTICE OF APPEAL by Ozie B. Collins from Dist. Court decision [528-1] (cc: all counsel) (DC) (Entered: 08/09/1996)
08/09/1996	535	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package w/IFP Forms Mailed to Appellant, Copy of Docket Sheet to Parties; [534-1] (cc: all counsel) (DC) (Entered: 08/09/1996)
08/15/1996	536	MOTION by plaintiff Conchita Washington to proceed in forma pauperis (DC) (Entered: 08/15/1996)
08/15/1996	537	MOTION by plaintiff Conchita Washington for protective order from retaliation (no certificate of service showing service on any defts) (DC) (Entered: 08/15/1996)
08/15/1996	538	MOTION by plaintiff Conchita Washington for order for correspondance with all named and unnamed plttfs of a prisoner national class action (DC) (Entered: 08/15/1996)
08/15/1996	539	MOTION by plaintiff Conchita Washington for order to unseal sealed discovery records of defts (DC) (Entered: 08/15/1996)
08/15/1996	540	MOTION by plaintiff Conchita Washington for appointment of counsel (DC) (Entered: 08/15/1996)

08/15/1996	541	MOTION by plaintiff Conchita Washington for hearing for reinstatement of prisoner class action litigation motions; motion for protective order from retaliation; for order for correspondence with all plttfs; and injunctive relief in general (DC) (Entered: 08/15/1996)
08/15/1996	542	EXHIBITS of plttf Conchita Washington in support of her Motion for Hearing for Reinstatement (DC) (Entered: 08/15/1996)
08/15/1996		REMARK: No certificate of service was done on Conchita Washington pleadings no. 536 - 542. An extra copy of the pleadings is to the left side of the record. Ms. Washington stated she was unable to mail any pleadings other than the original pleadings to the court (DC) (Entered: 08/15/1996)
08/23/1996	543	MOTION by plaintiff Conchita Washington for reinstatement of prisoner National Class Action ITS Litigation (DC) (Entered: 08/23/1996)
08/23/1996	544	MANDATE from 6CCA Upon consideration of the appellant's motion to voluntarily dismiss the appeal herein it is ORDERED that the motion be and it hereby is GRANTED and teh appeal is dismsised; dismissing the appeal [480-1] (DC) (Entered: 08/23/1996)
08/26/1996	545	NOTIFICATION by 6CCA of Appellate Docket Number 96-6111; Mary Patterson, Case Manager (DC) (Entered: 08/26/1996)
08/30/1996	546	MANDATE from 6CCA dismissing the appeal [481-1] upon voluntary dismissal of appellant. (DC) (Entered: 08/30/1996)
09/09/1996	547	MOTION by Ozie B. Collins Jr. to stay proceedings for forma pauperis (DC) (Entered: 09/09/1996)
09/23/1996	548	MOTION & MEMORANDUM by Ozie B. Collins to stay proceedings to determine the implementation of a new forma pauperis order currently in effect (DC) (Entered: 09/23/1996)
09/23/1996	549	ORDER by Judge Henry R. Wilhoit Jr. denying motion to proceed in forma pauperis [536-1] (cc: all counsel) (DC) (Entered: 09/24/1996)
09/23/1996	550	ORDER by Judge Henry R. Wilhoit Jr. denying motion for hearing for reinstatement of prisoner class action litigation motions; motion for protective order from retaliation; for order for correspondence with all plttfs; and injunctive relief in general [541-1] (cc: all counsel) (DC) (Entered: 09/24/1996)

09/23/1996	551	ORDER by Judge Henry R. Wilhoit Jr. denying motion for reinstatement of prisoner National Class Action ITS Litigation [543-1] (cc: all counsel) (DC) (Entered: 09/24/1996)
09/23/1996	552	ORDER by Judge Henry R. Wilhoit Jr. denying motion for order to unseal sealed discovery records of defts [539-1] (cc: all counsel) (DC) (Entered: 09/24/1996)
09/23/1996	553	ORDER by Judge Henry R. Wilhoit Jr. denying motion for appointment of counsel [540-1] (cc: all counsel) (DC) (Entered: 09/24/1996)
09/23/1996	554	ORDER by Judge Henry R. Wilhoit Jr. denying motion for protective order from retaliation (no certificate of service showing service on any defts) [537-1] (cc: all counsel) (DC) (Entered: 09/24/1996)
10/17/1996	555	AFFIDAVIT of PATRICIA MOORE, 82960--020, in support of Motion for Reinstatement of Class Action ITS Telephone Suit (DC) (Entered: 10/17/1996)
10/21/1996	556	MANDATE from 6CCA dismissing the appeal [455-1] (DC) (Entered: 10/21/1996)
10/24/1996	557	CERTIFIED COPY of 6CCA Order: Matter remanded to district court for inquiry under 28USC1915(a) to determine whether this appeal should go forward IFP. 6CCA retains jurisdiction. (LGB) (Entered: 10/24/1996)
10/29/1996	558	RECORD on appeal returned from 6CCA re appeal [534-1] (DC) (Entered: 10/29/1996)
10/30/1996	559	ORDER by Judge Henry R. Wilhoit Jr. IN RE THE MATTER OF CHRISTOPHER LEE ALKIRE. The Clerk is hereby ORDERED to send Mr. Alkire the attached copy of the Order Approving Class Action Settlement Agreement. (cc: all counsel) (DC) (Entered: 10/30/1996)
11/13/1996	560	ORDER by Judge Henry R. Wilhoit Jr. It is hereby ORDERED and CERTIFIED that plttf/appellant Ozie B. Collins, Jr.'s pleadings and appeal are not taken in good faith; therefore Collins may not proceed on appeal in forma pauperis (cc: all counsel) (DC) (Entered: 11/13/1996)
12/09/1996	561	ORDER by Judge Henry R. Wilhoit Jr. denying motion for order for correspondance with all named and unnamed plttfs of a prisoner national class action [538-1] denying motion for order for clerk to provide mailings for indigent plaintiff to involved/interested parties [529-1] denying motion to stay proceedings to determine the implementation of a new forma pauperis order currently in effect [548-1] (cc: all counsel) (DC) (Entered: 12/10/1996)

12/26/1996	562	MAIL Returned [561-1] addressed to plaintiff Patricia M. Darks; inmate no longer there; no forwarding address on file (DC) (Entered: 12/26/1996)
12/26/1996	563	MAIL Returned [561-1] addressed to movant Melvin P. Deutsch; no forwarding address on file (DC) (Entered: 12/26/1996)
01/27/1997	564	PETITION by Michael Henry Smith to revoke the settlement (DC) (Entered: 01/27/1997)
01/27/1997	565	MANDATE from 6CCA dismissing the appeal [534-1] for lack of prosecution (DC) (Entered: 01/27/1997)
01/28/1997	566	ORDER by Judge Henry R. Wilhoit Jr. In re the Matter of Diane Pitts The Clerk is hereby ORDERED to send Ms. Pitts the attached copy of the Order Approving Class Action Settlement Agreement. (cc: all counsel) (DC) (Entered: 01/28/1997)
01/28/1997	567	ORDER by Judge Henry R. Wilhoit Jr. In re the Matter of Marc Ramirez The document which is the subject of this order will not be filed and does not initiate any action. The clerk is hereby ORDERED to send Ramirez the attached copy of the order approving Class Action Settlement Agreement a complaint form appropriate for filing a Bivens action, an application to proceed in forma pauperis, the form for a certificate of inmate account and such other forms as are appropriate and necessary for a prisoner filing a civil rights action pursuant to the provisions of the Prison Litigation Reform Act. (cc: all counsel) (DC) (Entered: 01/28/1997)
02/11/1997	568	ORDER by Judge Henry R. Wilhoit Jr. The petitioner's claims should be dismissed without prejudice to his right to bring it as a separate Bivens action in the court having appropriate jurisdiction.(cc: all counsel) (DC) (Entered: 02/11/1997)
02/21/1997	569	RECORD on appeal returned from 6CCA (DC) (Entered: 02/21/1997)
02/24/1997	570	MAIL Returned addressed to Melvin P. Deutsch; no forwarding address (DC) (Entered: 02/24/1997)
03/03/1997	571	MAIL Returned [568-1] addressed to plaintiff Patricia M. Darks (DC) (Entered: 03/03/1997)
05/09/1997	572	NOTICE by defendant USA of Publication of Request for Proposal for the New Telephone System Required by the Settlement Agreement (DC) (Entered: 05/09/1997)

10/02/1997	573	MAIL Returned [517-1] to Patricia Darks (DC) (Entered: 10/03/1997)
10/06/1997	574	MAIL Returned [559-1] addressed to Patricia Darks (DC) (Entered: 10/06/1997)
12/03/1997	575	NOTICE by defendants of Determination of the Competitive Range for the New Telephone System as Set Forth in the Settlement Agreement (DC) (Entered: 12/04/1997)
01/15/1998	576	MOTION of James A. McKines for order directing the deft to show cause why they should not be held in contempt of court for refusing to obey settlement order (DC) (Entered: 01/21/1998)
02/20/1998	577	ORDER by Judge Henry R. Wilhoit Jr. denying motion for order directing the deft to show cause why they should not be held in contempt of court for refusing to obey settlement order [576-1] for failure to exhaust state court remedies. (cc: all counsel) (DC) (Entered: 02/20/1998)
02/23/1998	579	NOTICE by defendants of Award of New Telephone Contract (DC) (Entered: 02/24/1998)
03/02/1998	580	MAIL Returned [577-1] addressed to plaintiff Ozie B. Collins (DC) (Entered: 03/02/1998)
06/02/1998	581	NOTICE OF MOTION by movant Jimmy G. Nixon Sr. to compel US Dept of Justice, BOP topay interest and/or a fine of \$2,000 per month until this court order is complied with in all prisons (DC) (Entered: 06/03/1998)
06/22/1998	582	MOTION by movant Billy Ray Hastings to enforce settlement agreement/compel BOP to comply with earlier court settlement and decree (DC) (Entered: 06/23/1998)
07/22/1998	583	MEMORANDUM OPINION AND ORDER by Judge Henry R. Wilhoit Jr. denying motion to compel US Dept of Justice, BOP to pay interest and/or a fine of \$2,000 per month until this court order is complied with in all prisons [581-1] (cc: all counsel) (DC) (Entered: 07/23/1998)
07/22/1998	584	ORDER by Judge Henry R. Wilhoit Jr. denying motion to enforce settlement agreement/compel BOP to comply with earlier court settlement and decree [582-1] (cc: all counsel) (DC) (Entered: 07/23/1998)

08/03/1998	585	MAIL Returned [583-1] addressed to movant Melvin P. Deutsch; no forwarding address on file (DC) (Entered: 08/03/1998)
08/10/1998	586	NOTICE by plaintiff Ozie B. Collins of change of address (DC) (Entered: 08/10/1998)
08/17/1998	587	MOTION by movant James A. McKines for order directing the defts to show cause why they should not be held in contempt of court and to pay restitution for refusing to obey the settlement order of 8/4/95 (DC) (Entered: 08/18/1998)
09/18/1998	588	ORDER by Judge Henry R. Wilhoit Jr. denying motion for order directing the defts to show cause why they should not be held in contempt of court and to pay restitution for refusing to obey the settlement order of 8/4/95 [587-1] (cc: all counsel) (DC) (Entered: 09/21/1998)
09/29/1998	589	MAIL Returned [588-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 09/29/1998)
10/05/1998	590	NOTICE OF APPEAL by movant Jimmy g. Nixon Sr., movant James A. McKines from Dist. Court decision [588-1] (cc: all counsel) (DC) (Entered: 10/05/1998)
10/05/1998	591	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [590-1] (cc: all counsel) (DC) (Entered: 10/05/1998)
10/20/1998	592	CERTIFIED COPY of 6CCA Order: The case is hereby REMANDED to the district court for it to issue a deficiency notice directing Mr. Nixon and Mr. McKines to pay the filing fee or submit affidavits of indigency and trust statements. The deficiency notice should also inform Mr. Nixon and Mr. McKines that their appeal will be dismissed for want of prosecution if they do not comply with the notice. (DC) (Entered: 10/20/1998)
10/23/1998	593	MAIL Returned [590-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 10/23/1998)
10/23/1998		----- V O L U M E 18 ----- ----- (DC) (Entered: 02/05/1999)
10/27/1998	594	DEFICIENCY ORDER RE APPELLATE FILING FEE by Chief Judge Henry R. Wilhoit Jr IT IS ORDERED as follows: (1) the clerk shall open an account receivalbe in the name of the Appellants for receipt of the \$105.00 filing fee; (2) the clerk shall send to each Appellant (1) a prinsoner Apellant's Motion to Proceed In Forma Pauperis and Affidavit of Assets [Form 119],which includes a Motion to Procead In Forma Pauperis to be filled out by the Appellant in comliance with Fed.R.App.P. 24(a); and (2) a six-month Certificate of Inmate Account [Form 117] to be completed by a prison official pursuant to 28 USC 1915 (a)(2); (3) the appellants are granted 30 days from the date of entry of this

	<p>order in which either to pay the \$105.00 appellate filing fee or to submit the completed Prisoner Appellant's Affidavits of Assets and the Certificates of Inmate Account, if the prisoners seek to proceed in forma pauperis on appeal; (4) the appellants are on notice that if the Appellants do not pay the entire filing fee and do not take the above described steps to seek pauper status on appeal within 30 days from the date of entry of this order, the U.S. Court of Appeals for the Sixth Circuit will dismiss the appeal for failure to prosecute under Fed.R.App.P. 3(a); (5) the clerk of this court is directed to send a copy of this order to 6CCA; (6) upon appellant's filing of the forms indicated herein the clerk of this court is directed to return this record to the Pro Se Office. (cc: all counsel) (DC) (Entered: 10/27/1998)</p>
--	---

10/27/1998	595	NOTIFICATION by 6CCA of Appellate Docket Number 98-6375; Mary Patterson, Case Manager (DC) (Entered: 10/27/1998)
11/09/1998	596	MAIL Returned [594-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 11/09/1998)
12/14/1998	597	ACKNOWLEDGMENT OF document #594 Received by 6CCA (DC) (Entered: 12/14/1998)
12/31/1998	598	CERTIFIED COPY of 6CCA Order: dismissing the appeal [590-1] for want of prosecution (SKV) (Entered: 12/31/1998)
01/13/1999	599	MOTION by movant Jimmy g. Nixon Sr. to proceed in forma pauperis on appeal FORWARDED TO ASHLAND ON 1/13/99; DID NOT RECEIVE IN LEXINGTON FOR DOCKETING UNTIL 2/5/99 (DC) Modified on 02/05/1999 (Entered: 02/05/1999)
01/13/1999	600	AFFIDAVIT of Jimmy G. Nixon re [599-1] (DC) (Entered: 02/05/1999)
01/13/1999	601	CERTIFICATE OF INMATE ACCOUNT by movant Jimmy g. Nixon Sr. (DC) (Entered: 02/05/1999)
02/26/1999	602	ORDER by Chief Judge Henry R. Wilhoit Jr denying motion to proceed in forma pauperis on appeal [599-1] (cc: all counsel) (DC) (Entered: 02/26/1999)
03/08/1999	603	MAIL Returned [602-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 03/08/1999)
05/28/1999	604	MOTION by movant Willie Bud Reed Jr. to cause a minor amendment to the Class Action Suit (DC) (Entered: 06/01/1999)
06/14/1999	605	ORDER by Chief Judge Henry R. Wilhoit Jr denying motion to cause a minor amendment to the Class Action Suit [604-1] (cc: all counsel) [EOD Date: 6/14/99] (DC) (Entered: 06/14/1999)

06/28/1999	606	MAIL Returned [605-1] addressed to movant Patricia M. Darks (DC) (Entered: 06/29/1999)
06/28/1999	607	MAIL Returned [605-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 06/29/1999)
06/29/1999	608	MAIL Returned [605-1] addressed to movant Jimmy g. Nixon Sr. (DC) (Entered: 06/29/1999)
09/29/1999	609	NOTICE OF DEPOSITION DESTRUCTION (SKV) (Entered: 09/29/1999)
10/05/1999	613	RECEIPT OF DEPOSITION by dft w/ authorization (SKV) (Entered: 11/10/1999)
10/12/1999	614	MAIL Returned addressed to Jimmy G. Nixon, Sr. (SKV) (Entered: 11/10/1999)
10/15/1999	615	MAIL Returned addressed to Melvin P. Deutsch (SKV) (Entered: 11/10/1999)
10/25/1999	610	MOTION by plaintiff Conchita Washington for evidentiary hearing (DC) (Entered: 10/25/1999)
10/25/1999	611	MOTION by plaintiff Conchita Washington for temporary restraining order without notice, pending injunctive relief (DC) (Entered: 10/25/1999)
11/09/1999	612	MEMORANDUM ORDER by Chief Judge Henry R. Wilhoit Jr denying motion for temporary restraining order without notice, pending injunctive relief [611-1], denying motion for evidentiary hearing [610-1] (cc: all counsel) [EOD Date: 11/10/99] (DC) (Entered: 11/10/1999)
11/23/1999	616	MAIL Returned [612-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 11/23/1999)

11/29/1999	617	MAIL Returned [612-1] addressed to movant Jimmy g. Nixon Sr. (DC) (Entered: 11/29/1999)
12/14/1999	618	APPLICATION by movant Michael Joseph Kearns for order (DC) (Entered: 12/14/1999)
12/17/1999	619	ORDER by Chief Judge Henry R. Wilhoit Jr denying motion for order [618-1] (cc: all counsel) [EOD Date: 12/17/99] (DC) (Entered: 12/17/1999)
12/23/1999	620	MOTION by movant George D. Farquhar to join application for order (DC) (Entered: 12/23/1999)
12/28/1999	621	MAIL Returned [619-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 12/28/1999)
12/28/1999	622	MAIL Returned [619-1] addressed to movant Patricia M. Darks (DC) (Entered: 12/28/1999)
01/03/2000	623	MAIL Returned [619-1] addressed to movant Jimmy g. Nixon Sr. (DC) (Entered: 01/04/2000)
01/13/2000	624	ORDER by Chief Judge Henry R. Wilhoit Jr denying motion to join application for order [620-1] (cc: all counsel) [EOD Date: 1/14/00] (DC) (Entered: 01/14/2000)
01/25/2000	625	MAIL Returned [624-1] addressed to movant Patricia M. Darks (DC) (Entered: 01/25/2000)
02/03/2000	626	MAIL Returned [624-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 02/03/2000)
04/25/2001	627	MOTION by movant Clarence T. Fox Jr. for temporary restraining order (DC) (Entered: 04/25/2001)

05/01/2001	628	ORDER by Senior Judge Henry R. Wilhoit Jr denying motion for temporary restraining order [627-1] (cc: all counsel) [EOD Date: 5/2/01] (DC) (Entered: 05/02/2001)
05/10/2001	629	MAIL Returned [628-1] addressed to movant Michael Joseph Kearns (DC) (Entered: 05/10/2001)
05/14/2001	630	MAIL Returned [628-1] addressed to movant Patricia M. Darks (DC) (Entered: 05/14/2001)
05/15/2001	631	MAIL Returned [628-1] addressed to plaintiff Ozie B. Collins (DC) (Entered: 05/15/2001)
05/21/2001	632	MAIL Returned [628-1] addressed to movant Melvin P. Deutsch (DC) (Entered: 05/21/2001)
01/14/2003	633	NOTICE OF EXHIBIT DESTRUCTION addressed to Douglas McSwain 2 week notice given (JM) (Entered: 01/15/2003)
01/14/2003	634	NOTICE OF EXHIBIT DESTRUCTION addressed to David Grise; 2 week notice given (JM) (Entered: 01/15/2003)
01/17/2003	635	NOTICE OF RECEIPT OF DFTS EXHIBITS (JM) (Entered: 01/21/2003)
01/31/2003	636	DESTRUCTION OF CERTAIN EXHIBITS PURSUANT TO LOCAL RULE 13(F) (JM) (Entered: 01/31/2003)

5:93-cv-00290-HRW

PACER Service Center			
Transaction Receipt			
07/21/2005 15:52:29			
PACER Login:	hs0328	Client Code:	
Description:	Docket Report	Search Criteria:	5:93-cv-00290-HRW
Billable Pages:	30	Cost:	2.40