

CLOSED

**U. S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:09-cv-07515-JCZ-SS**

Prison Legal News et al v. Stephens et al
Assigned to: Judge Jay C. Zainey
Referred to: Magistrate Judge Sally Shushan
Cause: 42:1983 Civil Rights Act

Date Filed: 12/03/2009
Date Terminated: 06/17/2010
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Prison Legal News

represented by **Mary E. Howell**
Mary E. Howell, Attorney at Law
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Plaintiff

Human Rights Defense Center

represented by **Mary E. Howell**
(See above for address)
LEAD ATTORNEY
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Daniel E. Manville
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Elizabeth Cumming
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V.

Defendant

Jack A Stephens
Sheriff, St. Bernard Parish

represented by **Mary Ann Hand**
Gutierrez & Hand
2137 Jackson Boulevard
Chalmette, LA 70044
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Gutierrez &Hand
2137 Jackson Boulevard
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504-277-7755
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ATTORNEY TO BE NOTICED

Defendant

David Mowers
Warden, St. Bernard Parish Prison

represented by **Mary Ann Hand**
(See above for address)
*LEAD ATTORNEY
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Salvador E. Gutierrez , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Charles Buras
Captain, St. Bernard Parish Prison

represented by **Mary Ann Hand**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Salvador E. Gutierrez , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Unidentified Parties

Date Filed	#	Docket Text
12/03/2009	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350) filed by Prison Legal News, Human Rights Defense Center. (Attachments: # <u>1</u> Civil Cover Sheet)(ecm,) (Entered: 12/04/2009)
12/03/2009	2	Summons Issued as to Jack A Stephens, David Mowers, Charles Buras. (ecm,) (Entered: 12/04/2009)
12/09/2009	<u>3</u>	ANSWER to <u>1</u> Complaint by Jack A Stephens, David Mowers, Charles Buras.(Hand, Mary) (Entered: 12/09/2009)
12/16/2009	<u>4</u>	NOTICE Scheduling Conference set for 1/12/2010 10:30 AM before courtroom deputy by telephone.(cbn,) (Entered: 12/16/2009)
01/12/2010	<u>5</u>	EXPARTE/CONSENT MOTION for Preliminary Injunction by Prison Legal News, Human Rights Defense Center. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Memorandum in Support, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 1a, # <u>5</u> Exhibit 1b, # <u>6</u> Exhibit 1c, # <u>7</u> Exhibit 1d, # <u>8</u> Exhibit 1e, # <u>9</u> Exhibit 1f, # <u>10</u> Exhibit 1g, # <u>11</u> Exhibit 1h pt.1, # <u>12</u> Exhibit 1h pt.2, # <u>13</u> Exhibit 2, # <u>14</u> Exhibit 2a, # <u>15</u> Exhibit 3, # <u>16</u> Exhibit 4)(ecm,) (Entered: 01/12/2010)
01/12/2010	<u>6</u>	Request/Statement of Oral Argument by Prison Legal News, Human Rights Defense Center regarding <u>5</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Proposed Order)(ecm,) (Entered: 01/12/2010)
01/13/2010	<u>7</u>	SCHEDULING ORDER: Final Pretrial Conference set for 9/9/2010 11:00 AM before Judge Mary Ann Vial Lemmon. 2 day Bench Trial set for 9/30/2010 09:00 AM before Judge Mary Ann Vial Lemmon. Signed by Judge Mary Ann Vial Lemmon. (Attachments: # <u>1</u> Pretrial Notice Form)(cbn,) (Entered: 01/13/2010)

01/15/2010	<u>8</u>	ORDER Status Conference set for 1/19/2010 9:30 AM before Judge Jay C. Zainey.. Signed by Judge Jay C. Zainey on 1/14/10.(jrc,) (Entered: 01/15/2010)
01/15/2010	<u>9</u>	ORDER TRANSFERRING CASE. Case transferred to Judge Jay C. Zainey and Magistrate Judge Sally Shushan for all further proceedings. Judge Mary Ann Vial Lemmon, Magistrate Judge Daniel E. Knowles, III no longer assigned to case. Signed by Judge Mary Ann Vial Lemmon on 1/14/10. (NEF: C. Nelson, Judge Shushan and Judge Knowles)(ecm,) (Entered: 01/15/2010)
01/19/2010	<u>10</u>	ORDER: Settlement Conference set for 2/2/2010 09:00 AM before Magistrate Judge Sally Shushan. Signed by Magistrate Judge Sally Shushan.(ecm,) (Entered: 01/19/2010)
01/19/2010	<u>11</u>	EXPARTE/CONSENT MOTION to Appear Pro Hac Vice (Filing fee \$ 5 receipt number 053L0000000002267815) by Prison Legal News, Human Rights Defense Center. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Affidavit Declaration, # <u>3</u> Exhibit)(Howell, Mary) Modified on 1/20/2010 (gbw,). (Entered: 01/19/2010)
01/19/2010	<u>13</u>	Minute Entry for proceedings held before Judge Jay C. Zainey: Status Conference held on 1/19/2010. Follow-up Status Conference set for 2/18/2010 09:30 AM in chambers before Judge Jay C. Zainey. (gbw,) (Entered: 01/20/2010)
01/20/2010	<u>12</u>	Correction of Docket Entry by Clerk re <u>11</u> MOTION to Appear Pro Hac Vice (Filing fee \$ 5 receipt number 053L0000000002267815). Document contains incorrect Section and Magistrate Judge. All future pleadings must reflect Section A (Jay C. Zainey) and/or Magistrate Judge I (Sally Shushan)(gbw,) (Entered: 01/20/2010)
01/25/2010	<u>14</u>	ORDER granting <u>11</u> Motion to Appear Pro Hac Vice as to Daniel E. Manville.. Signed by Judge Jay C. Zainey on 1/25/2010. (gbw,) (Entered: 01/25/2010)
02/02/2010	<u>15</u>	Minute Entry for proceedings held before Magistrate Judge Sally Shushan: Settlement Conference held on 2/2/2010. Settlement discussions are ongoing. (ecm,) (Entered: 02/02/2010)
02/18/2010	<u>16</u>	Minute Entry for proceedings held before Judge Jay C. Zainey: Status Conference held on 2/18/2010. Status Conference set for 3/17/2010 11:00 AM in chambers before Judge Jay C. Zainey. (gbw,) (Entered: 02/22/2010)
03/17/2010	<u>19</u>	ORDER that the Status Conference be reset for 3/25/2010 11:00 AM IN CHAMBERS. Signed by Judge Jay C. Zainey on 3/16/2010.(caa,) (Entered: 03/17/2010)
03/25/2010	<u>21</u>	Minute Entry for proceedings held before Judge Jay C. Zainey: Status Conference held on 3/25/2010. ORDERED that the parties shall schedule a settlement conference before Magistrate Judge Sally Shushan. Status Conference is set for 4/15/2010 10:30 AM in chambers before Judge Jay C. Zainey. (NEF: MJ Shushan) (gbw,) (Entered: 03/26/2010)
03/29/2010	<u>22</u>	ORDER: A Follow-Up Settlement Conference set for 4/12/2010 10:30 AM – 11:30 AM before Magistrate Judge Sally Shushan. Signed by Magistrate Judge Sally Shushan.(ecm,) (Entered: 03/29/2010)
04/12/2010	<u>23</u>	Minute Entry for proceedings held before Magistrate Judge Sally Shushan: A Follow-up Settlement Conference held on 4/12/2010. Settlement discussions are ongoing. (ecm,) (Entered: 04/12/2010)
04/12/2010	<u>24</u>	ORDER Status Conference set for 4/15/2010 10:30 AM is RESET to 4/29/2010 03:30 PM in chambers. Signed by Judge Jay C. Zainey on 4/12/2010.(gbw,) (Entered: 04/12/2010)
04/28/2010	<u>25</u>	ORDER Status Conference RESET for 5/6/2010 3:45 PM before Judge Zainey. Signed by Judge Jay C. Zainey on 4/27/10.(jrc,) (Entered: 04/28/2010)
05/06/2010	<u>26</u>	ORDER Status Conference RESET for 5/13/2010 3:30 PM before Judge Zainey. Signed by Judge Jay C. Zainey on 5/5/10.(jrc,) (Entered: 05/06/2010)
05/07/2010	<u>27</u>	EXPARTE/CONSENT MOTION to Continue by Jack A Stephens, Charles Buras, David Mowers. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed

		Order)(Hand, Mary) Modified to add filers on 5/10/2010 (gbw,). (Entered: 05/07/2010)
05/10/2010	<u>28</u>	Correction of Docket Entry by Clerk re <u>27</u> MOTION to Continue. Filing attorney did not select David Mowers, Charles Buras as a filer(s). Clerk added filer. (gbw,) (Entered: 05/10/2010)
05/11/2010	<u>29</u>	ORDER granting <u>27</u> MOTION to Continue Status Conference. Status Conference reset for 5/27/2010 2:30 PM before Judge Zainey. Signed by Judge Jay C. Zainey on 5/10/10.(jrc,) (Entered: 05/11/2010)
05/14/2010	<u>30</u>	EXPARTE/CONSENT First MOTION to Approve Consent Judgment by Prison Legal News. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit Policy, # <u>3</u> Exhibit Attachment A)(Howell, Mary) Modified attachment description on 5/17/2010 (gbw,). (Entered: 05/14/2010)
05/17/2010	<u>31</u>	Correction of Docket Entry by Clerk re <u>30</u> First MOTION to Approve Consent Judgment. Filing attorney did not select category 'Proposed Order' when attaching proposed order (consent judgment). Clerk took corrective action. (gbw,) (Entered: 05/17/2010)
05/18/2010	<u>32</u>	CONSENT JUDGMENT FOR INJUNCTIVE RELIEF ONLY. Signed by Judge Jay C. Zainey on 5/17/10. (Attachments: # <u>1</u> Incoming Publications Policy)(jrc,) (Entered: 05/18/2010)
05/27/2010	<u>34</u>	Minute Entry for proceedings held before Judge Jay C. Zainey. Status Conference held on 5/27/2010. Follow-up Status Conference by telephone set for 6/17/2010 2:15 PM before Judge Jay C. Zainey. (jrc,) (Entered: 06/01/2010)
05/28/2010	<u>33</u>	ORDER Telephone Settlement Conference set for 6/10/2010 09:00 AM before Magistrate Judge Sally Shushan. Signed by Magistrate Judge Sally Shushan.(ecm,) (Entered: 05/28/2010)
06/16/2010	<u>35</u>	ORDER Telephone Status Conference is reset for chambers 6/17/2010 2:45 PM before Judge Jay C. Zainey. Signed by Judge Jay C. Zainey.(jrc,) (Entered: 06/16/2010)
06/17/2010	<u>36</u>	Minute Entry for proceedings held before Judge Jay C. Zainey: Status Conference held on 6/17/2010. ORDERED that this action is dismissed as stated herein. (gbw,) (Entered: 06/18/2010)